

The Arc
High Street
Clowne
Derbyshire
S43 4JY

Date: 21st August 2017

Dear Sir or Madam

You are hereby summoned to attend a meeting of the Planning Committee of Bolsover District Council to be held in the Council Chamber, The Arc, Clowne, on Wednesday 30th August 2017 at 1000 hours.

Register of Members' Interest - Members are reminded that a Member must within 28 days of becoming aware of any changes to their Disclosable Pecuniary Interests provide written notification to the Authority's Monitoring Officer.

You will find the contents of the agenda itemised on page 2.


Yours faithfully



Assistant Director of Governance and Monitoring Officer
To: Chairman and Members of the Planning Committee

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**PLANNING COMMITTEE
AGENDA**

**Wednesday 30th August 2017 at 1000 hours
in the Council Chamber, The Arc, Clowne**

Item No.		Page No.(s)
	PART 1 – OPEN ITEMS	
1.	<u>Apologies for Absence</u>	
2.	<u>Urgent Items of Business</u>	
	To note any urgent items of business which the Chairman has consented to being considered under the provisions of Section 100(B) 4(b) of the Local Government Act 1972	
3.	<u>Declarations of Interest</u>	
	Members should declare the existence and nature of any Disclosable Pecuniary Interest and Non Statutory Interest as defined by the Members' Code of Conduct in respect of:	
	a) any business on the agenda	
	b) any urgent additional items to be considered	
	c) any matters arising out of those items	
	and if appropriate, withdraw from the meeting at the relevant time.	
4.	To approve the minutes of a meeting held on 2 nd August 2017	3 to 4
5.	Notes of a Site Visit held on 29 th July 2017	5
6.	Applications to be determined under the Town & Country Planning Acts.	
	(i) 17/00234/FUL - Residential Development comprising of a total of 212 homes comprising a mix of detached, semi-detached and terraced 2 & 2.5 storey houses with associated garaging, parking and infrastructure including the provision of public open spaces at Land off Langwith Road And Mooracre Lane, Bolsover	6 to 27
	(ii) 17/00374/FUL - Construction of single & two storey extension to rear/side (revised scheme of planning permission 17/00208/FUL) at 40 Brunner Avenue, Shirebrook, Mansfield, NG20 8RR	28 to 36
7.	Five Year Housing Supply	37 to 49

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee of the Bolsover District Council held in the Council Chamber, The Arc, Clowne, on Wednesday 2nd August 2017 at 1100 hours.

PRESENT:-

Members:-

Councillor D. McGregor in the Chair

Councillors T. Alexander, Mrs P.M. Bowmer, J. Clifton, T. Connerton, P. Cooper, M. Crane, M. Dixey, S. Fritchley, H. Gilmour, T. Munro, B.R. Murray-Carr, P. Smith, R. Turner, D. Watson and J. Wilson.

Officers:-

J. Arnold (Assistant Director – Planning and Environmental Health), C. Fridlington (Planning Manager (Development Control)), S. Phillipson (Principal Planning Officer), J. Fieldsend (Solicitor) and A. Bluff (Governance Officer).

0152. APOLOGIES

Apologies for absence were submitted on behalf of Councillors M.J. Ritchie and B. Watson.

0153. URGENT ITEMS OF BUSINESS

There were no urgent items of business to consider.

0154. DECLARATIONS OF INTEREST

There were no declarations of interest made.

0155. MINUTES – 11TH MAY 2017

Minute Number 0872 (3):

A Member noted that it had been omitted from the Minutes that Application 17/00041/FUL had been referred to Planning Committee by Councillor D Watson on the grounds of highway safety.

Moved by Councillor T. Munro and seconded by Councillor R. Turner

RESOLVED that subject to the inclusion of the above, the Minutes of a Planning Committee meeting held on 11th May 2017, be approved as a correct record.

(Governance Manager)

PLANNING COMMITTEE

0156. SITE VISIT MINUTES – 8TH MAY 2017

Moved by Councillor D. McGregor and seconded by Councillor R. Turner

RESOLVED that the Minutes of a site visit held on 8th May 2017 be approved as a correct record.

0157. APPLICATIONS TO BE DETERMINED UNDER THE TOWN AND COUNTRY PLANNING ACTS

- (1) 16/00582/OUT - Outline application for Residential Development with Details of Access to be from Ball Hill (all other matters reserved for later approval) at Site of Highland Hurst, Ball Hill, South Normanton.

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

Two letters of objection had been received from local residents and these were circulated for Committee's information.

Mr L Charnley (Applicant) attended the meeting and spoke in support of the application.

Committee considered the application having regard to the Bolsover District Local Plan and the emerging Local Plan for Bolsover District.

Moved by Councillor D. McGregor and seconded by Councillor P. Smith

RESOLVED that Application No: 16/00582/OUT be REFUSED;

Reason for Decision:

Insufficient information had been provided to demonstrate that residential development could meet the following policies of the Bolsover District Local Plan: Policy GEN3, GEN2, ENV5 and ENV8. There were multiple site constraints to residential development including protected trees of amenity value and worthy of preservation, which cover much of the eastern two thirds of the site, leaving only the western third of the site with limited potential for residential development. However, there were additional constraints here including several old mine shafts and noise from the adjacent M1 motorway and noise from the adjacent industrial estate as well as potential future noise from further industrial development with planning permission, which is yet to be built. Therefore, the Council had insufficient information to be certain that residential development would be acceptable on any part of the site.

(Assistant Director – Planning and Environmental Health)

The meeting concluded at 1125 hours.

PLANNING SITE VISIT

Notes of a Planning Site Visit held on 29th July 2017 commencing at 1000 hours.

PRESENT:-

Members:-

Councillors T. Alexander, P. Bowmer, Jim Clifton; H.J. Gilmour, B.R. Murray-Carr, M.J. Ritchie, P. Smith, R. Turner, D.S. Watson, and J. Wilson.

Officers:-

S. Phillipson (Principal Planner)

1. Apologies

Councillor Duncan McGregor

2. SITE VISITED

Applications for determination by Committee:

16/00582/OUT Outline application for residential development, site of former Highland Hurst, Ball Hill, South Normanton.

The meeting concluded at 11:30am.

PARISH Old Bolsover

APPLICATION Residential Development comprising of a total of 212 homes comprising a mix of detached, semi-detached and terraced 2 & 2.5 storey houses with associated garaging, parking and infrastructure including the provision of public open spaces

LOCATION Land off Langwith Road And Mooracre Lane Bolsover

APPLICANT Mr R Hannan Regeneration House, Gorsey Ln, Coleshill, Birmingham B46 1JU

APPLICATION NO. 17/00234/FUL

CASE OFFICER Mr Steve Phillipson

DATE RECEIVED 15th May 2017

SITE



Approximately 10 hectares of land mainly in agricultural use (arable) to the east side of Bolsover. The arable land is one large open field to the south side of Mooracre Lane, west side of Rotherham Road and east of the Bolsover School. The majority of the field boundary

is hedgerow with only the occasional tree. There is additional agricultural / horse grazing land beyond the southern boundary of the site with a riding school, former kennels business, and Fourways Garage about 80m south of the site.

The northern part of the site is bounded by an attractive grouping of traditional buildings including Bolsover Moor Farm and Cottage, with a further two isolated properties situated opposite on Mooracre Lane. A small part of the site in this area is grassed and does not form part of the large field in arable use.

The landscape is generally open with large fields separated by closely cut hedgerows with far reaching views to the countryside to the east. The landform falls gently from the south west down to north east but is reasonably level overall.

Public footpath 46 crosses the site generally on an east-west line although the official definitive route of the path differs from that actually established on site.

PROPOSAL

Application for full planning permission for the erection of 212 homes comprising a mix of detached, semi-detached and terraced mainly 2 storey houses with some 2.5 storey and associated garaging, parking and infrastructure, including the provision of two surface water infiltration basins and public open spaces amounting to about 2 ha. The majority of dwellings would be three beds, with some 2 and 4 beds.

The Applicant states that the outline permission 13/00209/OUTMAJ granted by the Council for a 360 dwelling development on a wider site has been plagued with delivery problems. The current proposal is a full application to deliver housing on the northern side of the larger site only. The outline permission indicated that up to 195 dwellings could be provided on the current application site, but this has been increased to 212 to help to improve the viability and deliverability of the proposal (Density proposed is 33 dwellings per hectare). Nevertheless the proposed layout is based on the key principles set out at outline stage in respect of scheme master planning and technical matters. This includes a central green area, other open spaces and a new east west distributor road running through the site from Rotherham Road to Mooracre Lane near the school. Mooracre Lane will be diverted through the site such that the new distributor road and new safer junction will take precedence over the use of Mooracre Lane with its existing substandard junction with Rotherham Road.

Appropriate highway links will be provided to the southern boundary such that the proposal will not prejudice the future development of the southern half of the wider site which had outline consent.

Surface water disposal is to infiltration basins, and a pumping station is proposed for foul connection to the west of the site.



Section 106 Infrastructure Issues

The application proposes S106 contributions on a very similar basis to that previously agreed for the outline planning permission. This includes:-

- Affordable Housing 19 dwellings (70% Affordable rent: 30% shared ownership);
- Bus Service Contribution @ £176.36/dwelling (£37,388);
- Education Contribution @ £2,422.05/dwelling (£513,475);
- Public Open Space and SuDS areas provided as plans;
- Maintenance/management of POS and SuDS
- Road Network Contribution £441.96 per dwelling (£96,695);
- Traffic Monitoring @£13.62/dwelling (£2,887);
- Travel Plan @£34/dwelling;
- Play Area contribution of £53,120;
- No retention of ransom strips at potential highway links to the south; and
- Eastern SuDS area made available at no cost if needed in future to increase capacity to accommodate surface water from phase 2 development to the south.

The application is supported by the following reports:-

- Planning Statement
- Design and access Statement

Drainage Strategy
Flood Risk Statement
Ground Investigation
Transport Statement
Travel Plan

AMENDMENTS

Approved Plans:-

15/05/17 Location Plan 30597 00
15/05/17 Phasing Plan 30597 02 D
06/06/17 Ecological Appraisal March 2017
06/06/17 Floor level detail and external levels 21822-02-040-01
14/06/17 Flood route plan

31/07/17 Revised House type pack: 580, 651, 752, 764, 832, 842, 857BR1 and 2, 857SV1 and 2, 867, 955, 1028 BV1 and 2, 1054, 1178 BV1, 1178 SV1, 1216, 1224, 1253, 1297 BV1, 1297 SV1.

11/07/17:-

- Materials Plan 30597_05 Rev N
- Existing and Proposed Hedgerow Analysis 7161_01 A
- Travel Plan 21822.07-17/4991
- Updated Travel Pack
- Flood Risk Technical Note

17/07/17 Additional ecology information, pumping station details.

15/08/17 Revised Site Layout - 30597 01Q

15/08/17 Revised External Works – 30597 04C

17/08/17 S106 HOT's offer.

HISTORY (if relevant)

13/00209/OUTMAJ Outline planning permission for residential development comprising up to 360 dwellings with public open spaces, an area suitable for employment development (which could potentially include a 60 bed care home, a children's day nursery and Class B1 offices and/or light industrial units) and associated infrastructure. Demolition of two existing dwellings and partial realignment of Mooracre Lane. Reserved matters approve for the access junctions into the site from the highways (all other matters reserved to a later date). Approved 10.06.14.

Permissions relating to the land adjacent to the south:

09/00008/FUL Erection of dog kennel to accommodate two dogs (adjacent land)

07/00501/FUL Erection of extension of kennel building comprising of 5 pens (adjacent land).

04/00674/FUL Change of use to retail sales, preparation and maintenance of motor vehicles (excluding HGV's) and HGV parking (Fourways Garage). Includes conditions inter-alia:

Preventing vehicle repairs anywhere on the site except within the buildings;

A restriction on the area used for parking of vehicles;

The control of external lighting;

The maintenance and preparation of vehicles being limited to the vehicles kept at the site for

sale and not a general vehicle repair garage.
03/00662/FUL Kennel block
02/00163/FUL Erection of a cattery building.

CONSULTATIONS

County Highways

19/6/17 Advice given on ways to improve the Travel Plan given.

21/06/17 Initial comments requesting a few design revisions.

10/08/17 It is understood that the Section 106 contributions towards network monitoring and off-site highway mitigation works, the Traffic Regulation Order to reduce the speed limit on Rotherham Road, Travel Plan monitoring and public transport will all be in line with those previously agreed for application 13/00209/OUTMAJ.

In the event that the applicant has demonstrated control of the hedge on Rotherham Road and has provided additional drawings which show that the visibility splays can be provided within controlled land, there are no objections subject to conditions:-

Construction management plan;

Provision of temporary access;

Provision of new distributor road link before 100 dwellings occupied with 2.4m x 120m splays at the Rotherham Road junction;

Scheme to be approved for stopping up of the section of Mooracre Lane between the new estate street and the spur adjacent to plot 173;

Scheme for temporary traffic management measures on the approaches to the Mooracre Lane/Rotherham Road junction in order to mitigate the increase in traffic at the junction;

Provision of the estate roads;

Each dwelling shall be set back at least 450mm from the highway boundary (*more appropriate as an advisory note*);

Access gradient (*not considered necessary on a fairly flat site*);

Drive gradient (*not considered necessary on a fairly flat site*);

Gates set back 5m (*not considered reasonable*)

Provision and maintenance of parking spaces;

Provision of bin stores as plan;

Implementation of the Travel Plan, monitored and reviewed.

Plus advisory notes including that a footpath diversion order is required.

24/07/17 Comments on revised Travel Plan including that consideration should be given to:-

- Secure and accessible cycle storage.
- Infrastructure to enable high speed broadband connection at each residence.
- Electric vehicle charging points (nb. At either all or a proportion of the residences, subject to negotiation).

The diverted 82 bus service through the development should be provided as soon as reasonably possible once suitable infrastructure is in place, and prior to 50% residential occupation of the development. The developer is encouraged to negotiate any revised service

direct with the operator, which in this case is Stagecoach.

Urban Design Officer

23/6/17 Recommends made to improve design including:-

Reorientation of some plots

Reuse of natural stone from the old barn within the development

Introduction of pedestrian paths through POS

Inclusion of additional side windows to some plots to deter crime

Boundary treatments to POS areas and plot frontages to the main roads

Replacement of close board fence with brick walls in prominent locations

Relocation of a swale

A greater concentration of taller buildings focussed around the central open space and the Avenue.

Landscaping details be conditioned.

Material distribution Ok. Specific type/detail to be conditioned.

Porches and bay window roofs to be small plain tiled not GRP

21/7/17 Revisions suggested to revised house types received. Additional design advice given on the revised plans.

28/7/17 Landscaping revisions sought fronting plots 120 -124

Crime Prevention Design Officer

08/06/17 The great majority of the site looks fine from a community safety perspective.

The addition of some side facing windows on some corner plots is recommended, and lockable gates should be added to ginnels. Boundary rail or fencing should be provided between houses and public open spaces.

Derbyshire Wildlife Trust

21/6/17 At the current time the Trust is concerned that the proposed development has not considered the ecological impacts in sufficient depth and has not presented a set of measures aimed at reducing these impacts through avoiding, minimizing, mitigating or compensating for those impacts. As a result the development threatens a net loss of biodiversity in this area. Consideration to ground nesting birds are also required.

27/7/17 Following the submission of further information regarding the extent of habitat loss and creation further advice received recognising that hedgerow loss will be 165 linear m, and retained hedgerows equate to 687 linear m and proposed native hedgerow planting is 456 linear m. DWT welcome the minimal loss of hedgerow and the proposed new planting. They recommend that any new native hedgerow planting uses a wide variety of native species to ensure that the new hedgerows are species-rich. Appropriate management should be implemented in the short and long-term for retained and newly created hedgerows to ensure that they are appropriately managed for their wildlife benefit.

DC Archaeologist

06/06/17 A condition was attached to the outline consent requiring archaeological evaluation trenching to be carried out and reported on prior to a reserved matters application. The evaluation trenching was carried out earlier this year to an agreed specification but the report

has not yet been made available, and this should be submitted as part of the current full application. I feel however that I have sufficient information to comment on the site and make recommendations as follows:

The features in general are much truncated, although they retain potential to provide significant archaeological information. Prehistoric field systems would be the first such field system from Derbyshire, and is of regional importance in extending the known sequence and pattern much further south than previously thought. The double-ditched square enclosure is almost certainly of prehistoric date; a ritual or funerary purpose seems likely. An area of Romano-British activity was identified in the central part of the site which may delineate a settlement area.

Further work is required to investigate and record the archaeological features before they are destroyed by the proposed development. I do not however feel that any of the features are worthy of preservation in situ, because of their level of truncation; there is consequently no need for the layout of the development to take account of archaeological preservation.

Conditions are recommended requiring No development shall take place until a Written Scheme of Investigation for archaeological work has been submitted to and approved by the local planning authority in writing, and until any pre-start element of the approved scheme has been completed.

Environmental Health - Noise

Some concerns as no noise assessment has been submitted with this application. There is an animal boarding business at the south of the site which, although is not currently operating, could resume once they have been granted a license. In addition, I understand that there are plans to have a commercial development on an adjacent part of this site which could impact on some of the proposed dwellings. There are also dwellings in close proximity to some of the outdoor areas for the adjacent secondary school which I understand are used during weekends and evenings. Therefore recommends a condition requiring noise monitoring and the submission of a scheme of sound insulation to include potential sound from the animal boarding establishment be approved before development commences.

Also requests a condition requiring a construction management plan be submitted for approval including details how noise, dust and vibration will be managed and mitigated throughout the course of the development.

Environmental Health - Contamination

27/07/17 Some concerns raised about the level and method of sampling undertaken. The ground investigation itself is not specific to this application and it is difficult to determine how many of the samples taken are actually within the boundary of this application site due to the scale of the drawings. Therefore, a significant amount of the analysis considered within this document is outside the development boundary.

Recommends a condition requiring further investigation into potential ground contamination and remedial measures if necessary.

11/08/17 For clarification, the original planning application included a noise assessment that considered the noise from the garage and old kennels but assumed that there would be a

commercial development in between that would provide some attenuation of the existing noise sources. It is important that all noise sources are considered for the houses that will be developed including during any interim period where there won't be any buildings between the existing noise sources and the proposed houses.

Scarcliffe Parish Council

Object strongly to this application on the following material planning considerations: Highways issues, the roads in and around this development are not adequate and the increased traffic through Scarcliffe and Hillstown will cause severe congestion and safety issues.

Bolsover Town Council

Awaited.

BDC Drainage Engineers

Subject to acceptance of the SuDS design by DCC (LLFA), we must ensure the developer submits an Operation and Maintenance Plan (in accordance with section 32 of the SuDS Manual) which provides details of the arrangements for the lifetime management and maintenance of the SuDS features together with contact details.

The developer must ensure any temporary drainage arrangements during construction gives due consideration to the prevention of surface water runoff onto the public highway and neighbouring properties.

DCC Flood Risk Management

5/7/17 Additional information requested on soakaway testing and request the applicant provides a statement indicated what other options could be viable to dispose of surface water off site, in Line with the runoff destination hierarchy as described in Document Part H of the Building Regulations 2000.

31/05/17 The LLFA welcomes the applicant's proposals to utilise infiltration as a means to dispose of surface water.

The LLFA would prefer the applicant to utilise existing landform to manage surface water in mini/sub-catchments.

There are no details regarding the adoption, maintenance and essential management of the drainage system.

Conditions are requested regarding the approval of further drainage details.

17/08/17 No further comments on the removal of the swales from the surface water drainage proposals.

Severn Trent Water

17/08/17 No objections

Economic Development Officer

12/06/2017 Requests a condition requiring an Employment Scheme to enhance and maximise employment and training opportunities during the construction phase of the project.

Leisure Services Officer

Given that this is a resubmission of a previous application for the same site, it may be the case that previous agreements / commitments will be taken forward.

However for a development of this size (approx 212 dwellings) we would normally expect to see on-site provision of informal open space, including play facilities, with a total area of at least 4,240m² (0.4ha) (based on 20m² / property). It is noted that it is proposed to provide approximately 2.5ha of public open space within the proposed development, which is significantly in excess of the minimum requirement and, as such, is welcomed, as is the commitment to “provide attractive and accessible areas of maintained open space and new opportunities for children’s play and formalising the provision of new amenity open space”.

For a development of this size, particularly as the nearest existing equipped play area is over 400m away, we would expect an on-site NEAP standard children’s play area with an area of at least 1,000m² and at least 8 pieces of equipment and suitable for children up to 12 years of age to be provided as well as some form of ball sports area (multi-use games area) or wheeled sports area (skate park / BMX track). Maintenance should be provided for.

If the open space / play provision were off-site, the equivalent s106 commuted sum would be £166,420 at 2017 prices, so any on-site open space / play provision should be of an equivalent value.

Our preference would be for the on-site play provision to be located on the central open space, which would benefit from a high level of natural surveillance and, due to its central location, would also be equally accessible from all parts of the proposed development.

For adult sports/recreation the Leisure Officer also seeks a commuted sum of £198,008 to be invested in upgrading built and outdoor sport and recreation facilities within the parish.

He notes that it is proposed to retain and enhance the existing Public Right of Way (Bolsover FP46) and that it is proposed to widen this to 3m which is welcomed.

The leisure Officer also requests a contribution for public art in line with policy at 1% of development costs.

Housing Strategy Officer

14/06/17 There is a need for affordable housing in the district. In the Bolsover sub market area alone the estimated figure is 184 affordable units each year. 10% of the total site capacity will be given to affordable housing provision. Will accept 70/30 split being thirteen rented and six shared ownership houses. The mix of house types being 2 and 3 bed houses is in line with housing need. Arrangements should be made with a Registered Provider to purchase the units, or alternatively an agreement showing arrangements as to how the units will be let as affordable housing now and in the future.

27/07/17 Confirmation that the affordable housing s106 offer is reasonable.

County Education Authority

20/06/17 The proposed development of 212 dwellings would generate the need to provide for an additional would generate the need to provide for an additional 18 infant, 24 junior pupils and 32 secondary pupils.

The primary level schools are currently up to capacity. Although a slight drop in pupils is predicted over the next 5 years, accounting for new planning permissions granted the infant and junior schools would not have capacity to accommodate the new pupils arising from the development.

The Bolsover School has a net capacity of 850 pupils and currently has 782 pupils on roll. The latest projections are indicating the number of pupils on roll to be 857 during the next 5 years. Accounting for recent planning permission for 1,246 dwellings within the catchment the secondary school would not have capacity to accommodate the pupils from the development.

The following contributions are sought by S106:-

£205,182.18 towards the provision of 18 infant places at Bolsover Infant and Nursery School towards Project B: Provision of additional teaching spaces OR as a contribution towards larger replacement buildings provided for the Infant and Nursery School at a new site.

£273,576.24 towards the provision of 24 junior places at Bolsover C of E Junior School.

£549,637.44 is also required towards the provision of 32 secondary places at The Bolsover School.

Further justification for a contribution to secondary education has been sought since no contribution was required for the outline permission for a the larger site (360 dwellings). DCC have responded to say that:-

28/06/16 DCC have provided further information on which recent planning permissions they have counted in the 1,246 predicted new dwellings referred to above. Of these the largest is 795 dwellings in North East Derbyshire at the former Coalite site. However it is considered that the delivery of these dwellings is not certain (and the number consented was actually 660), other developments accounted for include outline permission for 250 at Blind Lane, 149 at Oxcroft Lane, 16 at Scarcliffe, and 35 at Duckmanton.

CCG (NHS)

08/06/17 There are a number of practices whose boundary covers the proposed housing development. The main practices affected will include Welbeck Road Health Centre which will require additional capacity to manage increased patient demand from the housing development and population increases. A contribution of £80,645 is requested to contribute towards the expansion of this practice.

PUBLICITY

Advertised in the press and on site. 36 properties consulted, 6 letters of objection received on grounds that:-

Green field site outside the settlement framework.

Brownfield land should be prioritised such as Coalite / Old Council site.

The Coalite site has permission for a significant number of dwellings.

There are several alternative brownfield sites which already have permission.

The Council has more than a five year supply of housing and so the policies of the 2000 local plan should be considered up to date.

The proposal is outside settlement and so is a departure to local plan policy ENV3. The lack of 5 year housing availability was the main reason why the initial planning permission was allowed to overrule the local plan.

The proposal is premature to the planning making process and requires a decision that should be properly considered through the selection process for residential allocations that will take place during the preparation of the emerging new local plan.

The emerging plan has still not had the consultation required by the government and local people have not had the opportunity to make their views known comment on the extension of the settlement area.

The previous permission included use of some brownfield land and some employment development was proposed; the current application is just for housing on greenfield land and so the principles must be reconsidered.

Not sustainable location.

Poor service provision in Bolsover.

Services in Clowne not easily accessible.

Increased pressure on infrastructure which needs improving including schools, doctors, dentists, supermarkets.

Loss grade 2 agricultural land

Impact on wildlife, birds,

Loss of trees.

Loss of open land.

Loss of the Riding School.

Increased noise.

Light pollution.

Increased air pollution for school children.

Loss of view.

Increased traffic including construction vehicles on Mooracre Lane, a dangerous and fast road and dangerous junction with Rotherham Road.

Construction Traffic should access from Rotherham Road.

The new through road should have to be provided from the beginning rather than after 100 houses occupied as now proposed.

Mooracre Lane should be closed off and all traffic re-routed through the development.

No footpaths on Mooracre Lane; should be provided on one side.

The Transport Statement data used is out of date and does not include trip rates at school leaving times.

Increased congestion around the school.

Increased traffic and congestion through Bolsover Town which is at capacity.

Should be more use of stone instead of brick next to Bolsover Moor Farm.

Plot 203 is 2.5 to 3 storey and will look out of place and obtrusive.

Should be more trees planted to suck up more ground water

Queries maintenance plans for the SuDS

Queries whether mains gas and sewerage will be provided to existing dwellings.

Resident reports press articles alleging concerns about Keepmoat's build and contracts on other sites.

POLICY

Bolsover District Local Plan (BDLP)

GEN 1 - Minimum Requirements for Development

GEN 2 - Impact of Development on the Environment
 GEN 3 - Development affected by adverse environmental impacts from existing or permitted uses.
 GEN 4 - Development on Contaminated Land
 GEN 5 - Land Drainage
 GEN 6 - Sewerage and Sewage Disposal
 GEN 8 - Settlement Frameworks
 GEN 11 - Development adjoining the settlement framework boundary
 GEN 17 - Public Art
 HOU 5 - Outdoor Recreation and Play Space Provision for new housing developments
 HOU 6 - Affordable Housing
 HOU 9 - Essential New Dwellings in the Countryside
 TRA 1 - Location of new development
 TRA 7 - Design for accessibility by bus
 TRA 15 - Design of Roads and Paths to serve new Development
 ENV 2 - Protection of the best and most versatile agricultural land
 ENV 3 - Development in the Countryside.
 ENV 5 - Nature Conservation interests throughout the District
 ENV 8 - Development affecting trees and hedgerows
 CON13-Archaeological Sites

Consultation Draft Local Plan

The site is identified as a potential housing allocation (Policy LC1(b)) in the emerging Local Plan (Oct 2016), although the emerging Local Plan will be subject to an Examination in Public and as such the proposed allocation is not yet confirmed.

National Planning Policy Framework (NPPF)

Core Planning Principles para' 17 including that the planning system should:-

- *Be genuinely plan led*
- *Proactively drive and support sustainable economic development to deliver the homes...the country needs... Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth...;*
- *Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;*
- *Take account of the different roles and character of different areas; promoting the vitality of our main urban areas; - Contribute to conserving and enhancing the natural environment and reducing pollution...allocations of land for development should prefer land of lesser environmental value;*
- *Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.*

Paragraph 49 of the NPPF states that *"Housing applications should be considered in the context of the presumption in favour of sustainable development.*

Paragraph 34 states that:- *"Plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of*

sustainable transport modes can be maximised.”

Other (specify)

National Planning Practice Guidance (NPPG) – Design (ID: 26)

Supplementary Planning Document - Successful Places: A Guide to Sustainable Housing Layout and Design (2013)

ASSESSMENT

The Principle of Development

The site lies outside the settlement framework for Bolsover as defined in the current Bolsover District Local Plan (2000). Therefore countryside protection policies ENV3 and HOU9 apply which do not normally allow residential development except in certain circumstances such as where necessary for an established rural business. None of these exception criteria are relevant in this case. The proposal is therefore contrary to these policies and approval would be a departure from the development plan.

Policy ENV2 of the Bolsover District Local Plan aims to protect the best grades of agricultural land. The site is classed as grade 2 agricultural land in the agricultural land classification survey (2010) and as such planning permission might not be appropriate unless there is a strong need that overrides national need to protect this land. This policy is compatible with the NPPF which states that local authorities should direct development towards the poorest grade of agricultural land.

The grade of agricultural land is a factor considered by The Council's Planning Policy Team in the Sustainability Appraisal and the Land Availability Assessment when selecting sites for allocation and this site has been allocated in the Consultation Draft Local Plan. There is a tension between safeguarding good quality agricultural land and the wider objective of delivering sustainable development as required by the NPPF. If the Council were to rigorously enforce the protection of good quality agricultural land above all other factors, the results would be less satisfactory in terms of overall sustainability. There is so much grade 2 agricultural land around Bolsover that the loss of areas of some good agricultural land will be necessary in order to achieve development in the most sustainable locations. Hence given the need to maintain a 5 year housing supply in the district it is considered that the weight which can be given to the agricultural land protection policies is limited and that this should not be an overriding concern. Effectively the national need to protect good agricultural land is balanced against the national need to supply more sustainable housing.

It is considered that the Council does now have a five year supply of housing and so the housing supply policies of the 2000 local plan do have weight. However, in relation to this site, it is considered that the policy position in the 2000 local plan has been superseded by events. Outline planning permission has already been granted for this site in June 2014 (13/00209/OUTMAJ) because the site and development proposed were considered to be sustainable and the Council did not have a five year supply of housing at that time. Hence the presumption in favour of granting planning permission set out in para' 14 of the NPPF applied.

The Applicant has since had pre-application discussions with the Council to discuss the nature of a detailed application on this site. The Applicant could have submitted an application for approval of reserved matters for the layout, scale, appearance and landscaping of the site. Had this option been pursued the principle of residential development on this site could not have been reconsidered. Only the acceptability of the particular designs and layouts submitted for approval. However the Applicant was struggling to devise a financially viable proposal with the set number of dwellings approved for this part of the site (up to 195 dwellings) and it was agreed that to assist with the delivery of housing on this site a full planning application could be submitted for consideration which would allow an increase the number of dwellings slightly to 212 dwellings.

In addition the site has been allocated for housing in the Consultation Draft Local Plan Oct 2016 (including some additional land to the south). Whilst this allocation has not yet been confirmed and so and can only be given limited weight, in allocating the site the Council has assessed this site against other options and has reached the view that it is a sustainable site which performs better than other alternatives which were not allocated. The Council considers the site to be available, suitable and deliverable. This site now counts towards the 8 year housing supply which has been identified to deliver the housing land requirement set out in policy SS2 of the Draft Local Plan. Hence if Committee is minded to refuse this application the identified housing land supply will be reduced. The existence of a 5 year supply of housing allows the Council to give weight to local plan housing supply policies and where necessary to justify refusal and defend appeals relating to less sustainable alternative sites which come forward.

It is noted in representations that there are objections on the grounds that an approval would be premature to the plan making process however it is considered that prematurity is not a defensible reason for refusal. Equally, if prematurity were to be considered a significant objection, the majority of the sites allocated in the draft local plan would be open to the same objection. Subsequently, applying a prematurity objection to the current application would give rise to an irreconcilable conflict between the decision making and plan making processes within the District.

In summary, whilst approval would be contrary to the policies of the Bolsover District Local Plan, outline planning permission has already been granted for this site and the Applicant could have submitted an application for approval of reserved matters such that the principle of development could not be questioned. This “full” application has been submitted for consideration with the agreement of Planning Officers as a proactive means of improving viability and deliverability of housing development. Under these circumstances it may be deemed unreasonable to give the 2000 local plan policies their full weight. The site has also been allocated for residential development in the Consultation Draft Local Plan because it is a sustainable site which performs better than alternative site not allocated and it currently contributes to the Council’s identified housing supply. It is considered therefore that residential development remains acceptable in principle on this site.

Layout and Design

The layout of roads, number and layout of dwellings, and the distribution and scale of open spaces and SuDS retention basins are all very similar to the indicative master plan submitted previously when outline planning permission was granted. The design concepts previously

agreed have largely been carried forward in to this full application.

A new tree lined east west distributor road will be provided which will take over from Mooracre Lane as the priority route to/from Rotherham Road. A central green square area will provide a focal place with some taller 2.5 storey dwellings around it and the main road through to emphasis its hierarchy. Elsewhere the development will be mainly 2 storey and includes the use of artificial stone for a grouping of the proposed dwellings around the Bolsover Moor Farm area which are traditional stone buildings. A large area of open space with SuDs Basins will soften the eastern edge of the development with countryside beyond. A more linear POS is also proposed as a buffer to the school to the west. Existing boundary hedges are largely retained and where removed for the visibility splays needed along Rotherham Road the hedge will be replanted behind the new junction splays.

Although the number of dwellings now proposed has increased from 195 (on this part of the site with outline permission) to 212, as amended the proposed layout complies with the Council's design guidance and the Urban Design Officer is generally happy with the proposed layout and designs. It is considered that the proposal complies with policy GEN2 in this regard.

Transport and Highway Issues

The junctions now proposed to Mooracre Lane and Rotherham Road are similar to those previously approved for the outline permission (which included approval of the reserved matters of access). The Highway Authority has no objections to the junctions currently proposed subject to conditions. The Highway Authority is also happy with the layout of the estate roads subject to conditions.

In terms of traffic impacts one of the main concerns that was also considered for the outline application was that until the new east- west distributor road is built and is open for public use there will be an increase in the volume of traffic using the existing sub-standard junction of Mooracre Lane and Rotherham Road. Once the new road is in place there should be a reduction in use of that junction because a new safer and more convenient alternative road will be available. Therefore a planning condition of the outline permission required the completion of the distributor road link at an early stage (before 50 of the 360 dwellings were occupied).

However the construction of main roads is expensive and for viability/cash flow reasons the Applicant is seeking a relaxation of the previous condition to allow up to 100 dwellings to be occupied before the new distributor link is open for public use. The Applicant has submitted a Transport Statement with the application which estimates that: the existing AM peak at the Rotherham Road/Mooracre Lane junction is 198 two way vehicle movements; a development of 50 dwellings would add a further 14 two way movements at the junction; a development of 100 dwellings would add a further 27 two way movements. A similar result is predicted for the PM peak hour; and 2 accidents had been recorded at the junction between 2011 and April 2016.

The County Highway Authority have reviewed this information and the level of the increase in the intensity of use of the substandard junction and have recommended that a condition requiring the provision of the link road before the 100th dwelling has been occupied is

acceptable. It is considered therefore that the temporary (perhaps 3 years from commencement) increase in intensity of use of the substandard junction is not so harmful to highway safety as to justify refusal. Once the new link is in there should be improvements to highway safety above the current situation.

Public concerns raised about increased traffic around the school are noted. There would be an increase due to the additional development. However it is not unusual that schools are surrounded by urban development rather than being on the edge of the countryside and it should be noted that the Highway Authority has not raised concern over this issue.

There are also other transport impacts because some of the other road junctions around Bolsover are close to capacity. These have been considered previously for the outline application which was accompanied by a Transport Assessment. A financial contribution was agreed and secured by S106 obligation requiring a sum of money towards future junction/highway improvements in proportion to the extra demand that the proposal is likely to make on the highway system. The current application includes the same commitment to contribute towards junction improvements in Bolsover as well as money to incentivise a bus service to run through the site. These are:-

- Road Network Contribution £441.96 per dwelling (£96,695);
- Traffic Monitoring @£13.62/dwelling (£2,887);
- Bus Service Contribution @ £176.36/dwelling (£37,388).

Subject to the completion of a S106 agreement to secure these obligations from the developer and subject to appropriate highway conditions it is considered that the means to address the potential impacts of the proposal on highway safety and on the capacity of the local highway system has been established and agreed and the proposal complies with policies GEN1, GEN2, TRA1, TRA7 and TRA15 of the Bolsover District Local Plan.

Ground Conditions

The vast majority of this site is in arable use for food production so it seems unlikely that ground contamination will be present on site. However on the advice of the Environmental Health Officer it considered appropriate to take a precautionary approach and include a condition to any consent granted to deal with the low risk of contamination.

Ground movements from past mining should have ceased and this site is in the lowest stability risk zone identified in the Councils Landslide Hazard Survey. The rock head has been encountered at relatively shallow depths hence construction noise could be material when penetrating the hard strata in places in order to achieve the necessary depths and falls for drainage systems and basins etc. Hence it will be necessary in this case to control the hours such noise making activity can be undertaken and to provide some temporary board fencing to suppress noise during the excavation of the basin closest to Bolsover Moor Farm to protect the amenity of neighbours (GEN2). This would form part of the construction management plan to be approved.

Noise

Noise from construction can be mitigated by means of a construction management condition to control hours of noise making activity, such as rock excavation, to a reasonable time and

could require temporary board fencing where necessary. Construction traffic routing via temporary access from Rotherham Road can also be required.

The Environmental Health Officer is also concerned that the consented animal boarding business to the south of the site (not currently in use) and noise from use of the school playing pitches (can be used after school hours) could potentially lead to complaints from new residents about those uses.

Given the 80m distance to the boarding kennels to the south and 50m to the school playing fields to the west it is considered that noise and disturbance from these sources is unlikely to be a significant problem, and that where windows are shut standard double glazing is likely to be adequate. However ventilation is required in summer and so as a precautionary measure it is recommended to apply the noise survey and mitigation condition advised.

Impacts on Residential Amenity

The proposal complies with the Council's guidelines regarding privacy and overlooking and impacts on daylight at neighbouring property. There are some privacy/security concerns relating to the adequacy of existing boundary treatments at neighbouring property but this can be enhanced by means of a planning condition.

Noise from construction is dealt with above. Noise created by the occupation of the new dwellings is not a material concern.

Light pollution to the sky is not considered to be a significant impact from this proposal.

Air quality is unlikely to be materially affected given the nature and scale of development.

Loss of view is not a material planning consideration.

Flood Risk and Drainage

The site is at low risk of flooding. Surface water is to be disposed of via soakaways for roof water and 2 infiltration basins for highway water. These are classed as Sustainable Drainage Systems which are preferred over disposal to the public sewerage system in order to reduce the risk of flooding elsewhere. The area of open space to the north east of the site where the basins are proposed is to be bordered with post and rail fence and this area is not proposed as a public open space.

Further details on the design of the basins was awaited at the time of writing this report but it is understood that the sides of the basin should be no steeper than 1 in 4 and they will be about 2m deep. It is considered necessary to require the precise details of the extent, depth, and sections of the basins and the maintenance arrangements to be provided for approval by condition (GEN1, GEN2, GEN5).

Originally the proposal included the use of swales as well as basins because run-off from roads and parking areas should have a minimum of two treatments but unfortunately the applicant has now removed the swales from the proposal because they say that swales proved to be inappropriate because: the majority of gradients onsite are found to be steeper

than the recommended gradients for swales; there is limited space throughout the site to incorporate swales effectively; and if swales were introduced to the POS areas, swales at the end of the drainage runs would be deep (>2.0m) which could pose safety concerns and would require more land/POS space.

The Lead Local Flood Authority has no objections subject to conditions.

Foul sewage is to be pumped to the public sewer. A pumping station is proposed within the eastern open space. The equipment will be in a fenced compound. There are no objections from consultees to these proposals however a condition will be required to control the details of the facility proposed (GEN6). In addition the landscaping scheme will need to include planting to screen the compound to soften its appearance given the prominent location at the eastern approach to the development.

Archaeology

There is some archaeological interest on site which has been identified (see Consultation Section above) however it is not so important as to require preserving in situ and so does not present a constraint to development. Investigation and recording of findings can be required by condition (CON13). Further phases of archaeological investigation on site are currently underway.

Trees and Hedgerows and Ecology

An ecology report has been submitted with the application.

There are very few trees on site given that it is mainly one large open field. It is bordered mainly by hedgerow with the occasional tree. The proposal includes some hedgerow/tree removal for visibility splays and access points but these will be replanted and overall there will be a net gain in the length of hedgerow habitat and the number of trees on site compared to what is on site now. The ecological value of ploughed arable land is considered to be low and less than that offered by the proposed garden areas, POS with tree planting and SuDS open space area.

The ecology report states that Great crested newts are not considered receptors for the proposed development, due to the absence of onsite ponds and the sub-optimal nature of ponds within 500 m for supporting this species.

There are no buildings or trees displaying greater than negligible bat roost features, roosting bats are not considered a receptor to the proposed development.

There are no badger sets on site however the ecology report advises that badgers have potential to access the site, a best practice approach to works is recommended i.e. all deep excavations should be covered overnight unless completely fenced off and any unfenced/uncovered shallow excavations should have a scaffold board or equivalent placed in them to act as a ramp to allow any badgers to exit should they fall in.

The boundary trees and hedgerow have potential to support nesting birds. Where removal of these features is required, the ecologist recommends that this be scheduled outside of the bird nesting season, which runs from March-August inclusive. Should this not be possible,

trees/hedgerow sections to be removed should be checked for nesting birds by an experienced ecologist no more than 48 hours prior to removal.

It is considered that the ecologists recommendations regarding protection of badgers and birds can be deal with by means of an advisor note because they are protected by other legislation and Planning should not duplicate these controls.

Overall it is considered that there will be a net gain to biodiversity subject to the implementation of an appropriate landscaping scheme. The proposal complies with policy GEN2 and ENV5.

S106 Matters

The heads of terms of planning obligations offered to deal with the additional demands on local infra-structure as a result of the proposal are set out above in the proposals section of the report. In brief the main obligations include funding for expanding primary school capacity, providing 19 affordable housing on site, on-site recreation space and play equipment, off-site transport improvements and incentives to set up a new bus route through the site.

The offer per dwelling is very similar to that previously negotiated and accepted by the Council for the outline planning permission although the overall sums are less because the outline application was for 360 dwellings rather than 212.

There are a few differences however. The proportion of affordable houses is slightly less than previous at 9% rather than 10%. Also no contribution for art is included whereas £83 per dwelling equivalent (£30,000 for 360 dwellings) was agreed previously. However the Housing Strategy Officer is satisfied with affordable housing offer as complying with policy HOU6 and whilst policy GEN17 seeks to negotiate a contribution for public art it does not require one. Neither is an art contribution necessary to make the application acceptable in planning terms and it fails the CIL Regulations and cannot be insisted upon.

A contribution for the expansion of the nearest GP practice has been requested by the CCG for this application but not agreed. There was previously no S106 request for the outline permission because one of the GP practices, on Castle Street, still had capacity and reported that it would welcome the extra patients. Clarification has been sought from the CCG as to whether there is still capacity at the Castle Street practice but no response has been received.

The main change in S106 requests from consultees comes from County Education. The education request made at outline stage was for money to expand the primary schools. There was no request for the secondary school because it had plenty of capacity. However a request of £549,637 has now been added by DCC for the current application towards the provision of 32 secondary places at The Bolsover School. It is not yet at capacity but is predicted to be up to capacity in 5 years time and they have factored in other large permissions granted most significantly they account for 795 dwellings to come forward at the Coalite site (where there is no s106 contribution for secondary education).

The Applicant has not agreed to this request and the education offer stands at the level previously agreed for the outline permission. The Applicant says that the scheme would not

be viable with these payments and DCC are including various sites with outline permission which are unlikely to come forward in the short to medium term unlike their proposal which is a detailed proposal for full permission.

The Officer view is that the application could have been submitted as a reserved matters application, in which case the S106 obligations would have been fixed as per the outline agreement and there would have been no possibility of renegotiating . The full application procedure was agreed in advance of submission as a means to up the numbers of dwellings on this part of the site to improve viability and delivery of housing. Although technically the Council can seek to now re-negotiate S106 terms (because of the “full” nature of the application) it may be unreasonable to do so under the circumstances. Furthermore it is considered that the Education Authorities case is weak. There is no current capacity problem and DCC should have been planning for pupils from this site on the basis of what was agreed for the outline permission. Delivery of dwellings on the Coalite site any time soon would appear to be uncertain.

In summary it is considered that the S106 terms offered, which are largely the same as those agreed for the outline permission are acceptable and deal adequately with the additional pressures on local infrastructure.

Other Matters

Listed Building: N/A

Conservation Area: N/A

Crime and Disorder: No significant issues. The advice the Crime Prevention Officer has largely been incorporated into the revised plans.

Equalities: No significant issues

Access for Disabled: No significant issues

SSSI Impacts: N/A

Conclusions

Whilst approval would be contrary to the policies of the 2000 Bolsover District Local Plan, outline planning permission has already been granted for this site and the Applicant could have submitted an application for approval of reserved matters such that the principle of development could not be questioned. Under these circumstances it is not considered appropriate to give the 2000 local plan policies their full weight. The site has been allocated for residential development in the Consultation Draft Local Plan because it is deemed to be a sustainable site which performs better than alternative sites which have not been so allocated and the development will deliver social and economic benefits associated with the supply of housing. It is considered therefore that residential development remains to be acceptable in principle on this site.

The layout and designs proposed are acceptable and no impacts have been identified which cannot be mitigated by conditions or would justify the refusal of planning permission. The Applicant is willing to enter into a S106 legal agreement with the Council to reasonably address the additional pressures resulting from the development on local infrastructure and to contribute to the provision of affordable housing.

RECOMMENDATION

Approve subject to the following conditions given in précis form (to be formulated in full by the Assistant Director of Planning/Planning Manager in consultation with the Chair and Vice Chair of Planning) and upon completion of a S106 obligation requiring:-

- Affordable Housing 19 dwellings (70% Affordable rent: 30% shared ownership);
- Bus Service Contribution @ £176.36/dwelling (£37,388);
- Education Contribution @ £2,422.05/dwelling (£513,475);
- Public Open Space and SuDS areas provided as plans;
- Maintenance/management of POS and SuDS to be provided;
- Road Network Contribution £441.96 per dwelling (£96,695);
- Traffic Monitoring @£13.62/dwelling (£2,887);
- Travel Plan @£34/dwelling;
- Play Area contribution of £53,120;
- No retention of ransom strips at potential highway links to the south; and
- Eastern SuDS area made available at no cost if needed in future to increase capacity to accommodate surface water from phase 2 development to the south.

Conditions (in précis)

1. Start within 3 years.
2. List of approved plans.
3. Fencing off and protection of areas of retained hedgerow.
4. Archaeological investigation (pending further results may not be needed).
5. Further investigation into potential ground contamination.
6. The production and submission of a scheme design demonstrating full compliance with DEFRA's Non-statutory technical standards for sustainable drainage systems, to include details of location and design of the infiltration basins designed to have sides no steeper than 1 in 4.
7. Information to indicate that the surface water can, in principle, be disposed of sustainably (in compliance with Approved Document H of the Building Regulations 2000).
8. Submission and approval of foul drainage details to include pumping station.
9. Noise survey and recommendations to be approved regarding businesses to the south and the school to the west and any remedial measures necessary to be implemented.
10. Construction management plan be submitted for approval including: details how noise, dust and vibration will be managed and mitigated throughout the course of the development; to include hours such noise making activity can be undertaken and to provide temporary board fencing to suppress noise during the excavation of at least the northern basin closest to adjacent dwellings; construction traffic routing to be via temporary access from Rotherham Road.
11. Provision of temporary access to Rotherham Road in accordance with details to be approved.

- 12. Provision of new distributor road link and to be open for public use before 100 dwellings occupied with 2.4m x 120m splays at the Rotherham Road junction and right turn harbourage as per plan.**
 - 13. Scheme to be approved for stopping up of the section of Mooracre Lane between the new estate street and the spur adjacent to plot 173.**
 - 14. Scheme for temporary traffic management measures on the approaches to the Mooracre Lane/Rotherham Road junction in order to mitigate the increase in traffic at the junction.**
 - 15. Provision of new estate roads prior to occupation of related dwellings.**
 - 16. Provision of car parking spaces prior to occupation.**
 - 17. Provision of bin stores as plan.**
 - 18. Prior to occupation submission of a detailed hard and sot landscaping scheme to be approved and implemented to an agreed timetable to include: retention of hedgerows and replanting of hedge behind the visibility splays on Rotherham Road and street tree planting as plan; details of the treatment of the verge area adjacent to the junction on the main spine route (adjacent to Plots 10-13) and should include creative re-use of salvaged stone from derelict barn.**
 - 19. Maintenance of the landscaping scheme for a period of 5 years.**
 - 20. Boundary detail to be implemented (mainly to accord with approved plan 30597 04 C).**
 - 21. External Building material to be approved.**
 - 22. Porches and bay window roofs to be tiled not GRP**
 - 23. Implementation of the Travel Plan, monitored and reviewed.**
-

PARISH Shirebrook

APPLICATION Construction of single & two storey extension to rear/side (revised scheme of planning permission 17/00208/FUL)
LOCATION 40 Brunner Avenue Shirebrook Mansfield NG20 8RR
APPLICANT Mr John Singleton 40 Brunner Avenue Shirebrook Mansfield NG20 8RR

APPLICATION NO. 17/00374/FUL **FILE NO.**
CASE OFFICER Mrs Karen Wake (Mon, Tues, Wed)
DATE RECEIVED 24th July 2017

DELEGATED APPLICATION REFERRED TO COMMITTEE BY: Cllr Anderson
REASON: Personal circumstances of this case should make an exception to planning policy.

SITE

Two storey end terrace dwelling with a large side garden. 2m high wall along the site frontage and part of the southern side boundary with the outbuilding to the adjacent dwelling along the remainder of this side boundary. 2m high wall/fence along part of the rear boundary and along the northern side boundary dividing the rear yard on site from the attached dwelling. There is currently no vehicular access to the site.



PROPOSAL

The application is for the demolition of the existing single storey off-shot and its replacement with a single storey and two extension to the side/rear. The proposed extension extends

approx 2m out to the side of the original dwelling and extends approx 10m out to the rear, approx 5m of which is two storey with the remainder being single storey. Both extensions have dual pitched roofs with the two storey element of the extension being a fairly shallow pitch. The extension is approx 4.5m wide and is set 1.5m in from the northern side boundary. It is proposed to finish the side elevations in a light coloured render. The proposal also includes a conservatory which extends approx 2m out to the side of the proposed extension and is approx 5m long with a lean-to roof.

AMENDMENTS

None

HISTORY (if relevant)

17/00208/FUL: Erection of a Single and Two Storey Extension to Rear/Side: Refused
19/06/2017

CONSULTATIONS

Parish Council: No comments received

DCC Highways: No objections subject to condition requiring provision of parking space within the site prior to the occupation of the extension: 4/8/2017

PUBLICITY

Site notice and 8 neighbours notified. One letter of support from the resident of the attached dwelling has been submitted with the application. This letter raises the following points:

1. Supports the proposal.
2. The resident is fully aware of the impact on light to the adjacent property. The render on the side elevation has light reflecting properties and will let more light through (although no objection was raised to the extension being in brick either.)
3. The property will not be sold or rented out. It is going to be a family home and the family need more rooms for their children and to allow the whole family to live together and this is fully supported.
4. A family living next door will give peace of mind that there are neighbours who can be trusted.
5. Previous tenants of the property have been drug addicts and alcoholics which makes the resident feel unsafe.
6. Many of the properties on Brunner Avenue are rented and a lot of them are HMO's making the street run-down and dirty. A family moving next door will make the resident feel safe and mean there are other children for her grandson to play with.
7. The attached property will never be sold it will be passed on to the current resident's daughter and the property which is the subject of the application will also not be sold it will be left to the applicant's children so it will remain a family home.

POLICY

Bolsover District Local Plan (BDLP)

Policies GEN 1 (Minimum requirements for development) & GEN 2 (Impact of Development on the environment) of the Bolsover District Local Plan

NPPF

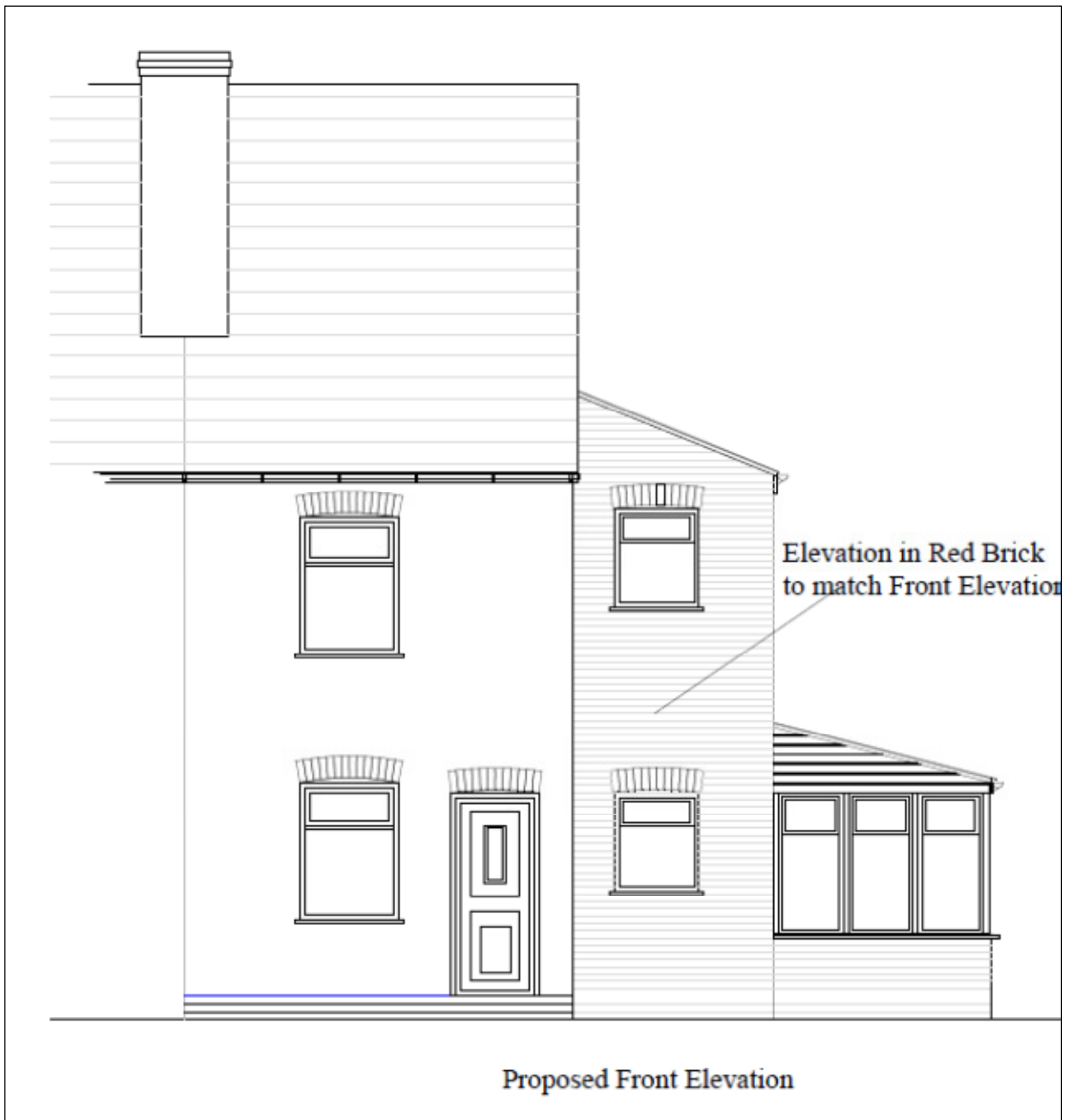
Supports sustainable development but paragraph 17 requires local planning authorities to seek high quality of design and pay particular attention to securing a good standard of amenity for all existing and future occupants of land and buildings.

Other (specify)

Successful Places a Guide to Sustainable Housing Layout and Design

ASSESSMENT

The site is within the settlement framework in a predominantly residential area. The application is a re-submission of a previously refused proposal. The current proposal has been amended from the previously refused proposal by slightly lowering the eaves level of the two storey extension and by reducing the roof pitch of the extension. It is also proposed to render the sides of the extension in light reflecting render rather than the red brick previously proposed.



The street scene is made up of a series of terraced properties of quite uniform design. Some the properties have single storey extensions but the proposal would be the only two storey extension in the immediate vicinity such that it could appear out of character in the street scene. However, the side garden to the dwelling to the southern side of the site has planning permission for a two storey dwelling which removes the side garden and therefore that uniformity of spacing of the blocks of terraces. In addition, the proposed side extension and conservatory are set back towards the rear of the site and appear clearly subservient to the main dwelling. On this basis the proposal is not considered to appear unduly prominent in the street scene and is considered to be in keeping with the original dwelling and the street scene in terms of character, scale, design and appearance.

There is currently no off-street parking on site. The application form states a new vehicular

access is to be provided and this is indicated as a gap in the boundary wall on the plans, although this access would not require planning permission. The proposal changes a three bedroom dwelling into a four bedroom dwelling, resulting in a requirement for an additional parking space to be provided on site. There is room within the site to provide parking on site for several cars but since the development only requires one additional space it is only considered reasonable to condition the provision of one on-site parking space. Subject to such a condition the proposal is not considered to be detrimental to highway safety and is considered to meet the requirements of Policy GEN 1 of the Bolsover District Local Plan.

The extension is set well away from the dwellings to the front and rear of the site and is screened from the dwelling to the rear by the high hedge to the rear boundary of the dwelling to the east of the site. The extension is set in from the side boundary to the dwelling to the south and neither the current dwelling to the south or the dwelling previously approved have principal room windows in the side elevation. The ground floor windows in the southern side of the proposed extension are screened by the boundary treatment and the first floor window is not the main window to the bedroom and can be required by condition to be obscure glazed and fixed.

The extension includes ground floor windows in the northern side elevation facing the attached dwelling (no. 39 Brunner Avenue), but these windows are no closer than the windows in the existing off-shot and will be partially screened by the boundary treatment. The first floor window in the northern side elevation serves an en-suite and can be conditioned to be obscure glazed with only a top opening light. Subject to such conditions the proposal is not considered to result in a significant loss of privacy to the residents of the attached dwelling over and above the existing situation.

The rear extension is within 1.5m of the boundary to the attached dwelling and extends 5m out to the rear at two storey level and a further 5m out to the rear at single storey level. The attached dwelling has a kitchen window facing the site, only 1.5m from the site boundary and a lounge window in the rear elevation immediately adjacent to the site boundary (see plan, overleaf). The proposed extension is slightly lower than the previously refused extension with a shallower roof pitch and is proposed to be finished in light reflecting render. However, this is not considered sufficient to address the concerns about the previous proposal. The extension is still considered to result in a significant loss of daylight to these two principal rooms contrary to the requirements of the Councils Housing Layout and Design guidance and is considered to have a significant, overbearing, oppressive impact on the outlook from these two rooms. On this basis the proposal is considered to result in a significant loss of amenity for residents of the attached dwelling contrary to the requirements of Policy GEN 2 of the Bolsover District Local Plan and the BDC housing layout and design guidelines.



The resident of the attached dwelling (no.39) has expressed that she fully supports the proposal and understands the potential impact on her outlook and daylight but would like the extension to be approved as it means family can live next door. However, the council cannot control future ownership or occupation of the property. The proposal remains contrary to the council's adopted policies and guidelines and the personal circumstances of the applicant are not considered sufficient to overcome this and the approval of the proposal contrary to these guidelines would make it difficult to apply these guidelines to other developments. The accommodation required could be accommodated in a side extension which could be designed not to impact on neighbouring properties which would still provide the applicant with the accommodation required and still leave adequate garden and parking space on site.

Conclusion

The extension is not considered to be detrimental to the character and appearance of the street scene and, subject to suitable conditions, is not considered detrimental to highway safety or harmful to the privacy of residents of adjacent dwellings. However, the significant loss of daylight to the attached dwelling and the overbearing, oppressive impact on the outlook from the attached dwelling is considered to result in such a significant loss of amenity for residents of the attached dwelling contrary to the requirements of Policy GEN 2 of the

Bolsover District Local Plan and the BDC housing layout and design guidelines, that the proposal should be refused.

Other Matters

Listed Building: N/A

Conservation Area: N/A

Crime and Disorder: N/A

Equalities: N/A

Access for Disabled: N/A

Trees (Preservation and Planting): N/A

SSSI Impacts: N/A

Biodiversity: N/A

Human Rights: N/A

RECOMMENDATION

Refuse for the following reason:

1. The rear extension is within 1.5m of the boundary to the attached dwelling. The attached dwelling has a kitchen window facing the site, only 1.5m from the site boundary and a lounge window in the rear elevation immediately adjacent to the site boundary. The proposed extension is considered to result in a significant loss of daylight to these two principal rooms contrary to the requirements of the Councils Housing Layout and Design guidance and is considered to have a significant, overbearing, oppressive impact on the outlook from these two rooms. On this basis the proposal is considered to result in a significant loss of amenity for residents of the attached dwelling contrary to the requirements of Policy GEN 2 of the Bolsover District Local Plan and the BDC housing layout and design guidelines.

Statement of the Decision Process

The proposal does not comply with the policies and guidelines adopted by the Council. The personal circumstances of the applicant and his neighbour have been considered but the loss of light and oppressive impact of the proposal which is contrary to the policies and guidelines adopted by the council cannot be ignored as a result of these circumstances. The required accommodation could be provided to the side of the property which would provide for the personal circumstances whilst meeting the council's policies and guidelines. The decision has been taken in accord with the Policies of the Local Plan and the guidelines of the National Planning Policy Framework.



Location Plan
scale 1:1250



Bolsover District Council

Planning Committee

Date of meeting – 30th August 2017

Five Year Housing Supply

Report of the Joint Assistant Director of Planning and Environmental Health

This report is public

Purpose of the Report

- To set out the background to the assessment of the Council's five year supply of deliverable housing.
- To approve the annual assessment and publication of the five year supply of deliverable sites for housing as required by paragraph 47 of the National Planning Policy Framework (NPPF) 2012.

1 Report Details

Introduction

- 1.1 Members will be aware that where a Council cannot demonstrate a five year supply of deliverable housing sites, housing applications fall to be considered in the context of the presumption in favour of sustainable development, as relevant policies for the supply of housing may not be considered up to date. Therefore whether or not an authority has a five year supply has a direct impact on the Council's ability to influence the location of new housing. The adoption of a new Local Plan and achievement of a five year supply will give members greater control over the location of new housing development in the district.
- 1.2 Whilst the absence of a five year supply is not conclusive in favour of the grant of planning permission, the Secretary of State and their inspectors usually place great weight on the need to demonstrate a five year supply in line with paragraph 47 of the NPPF which emphasises the need 'to boost significantly the supply of housing'.
- 1.3 In October of last year, we were able to report that due to the positive and proactive approach the Council had taken to housing sites, we could demonstrate a 5 year supply and therefore planning policies relevant to the supply of housing would no longer be considered as out of date.

Objectively Assessed Need and Housing Targets

- 1.4 The National Planning Policy Framework (2012) introduced the phrase 'objectively assessed needs' for housing (although the phrase is relatively new, the ideas

underpinning it are not). It is important to note that objectively assessed need is not the same as housing provision or a housing target.

- 1.5 Objectively assessed need (OAN) is based on modelling work using demographic factors such as births, deaths, number of households; migration patterns; and, employment to predict the number of houses likely to be needed in an area. This basic data is refined by considering other factors, such as whether household formation has been suppressed by affordability or past under-provision, or whether the figures will support forecast employment growth to arrive at an objectively assessed need.
- 1.6 The objectively assessed need for housing in Bolsover district was calculated by independent consultants as part of the Strategic Housing Market Assessment (November 2013). This identified the OAN as between 235 – 240 homes a year. The upper figure (240) was used to calculate the requirement for housing in the district for the last three years, and is being utilised in developing the new Local Plan.
- 1.7 Following consideration of the options for a housing target, in February 2016 the Council selected a preferred housing target for the emerging Local Plan for Bolsover District of 240 dwellings per year based on meeting the OAN. This preferred housing target was reconsidered and subsequently incorporated into the Consultation Draft Local Plan for Bolsover District when this was published for public consultation in October 2016.
- 1.8 In response to the consultation, there has been significant objection to the use of 240 as an OAN on the basis that the figure does not reflect the most recent demographic projections and a higher figure should be used. The Council however had already committed to undertaking a review of the figure and that work is now under review and a new Draft SHMA is expected in the near future.
- 1.9 The Government have also announced the intention of introducing a new method to calculate the level of housing need. It is likely that over the coming year, once these issues are clarified, a new OAN figure will need to be agreed upon for the purpose of using within the Local Plan work and for calculating the 5 year housing supply.

The Housing Requirement

- 1.10 For the last three years, the housing requirement has been based on the objectively assessed need identified in the 2013 Strategic Housing Market Assessment (SHMA) of 240 dwellings a year. As set out above, this figure is still the most appropriate figure to use at this time and no justified, alternative figure is currently available.
- 1.11 The 2013 SHMA has a base date of 2011. Any shortfalls in delivery from this date have to be added to the requirement. Table 1 below shows that between the 1st April 2011 and the 31st March 2014, housing delivery was significantly below the annual requirement but that there has been an encouraging uplift in delivery in the past three years.
- 1.12 As can also be seen from Table 1 this uplift has not been sufficient to completely offset the previous shortfall and therefore the outstanding 188 dwellings need to be

added to the next five year supply period. This also means that the Council's historic record of 'persistent under delivery' remains at the present time.

Table 1: The shortfall to date against the Objectively Assessed Need of 240 and selected Local Plan housing target			
Year	Annual Requirement	Completions (Net)	Shortfall
2011/12	240	124	116
2012/13	240	120	120
2013/14	240	136	104
2014/15	240	253	-13
2015/16	240	326	-86
2016/17	240	293	-53
Total	1,440	1,252	188

The Housing Supply

- 1.13 Government policy in relation to the supply of housing in the 5 year supply is that it should be 'deliverable'. For the purposes of this assessment this means that sites should be available; in a suitable location; with a realistic prospect that housing will be delivered on the site within five years, and in particular that development of the site is viable. Not all sites with planning permission are considered 'deliverable', within the next five years.
- 1.14 The assessment of the five year supply for deliverable housing follows the completion of the annual Residential Land Assessment. This includes a survey of all the sites in the District with planning permission (including sites with committee resolutions to approve subject to completion of S106 agreements), and sets out how many houses have been built, and how many houses are still to be built. Owners / developers of major sites with planning permission have been surveyed to help assess when sites are likely to be developed. This information feeds into the assessment of how many sites will be deliverable over the next five years.
- 1.15 In addition to sites with planning permission, the Council has included housing allocations within the draft version of the Local Plan for Bolsover District (October 2016). The decisions underpinning these allocations have also provided a policy stance on the few sites allocated in the current Bolsover District Local Plan that have not come forward. In addition, the sites allocated within the emerging Local Plan may make a contribution to the supply of deliverable housing sites where they fall within the five year supply window.
- 1.16 The Council has taken a robust approach in relation to considering what elements of our supply can be considered to be deliverable over the next five years. This has seen sites that we consider are unlikely to deliver within the five year period to be excluded. In addition, the later years of provision from larger sites that will take more than five years to build out are also excluded.
- 1.17 Overall, we are only relying on 42% of our overall supply and discounting 3,372 potential dwellings. This shows that a robust approach has been taken to discounting, however this is far from a precise science. Sites previously discounted have, due to changed circumstances, recently seen renewed interest. Therefore

there is no guarantee that these sites will not come forward, so delivery could actually be higher.

1.18 Table 2 below gives a breakdown of the components of the five year deliverable supply. Due to the five year supply update being published substantially into the monitoring year (traditionally as part of the Authority Monitoring Report), the table also includes an additional year in order to provide a robust five year supply position.

Table 2: Components of the five year deliverable supply			
Year	Supply - Sites with planning permission* at 31st March 2017 considered to be deliverable	Additional deliverable supply from Local Plan allocations	Total
2017/18	303	0	303
2018/19	477	0	477
2019/20	486	30	516
2020/21	386	90	476
2021/22	247	90	337
2022/23	199	110	309
Total	2,098	320	2,418

*including sites with committee resolutions to approve subject to completion of S106 agreements

1.19 As can be seen in Table 2, following the Council's positive response to the historical lack of a five year supply through its decisions on planning applications in recent years, the supply of deliverable sites has been significantly boosted. In this context, the additional supply of deliverable sites from Local Plan allocations is expected to make a greater contribution towards the end of the five year supply window.

1.20 Whilst all major sites in the district have been assessed for their deliverability, it is not practical to assess each minor site. Therefore, a lapse rate of 15% based on historic lapse rates on minor sites has been applied to the total number of dwellings that could be provided by minor sites. This reduced total level of deliverable minor sites has then been apportioned across the first three years of the supply period to reflect the three year period for implementation and the fact that infrastructure requirements for such sites are generally minimal.

1.21 A full list of the deliverable sites included in the five year supply is set out at Appendix B.

Assessment of the five year supply

1.22 The Council has consistently followed the Sedgefield method when assessing its five year supply and so has always planned to meet the shortfall within 5 years rather than across the whole of the Plan period (the Liverpool method). Therefore, as outlined above, the housing requirement is 240 dwellings per year plus the existing shortfall, meaning that during the period 2017/18 to 2021/22 this would equate to a requirement of 1,388 dwellings. On the basis that the shortfall would be met within

the five years, when 2022/23's requirement is added the requirement would rise by 240 only (our standard requirement) to 1,628 dwellings.

1.23 Due to the Council's record of 'persistent under delivery', in addition to the requirement and shortfall there is a Government requirement to ensure the Council has a 20% buffer of deliverable land, within the 5 year period, to increase the land supply and to ensure choice and competition in the market. As such, this 20% buffer needs to be reflected in the five year supply assessment and the Council's quantity of deliverable supply measured against it.

1.24 Therefore, our NPPF requirement of deliverable land is 1,200 dwellings, plus the shortfall of 188 (1,388 dwellings), plus the 20% buffer (1,666 dwellings). Provided we can show a supply in excess of 1,666 units over a 5 year period, our planning policies in relation to housing supply are not considered to be out of date.

1.25 As set out in table 2 above, against this housing requirement the Council has 2,109 dwellings in the deliverable supply for the period 2017/18 to 2021/22, with an additional 309 dwellings expected within 2022/23.

1.26 Table 3 below shows the requirements set against the deliverable supply and the NPPF requirements in future years.

Table 3: Deliverable supply set against the requirement and 20% buffer					
Year	OAN pa. + shortfall to date spread over 5 years	Potential Delivery pa.	Cumulative requirement	Cumulative Potential delivery	NPPF requirement (+20%)
2017/18	278	303	278	303	
2018/19	278	477	556	780	
2019/20	278	516	834	1296	
2020/21	277	476	1111	1772	
2021/22	277	337	1388	2109	1668
2022/23	240	309	1628	2418	1954

1.27 This table clearly shows that regardless of whether we look to 2022 or 2023, the potential delivery sites exceed the requirement throughout. Over either period, the Council has between 2,109 and 2,418 deliverable dwellings, over 400 dwellings in excess of the NPPF requirement, meaning the Council can demonstrate that it has in excess of a 5 year deliverable supply.

1.28 To calculate the extent of the Council's deliverable supply, if one were to subtract the under-provision to date (188 dwellings) from the deliverable supply (2,154 dwellings) and divide the remainder by our annual requirement (240 dwellings pa.) the Council can show over an 8 year supply for the period 2017/18 to 2021/21. This would increase to just under a 9.5 year supply for the period 2017/18 to 2022/23.

1.29 As set out last year, the five year supply can be looked at in different ways and it could be argued that based on the assumed deliverable supply in the 2017/18 and 2018/19 years, the shortfall would reduce and be eliminated by the 2019 update. This would mean that the NPPF requirement to include a 20% buffer would cease and drop to the standard 5% buffer during the five year period, leading to requirement

lower than set out above and thus a supply even greater than the NPPF requirement, than that projected.

1.30 Therefore, when looked at in a variety of ways, the Council is now able to demonstrate a robust five year supply of deliverable residential sites.

1.31 Appendix A sets out the Council's definitive account of its five year supply. Appendix B sets out the sites in the five year supply of deliverable housing sites.

2 Conclusions and Reasons for Recommendations

2.1 The five year housing supply is a consideration of the amount of housing that is deliverable on housing sites within the District at the 31st March 2017.

2.2 The assessment of the five year housing supply is a technical exercise. Based on the above assessment the Council can demonstrate that it has a five year housing supply as required by the NPPF.

3 Consultation and Equality Impact

3.1 Other Officers involved in the preparation of this report were: Interim Planning Policy Manager; Principal Planning Officers; and Senior Planning Information Officer.

3.2 The matter was reported to the Local Plan Steering Group on 2nd August 2017.

4 Alternative Options and Reasons for Rejection

4.1 As explained at paragraphs 1.1 & 1.2 above there is a requirement under national planning policy to carry out the assessment of the five year supply of deliverable housing sites. This means that there is no alternative course of action.

5 Implications

Finance and Risk Implications

5.1 The assessment of the five year supply of deliverable housing sites is part of the annual monitoring work. As such it can be funded from existing budgets. However, it is important that this budget is maintained in future years.

Legal Implications including Data Protection

5.2 The Council has a statutory duty to keep under review the matters which may be expected to affect the development of their area. The development of land for housing is a key issue that affects the growth of the district.

Human Resources Implications

5.3 The assessment can be met within existing staffing resources.

6 Recommendations

6.1 That the Planning Committee:

- I. Notes the detailed issues set out in the report;
- II. Approves the assessment of the Council's current five-year supply of deliverable housing sites as set out at Appendix A;
- III. Authorises the publication of the five Year Supply Assessment (Appendix A) and Schedule of Deliverable Sites in the five year supply (Appendix B) on the Council's website;and
- IV. Gives delegated authority to the Joint Assistant Director of Planning and Environmental Health in consultation with the Chair, and Vice Chair of Planning Committee to make any minor changes to the text or information referred to in recommendation 6.1 III. prior to publication.

7 Decision Information

Is the decision a Key Decision? (A Key Decision is one which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)	No
District Wards Affected	All
Links to Corporate Plan priorities or Policy Framework	<p>The maintenance of a five year supply of deliverable housing has an impact on the way decisions on planning applications for residential development are determined. As such it has potential impacts on the following corporate aims:</p> <p>COMMUNITY SAFETY – Ensuring that communities are safe and secure</p> <p>ENVIRONMENT – Promoting and enhancing a clear and sustainable environment</p> <p>REGENERATION – Developing healthy, prosperous and sustainable communities</p>

8 **Document Information**

Appendix No	Title	
Appendix A	Assessment of Five Year Supply	
Appendix B	Details of sites in the current five year supply	
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)		
Assessment of deliverability of major sites Calculation of lapse rate of minor sites		
Report Author		Contact Number
Rob Routledge		Ext 2299

Appendix A

Bolsover District Council

Annual Assessment of Five Year Supply of Deliverable sites for Housing, as required by paragraph 47 of the National Planning Policy Framework 2012

A. The Assessment

1. The Council has a five year supply of deliverable sites for housing.
2. Assessments have been made since 1st April 2007.
3. The assessment was reviewed and updated in 2017, based on data available for the year ended 31st March 2017.
4. Summary of five year supply of deliverable sites.

Deliverable supply set against the requirement and 20% buffer					
Year	OAN pa. + shortfall to date spread over 5 years	Potential Delivery pa.	Cumulative requirement	Cumulative Potential delivery	NPPF requirement (+20%)
2017/18	278	303	278	303	1668
2018/19	278	477	556	780	
2019/20	278	516	834	1296	
2020/21	277	476	1111	1772	
2021/22	277	337	1388	2109	
2022/23	240	309	1628	2418	

5. Based on this assessment, the Council currently has in excess of the NPPF required 5 year housing supply (plus 20%). In 2021/22 we will exceed the requirement by 441, and we are projected to exceed the requirement in 2022/23 by 464 units.
6. To calculate the extent of the Council's deliverable supply, if one were to subtract the under-provision to date (188 dwellings) from the deliverable supply (2,109 dwellings) and divide the remainder by our annual requirement (240 dwellings pa.) the Council can show just over an 8 year supply for the period 2017/18 to 2021/21. This would increase to just under a 9.3 year supply for the period 2017/18 to 2022/23.

B. Assumptions made in preparing the Assessment

7. The Housing Requirement Figure is based on the latest assessment of Objectively Assessed Need set out in the 2013 Strategic Housing Market Assessment of the maximum figure of 240 dwellings a year for the period 2011 – 2031, plus addressing the undersupply from previous years of 188 during the five year period (the Sedgfield method).
8. The assessment of deliverable supply is based on:

- a) A physical survey of housing completions and demolitions carried out as soon as possible after 31 March each year;
 - b) An assessment of 'deliverable' sites to determine those sites with a realistic prospect of delivery within five years. This assessment has been informed by a survey of the views of promoters of all major sites in the housing supply, on build out rates and any lead-in times, for their sites.
9. Based on the assumed deliverable supply in the 2017/18 and 2018/19 years, it is expected that the shortfall would reduce and be eliminated by the 2019 update. This would mean that the NPPF requirement to include a 20% buffer would cease and drop to the standard 5% buffer during the five year period, leading to requirement lower than set out above and thus a greater supply position.
10. However, to provide the most robust approach to this assessment due to the Council's record of 'persistent under delivery', the Council's deliverable supply is still measured against an additional buffer of 20% until the shortfall is fully overcome.
11. The assessment of the five-year supply will be available on the Council's website alongside the schedule of specific deliverable sites.
11. The assessment, assumptions and process may be revised as necessary to take account of new government guidance, case law, best practice and valid stakeholder comments, by the Joint Assistant Director of Planning and Environmental Health in consultation with the Chair and Vice Chair of the Planning Committee.

Appendix B

List of major sites in the five year supply of deliverable sites


Site	Permission Reference	Address	Status	Commitment at 1st April 2017	5 year assessment period						Not deliverable within 5 years
					2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	
Bolsover											
B1880	BOL/1103/730	Former Courtaulds Plc, Oxcroft Lane, Bolsover	Extant	43	0	30	13	0	0	0	0
B2005	BOL/1210/552	99 to 101 Moor Lane, Bolsover, Chesterfield	Extant	9	0	0	0	0	0	0	9
B2192	BOL/1110/568	Land off Blind Lane, Bolsover	N/S	250	0	0	0	0	0	0	250
B2276	BOL/513/209	Land off Langwith Road and, Mooracre Lane, Bolsover	N/S	360	0	30	40	40	45	40	165
B2387	BOL/215/76	Land between Shuttlewood Road and Oxcroft Lane, Bolsover	Extant	149	0	0	0	0	0	0	149
B2400	BOL/214/80	Land between Welbeck Road and Oxcroft Lane, Bolsover	N/S	950	0	30	60	120	90	90	560
Totals				1761	0	90	113	160	135	130	1133
Shirebrook											
B0906	BOL/1190/0583	Former Shirebrook Station, Station Road, Shirebrook	Extant	68	10	20	20	18	0	0	0
B2444	BOL/1016/533	Land to the north of 76 Main Street, Shirebrook	N/S	37	25	12	0	0	0	0	0
B2226	BOL/1112/515	Model Infants School, Central Drive, Shirebrook	U/C	20	0	0	20	0	0	0	0
B2322	BOL/615/316	Land at Brookvale, Shirebrook	U/C	611	45	45	24	45	45	45	362
Totals				736	80	77	64	63	45	45	362
Clowne											
B2112	BOL/214/57	High Ash Farm, Mansfield Road, Clowne	N/S	48	0	21	21	0	0	0	0
B2260	BOL/1112/529	Land to west of Mansfield Road, Clowne	U/C	11	11	0	0	0	0	0	0
B2296	BOL/514/226	Woodside Stables Riding School, Barlborough Road, Clowne	U/C	5	5	0	0	0	0	0	0
B2386	BOL/1214/603	Land to rear of 169-207 Creswell Road, Clowne	U/C	27	27	0	0	0	0	0	0
B2454	BOL/1115/604	Land west of Tamarisk, Mansfield Road, Clowne	N/S	15	0	15	0	0	0	0	0
LPfBD	Allocation	Clowne Garden Village	Alloc	1500	0	0	0	60	60	80	1300
Totals				1606	43	36	21	60	60	80	1300
South Normanton											
B2014	BOL/0413/162	Land To The Rear of, 1 to 35, Red Lane, South Normanton	N/S	50	0	20	30	0	0	0	0
LPfBD	Allocation	Land at Rosewood Lodge Fm, Alfreton Road	Alloc	145	0	0	30	30	30	30	25
Totals				195	0	20	60	30	30	30	25

Site	Permission Reference	Address	Status	Commitment at 1st April 2017	5 year assessment period						Not deliverable within 5 years
					2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	
Barlborough											
B2155	BOL/113/2	Land north of Chesterfield Road, Barlborough	N/S	157	7	40	40	40	30	0	0
Totals				157	7	40	40	40	30	0	0
Creswell											
B1577	Allocation	Land South of Model Village, Creswell	Extant	197	10	20	20	20	20	16	91
B2291	BOL/715/368	Land To The Rear Of Nos 34 To 54, Skinner Street, Creswell	N/S	82	0	20	36	26	0	0	0
B2413	BOL/616/294	Former Miners Welfare Institute, Model Village, Creswell	N/S	11	0	11	0	0	0	0	0
Totals				290	10	51	56	46	20	16	91
Pinxton											
B0907	BOL/613/236	Land to the rear of The Rectory, Town Street, Pinxton	N/S	11	0	0	0	0	0	0	11
Totals				11	0	0	0	0	0	0	11
Tibshelf											
B2275	BOL/413/170	Field West Of Spa, Doe Hill Lane, Tibshelf	N/S	57	32	25	0	0	0	0	0
B2295	BOL/513/182	Land South of Overmoor View, Tibshelf	U/C	138	35	42	44	17	0	0	0
B2412	BOL/616/288	Garage Block at Derwent Drive, Tibshelf	N/S	12	12	0	0	0	0	0	0
Totals				207	79	67	44	17	0	0	0
Whitwell											
B2292	BOL/614/286	5 Hangar Hill, Whitwell	N/S	11	0	0	0	0	0	0	11
LPfBD	Allocation	Former Whitwell Colliery site	Alloc	200	0	0	0	0	0	0	200
Totals				211	0	0	0	0	0	0	211
Glapwell											
B1947	BOL/1111/599	Glapwell Nurseries, Glapwell Lane, Glapwell	U/C	16	0	0	0	16	0	0	0
Totals				16	0	0	0	16	0	0	0
Hodthorpe											
B2390	BOL/715/354	Land at Queens Road Allotments, Hodthorpe	N/S	38	0	10	10	10	8	0	0
B2385	BOL/1014/518	Land north-west of Broad Lane, Hodthorpe	N/S	101	0	0	0	0	0	0	101
Totals				139	0	0	10	10	10	8	101
Newton											
B2293	BOL/914/474	Land to the rear of 27 to 53, Alfreton Road, Newton	U/C	5	5	0	0	0	0	0	0
Totals				5	5	0	0	0	0	0	0
Paltrton											
B2433	BOL/816/410	Land between 11 and 19 Back Lane, Paltrton	N/S	11	0	0	0	5	6	0	0
Totals				11	0	0	0	5	6	0	0
Pleasley											
B2262	BOL/716/348	East of Pleasley Pit, Pit Lane, Pleasley	N/S	23	0	0	11	12	0	0	0
Totals				23	0	0	11	12	0	0	0

Site	Permission Reference	Address	Status	Commitment at 1st April 2017	5 year assessment period						Not deliverable within 5 years
					2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	
Scarcliffe											
B2430	BOL/1215/649	The Nursery, East Street, Scarcliffe	N/S	16	0	0	0	0	0	0	16
Totals				16	0	0	0	0	0	0	16
Shuttlewood											
B2243	BOL/612/269	Field Adjacent to Pattison Street, off Bolsover Road, Shuttlewood	N/S	80	0	0	0	0	0	0	80
Totals				80	0	0	0	0	0	0	80
Countryside											
B2389	BOL/415/216	Land South of Plantation on North side of Worksop Road, Hotel Van Dyk	N/S	52	0	17	17	17	1	0	0
Totals				52	0	17	17	17	1	0	0
Sub totals – Majors				5,510	224	398	436	476	337	309	3,330
All Settlements – Minors											
	Total in supply	333	(assumed 15% of minor sites will lapse)	333	94	94	95	0	0	0	50
Totals				333	94	94	95	0	0	0	50
Sub totals – Minors				280	79	79	80	0	0	0	42
Final totals				5,790	303	477	516	476	337	309	3,372

Deliverable total for current year (17/18) = 303 (estimated)

Deliverable total for the following 5 years = 2,115 (estimated)

 Not considered deliverable within 5 years