

## **PLANNING COMMITTEE**

Minutes of a meeting of the Planning Committee of Bolsover District Council held in the Council Chamber, The Arc, Clowne on Wednesday 9<sup>th</sup> November 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, P. Smith, R. Turner, D.S. Watson and J. Wilson.

Officers:-

C. Fridlington (Planning Manager (Development Control)), S. Phillipson (Principal Planner (Development Control)), J. Fieldsend (Team Leader (Solicitor)) and A. Brownsword (Senior Governance Officer)

### **00431. APOLOGY**

An apology for absence was received from Councillor B. Watson.

### **00432. URGENT ITEMS OF BUSINESS**

There were no urgent items of business.

### **00433. DECLARATIONS OF INTEREST**

There were no declarations of interest.

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### 00434. MINUTES – 12<sup>TH</sup> OCTOBER 2016

Moved by Councillor T. Munro and seconded by Councillor M.J. Ritchie

**RESOLVED** that the minutes of a meeting of the Planning Committee held on Wednesday 12<sup>th</sup> October 2016 be approved as a true and correct record.

### 00435. APPLICATIONS TO BE DETERMINED UNDER THE TOWN AND COUNTRY PLANNING ACTS

1. 16/00152/FUL - Change of use of site to Showman's Business Park comprising Showman's Winter Quarters for 14 plots; construction of access road and plot divisions including front boundary walls; installation of services; and diversion of public footpath 27 (resubmission of 14/00512/FUL) at Land to the South of FW Masons and Sons Ltd, Station Road, Pinxton

Further details and an amended recommendation were included within the Supplementary Report.

The Planning Manager (Development Control) presented the application and highlighted the key issues set out in the officer reports .

Mr. S. Harvey and Mr. H. Wilson attended the meeting and spoke for the application.

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

Moved by Councillor S.W. Fritchley and seconded by Councillor M. Dooley

**RESOLVED** that Application No. 16/00152/FUL be APPROVED subject to the following conditions provided in précis form and delegated authority be given to the Assistant Director – Planning and Environmental Health/Development Control Manager to formulate the precise wording for the conditions:

- Development to commence within 3 years
- Development to be completed in accordance with amended plans and submitted Landscape and Ecological Management Plan and Construction Environmental Management Plan.
- No development to take place until the submission and approval of:
  - (i) coal mining survey and remediation works if required;

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- (ii) land contamination survey and remediation works if required;
- (iii) precise details of sustainable drainage systems, and disposal of foul and dirty water.
- (iv) precise details of relocated right of way including surfacing materials
- (v) Flood Risk Assessment including Emergency and Evacuation Plan

(Planning Manager)

2. 16/00269/FUL - Construction of 9 self-contained studio apartments in a two storey building with associated off-street parking area at 17 Prospect Drive, Shirebrook, Mansfield, NG20 8BH

It was noted that the application had been deferred at the meeting of the Planning Committee held on 14<sup>th</sup> September 2016 in order to enable additional consultation to be undertaken in relation to drainage issues and to consider how resident parking could be provided.

Further details and an amended recommendation were included within the Supplementary Report.

The Planning Manager (Development Control) presented the application and highlighted the key issues set out in the officer reports.

Parish Councillor J. Tait attended the meeting and spoke against the application.

Mr. N. Barnes attended the meeting and spoke in support of the application.

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

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

**RESOLVED** that Application No. 16/00152/FUL be APPROVED subject to the following conditions provided in précis form and delegated authority be given to the Assistant Director – Planning and Environmental Health/Planning Manager to formulate the precise wording for the conditions:

1. Start within 3 years
2. Materials to match existing dwelling
3. Access and parking to be provided in accordance with approved plans before first dwelling unit occupied and maintained as such thereafter
4. Parking spaces for 17 Prospect Drive be provided in accordance with

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approved plans before first dwelling unit occupied and maintained as such thereafter

5. Bin stores to be provided in accordance with approved plans before first dwelling unit occupied and maintained as such thereafter
6. Boundary treatment provided in accordance with approved plans before first dwelling unit occupied and maintained as such thereafter
7. Submission of landscaping scheme
8. Implementation of landscaping scheme
9. Submission and implementation of a scheme for foul and surface water disposal

(Planning Manager)

3. 16/00363/OUT - Residential Development of up to 40 Dwellings (all matters reserved) at Land Opposite 132 Alfreton Road, Newton

Further details and an amended recommendation were included within the Supplementary Report.

The Planning Manager (Development Control) presented the application and highlighted the key issues set out in the officer reports.

Mr. D. Smith attended the meeting and spoke against the application.

Mr. B. Woollard attended the meeting and spoke in support of the application.

The Committee considered the application having regard to the Bolsover District Local Plan, the Newton Conservation Area Appraisal and Management Plan 2010, the Old Blackwell Conservation Area Appraisal and Management Plan 2010 and the National Planning Policy Framework.

Moved by Councillor B.R. Murray-Carr and seconded by Councillor P.M. Bowmer  
**RESOLVED** that Application No. 16/00152/FUL be REFUSED for the following reason:

1. The site lies outside the settlement framework as defined in the saved policies of the Bolsover District Local Plan (2000). Policies ENV3 and HOU9 apply which do not normally allow residential development except in special circumstances such as where dwellings are required for agricultural workers or where it results in a significant improvement to the rural environment, or it must benefit the local community through the reclamation or reuse of land. The proposal does not meet these criteria and the proposal is contrary to policies ENV3 and HOU9 and approval would be a departure to the development plan.

There would be harm to the appearance and character of the area as a result of the significant erosion of the existing open break between Blackwell and

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Newton and the effect that this would have on the character and identity of each village. This would be contrary to policy GEN2 (1) and policy ENV3(D) of the local plan. Furthermore the proposed development would have a negative impact on the rural setting of Old Blackwell conservation area including identified important views and to a lesser extent Newton Conservation area. There is no clear and convincing justification for this harm and the public benefits associated with the additional supply of housing do not justify the harm nor justify an exception being made to policy in this case since the housing could be provided elsewhere. Approval would therefore be contrary to NPPF paragraphs 132 and 134 and policy CON4 of the Bolsover District Local Plan.

(Planning Manager)

The meeting concluded at 1120 hours.