

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee of Bolsover District Council held in Chamber Suites 2 and 3, The Arc, Clowne on Wednesday 30th March 2016 at 1000 hours.

PRESENT:-

Members:-

Councillor D. McGregor in the Chair

Councillors T. Alexander, P.M. Bowmer, J.A. Clifton, T. Connerton, C.P. Cooper, M.G. Crane, M. Dooley, S.W. Fritchley, H.J. Gilmour, T. Munro, B.R. Murray-Carr, M.J. Ritchie and J. Wilson.

Officers:-

J. Arnold (Assistant Director – Planning and Environmental Health), C. Doy (Development Control Manager), C. McKinney (Principal Planner), A. Rhodes (Principal Planner), J. Fieldsend (Senior Principal Solicitor), S. Chambers (Communications Manager) and A. Brownsword (Governance Officer)

0883. APOLOGIES

Apologies for absence were received from Councillors S. Statter, B. Watson and D. Watson.

0884. URGENT ITEMS OF BUSINESS

There were no urgent items of business.

0885. DECLARATIONS OF INTEREST

There were no declarations of interest.

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0886. MINUTES – 10TH FEBRUARY 2016

Moved by Councillor D. McGregor and seconded by Councillor J.A. Clifton

RESOLVED that the minutes of a meeting of the Planning Committee of Bolsover District Council held on 10th February 2016 be approved as a true and correct record.

0887. SITE VISIT NOTES – 5TH FEBRUARY 2016

Moved by Councillor D. McGregor and seconded by Councillor T. Munro

RESOLVED that the notes of a site visit held on 5th February 2016 be approved as a true and correct record.

0888. APPLICATIONS TO BE DETERMINED UNDER THE TOWN AND COUNTRY PLANNING ACTS

- (1) 15/00599/FUL - Extension at ground floor and change of use from an existing Public House at ground floor level and Hotel at first and second floor levels to 1x 3 bedroom flat, 2x 2 bedroom flats and 2 studio apartments at ground floor level and a 21 bedroom House of Multiple Occupancy at first and second floor levels (Part retrospective application) at Station Hotel, Station Road, Shirebrook, Mansfield

The Development Control Manager presented the report which gave details of the application, site history and consultations carried out.

Shirebrook Town Councillor M. Yates, Mr. A. Garbett (on behalf of Mr. M. Layton) and Mrs. K. Oakley attended the meeting and spoke against the application.

The Committee considered the application having regard to the Bolsover District Local Plan and the National Planning Policy Framework.

Moved by Councillor B.R. Murray-Carr and seconded by Councillor M.G. Crane

RESOLVED that Application No. 15/00599/FUL be DEFERRED pending consideration of the general state of both the building and the grounds on Health and Safety grounds and to allow further exploration of policy CLT 1 – Protection of Existing Buildings Which Serve the Community.

(Development Control Manager)

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- (2) 14/00531/OUT - Outline planning application for residential development, including approval of point of access detail into the site. Development to include public open space and drainage, and including demolition of the former petrol filling station, Rosewood Farm, barn and stables, Nos 115, 117, 119 and 121 Alfreton Road. Application site is land surrounding Rosewood Lodge Farm, Alfreton Road, South Normanton

The Chairman noted that permission had been given for this item to be deferred and sought endorsement from the Committee.

Moved by Councillor T. Munro and seconded by Councillor B.R. Murray-Carr
RESOLVED that Application No. 14/00531/OUT be DEFERRED to a future meeting of the Planning Committee.

(Development Control Manager)

- (3) 15/00562/OUT - Residential development (maximum 70 dwellings) and community building (Class D1/D2) with means of access off Broad Lane and Green Lane at Land Approximately 300M To The West Of Hall Leys Farm, Broad Lane, Hodthorpe

The Development Control Manager presented the report which gave details of the application, site history and consultations carried out.

The Development Control Manager noted that the Highways Authority still maintained their objection as it was felt that the Applicant had failed to demonstrate acceptable access, however the Applicant felt that there was no justification for the opinion of the Highways Authority in view of the limited traffic flows.

The Committee considered the application having regard to the Bolsover District Local Plan and the National Planning Policy Framework.

Moved by Councillor D. McGregor and seconded by Councillor T. Munro
RESOLVED that Application No. 15/00562/OUT be REFUSED on the following grounds:

1. The site lies outside the settlement framework as defined in the Bolsover District Local Plan (2000). Therefore saved countryside protection policies ENV3 and HOU9 apply which do not normally allow residential development in the countryside except in special circumstances which do not apply in this case. Approval would be a

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departure to the plan. Whilst the National Planning Policy Framework (NPPF) does allow sustainable development in the absence of a 5 year supply of housing and the Council does not have a district wide five year supply, the proposal would not result in sustainable development and it would not be an appropriate or logical extension to the settlement framework. Sufficient land has already been released to meet Hodthorpe's housing supply needs. The site is also on grade 2 agricultural land further reducing the sustainability of the site and it has not been demonstrated that there is a need to develop this particular site which overrides the national need to protect such land. Approval would therefore be contrary to saved policy ENV 2 of the Bolsover District Local Plan and to paragraph 112 of the NPPF.

2. Insufficient information and evidence has been provided to demonstrate that the traffic and highway safety impacts of the proposal will be acceptable. Approval of the proposal under these circumstances would be contrary to policies GEN 1 and GEN2 of the Bolsover District Local Plan.

(Development Control Manager)

- (4) 14/00064/NCO - Outline application for a 660 dwelling scheme with associated ancillary uses, including a Local Centre, a Neighbourhood Equipped Areas of Play (NEAP), a Local Equipped Area of Play (LEAP), a Riverside Park, a Local Habitat Area, two SUDS, footpaths, walkways, cycle paths and landscaping, with details of access (14/00145/OL) at Former Coalite Site on the North West and South East sides of Buttermilk Lane, Duckmanton, Chesterfield

Further details were included on the Supplementary Report.

The Development Control Manager presented the report which gave details of the application, site history and consultations carried out. It was noted that this was a consultation from North East Derbyshire District Council who would determine the application.

Ms. S. Taylor attended the meeting and spoke in support of the application.

The Committee considered the consultation.

Moved by Councillor J.A. Clifton and seconded by Councillor T. Munro.

RESOLVED that North East Derbyshire District Council be informed that Bolsover District Council supports the Outline application for a 660 dwelling scheme with associated ancillary uses on land at the former Coalite Works provided that:

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- (i) Controls are in place to secure the completion of the remediation as set out in the application before any development other than remediation takes place on the site;
- (ii) The S106 Agreement allows for the potential contributions to infrastructure needs arising in Bolsover District from the development to be used to deliver that infrastructure ;
- (iii) The S106 Agreement has a review mechanism close to the start of the residential development to enable a potential reallocation of contributions to meet identified needs at that time;
- (iv) The review mechanism includes Bolsover District Council, in view of the potential demands on infrastructure in the district that might require mitigation;
- (v) That the layout of the site and design of properties will either take account of the authorised development in Bolsover District on the remainder of the Coalite site or the S106 contains noise controls over the commercial development to avoid undue impacts.
- (vi) The design and layout of the site takes into account the setting of Bolsover Castle and is designed to minimise the impact on that setting.

(Development Control Manager)

- (5) 14/00080/OUTEA - Outline planning application (with all matters except access reserved for later consideration) for residential development in the region of 950 dwellings, provision of an extra care facility (approx 70 units) and an Infant School together with appropriate vehicular, cycle and pedestrian access, associated car parking spaces and open space provision on land between Welbeck Road and Oxcroft Lane, Bolsover

Further details were included on the Supplementary Report.

The Development Control Manager presented the report which gave details of the application, site history and consultations carried out.

Ms. M. Cashill and Mr. T. Whaplington attended the meeting and spoke against the application and Mr. P. Thornton attended the meeting and spoke in support of the application.

The Committee considered the application having regard to the Bolsover District Local Plan, the National Planning Policy Framework and the Interim Supplementary Planning Document: Successful Places, a Guide to Sustainable Housing Layout and Design (2013).

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Moved by Councillor J.A. Clifton and seconded by Councillor D. McGregor.

RESOLVED that Application No. 14/00080/OUTEA be DEFERRED and delegated to the Assistant Director – Planning and Environmental Health in consultation with Chairman and Vice-Chairman of Planning Committee subject to:

- A. Completion of S106 Planning Obligation to cover the issues discussed in the above report (see table in overall project viability section, and discussion on highways, public art and street trees and need for review mechanism, included within the report) ;
- B. Conditions deemed necessary including those set out below in précis form to be formulated in full by the Assistant Director of Planning.

Conditions

1. Standard outline conditions – to enable phasing and with an appropriately longer expiry date (application suggests phase 1a should relate to standard; each subsequent phase should extend allowance for submission to 10years from date of planning permission and should be begun either before expiry of 11 years from date of planning permission or before the expiration of 1 year from the date of approval of the last reserved matters to be approved in respect of that phase [whichever is the latter]).
2. Highway Conditions
3. Requirement for agreement of design code ahead of any reserved matters submissions for any phase of the development.
4. Provision and long term maintenance of formal and informal open space areas (Where not subject to S106).
5. Recommended conditions of the Derbyshire Wildlife Trust regarding
 - Content of Green Space Strategy, including habitat creation
 - Hedgerow retention/protection and replacement hedgerow works.
6. Archaeology works condition.
7. Coal Authority condition re fissures.
8. Construction management plan.
9. Surface and Foul water drainage scheme, including SuDS and an extension of the existing sewerage system.
10. Construction environmental management plan
11. Environmental Health Officer recommended conditions regarding noise, dust and Contamination identification and mitigation, including an assessment of noise impact and mitigation regarding adjacent commercial site at Farnsworth

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Farm

Notes

1. Urban Design comments/guidance
2. Crime Prevention
3. Reference to important consultation responses to review as part of the preparation of any reserved matters applications including:
 - Severn Trent Water in respect of public sewer responsibilities (A public Sewer crosses the planning application site);
 - Environment Agency and Derbyshire County Council's Flood Risk Management Team in respect of Sustainable Urban Drainage Systems designs;
 - Derbyshire Wildlife Trust in respect of the content of any final Green Space Strategy for the development, including biodiversity enhancements;
 - Natural England in respect of soil handling;
 - Bolsover District Council's Environmental Health Officer in respect of noise and contamination.
 - Leisure Services in terms of design of foot/cycle paths
 - Bolsover District Council's Leisure Services Officer regarding footpath/cycleway proposals.
 - Derbyshire County Council as Highway Authority in respect of highway matters.

(Development Control Manager)

0889. PROPOSED MINOR AMENDMENT TO THE STATEMENT OF COMMUNITY INVOLVEMENT

The Principal Planner presented the report which sought approval for a minor amendment to the wording of the Council's Statement of Community Involvement (SCI).

The proposed amendment removed ambiguity on how representations would be dealt with and ensured it was clear that whilst all representations would be considered, they would not receive an individual response.

Members felt that this was a pragmatic approach.

Moved by Councillor T. Munro and seconded by Councillor D. McGregor

RESOLVED that the proposed minor amendment to the wording of the Statement of Community Involvement be amended as shown below:

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Stage 2 – Building on Engagement

We will:

- Record all representations made. Consider them carefully, and take them into account in the further preparation of the Local Plan
- Publish summaries of the representations and responses on the Council's website.

You can:

- See the Council's response to representations.
- See what other representations have been made, and the Council's initial response(s).

(Planning Policy Manager)

The meeting concluded at 1240 hours.