

The Arc
High Street
Clowne
Derbyshire
S43 4JY

Date: 24th May 2019

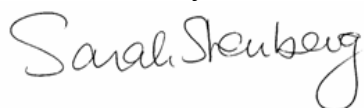
Dear Sir or Madam

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 5th June 2019 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



Joint Head of Corporate Governance and Monitoring Officer
To: Chairman and Members of the Planning Committee

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**PLANNING COMMITTEE
AGENDA**

Wednesday 5th June 2019 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: <ul style="list-style-type: none"> 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 10 th April 2019	3 to 5
5.	Notes of a Site Visit held on 5 th April 2019	6
6.	Applications to be determined under the Town & Country Planning Acts.	
	(i) 18/00393/FUL – Proposed Garage and MOT Facility to rear of existing garage which is to be demolished and new road built to proposed site – 190 Carter Lane East, South Normanton, Alfreton, DE55 2DZ	7 to 21
	(ii) 19/00055/FUL – The proposal is to change the use of the former school rooms to a single dwelling with some internal and external alterations. Two off-street parking spaces will be provided on the frontage of the site – The Old School Room, 88 Main Street, Newton, Alfreton	22 to 39
	(iii) 19/00070/FUL – Change of use from woodland, and the laying of hardstanding to provide additional parking for HGV lorries, trailers and staff parking; in association with an existing use – Land to Rear of Erewash Garage, Kirkby Lane, Pinxton.	40 to 54
7.	Local Plan – Main Modifications	55 to 208

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 10th April 2019 at 1000 hours.

PRESENT:-

Members:-

Councillor T. Munro in the Chair

Councillors T. Alexander, P. Bowmer, J.A. Clifton, C.P. Cooper, Mrs P. Cooper, S.W. Fritchley, D. McGregor, B.R. Murray-Carr, S. Peake, K. Reid, P. Smith, R. Turner, D.S. Watson and J. Wilson.

Officers:-

C. Fridlington (Planning Manager (Development Control)), S. Phillipson (Principal Planner), J. Owen (Chartered Legal Executive) and D. Cairns (Senior Governance Officer).

0859. APOLOGIES

Apologies for absence were received on behalf of Councillors T. Connerton and M.G. Crane.

0860. URGENT ITEMS OF BUSINESS

There were no urgent items of business to consider.

0861. DECLARATIONS OF INTEREST

Councillor J. Wilson declared a non-statutory interest in Item 6 (i) – Application 18/00647/OUT arising from her personal right of way across the application site. Councillor J. Wilson withdrew from the meeting for consideration of this item and did not participate in the discussion or vote.

Councillor B.R. Murray-Carr declared that he would not take part in Application No 18/00647/OUT as he had publicly objected to the application prior to the meeting, calling it in to be determined by the Committee. Councillor B.R. Murray-Carr spoke against the application and then moved to the public gallery and did not participate in the discussion or vote.

PLANNING COMMITTEE

0862. MINUTES – 13th MARCH 2019

Councillor P. Bowmer stated that she had attended the previous meeting however her name was not included in the attendees in the Minutes. It was agreed that this would be noted.

Moved by Councillor S.W. Fritchley and seconded by Councillor R. Turner

RESOLVED that, subject to the amendment as noted above, the minutes of a meeting of the Planning Committee held on 13th March 2019 be approved as a true and correct record.

0863. SITE VISIT NOTES – 8th MARCH 2019

Moved by Councillor B.R. Murray-Carr and seconded by Councillor J. Wilson

RESOLVED that the notes of the site visit held on 8th March 2019 be approved as a true and correct record.

Councillor J. Wilson withdrew from the meeting at this point and sat in the public gallery.

0864. APPLICATIONS TO BE DETERMINED UNDER THE TOWN AND COUNTRY PLANNING ACTS

- (i) 18/00647/OUT Outline application with Access fixed for residential development of up to 22 dwellings (100% affordable) and all other matters to be reserved - Land behind Nicholsons Row 43 To 69 Main Street, The Churches On Church Drive, Off Long Lane, Shirebrook

Further details relating to the application were included in the Supplementary Report.

The Planning Manager (Development Control) presented the report which gave details of the application and highlighted the location and features of the site and key issues.

The Committee were advised of an amendment to the grounds for refusal as set out in the officer recommendation. Reference to the Local Plan Policy ENV3 is amended to ENV5.

Councillor B.R. Murray-Carr spoke against the application.

Councillor B.R. Murray-Carr then withdrew from the meeting and sat in the public gallery.

Mrs J. Tait attended the meeting and spoke against the application.

Committee considered the application having regard to the Bolsover District Local Plan, the Publication Version of the Local Plan and the National Planning Policy Framework. Members considered the principle of the development of this site for residential purposes, any benefits that would arise from the proposal, the effects of the development on the character and appearance of the area, impacts on the amenities of neighbouring residents, impact on heritage assets, impact on biodiversity interests and the impact on highway safety.

PLANNING COMMITTEE

Moved by Councillor S.W. Fritchley and seconded by Councillor D. McGregor

RESOLVED that outline planning permission for application 18/00411/OUT be refused for the following reasons:

Outline permission is being sought for up to 22 dwellings but each of the submitted illustrative layouts fail to demonstrate that this amount of dwellings could be accommodated on the site in accordance with the Council's adopted policies and guidance, emerging policies in the Publication Version of the Bolsover District Local Plan, and national planning policy in the Framework.

In design terms, the potentially unsightly rows of frontage parking occupying whole frontages dominating the street scene, potentially unattractive fencing prominent at the entrance to the site, and the absence of space for amenity planting would not produce a high quality development creating a sense of place contrary to the objectives of saved Local Plan policy GEN2, emerging Local Plan policy SC3 and national planning policies in the Framework.

In amenity terms, the individual criticisms of the scheme when taken together would mean the external appearance of the proposed scheme would detract from the existing street scene, inappropriately reduce the amenity of the public footpath through the site, and harm the wider setting of the grade 2 listed Holy Trinity Church, as viewed from Long Lane, contrary to saved Local Plan policies GEN2 and CON10, emerging Local Plan policies SC3 and SC17 and national planning policies in the Framework.

In biodiversity terms, taking into account the likely extent of tree, hedgerow, and vegetation removal as illustrated in the indicative plans and the limited remaining space available for replacement planting in a high density scheme, it has not been demonstrated that a 22 dwelling scheme would not result in a net loss to biodiversity contrary to saved Local Plan policy ENV5, emerging Local Plan policies SC9 and SC10 and national planning policies of the Framework.

In this case, it is not considered that these issues can be adequately dealt with at the reserved matters stage because the site cannot be shown to be able to adequately accommodate 22 dwellings. Therefore, when assessed against local and national policies and when also taking into account the absence of a s.106 legal agreement (securing the proposed housing as affordable housing that would meet the needs of the local area); the adverse impacts of granting outline permission for 22 houses on this site would significantly and demonstrably outweigh the benefits of doing so.

(Planning Manager (Development Control))

The meeting concluded at 1025 hours.

Following the conclusion of the meeting the Chair paid tribute to the service of Members of the Committee who were not standing again in the election in May 2019 and were retiring as councillors, including: Councillor T. Alexander, Councillor P. Bowmer and Councillor B.R. Murray-Carr. The Chair also thanked all Members for their work on the Committee and for their support to him as the Chair.

Planning Site Visits

Notes of Planning Site Visits held on 5th April 2019 commencing at 10:00hours.

PRESENT:-

Members: Councillors Pat Cooper, Paul Cooper, T. Munro (Chair), and D. Watson

Officer: Steve Phillipson

APOLOGIES

Apologies were received from Councillors T. Alexander, P.M. Bowmer, J. Clifton, D. McGregor, B. Murray-Carr, K. Reid, P. Smith, S. Peake, R. Turner (Vice Chair), and J. Wilson.

SITES VISITED

1) Land off Long Lane, Shirebrook (18/00647/OUT)

The meeting concluded at 11:00 hours

PARISH South Normanton

APPLICATION Proposed Garage and MOT facility to rear of existing garage which is to be demolished, new road built to proposed site and change of use from car parking to light industrial
LOCATION 190 Carter Lane East South Normanton Alfreton DE55 2DZ
APPLICANT Mr Matthew Edwards, Rees House, Nursery Street, Mansfield. NG18 2AG
APPLICATION NO. 18/00393/FUL **FILE NO.** PP-07147735
CASE OFFICER Mrs Kay Crago (Tues, Fri)
DATE RECEIVED 20th July 2018

DELEGATED APPLICATION REFERRED TO COMMITTEE BY: Planning Manager
REASON: Non-compliance with Bolsover District Local Plan

SITE

Existing commercial garage providing MOT testing, servicing and vehicle repairs and some retail sales of vehicles. Cars parked on land to the south and west of the garage buildings adjacent the A38. Vehicle parking and vehicles for sale parked on land to the immediate east of the garage buildings. Garage buildings generally constructed of brick or profile sheeting with corrugated profile sheeting to the roof areas. The built form of the site when viewed from the A38 is relatively elevated, the land to the rear is at a lower level and broadly level with the slip road off the adjacent A38. Security fencing with some lengths of hedgerow form boundaries to the site. Residential properties lie to the north of the site, with large office buildings to the west.

PROPOSAL

Relocation of the garage premises to a purpose built building to the rear of the site. The dimensions of the proposed building are: 33m in length, width 15m, max height 7.5m, min height 6m.

Proposed external facing materials: Grey steel cladding with blue trim and brickwork to external walls.

Vehicular access would be from one point off Carter Lane East to the very west of the existing site adjacent to number 188 Carter Lane East.

The existing garage buildings would be demolished with land to the East being restored to a levelled surface.

The building would be orientated in a north south direction with car parking and access to the east of the building.

The site would be subject to a cut and fill operation, the building would be sited at a lower level than properties to the north and part of the site would be built up to provide a level site.

Landscaping is shown to the northern boundary with the residential properties and there is already relatively dense screening to the western boundary with the office/commercial premises.

AMENDMENTS

Revised drawings and documents submitted 15th Feb 2019:

- SL05431.400 Rev B Existing sections
- SL05431.401 Rev B General Arrangement and Proposed Levels
- SL05431.404 Rev B Elevations and Levels
- SL05431.403 Rev A Internal Layout
- SL05431.402 Rev B Sections through the site
- SL05431.406 Rev B Site Access and Usage Plan
- SL05431.405 Rev B Site Plan
- Noise Impact Assessment
- Planning Statement

Revised drawing submitted 26th February 2019: -

- SL05431.408 Rev B Construction Sequences Drawing

HISTORY (if relevant)

15/00654/FUL	Granted Unconditionally	Side extension to garage (retrospective application)
17/00354/FUL	Granted Conditionally	Extension to existing car repair garage to include canteen and offices and associated outdoor car park area, to include land to the rear of the site to be graded for short term parking with paladine fencing in boundary hedge.

CONSULTATIONS

Coal Authority. The application site falls within the defined Development High Risk Area and The Coal Authority records indicate that there are coal mining features and hazards which need to be considered in relation to the determination of this planning application; specifically the records indicate that the site is likely to have been subject to historic unrecorded underground shallow coal mining.

The Coal Authority initially objected to this planning application as a Coal Mining Risk Assessment had not been submitted with the application.

Following the submission of a Coal Mining Risk Assessment Report (prepared by HBPW LLP dated August 2018) was submitted to accompany the planning application, The Coal Authority confirmed that it concurs with the findings of that report that the site is safe and stable to accommodate the proposed development.

On the basis of the additional information The Coal Authority has withdrawn its earlier objection. 17/09/18 with the comment re-iterated on the 1/03/19

Derbyshire County Council Archaeologist. Thank you for consulting on the above planning application. We have been consulted previously on this development site and would confirm our advice that the proposals will have no archaeological impact. The site is close to the route of an early colliery tramway (Derbyshire HER 11902) dating from before 1830. This feature does not however survive in the vicinity of the site. 29/08/18

Engineer. The sewer records show a public sewer within the curtilage of the site (plan enclosed). The applicant should also be made aware of the possibility of unmapped public sewers which are not shown on the records but may cross the site of the proposed works. These could be shared pipes which were previously classed as private sewers and were transferred to the ownership of the Water Authorities in October 2011. If any part of the proposed works involves connection to / diversion of / building over / building near to any public sewer the applicant should be advised to contact Severn Trent Water in order to determine their responsibilities under the relevant legislation.

All proposals regarding drainage will need to comply with Part H of the Building Regulations 2010. 28/08/18

Derbyshire County Council Highways. Initially required clarification on the following: Whether applicant going to implement application 17/00354/FUL, the number of car parking spaces for staff and proposed uses, details of proposed advertisements, drainage of the site, boundary treatments to prevent glare and dazzle to drivers on A38. No objections in principle 21/09/18

Following further submissions the Highway Authority raise no objections subject to conditions relating to provision within the site for storage of materials and parking and manoeuvring of site operatives and visitor vehicles, scheme for drainage of the site, provision of the new access road, development to be in accordance with the Construction Sequences Drawing (SL05431.408 rev A), provision and retention of parking and manoeuvring space, closure of all other means of access into the site within 28 days of new access road coming into use, gates to be set back 5m and to open inwards only, boundary fence details. Additional yellow lining may be required to the site frontage where the existing site accesses have been closed. 12/03/19

Environmental Health Final Comments.

Initially raised concerns regarding potential noise impacts. Requested a noise assessment but stated that in the absence of a noise assessment, would recommend a refusal of the planning application. Also likely to require a contaminated land investigation. 21/09/18

Subsequently queried elements of the noise assessment and required details of whether mitigation measures around the car wash would be effective/necessary. 26/03/19

Finally raised no objections subject to the inclusion of two conditions requiring the submission of a noise management plan to include hours of operation, acoustic fencing to part of the northern boundary and noise management controls for machinery, radios etc. and a condition requiring the inclusion of an acoustic screen around the car wash facility. 15/05/19

PUBLICITY

Site notice posted, nine neighbouring residents notified by letter,

Additional publicity: Advertised in press as a departure, site notice posted and 17 properties notified by letter. Overall seven letters of objection have been received and one statement of support. Grounds of objection given in precis form below: -

Highway safety issues

Car parking and congestion, cars from the garage are parked all over Carter Lane East and in the car park across the road, next to McDonalds

Parking of vehicles on slip road by people viewing cars for sale

Traffic through the village is at problematic levels in terms of volume, noise, pollution and road safety, especially with regard to Commercial Vehicles including HGV.

Excess and illegal parking associated with Coleman's Garage as it is now. Customer cars, as well as vehicles for sale, are regularly parked over double yellow lines, on the pavements and across resident driveways.

The addition of yet another road access on to Carter Lane East, in close proximity to the roundabout will obviously cause traffic to slow down, wait for access and aegis thus exacerbating traffic flow and increasing road safety issues.

General impact upon residential amenity

Impact from the height of the building, noisy, dirty activities

7 day a week working proposed.

No objection to car storage.

The garage needs to relocate to an industrial area as Carter Lane East is predominantly residential in character.

Garage site is an eyesore.

Impact on resident amenity owing to several environmental issues (noise, disturbance, loss of amenity).

Increases the number of MOT and repair activities but also brings this closer to residential properties.

The size and height of the building will clearly impact on light and sightlines from existing properties.

Potential damage to properties due to building operations

POLICY

Bolsover District Local Plan (BDLP)

GEN1 Minimum Requirements for Development

GEN2 Impact of development on the Environment

GEN 5 Land Drainage

GEN 7 Land Stability

GEN8 Settlement Frameworks

EMP 5 Protection of Sites and Buildings in Employment Uses

EMP 6 Non industrial Employment Sites

Publication Local Plan

SS1 Sustainable Development

WC2 General Principles for Economic Development

SC1 Development within the Development Envelope

SC2 Sustainable Design and Construction

No site specific policies relate to the application site. It is shown within the development envelope of South Normanton where development in principle is acceptable

National Planning Policy Framework

There is a presumption in favour of sustainable development unless material considerations indicate otherwise. Planning has an economic role contributing to building a strong, responsive and competitive economy. Decisions should be a balance of economic, social and environmental issues.

Paragraph 47.

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.

Paragraph 48.

Local planning authorities may give weight to relevant policies in emerging plans according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)²².

Paragraph 80.

Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation⁴⁰, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.

Paragraph 117.

Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land⁴⁴.

ASSESSMENT

The main issue is whether the proposed development is in accordance with the policies of the local plan for the site and if not, whether there are material considerations which indicate that a decision should be made contrary to policy.

Other issues relate to highway safety considerations and impacts upon the amenities of nearby residents.

The application is not dissimilar to that considered at committee in 2005 in respect of application 05/00585/FUL which also sought to relocate the existing garage premises. The application was approved subject to conditions.

Principle of Development

The existing use of the frontage of the site is for MOT, car repair, servicing and some vehicle sales. This is considered to be a mixed use with some characteristics consistent with a B2 general industrial use. Policy EMP6 of the adopted local plan relates to the site.

This policy is supportive of B1 office uses and clearly the proposed use is not in full compliance with this policy. Additionally it is a requirement of policy EMP 6 for this site that a 20 m landscape zone including a bund to the rear of Carter Lane East should be secured and that any development should be designed to minimise its impact on adjoining housing with particular regard given to the height, location and siting of buildings. The provision of this bund and landscape zone would severely restrict the developable area of this site and would not enable the applicant to relocate the business.

Impacts upon residential amenity.

The proposed development would result in a new large building being located closer to some residential properties than the current garage buildings, on land currently used for vehicle parking. This has the potential to impact adversely upon the amenities of nearby residents.

Consideration has been given to minimising impacts upon the nearby residential properties in respect of the height and siting of the proposed building. The building at the northern end of the site would be at a lower ground level to surrounding gardens to minimise impacts in respect of height, scale and massing.

The building would be sited some 6.5m to 9.052 metres from the boundary with residential properties. Separation to the rear elevation of 182 Carter Lane East would be approximately 27.045 metres. This distance combined with the lower ground level would result in a development which should not have a significantly adverse impact upon daylight received at the property or appear over dominant. However, the outlook will be significantly altered as currently the land is used for vehicle parking.

Originally it was proposed that a vehicle wash bay would be located at the northern end of the building. It was considered that this would impact upon the amenities of residents by virtue of noise and general disturbance and this has now been relocated.

All but one door and openings would face east. The revised drawings show a bank of landscaping to the northern boundary which should further reduce negative impacts. There have been four objections to the proposed development and impact upon residential amenity has been cited as a ground for objection. It is considered that the amendments to the scheme and the use of conditions where appropriate can mitigate issues raised.

An acoustic assessment of the site and the proposed activities has been undertaken. This identifies the site and surrounding areas as a high noise environment with the proposed development having no significant impact upon noise levels. In view of the fact that noise levels are already relatively high it is still considered appropriate to mitigate against noise generators. The car wash was identified as being one element where mitigation measures by means of an acoustic screen would lessen impacts. A section of acoustic fencing for part of the northern boundary was also recommended. The Environmental Health Officer recommends the inclusion of conditions to require the submission of a noise management plan to identify noise control measures (acoustic fencing, use of radio and machinery etc.) and the inclusion of a condition for the installation of screening to the car wash facility.

It is considered that the inclusion of specific measures will mitigate against any impacts of the development which, from an acoustic aspect, were not found to be significant.

In view of the above, it is considered that the proposed development can meet the requirements of policy GEN 2 of the Bolsover District Local Plan.

Highway Safety Considerations

The development of the site to the rear of the existing facility includes alterations to the current vehicular accesses at the site. The development proposes the creation of a new access to the very west of the application site and will result in the closure of two existing accesses into the site from Carter Lane East. The applicant is proposing a phased approach so that the garage can continue to operate until the point that the use of the new building commences.

It is considered that the reduction from two access points to one, including the location of the access further from the nearby roundabout, will deliver an overall improvement to highway safety. The close proximity of the current access to the roundabout currently causes vehicles to stop and wait on the roundabout, exacerbated by complications with site access due to congestion and parked cars. The proposed development would therefore confine vehicle movements into and out of the site to a single purpose designed access onto Carter Lane East.

Many of the objections to the proposal relate to highway safety considerations. The garage has a large customer base and is operating beyond capacity. This results in parking of vehicles along verges outside the garage and on Carter Lane East where spaces are available. This area has seen not inconsiderable development over the years and inevitably this has resulted in impacts upon local residents and businesses.

However, as adequate space within the site would be available for cars requiring attention and staff cars, the proposed would result in vehicles being contained within the site and away

from Carter Lane East. Whilst the comments of local residents and the local action group have been taken into account it is considered that a development which raises no significant highway impacts could be achieved and the Highway Authority has raised no objections in principle to the proposed development subject to a number of conditions.

The recommended conditions relate to:

- the provision within the site for storage of materials and parking and manoeuvring of site operatives and visitor vehicles;
- a scheme for drainage of the site;
- provision of the new access road;
- the development to be in accordance with the Construction Sequences Drawing (SL05431.408 rev A);
- provision and retention of parking and manoeuvring space;
- closure of all other means of access into the site within 28 days of new access road coming into use, including the potential for additional double yellow line marking;
- the setting back of gates by 5m and to open inwards only;
- boundary fence details; and

It is considered that the proposed development subject to conditions generally meets the requirements of policy GEN 1 of the Bolsover District Local Plan.

Coal Mining Legacy Issues

The site lies within a coal mining High Risk Development Area.

The Coal Authority initially objected as no coal mining risk assessment had been submitted. Following submission and re-consultation, the Coal Authority has withdrawn its objection and concurs with the conclusions made within the Report that the site is safe and stable to accommodate the proposed development.

On this basis, the proposed development is considered to meet the requirements of policy GEN 7 of the Bolsover District Local Plan.

Drainage considerations

The local highway authority has requested the inclusion of a condition for the submission of details to demonstrate how surface water will be considered to avoid the discharge of water onto the highway. The agent has provided some preliminary information to indicate that the discharge will be limited to the greenfield run off rate and that permeable surfaced areas will be incorporated within the car park.

Other considerations

The proposed development would mean that the garage and associated activities in its current location would cease. The parts of the existing site not required for the provision of the new access would be left in a cleared condition. No specific information has been provided as to the long term use of this site although a vehicular access stub into the site is shown on the site layout drawing.

The existing business has in many ways outgrown the site. The applicant has a substantial and increasing customer base and despite extending the premises over time the requirement for a new building, designed for purpose is pressing. The availability of alternative premises in the vicinity is limited and the applicant is keen to retain a strong presence in the Carter Lane East area. This is a successful business and the Council is supportive of such activities with one of the Council's corporate aims being unlocking growth potential and by being committed to supporting enterprise and maintaining and growing the business base.

The existing site is prominent and forms part of a gateway into South Normanton. When viewed from the adjacent A38 and slip road the existing site is not visually attractive and whilst implementation of a recently approved extension and car parking area could improve this to some extent, the appearance would still be that of a site that has developed in an ad hoc manner.

In the event that planning permission were to be granted, the applicant wishes to avoid closing the existing garage as this will result in loss of income and customers. This results in some difficulties with regards to phasing. The new access cannot be completed prior to demolition of the existing buildings and the new facility would only be accessible by the current access to the rear of the buildings. To facilitate this it is proposed that a temporary meet and greet portacabin style building will be sited on the existing forecourt to the existing garage so that customers can drop their cars off to be moved down to the new facility. This phase would be temporary and would operate parallel to the demolition of the buildings and creation of the new vehicular access. Details of this phased approach have been given in drawing SL05431.408 REV B.

Four representations have been received in respect of this application. Many of the concerns raised can be addressed by the use of planning conditions and the scheme has been modified through the application process to further minimise impacts upon neighbouring residents. Whilst acknowledging that the area has been subject to additional developments and traffic movements over recent years, the highway issues resulting from this business as it currently operates should reduce as a result of this development. Issues of illegal parking and obstruction in the area are for other agencies to address and fall outside the planning system, but it is envisaged that the development should help alleviate some of those issues.

Conclusions

Development of the site for the proposal is not fully in accordance with the policy EMP6 of the Bolsover District Local Plan as it is not a proposal for office use and does not provide a 20m landscape zone. However, the policy is silent on alternative forms of development in that area.

The proposed development is not in conflict with the Publication Local Plan or the National Planning Policy Framework.

The relocation of the business as proposed is considered to result in an overall net gain to the environment and character of the area and there should be an improvement in highway safety.

This is a prominent site and adjacent a major destination in the District. The proposal represents a high quality development and significant investment. It would enable an established local business to develop further in a more appropriate manner.

The development complies with the wider policy aims of the adopted Bolsover District Local Plan which seek to regenerate areas, particularly on unused sites within the settlement framework. It is therefore considered that the proposed benefits of the development of the site outweigh the policy position.

RECOMMENDATION Approve subject to the following conditions: -

1. The development shall be begun before the expiration of three years from the date of this permission.
2. Before construction commences on the erection of any buildings or walls a schedule of all external facing materials including boundary/retaining walls shall first have been submitted to and approved in writing by the Local Planning Authority.
3. The development shall take place exactly in accordance with the details submitted as follows:
SL05431.400 Rev B Existing sections
SL05431.401 Rev B General Arrangement and Proposed Levels
SL05431.404 Rev B Elevations and Levels
SL05431.403 Rev A Internal Layout
SL05431.402 Rev B Sections through the site
SL05431.406 Rev B Site Access and Usage Plan
SL05431.405 Rev B Site Plan
SL05431.408 Rev A Construction Sequences Drawing
4. Prior to any works commencing on site, details of a scheme for the drainage and disposal of surface water from within the site shall be submitted to and approved in by the local Planning Authority. The scheme shall be implemented during the construction phase and maintained throughout the life of the development.
5. The phasing of the redevelopment of the site hereby permitted shall be carried out in accordance with the Construction Sequences Drawing (SL05431.408 rev B). Notwithstanding the submitted drawing, the "temporary road access" shall not exceed the site boundary or encroach onto the public highway.
6. Within 28 days of the new garage becoming operational the new access road shall be provided, laid out in accordance with the application drawing (SL05431.401 rev B) and paved in a solid bound material.
7. Prior to the new access being taken into use, the car parking and manoeuvring space shall be laid out in accordance with the application drawing (SL05431.401 rev B) and maintained throughout the life of the development free of any impediment to its designated use.

8. Within 28 days of the new access being taken into use, all other means of access to Carter Lane East shall be permanently closed and the frontage, including the redundant dropped crossing, reinstated as footway. The works shall be carried out in accordance with a scheme first submitted to and approved in writing by the local Planning Authority in consultation with the County Highway Authority and may include the need to provide appropriate road markings fronting the site

9. The boundary fence shall be provided generally in accordance with the application drawings and provided with measures to ensure that headlights do not dazzle or distract drivers on the adjacent highway. However, notwithstanding the submitted drawing (SL05431.402 rev B) Section 1-1 and 7-7, the boundary fence shall be set back from the site boundary to ensure that the footings of the fence do not encroach into the public highway.

10. Prior to the installation of any external lighting except street lighting a detailed scheme shall have first been submitted to and approved in writing with the Local Planning Authority. The scheme shall be implemented as approved and shall be designed to minimise light spillage outside of the site, it is designed to serve and into the sky.

11. No building shall be occupied until full details of both hard and soft landscape works including a programme for implementation have been submitted to and approved in writing by the Local Planning Authority and the works shall be carried out as approved and retained for the life of the development. The landscaping shall include robust tree and shrub landscape treatment to the northern boundary and retention of hedgerows.

12. If within a period of five years from the date of the planting of any tree or shrub that tree or shrub may die, be removed, uprooted or become seriously damaged it shall be replaced by another of the same species during the first available planting season, unless a variation of the landscaping scheme is approved in writing with the Local Planning Authority.

13. Prior to the new building being brought into use, a noise management plan must be submitted to and agreed in writing with the Local Planning Authority. This shall include hours of use and noise management controls that shall be then implemented for the duration of the development. This shall include proposals for an acoustic fence to be erected at the rear of the residential properties closest to the proposed building which once agreed, shall be erected and maintained for the duration of the development.

14. Prior to the vehicle wash area being brought into use, plans for an acoustic screen must be submitted and approved in writing by the Local Planning Authority. This screen must be installed and maintained for the life of the development and no vehicle washing or valeting should take place on site outside of this area.

Reasons for Conditions

1. To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2. To ensure a satisfactory standard of external appearance and in compliance with Policy GEN 2 of the Bolsover District Local Plan.

3. To ensure a satisfactory standard of development in the interests of amenity and for the avoidance of doubt and in compliance with Policies, GEN 1 and GEN 2 of the Bolsover District Local Plan.
4. To avoid the risk of flooding and to prevent pollution in compliance with Policy GEN 5 of the Bolsover District Local Plan.
5. In the interests of highway safety and in compliance with Policy GEN 1 of the Bolsover District Local Plan.
6. In the interests of highway safety and in compliance with Policy GEN 1 of the Bolsover District Local Plan.
7. To ensure that adequate off-street parking is provided and retained for use to reduce the incidence of on-street parking and its attendant dangers and in compliance with policies GEN1 and GEN 2 of the Bolsover District Local Plan.
8. To avoid a duplication of accesses in the interests of highway safety and in compliance with policies GEN 1 and GEN 2 of the Bolsover District Local Plan.
9. In the interests of highway safety and to avoid encroachment into the public highway in compliance with policy GEN 1 of the Bolsover District Local Plan.
10. To ensure that the external lighting causes minimal night time visual intrusion and light pollution, to protect the amenities of the occupants of nearby dwellings and in compliance with policies GEN 1 and GEN 2 of the Bolsover District Local Plan.
11. To ensure that satisfactory landscaping is provided within a reasonable period in the interests of visual amenity and in compliance with Policy GEN 2 of the Bolsover District Local Plan.
12. To provide a reasonable period for the replacement of trees and shrubs in the interests of the visual amenity of the area and in compliance with Policy Gen 2 of the Bolsover District Local Plan.
13. To protect the amenity of the occupants of nearby dwellings and in compliance with policy GEN 2 of the Bolsover District Local Plan.
14. To protect the amenity of the occupants of nearby dwellings and in compliance with policy GEN 2 of the Bolsover District Local Plan.

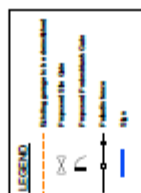
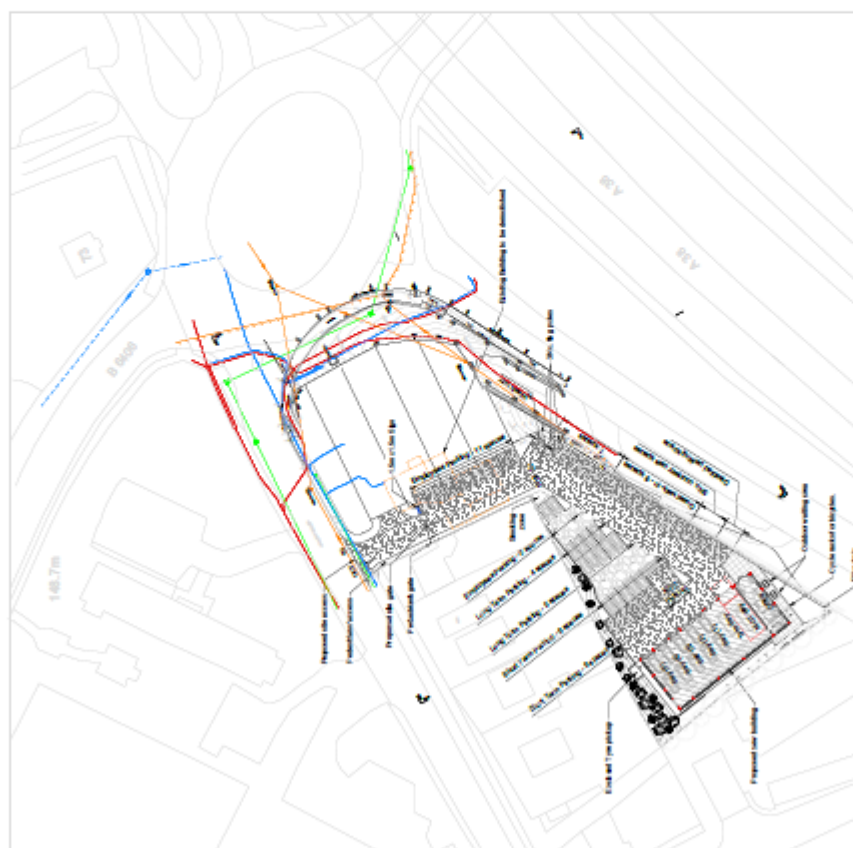
Statement of Decision Process

In compliance with the National Planning Policy Framework the Council has negotiated amendments in respect of the layout and phasing of the development.

Notes


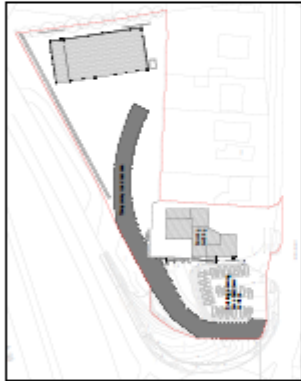




1. Throughout the period of construction, space shall be maintained within the site curtilage for storage of materials, loading and unloading of goods vehicles, the parking and manoeuvring of site operatives and visitors vehicles and measures shall be implemented to prevent mud and debris being transferred from within the site onto the highway.
2. Pursuant to Section 278 of the Highways Act 1980 and the provisions of the Traffic Management Act 2004, no works may commence within the limits of the public highway without the formal written Agreement of the County Council as Highway Authority. Advice regarding the technical, legal, administrative and financial processes involved in Section 278 Agreements may be obtained from the Department of Economy Transport and Environment at County Hall, Matlock (01629 533190). The applicant is advised to allow approximately 12 weeks in any programme of works to obtain a Section 278 Agreement.
3. Pursuant to Sections 149 and 151 of the Highways Act 1980, the applicant must take all necessary steps to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.
4. The applicant should contact the Traffic & Safety Section in the Department of Economy Transport and Environment at County Hall, Matlock (01629 533190) for information regarding the required extension of the parking restrictions on Carter Lane East.
5. The sewer records show a public sewer within the curtilage of the site (plan enclosed). The applicant should also be made aware of the possibility of unmapped public sewers which are not shown on the records but may cross the site of the proposed works. These could be shared pipes which were previously classed as private sewers and were transferred to the ownership of the Water Authorities in October 2011. If any part of the proposed works involves connection to / diversion of / building over / building near to any public sewer the applicant should be advised to contact Severn Trent Water in order to determine their responsibilities under the relevant legislation.

All proposals regarding drainage will need to comply with Part H of the Building Regulations 2010.



<p>Parking Facility Breakdown:</p> <p>1 No. Disabled car parking space</p> <p>1 No. Wash bay space</p> <p>3 No. Courtesy car spaces</p> <p>9 No. Guest walk-in spaces</p> <p>7 No. Cars for sale spaces</p> <p>13 No. Employee parking spaces</p> <p>9 No. Long term parking spaces</p> <p>20 No. Short term parking spaces</p> <p>Total No. of Cars = 69</p>



1. CONSTRUCTION 2. This drawing is to be used to guide the construction of the building and site. 3. All work shall be done in accordance with the applicable codes and standards. 4. The construction shall be completed within the time frame specified in the contract. 5. All materials and workmanship shall be subject to inspection and approval by the owner. 6. The contractor shall be responsible for obtaining all necessary permits and licenses. 7. The contractor shall be responsible for the safety of the construction site. 8. The contractor shall be responsible for the removal of all debris and waste. 9. The contractor shall be responsible for the restoration of the site to its original condition. 10. The contractor shall be responsible for the payment of all taxes and fees. 11. The contractor shall be responsible for the completion of the project within the specified time frame. 12. The contractor shall be responsible for the maintenance of the project until it is accepted by the owner. 13. The contractor shall be responsible for the payment of all subcontractors and vendors. 14. The contractor shall be responsible for the payment of all insurance and bonding requirements. 15. The contractor shall be responsible for the payment of all other costs associated with the project. 16. The contractor shall be responsible for the completion of the project within the specified time frame. 17. The contractor shall be responsible for the maintenance of the project until it is accepted by the owner. 18. The contractor shall be responsible for the payment of all subcontractors and vendors. 19. The contractor shall be responsible for the payment of all insurance and bonding requirements. 20. The contractor shall be responsible for the payment of all other costs associated with the project.	 <p>STAGE 1</p> <ol style="list-style-type: none"> PREPARE SITE FOR CONSTRUCTION. GRADE AND MAINTAIN EXISTING DRIVEWAY AND LOCATE EXISTING UTILITIES. 	 <p>STAGE 2</p> <ol style="list-style-type: none"> DATA THE EXISTING LAYOUT FOR THE CONSTRUCTION MATERIALS. CONSTRUCTION OF EXISTING WALLS. CONSTRUCTION OF EXISTING ROOFS. 	 <p>STAGE 3</p> <ol style="list-style-type: none"> CONSTRUCT EXISTING ROOFING MATERIALS. INSTALL EXISTING ROOFING MATERIALS TO THE FACILITY. SET UP THE EXISTING ROOFING MATERIALS TO THE FACILITY. 	 <p>STAGE 4</p> <ol style="list-style-type: none"> INSTALL EXISTING ROOFING MATERIALS TO THE FACILITY. SET UP EXISTING ROOFING MATERIALS TO THE FACILITY. INSTALL EXISTING ROOFING MATERIALS TO THE FACILITY. INSTALL EXISTING ROOFING MATERIALS TO THE FACILITY. INSTALL EXISTING ROOFING MATERIALS TO THE FACILITY. 	 <p>STAGE 5</p> <ol style="list-style-type: none"> CONSTRUCTION OF EXISTING ROOFS. 	 <p>STAGE 6</p> <ol style="list-style-type: none"> CONSTRUCT EXISTING ROOFING MATERIALS. INSTALL EXISTING ROOFING MATERIALS TO THE FACILITY. SET UP THE EXISTING ROOFING MATERIALS TO THE FACILITY. INSTALL EXISTING ROOFING MATERIALS TO THE FACILITY. 	<p>HEALTH SAFETY AND ENVIRONMENTAL INFORMATION</p> <p>1. HEALTH SAFETY AND ENVIRONMENTAL INFORMATION</p> <p>2. HEALTH SAFETY AND ENVIRONMENTAL INFORMATION</p> <p>3. HEALTH SAFETY AND ENVIRONMENTAL INFORMATION</p> <p>4. HEALTH SAFETY AND ENVIRONMENTAL INFORMATION</p> <p>5. HEALTH SAFETY AND ENVIRONMENTAL INFORMATION</p> <p>6. HEALTH SAFETY AND ENVIRONMENTAL INFORMATION</p> <p>7. HEALTH SAFETY AND ENVIRONMENTAL INFORMATION</p> <p>8. HEALTH SAFETY AND ENVIRONMENTAL INFORMATION</p> <p>9. HEALTH SAFETY AND ENVIRONMENTAL INFORMATION</p> <p>10. HEALTH SAFETY AND ENVIRONMENTAL INFORMATION</p> <p>11. HEALTH SAFETY AND ENVIRONMENTAL INFORMATION</p> <p>12. HEALTH SAFETY AND ENVIRONMENTAL INFORMATION</p> <p>13. HEALTH SAFETY AND ENVIRONMENTAL INFORMATION</p> <p>14. HEALTH SAFETY AND ENVIRONMENTAL INFORMATION</p> <p>15. HEALTH SAFETY AND ENVIRONMENTAL INFORMATION</p> <p>16. HEALTH SAFETY AND ENVIRONMENTAL INFORMATION</p> <p>17. HEALTH SAFETY AND ENVIRONMENTAL INFORMATION</p> <p>18. HEALTH SAFETY AND ENVIRONMENTAL INFORMATION</p> <p>19. HEALTH SAFETY AND ENVIRONMENTAL INFORMATION</p> <p>20. HEALTH SAFETY AND ENVIRONMENTAL INFORMATION</p>
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PARISH Blackwell Parish

APPLICATION Change of use of the former school rooms to a single dwelling with internal and external alterations. Two off-street parking spaces provided on the site frontage.
LOCATION The Old School Room 88 Main Street Newton Alfreton
APPLICANT Mr Stephen Rye
APPLICATION NO. 19/00055/FUL
CASE OFFICER Miss Kay Gregory
DATE RECEIVED 30th January 2019

DELEGATED APPLICATION REFERRED TO COMMITTEE BY COUNCILLOR BULLOCK

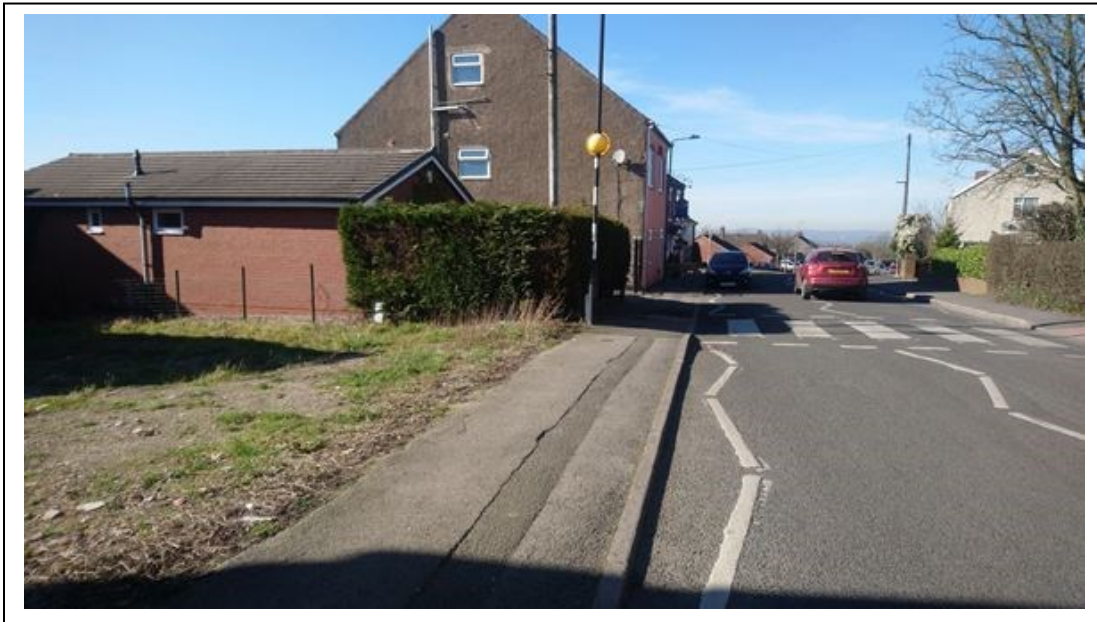
SITE

The application site is within the settlement boundary of Newton, as defined by Saved Policy GEN8 of the Bolsover District Local Plan.



The site fronts onto Main Street, which is a 'B' classified road (B6023), running in a northwest direction, linking Newton to the adjacent settlement of Tibshelf.

Within the adopted highway, immediately in front of the site are 'zig-zag' parking restrictions, and a zebra crossing in front of number 86 Main Street. To the east of the site, a row of terrace houses have on-street parking availability. Number 86 has a vehicular access behind the zebra crossing. The legal speed limit along Main Street is 30mph.



The existing building is detached, single storey, and is of a traditional Victorian age and design. It is registered as a non-designated heritage asset.

The building, which externally remains largely unaltered, is considered to have historic and architectural value. It was constructed in 1880, first as a chapel, then when that was replaced by the larger church opposite the site in 1904, it became a school.

It is of a red brick construction, with imitation slate roof. It is set back from the back edge of the highway by approximately 11 metres.



It is bounded by a bungalow of modern design to the west (no. 86) and to the east by a two storey end terrace (no. 90), which abuts the back edge of the footway.

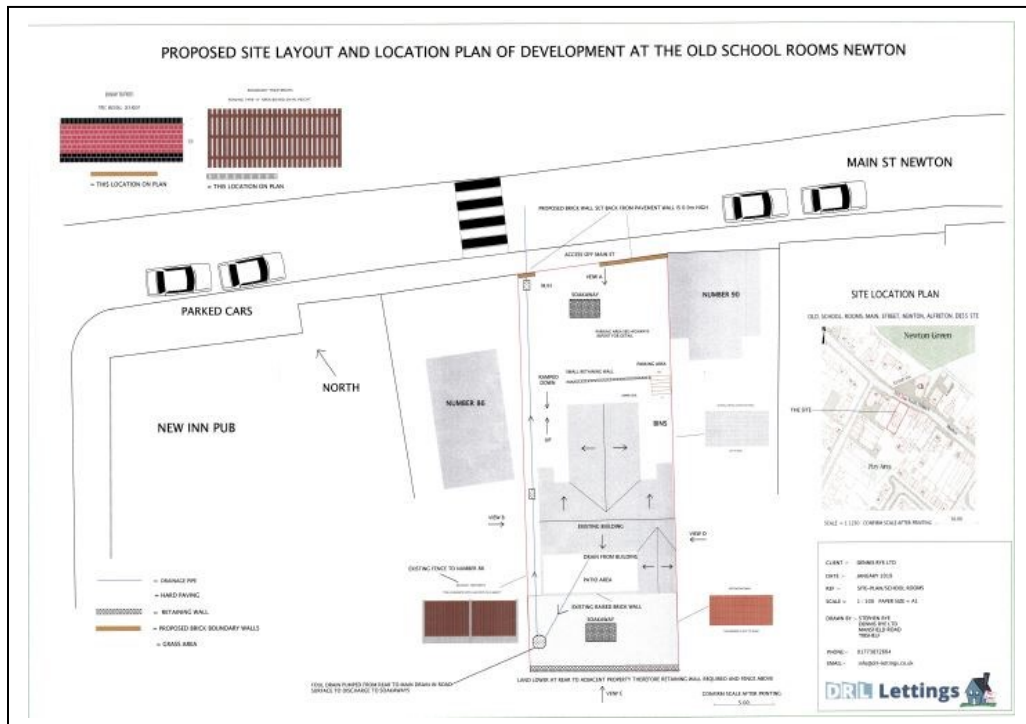
Directly opposite the application site is the Primitive Methodist Chapel. This property has a hedge and trees along the frontage, and a vehicular access leading into a car. Adjacent to the church is a bungalow on one side, and a former petrol filling station on the other, now used for retail.

Other uses surrounding the application site are predominantly residential, but vary in age, design, appearance, scale and materials.

Land levels drop steadily towards the south. The rear boundary of the site is a close board fence which also acts as a retaining feature for the garden to the rear. Also on the rear boundary is the neighbours 3.5m high detached outbuilding. The west boundary treatment is a 2m-2.5m high close board fence, and the east boundary is an existing brick wall.

PROPOSAL

This application is seeking planning permission to convert the former school house into a three bedroom detached dwelling. Also proposed is on-site parking provision for two vehicles, and the creation of a vehicular access onto Main Street.

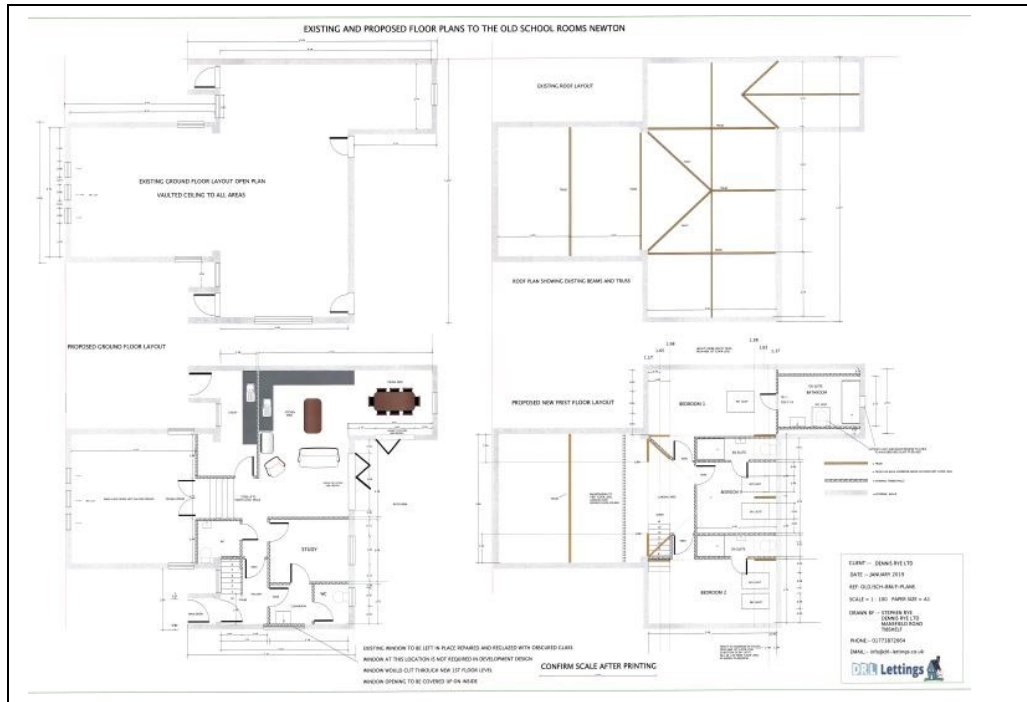


The site frontage would be predominantly hard surfaced, with space for manoeuvring and parking of two vehicles, a small amenity area, and a small retaining wall and steps.

The front elevation of the building would remain largely unaltered. It would have new glazing in existing windows openings within the front projecting gable; the two smaller windows on either side would be lowered to allow for the new internal floor level. Stone cils and headers would be repaired and reinstated.



Existing openings would be utilised on the side elevations. To the rear, several new window and patio door openings would be provided for additional light into primary living areas.



Internally, on the ground floor, two living areas on split levels would be formed to take into account the natural slope of the site. The rear living space would comprise of an open plan kitchen, dining and seating area; with a separate study and WC. Steps leading up from this area into a larger living space at the front of the site, and to each side, a WC and utility room.

Stairs to the first floor would be located next to the front door.

On the first floor, three bedrooms would be created, each with en-suite facilities. A balustrade would span the length of the first floor hallway, looking over into the upper, ground floor living space.

The rear garden would be landscaped.

AMENDMENTS

- Cross sections to show internal floor layout – submitted on the 23rd April 2019.
- Photographs to confirm features of retention; submitted on the 23rd April 2019
- Amendments to the submitted Transport Statement - submitted on the 25th April 2019

HISTORY (if relevant)

- BOL/1276/615 – Proposed demolition of the Methodist Church Hall and Erection of Pair of Semi-Detached Houses. Approved on the 15/02/1977.
- BOL/188/15 – Erection of 2 Shops with 2 Flats over. Approved on the 26/02/1988.

CONSULTATIONS

DCC Highways - 28/2/19

- See body of report (Highways Issues) for summary and response to applicants submitted Transport Assessment.
- Object to the proposed access and parking area; the proposed access is considered to be severely substandard and is not acceptable to the Highway Authority;
- It is recommended that the application as submitted is refused;
- As the site currently has no vehicular access and the proposed access is not considered suitable, the Highway Authority may consider a development without on-site parking provided that it generated similar vehicular traffic and parking requirements to that generated by the former school rooms or any other permitted use. If the Local Planning Authority can clarify whether there is a current extant use of the site and the applicant can demonstrate that a development proposal would generate similar traffic levels to its previous or permitted use, the Highway Authority will reassess the application and may be in a position to withdraw the recommendation for refusal.

Amended Highway Authority comments 29/4/19

- With reference to the "further information from the applicant" submitted in respect of the above application, the comments do not alter the Highway Authority's objection on highway safety grounds to the creation of an access where visibility is substandard.
- Therefore, the previous comments continue to apply.

Derbyshire Wildlife Trust Original comments dated 8/4/19

- There is no ecological information accompanying the planning application.
- Due to the renovation of the existing site building, including the addition of skylights to the roof, it is recommended as a minimum that a Preliminary Bat Roost Assessment is undertaken prior to determination by a suitably qualified ecologist.
- Evidence of nesting bird activity should also be recorded.
- The results of the assessment should be presented in accordance with current guidelines, such as Ecological Report Writing (CIEEM, 2017), British Standard BS 42020: 2013 and Bat Conservation Guidelines (Collins, 2016).
- The report should make clear the requirement for any further survey work and it should be noted that if further survey is required, this should be undertaken prior to determination of the planning application.
- The report should include any requirement for licensing and details of mitigation and enhancement measures appropriate to the site.

Derbyshire Wildlife Trust amended comments dated 8/5/19

- Further to our response dated 8th April 2019, a Preliminary Bat Roost Assessment has been undertaken by ML-Ecology (March, 2019).
- The building was considered to display low potential to support roosting bats (Collins, 2016) and therefore a single nocturnal bat survey should be undertaken prior to determination, with the results submitted to the LPA.
- Aside from ascertaining whether there are any protected species constraints to development of the building, ecological enhancements should be incorporated within proposals to achieve a net biodiversity gain (NPPF 2019).

Derbyshire Wildlife Trust amended comments dated 23/5/19

- The Preliminary Bat Roost Assessment assessed the building as low potential and therefore a minimum of one nocturnal bat survey is required to determine presence/absence of roosting bats (Collins, 2016).
- Until this is undertaken, it is considered that the application as submitted is not accompanied by sufficient information in order to demonstrate the presence or otherwise of protected species and the extent that they may be affected by the proposed development. In the absence of adequate information on European Protected Species (i.e. bats), the Local Planning Authority is unable to discharge its duties in respect of regulation 9(3) of the Habitats Regulations 2017.
- In addition, you can quote Paragraph 99 and the duties under the NERC Act 2006 if necessary.
- Paragraph 99 of Circular 06/2005 states *"it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before planning permission is granted, otherwise all material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances"*.
- In addition, the local planning authority in implementing their duty under section 40 of the NERC Act 2006 need to have regard to the conservation of biodiversity in England when carrying out their normal functions.

BDC Drainage

- Require two standard informative notes.

Parish Council

- I write to advise you that there are no objections to the above planning application from the members of Blackwell Parish Council.
- The members fully support this application and the positive impact that bringing this long neglected building back to life will have on this area of Newton. The addition of two off-street parking spaces in front of the property is a positive feature, as this area of Main Street is already very congested with parked cars.

PUBLICITY

The application has been publicised by way of a site notice and letters sent to 5 adjacent properties. There have been four letters of support received as a result of the publicity. There comments are summarised below:

- I understand that this well intentioned and universally supported - by both villagers and the Parish Council at any rate - application, may be rejected based upon traffic concerns.
- I'm not sufficiently knowledgeable to comment on the technicalities behind the recommendation to reject but, as a layperson who has lived on this site for 33 years, I feel that I'm in a good position to question the rationale.
- Accepting that there are too many cars using Main Street for parking - a situation exacerbated some 15 years ago by the creation of a rarely used Pedestrian Crossing - there must surely be an argument for the introduction of strategically placed speed humps. This appears to have been successfully achieved in Tibshelf, and with the removal of the aforementioned Crossing, would result in reduced speed of vehicles

passing through Newton thereby improving safety for all. Besides, for as long as I've lived in Newton, the space that is being designated for off-street parking has been used for just this very purpose and I have to ask, what is going to change?

- Whatever, a recommendation to reject what is generally regarded as a positive application that both benefits and enhances the village on what appear to be flimsy safety concerns, should be ignored.
- I have to say I am astonished at the objection being raised by the highways dept. I have lived in the village over 20 years and there are ALWAYS cars parked on the road, forcing all traffic to pass by slowly. There would be absolutely no additional hazard caused by 2 cars occasionally joining or leaving the road for the proposed new house.
- Yet if the building were to be used as a crèche or nursery there would be dozens of parents dropping off and picking up their children and this would apparently be acceptable, a stance which defies all logic. If this application is declined it is likely the building would remain derelict, blighting all neighbouring properties and the village as a whole.
- Overall I am very much in support of this application, it turns a long-standing eyesore into a much needed dwelling.
- I do however have a couple of concerns. The boundary wall on the southern edge includes the back wall of one of our outbuildings, the rest is fencing above a concrete base. I don't know if that requires any specific statement or consideration in the plans.
- Secondly, bats have lived in the existing chapel building for many years, I don't know if this causes any conservation issues.
- Having lived alongside an eyesore for 33 years, I welcome this initiative and hope and trust that the application is successful.
- With two off-street parking spaces as part of the proposed development, will this result in the removal of the current rarely used pedestrian crossing which will need to be crossed to gain access to the property? If so, this would be an additional benefit, which I'm sure would be welcomed by the vast majority of villagers.

POLICY

Bolsover District Local Plan (BDLP)

- GEN 1 - Minimum Requirements for Development
- GEN2 – Impacts of a development on the Environment
- GEN8 – Development boundary
- CLT1 - Protection of Existing Buildings Which Serve the Community
- ENV 5 - Nature Conservation Interests Throughout the District

National Planning Policy Framework

- Paragraphs 8; 11; 38; 47; 48; 127; 197

Bolsover District Emerging Local Plan Publication

- Policy SC1: Development within the Development Envelope
- Policy SC2: Sustainable Design and Construction
- Policy SC3: High Quality Development
- Policy SC9: Biodiversity and Geodiversity
- Policy SC21 – Non-designated heritage assets
- Policy ITCR11: Parking Provision
- Policy SS1: Sustainable Development

ASSESSMENT

Visual Amenity and Design

- Saved Policy GEN2 of the Bolsover District Local Plan states that every development will give regard to *the visual appearance of the proposal. The appearance of the proposal will be assessed in relation to the appearance of the immediate locality and in relation to its setting in the general landscape*
- Emerging Policy SC2 of the Bolsover District Local Plan Publication identifies that *the Council will permit proposals for new development, where it promotes the efficient use of land, including developments, protects and enhances the distinctiveness, character, townscape and setting of settlements, and conserves and enhances heritage assets and their setting.*
- Emerging Policy SS1 of the same document states that *in order to contribute to sustainable development in Bolsover District, development proposals should: Protect and enhance the character, quality and settings of towns and villages and heritage assets through an appropriate mix of good quality, well-designed developments*
- Emerging Policy SC3 of the same document identifies that *proposals for development will be permitted provided that they create good quality, attractive, durable and connected places through well designed locally distinctive development that will integrate into its setting; will respond positively to the context and contributes to local identity and heritage.*

This proposal would see a vacant building, with local and historic identity brought back into a viable use.

The Local Planning Authority have welcomed the principle of renovating this building, and worked in a pro-active manner with the applicant's representative during the processing of the application to ensure that elements of architectural value would be retained.

The conversion is considered to be of a high quality design, and the building, when viewed from the front of the site would remain predominantly unaltered.

In order to protect the original appearance and fabric of the building; if the application were to be granted planning permission, it would be considered appropriate and reasonable to remove permitted development rights relating to extensions and alterations to the building (including new windows and doors), other than any which may have been approved by way of the permission.

If the application was to be granted planning permission, the conversion would need to be carried out in accordance with any relevant planning conditions, and retained as such for the life of the development. The conversion and re-use of the building would improve visual amenity, would preserve the character and appearance of this historic building, and would enhance the local identity of this part of the settlement.

The development, if permitted would therefore comply with the planning policies identified

above.

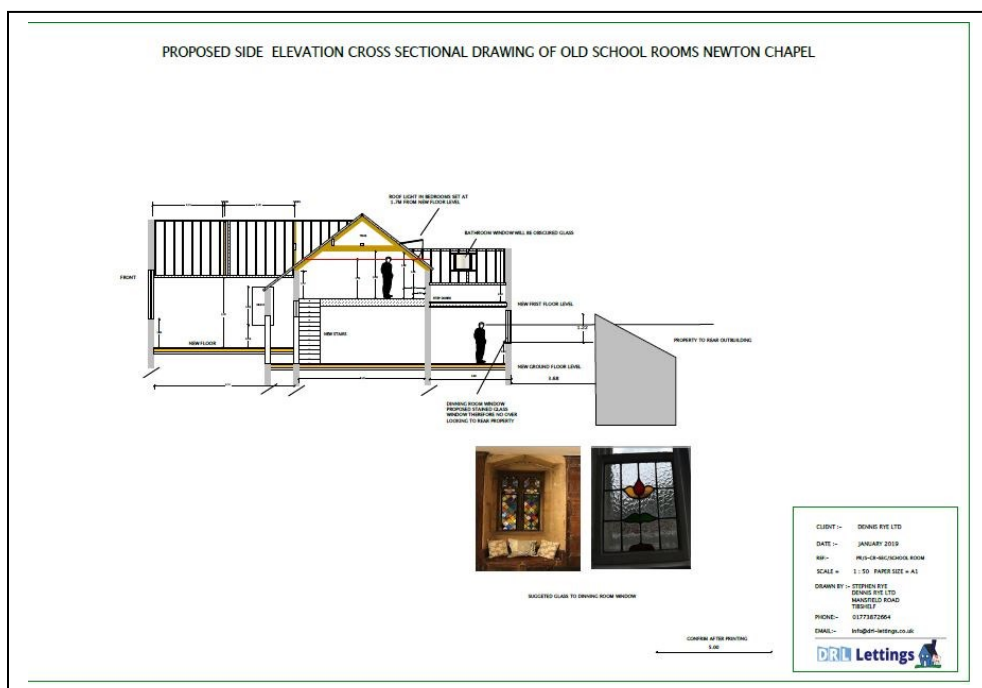
Residential Amenity

- Saved Policy GEN2 states that development proposals *shall consider the extent of overlooking of adjoining nearby property and loss of privacy; and the effect on the daylight and sunlight received by adjoining land and buildings*
- Emerging policy SC3 identifies that *proposals for development will be permitted provided that they ensure a good standard of amenity is maintained for the occupants of existing neighbouring properties as well as the future occupants of new development, including levels of privacy and light, position and avoiding overbearing relationships and the provision of adequate amenity space.*

The rear garden has an area of 108m² which is considered to be an adequate size for a three bedroom property.

There are no new window openings proposed in the front or side elevations of the conversion.

Newly created, or repaired (existing) windows which serve main living areas have been adequately designed to prevent any overlooking issues into adjacent gardens. Amended plans were submitted on the 23rd April 2019 to demonstrate internal floor to ceiling heights for the proposed rear facing roof lights, confirming that there would be no direct overlooking into the garden at the rear.



On the western elevation of the building is a large, existing window which would overlook into the adjacent garden at number 86. Upon conversion, this window would serve a WC; the applicant is proposing to repair and obscurely glaze the window, but cover it up on the inside as it would not be required for the development, and would overlap into the first floor bedroom. If the application was to be granted planning permission, a condition would be required for it to remain obscurely glazed for the life of the development, should it be opened

up in the future from the inside for the provision of additional light into the first floor bedroom.

Neighbouring properties have been consulted on the application, and raised no objections in terms of residential amenity. The property at the rear was visited to assess the potential impact of the development from within their amenity space. The location of their detached outbuilding, and obscurely glazed windows in the conversion will protect their amenity.

Should the application have been recommended for approval, the Local Planning Authority considers that there would be no detriment to residential amenity, subject to the full implementation of appropriately worded conditions; and the proposed development would therefore comply with the policies identified above.

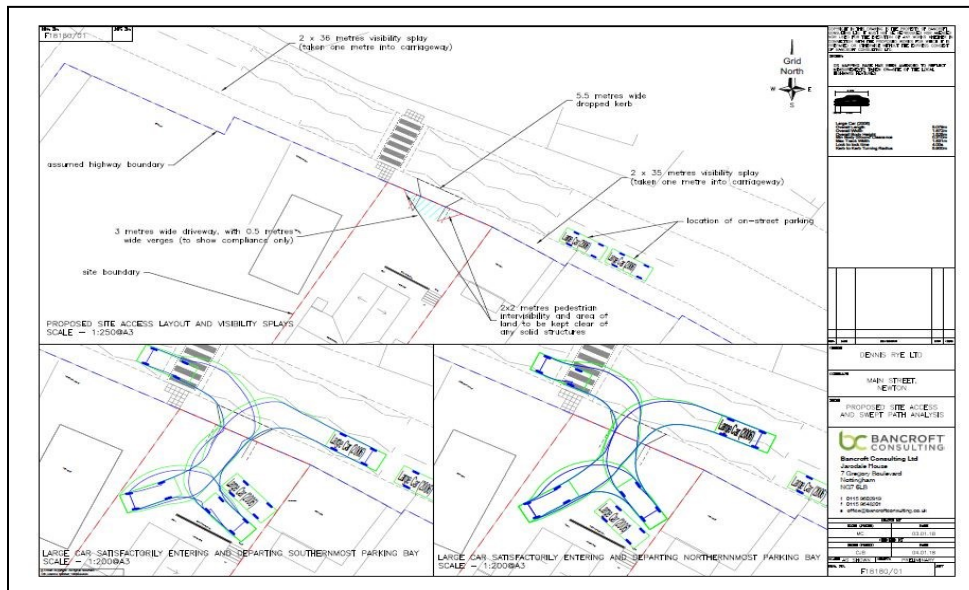
Highway Issues

- **Saved Policy GEN1** of the Bolsover District Local Plan identifies *that development proposals will be required provide parking and manoeuvring space to satisfy the requirements of policies in the plan concerning parking provision; to provide safe access arrangements shall be made for pedestrians, cycles and vehicles (including service and emergency vehicles) entering and leaving the site; and that the local highway network shall be able to accommodate the vehicular, cycle and pedestrian traffic from the site without causing material harm to highway safety, or unacceptable congestion*
- **Saved Policy GEN2** states that, *in considering the environmental impact of every proposal for development regard will be given to the amount of road traffic generated by the proposal; the type and frequency of that traffic in relation to the quality and character of the proposed access and local highway system, and the extent and impact of parking facilities for that traffic*
- **Policy ITCR11** of the Emerging Local Plan publication *identifies that parking provision should provide a safe and secure environment and minimise conflict with pedestrians and / or cyclists.*

The submitted application includes the creation of a parking area within the site frontage of, and a vehicular access onto Main Street.

A pre-application enquiry was initially submitted to the Council; which the County Council Highway Authority were consulted on. They commented that there would need to be appropriate visibility provided from the new site access in both directions, onto Main Street; and that based on the 30 mph speed limit along Main Street within the vicinity of the site, appropriate visibility splays would need to be 2.4m x 43m (it is acknowledged that the combined proportion of HGV and bus traffic is less than 5% of the traffic flow).

A Transport Statement was submitted with the application, providing visibility splays of 2m x 35m and 36m; and stating that these would be suitable based on the results of a speed survey carried out on behalf of the applicant. The reduced 'y' distances of 35m and 36m have been accepted; however, the highway authority do not consider that a 2m set back (x) distance is appropriate on Main Street.



The transport statement referred to a paragraph in 'Manual for Streets: Evidence and Research document' (TRL, 2007) which states that, *"the Y-distance should be measured for vehicles at the following distances from the stop line on the minor arm of the junction: 2.0 m: for single dwellings or small groups of up to half a dozen dwellings or thereabouts."*

The Highway Authority' response to this was that *"the statement may be included in Manual for Streets: Evidence and Research but the original statement is taken from Places, Streets and Movements; a companion guide to DB32 which was superseded by Manual for Streets."*

Therefore, the Transport Statement concluded that by using the aforementioned statement to justify the use of a 2m set back (x) distance is incorrect. Manual for Streets and Manual for Streets 2 both state that a 2m set back distance may be considered in some slow speed and lightly trafficked situations, whilst also considering the ability of drivers and cyclists to see an overhanging or encroaching vehicle and to manoeuvre around it without undue difficulty."

The highway authority consider that Main Street is not a slow speed and lightly trafficked highway, and as such the proposed access should be provided with the required visibility splays, and taken from a set-back (x) distance of 2.4m.

As the achievable visibility distances from 2.4m are only 30m and 26m, the highway authority consider the proposed access to be severely substandard and therefore not acceptable.

During the processing of the application, the Council had verbal discussions with the highway authority regarding the proposed parking situation, and whether there were alternative solutions, given the desirability to bring this building back into a viable use.

The existing building is considered to be 'vacant' rather than 'abandoned' and as such still has an authorised use, Class D2 – Non-residential institution; although it should be noted that there is no evidence to suggest that there has ever been any authorised parking on the front of the site. Whilst the existing kerb stones are low, they have not been 'lowered' to create a

vehicular access / parking area.

Should the building be brought back into its authorised use, it would have the potential to generate greater footfall and vehicular traffic within the vicinity of the site, than that of a residential dwelling. The highway authority were asked whether they would agree to on-street parking for the dwelling, given the fact that the building has a D2 Use, and could operate within a number of different uses within that Class, and they verbally confirmed that it is unlikely that they would be able to sustain a reason for refusal if street parking was proposed as an alternative.

The applicant was approached with the arrangement for on-street parking; and asked to amend the plans to remove the proposed access and area for parking. They refused this request, stating that they wanted to park within the site, and would not want to park on the road side. They considered that their Transport Statement was an accurate assessment of the site, and adjacent highway.

In response to highway authority comments, the applicant provided an updated Statement from Bancroft Consulting, dated 25th April 2019.

The Highway Authority were re-consulted on the updated statement and confirmed that the additional comments did not alter their objection on highway safety grounds for the creation of an access where visibility is substandard, and therefore their previous comments still applied.

The Council acknowledge the heritage and cultural value of allowing the building to be brought back into a viable use, but have also given due consideration to the County Council Highway Authority's objections regarding highway safety.

Due to the applicant's refusal to remove the on-site parking provision, and instead revert to parking within the adopted highway, it is considered that the development if permitted, would have the potential to present a danger and inconvenience to other highway users, and would interfere with the safe and efficient movement of traffic; all to the detriment of highway safety.

It is therefore considered that the proposed development is contrary to the policies identified above, and it is recommended that the application is refused on highway safety grounds.

Community Use

- Saved Policy CLT1 states that *planning permission will only be granted for the change of use or redevelopment of buildings which have functions serving the community, if either appropriate alternative provision is made or it can be demonstrated that the facility is no longer required, or no longer economically viable*

The Local Planning Authority concur with the applicants planning statement that the building has not been in active use since the 1970's, and considers that a residential use on the site would be an appropriate, alternative provision, given the need to retain where possible the original condition and appearance of the building.

The development if permitted would therefore comply with the policy above.

Heritage Issues

- Emerging Policy SC21 states that *development proposals which positively sustain or enhance the significance of any local heritage asset and its setting will be permitted. Alterations, additions and changes of use should respect the character, appearance and setting of the local heritage asset in terms of the design, materials, form, scale, size, height and massing of the proposal.*
- Paragraph 197 of the NPPF states that *the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.*

The Derbyshire HER (No. 1824) identifies the building as a non-designated heritage asset under the heading of Primitive Methodist Chapel. The entry is as follows:-

“School opened in former Newton Chapel. Prior to its use as a school between 1898 and 1908, and enlarged in 1889, it appears to have been superseded by the larger chapel constructed on the opposite side of Main Street in 1904. In 1938 the OS Map shows it in use as a hall”

The works proposed are not considered to cause any substantial harm to the historic or architectural appearance of the building. The main alterations, in order to create usable internal space would comprise of new openings within the rear elevation, which would not be visible from within the public domain. Existing roof trusses, feature stones and circular window at first floor level on the front elevation would be retained as part of the scheme. The window openings would be retained within their original shape.



It is therefore considered that the proposed development has been sympathetically designed to retain and enhance original features where possible; and any contemporary additions

would be confined to the rear of the building.

The proposal if permitted would therefore comply with the policies provided above.

Biodiversity Issues

- Paragraph 99 of Circular 06/2005 states *it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before planning permission is granted, otherwise all material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances.*
- Policy ENV5 states that *when granting planning permission the local planning authority will require development to retain, wherever possible, habitats which are locally important for biodiversity, and protect them during construction work; and to make provision, wherever possible, for replacement habitats where the loss of existing wildlife habitats is unavoidable;*
- Policy SC9 identifies that *development proposals should seek to conserve and enhance the biodiversity and geodiversity of the District and to provide net gains where possible. Proposals for development must include adequate and proportionate information to enable a proper assessment of the implications for biodiversity and geodiversity*

Upon request, the applicant provided a Preliminary Bat Roost Assessment, which assessed the building as 'low potential'. Therefore, as requested by the Ecology officer in their amended comments, a minimum of one nocturnal bat survey would be required to determine the presence/absence of roosting bats.

The applicant was formally asked by the Local Planning Authority in an email dated the 8th May 2019 to arrange for a nocturnal survey to be carried out. The applicant's representative then confirmed in an email dated the 22nd May 2019 that they were not prepared to commission such a survey. There were no reasons given for this refusal.

The Local Planning Authority considers that until this survey is undertaken and reported upon, the application as submitted has not been accompanied by sufficient information in order to demonstrate the presence, or otherwise of protected species, and the extent that they may be affected by the proposed development. The development, if permitted would therefore be contrary to the policies identified above.

In the absence of adequate information on European Protected Species (i.e. bats), the Local Planning Authority is unable to discharge its duties in respect of regulation 9(3) of the Habitats Regulations 2017, and as such it is recommended that the application is refused planning permission.

Planning Balance / Conclusion

The Council has acknowledged and welcomed the conversion of this heritage asset into a viable use, working proactively with the applicant's representative throughout the processing

of the application.

The design and layout has given regard to visual and residential amenity, and has presented a form of development which is sympathetic to the character and appearance of the building whilst ensuring that privacy, light and amenity levels are maintained for existing and future residents.

With regards to the highway safety issues, the Council has acknowledged the applicants desire to park vehicles within the site frontage, however the Highway Authority has maintained their objection, on the grounds of poor visibility when exiting the site, and the potential danger to highway users.

Whilst the Council are aware that there is an existing vehicular access serving number 86, and an access into the church car park, both within the zebra crossing highway restrictions; this does not justify the creation of another access onto a highway which has driver restrictions, and also presents unavoidable issues of poor visibility for vehicles exiting the site; due to obstructions within third party land preventing the achievement of the required visibility splays.

It should also be noted that the kerb stones across the site frontage have not been lowered, and approval from the County Highway Authority would be required for this, as Main Street is a 'B' Classified road.

The applicant was also approached and presented with the option to park their vehicles within the highway, but this suggestion was refused.

On balance, it is considered that the applicant has failed to adequately justify that the proposed access and parking would not present a danger to users of the highway and as such it is recommended that the application is refused on highway safety grounds.

With regards to biodiversity issues, there was no ecological information originally submitted with the application; however on request, a Preliminary Bat Roost Assessment was undertaken by ML-Ecology (March, 2019), and submitted for consideration.

Whilst the Derbyshire Wildlife Trust identified that the building had low roost potential, they required a single nocturnal bat survey to be undertaken 'prior to determination', with the results submitted to the Local Planning Authority. The applicant confirmed in an email dated the 22nd May 2019 that they are not prepared to carry out the survey.

As such, it is considered that the applicant has failed to provide adequate and proportionate information to enable a proper assessment of the implications for biodiversity and geodiversity, and as such it is recommended that the application is refused on ecological grounds.

Other Matters

Listed Building: N/A

Conservation Area: N/A

Crime and Disorder: No issues identified but vacant buildings can encourage anti-social behaviour.

Equalities: N/A

Access for Disabled: Would be considered by Building Regulations

Trees (Preservation and Planting): N/A

SSSI Impacts: N/A

Biodiversity: See report

Human Rights: N/A

RECOMMENDATION – Refuse planning permission

1. The proposed development would involve the creation of a new vehicular access onto the B6026 Main Street, and an area within the site frontage for the parking and manoeuvring of residents' vehicles.

This, if permitted, would introduce traffic movements to and from the public highway at a point where emerging visibility is severely restricted, due to the narrow footway and proximity of neighbouring buildings/property, thereby leading to danger and inconvenience to other highway users and interference with the safe and efficient movement of traffic, all to the detriment of highway safety.

The proposed development is therefore contrary to Saved Policies GEN1 and GEN2 of the Bolsover District Local Plan, Emerging Policy ITCR11 of the Bolsover District Local Plan Publication, and paragraph 127 of the National Planning Policy Framework 2019.

2. Insufficient information has been submitted to enable the Local Planning Authority to accurately assess the potential of the development to cause harm to protected bats which may use the vacant building; and as such it has not been possible to consider the extent of mitigation measures which may be required to protect or enhance protected habitats.

It is therefore considered that the applicant has failed to provide adequate and proportionate information to enable a proper assessment of the implications for biodiversity and geodiversity; or to provide any ecological enhancements to be incorporated within the development, in order to achieve a net gain in biodiversity.

The proposed development is therefore contrary to Paragraph 99 of Circular 06/2005, Saved Policy ENV 5 of the Bolsover District Local Plan, Emerging Policy SC9 of the Bolsover District Local Plan Publication, and Paragraph 170 of the National Planning Policy Framework 2019.

Statement of Decision Process

The Local Planning Authority has attempted to work in a proactive manner with the applicant during the processing of the application, to resolve the outstanding highway and ecology issues; however the applicant has refused to respond positively. It is therefore considered that any later amendments to the application, or the submission of a bat survey to support any forthcoming appeal would be deemed as unreasonable behaviour by the applicant.

The application currently proposed is clearly contrary to local planning policies which seek to protect ecological interests, and which ensure highway safety is not compromised; and as such the application in its current form fails to meet the objectives of the National Planning Policy Framework 2019.

PARISH

Pinxton

APPLICATION Change of Use from woodland, and the laying of hardstanding to provide additional parking for HGV lorries, trailers, and staff parking; in association with an existing use.
LOCATION Land Rear of Erewash Garage Kirkby Lane Pinxton
APPLICANT Mr Andrew Smith
APPLICATION NO. 19/00070/FUL
CASE OFFICER Miss Kay Gregory
DATE RECEIVED 4th February 2019

COMMITTEE DECISION REFERRED AS A POTENTIAL DEPARTURE TO THE ADOPTED LOCAL PLAN

SITE

The application site is within the settlement boundary of Pinxton, as defined by Saved Policy GEN8 of the Bolsover District Local Plan; where the principle of development is acceptable.



The boundary of the application site (as submitted) includes an established commercial garage and car repairs business towards the front of the site, as well as land at the rear used in association with an authorised concrete packing operation, approved by reason of 17/00225/FUL.



The application site is bound to the north-west by a woodland which is designated as an Important Open Area (IOA), by definition of Saved Policy GEN10 of the Bolsover District Local Plan.

This woodland is likely to have been planted by previous land owners as a sound and pollution buffer from the adjacent motorway.

A triangular shaped area of land which forms the basis of this application is included within the boundary of the 'Important Open Area'. This area was previously covered by trees, until their removal several months ago.

To the east of the site is the M1 motorway, and to the west are the rear gardens of dwellings, which front onto Town Street.

A surface water drain runs through the woodland and into the application site. This drain, and woodland were previously in the ownership of Highways England, but were sold to the applicant. Therefore it is likely that the maintenance of the land drain has become the applicants' responsibility. The applicant has installed a pipe beneath the area which has been hard surfaced, and it appeared from a site visit on the 8th March 2019 that water flows evenly through the drain. Highways England has been consulted on the application and have no objections to the proposal.

PROPOSAL

This application has been submitted for a change of use and creation of a hard standing, to a triangular shaped area of land to the rear of the application site.



The application is part retrospective, insofar that the area of land was cleared of trees and vegetation, and laid with limestone chippings and brick aggregate, several months ago.

Whilst the removal of trees and vegetation did not require permission, the laying of a hardstanding is deemed to be operational development, which requires the submission of a formal planning application.

The area of hard surfaced land is to be used for additional parking for HGV lorries, and trailers, and staff car parking; to improve the existing on-site parking provision. The application form states that there will be no intensification of the industrial use of the site. The hard surfacing comprises of scraping the existing surface, and relaying with limestone MOT type 1 granular sub-base material.

highway.

Parish Council

- Object
- Pinxton is a very congested village and hasn't got room on the highway for more HGV lorries which may wish to avail themselves of the hardstanding.
- There is only one way into Pinxton from the motorway, down Alfreton Road, and that is already heavily congested and there is planning for another 65 houses on Alfreton Road which will exacerbate the situation
- The area where the hardstanding is going is into an area which was to take the water from the motorway and for trees to be planted to act as a noise barrier from the motorway traffic. Where is the run off for the water which will appear on the hardstanding? There was an existing culvert to help with flooding all along Woodfield Road, will the hardstanding affect the existing drainage?
- There will be an increase in the pollution. Already readings are being taken on the motorway, how much will this add with more HGV's on the hardstanding?
- The trees were planted as a baffle to the motorway noise also take up the water, thousands of gallons a day. Trees have now been chopped down, so where will the water go which the trees don't suck up.
- From the above flooding will occur all along the back of Woodfield Road entering the gardens as it once did, until the remedial measures were taken. This will all be undone now.
- If there are HGV's parking on the hardstanding will the company have to provide interceptors in the drains to stop contaminants like diesel and oil getting into the drains.
- The Council have asked me to also mention that he has started the hardstanding notwithstanding he hasn't got planning permission yet.

PUBLICITY

The application was publicised by way of a site notice and letters were sent to 23 adjacent properties. 13 representations have been received from 6 separate addresses within vicinity of the site. A summary of their comments are provided below:

- Waste/used wall-bricks have been used to back fill the excavated land and the previous surface reinstated. Do used/waste bricks have to be screened for pollutants? The application states "lay hard-standing for HGV lorries and trailers, and staff parking", but in application 19/00074/DISCON it states "there will be no vehicle access to the site for visitors, customers or staff.
- The description is given as "waste land", clearly there were trees which have been felled.
- Requests that the Council serve a TPO on the remaining trees
- The application is retrospective - why has this been allowed before the Council makes a decision? It makes a mockery of the whole process! There are many vehicles already parking at the rear of the premises.
- A large area of woodland has been destroyed - was a habitat for numerous wildlife; lost in favour of a concrete hardstanding for HGV lorries!
- As a result of the felled trees the noise from the motorway has become far more noticeable!

- We have concerns about safety & security. Because there is now the risk of easy entry into our back gardens due to the presence of a very large & compacted mound of earth which is more than 4 foot high & run's alongside the fencing which encloses our back gardens!!
- There is an industrial estate in Pinxton; which would be more appropriate for such a business
- We have noticed an increase in noise and dust from the premises in recent years. We object to any further developments and in particular any felling of trees. The trees provide some degree of protection from the dust and noise from Erewash garage and they are also an essential home to wildlife in the area.
- I object to the hardstanding for lorries and aggregates.
- The garage isn't quiet in out-of-hours work, whether it's 4-5am or 10-11pm or even on Sunday, there's business happening. I understand from their point of view that business is business and keeping customers happy is good for turnover ... but the business is close to neighbourhood life.
- Lorry movements have tripled in the last 8 years; they also come on the kerb to keep traffic moving.
- Noise pollution during the day as well as overnight from the heavy goods vehicles & the machinery/storage facilities associated with the aggregate business.
- It states there will be no increase in the number of vehicles stored on site. If the number is not increasing and there is also unused land at the front of Erewash Garage then why is there a need to expand?
- There are already a number of unused vehicles and fairground rides stored at the site that look like scrap attracting vermin, which are invading our properties and grounds.
- The site has evolved from a small commercial car repair business to, garage with car sales and now a concrete business and industrial estate! It is not needed here.
- Allowing any further expansion or development of this site will have further detrimental effects to residents, children, and wildlife.
- The work have a negative impact on my privacy, the felling of trees has opened up visibility to back gardens that was previously obscured by trees and bushes.
- There has been no consideration for the habitat of the wildlife living in the woodland. For 20 years we have had bats, owls, foxes, to name but a few.
- I have been told they filled in the drain which runs through the middle of the wood; if this remains blocked the gardens of number 32, 34. 34A 36, 38 and 40 will flood after heavy rain it must be kept clear.
- The noise is still bad from the M1 and the B6019 without more from this project.
- Further development will impact on the enjoyment of rear gardens of adjacent properties, who already suffer from noise and pollution from the M1
- Why does he need more land when there is a vacant area to the front, left side of the business.
- I have been informed that the land is outside the settlement framework and is very important open space – this is now an industrial park which is too close to residential properties
- This site infringes on Human Rights as stated in Article 8 of the Human Rights Act. Bolsover dc are creating a negative effect on these rights by giving planning permission to the aforementioned application

POLICY

Bolsover District Local Plan

- GEN 1 - Minimum Requirements for Development
- GEN 2 - Impact of the Development on the Environment
- GEN8 – Development boundaries
- GEN10 – Important Open Areas
- ENV 5 - Nature Conservation Interests Throughout The District
- ENV 8 - Development affecting trees and hedgerows

National Planning Policy Framework (NPPF)

Requires high quality design and a good standard of amenity for all existing and future occupants of land and buildings, makes a presumption in favour of sustainable development.

- Paragraphs 8; 11; 47; 48; 80; 124; 127; 170;

Bolsover District Local Plan Publication

- SS1 - Sustainable Development
- SC1 - Development within the Development Envelope
- SC2 - Sustainable Design and Construction
- SC3 - High Quality Development
- SC9 – Biodiversity and Geodiversity
- SC10 - Trees, Woodland and Hedgerows
- SC11 – Environmental Quality (Amenity)
- ITCR11 – Parking provision

ASSESSMENT

The application has been referred for determination by Planning Committee by reason that the proposed development is a 'potential' Departure from the Adopted Local Plan, by reason that part of the application site is located within an 'Important Open Area' (GEN10); where *"planning permission will only be granted for development provided it does not detract from the objective of maintaining their open character."*

The area of land within the application site which forms the basis of this application was originally part of a larger Woodland; the remainder of which has now been afforded protection through the serving of a Tree Preservation Order.

Policy GEN10 does not provide any statutory protection for the retention of trees / woodland, and as such planning permission was not required for the felling.

The felling, which was carried out prior to the submission of the application had already diminished to some extent, the character of the Important Open Area, and there are no provisions in place to demand that trees are replanted within the site, should the current application be refused.

The proposed use of this area of land for hard surfacing and additional parking, in association with the adjacent, authorised use, will not detract to any significant extent from the open character of the remaining woodland, as it is not visible from the within the street scene, only from the rear windows of properties on Town Street.

The principle of permitting industrial activities to the rear of Erewash Garage has previously been agreed by virtue of planning permission 17/00225/FUL, which was a retrospective application for the *continued use of front area of site for car sales; to use the rear area for storage and distribution of building materials; and to site a portacabin on the rear for use of office.*

Planning application 17/00225/FUL was publicised by a site notice and letters sent to 16 adjacent residents. There were two representations received as a result of the publicity, objecting on the grounds of noise and dust associated with the development and the possible devaluation of their property.

The Parish Council were also consulted; their comments queried the ownership of land on the corner of Town Street and Kirkby Lane, and a request to prevent parking within this area by erecting perimeter bollards.

Environmental Health and the County Highway Authority were also consulted on the application and raised no objections, subject to conditions.

All conditions attached to 17/00225/FUL, relevant to the use of the site for the storage and distribution of building materials, and cement packaging have been formally approved by reason of 18/00046/DISCON (noise), and 19/00074/DISCON (parking).

On balance, it is considered that the development currently proposed is not contrary to the provisions of Saved Policy GEN10, and the principle of development has already been established by reason of 19/00225/FUL.

Visual Amenity

- **Saved Policy GEN2** of the Bolsover District Local Plan identifies that *when considering the environmental impact of every proposal for development regard will be given to the visual appearance of the proposal in terms of the materials of construction, and the visual character of any engineering works. The appearance of the proposal will be assessed in relation to the appearance of the immediate locality and in relation to its setting in the general landscape.*
- **Emerging Policy SC2** of the Bolsover District Local Plan Publication identifies that *the Council will permit proposals for new development, where it promotes the efficient use of land, including developments that protect and enhance the distinctiveness, character, townscape and setting of settlements.*
- **Emerging Policy SS1** of the same document states that *in order to contribute to sustainable development in Bolsover District, development proposals should protect and enhance the character, quality and settings of towns and villages through an appropriate mix of good quality, well-designed developments*
- **Emerging Policy SC3** of the same document identifies that *proposals for development will be permitted provided that they create good quality, attractive, durable and connected places through well designed locally distinctive development that will*

integrate into its setting; will respond positively to their context.

The application site is not prominent from the site access, or visible from within the public domain; only from the rear windows of properties along Town Street.



Objections have been received from residents regarding the loss of trees; affecting their outlook from windows. Within the application site there is an existing commercial business, and two industrial uses, and whilst it is acknowledged that the area of land currently under consideration once formed part of a woodland, which has been subject to the felling of trees, the trees were not protected at the time of their removal.

The trees would have provided some natural buffer against views into the industrial area, but the trees were not evergreen species and so would have been devoid of vegetation for several months of the year.

The applicant was asked to plant additional trees within an area of scrub land between fencing along the western boundary of the application site and the rear of properties along

Town Street; in order to provide additional screening for residents. He considers that there is already sufficient tree cover within this area and as such does not want to carry out any additional landscaping at this time.

The remaining part of the woodland, outside of the application site boundary has now been protected through the serving of a Tree Preservation Order (TPO); the woodland is considered to have public visual amenity value due to the trees being visible between the properties along Town Street.

Therefore, whilst there has been some detriment caused to visual amenity through the loss of vegetation, and the creation of hard surfacing; on balance it is considered that the proposed area of hard standing is to be used only as parking in association with an authorised industrial use; the site is adjacent to a major trunk road (M1); and the removal of the trees did not require the submission of a formal planning application.

It is therefore considered that the proposal does not harm the appearance of the immediate locality in relation to its setting in the general landscape, and as such complies with the policies identified above.

Residential Amenity

- **Saved Policy GEN2** of the Bolsover District Local Plan identifies that *in considering the environmental impact of every proposal for development regard will be given to the extent of the generation of noise, vibration, smells, fumes, smoke, soot, ash, dust or grit; the hours of operation of any activities proposed;*
- **Emerging policy SC3** identifies that *proposals for development will be permitted provided that they ensure a good standard of amenity is maintained for the occupants of existing neighbouring properties as well as the future occupants of new development.*
- **Emerging Policy SC11** identifies that *developments likely to experience a loss of residential amenity must be supported by a relevant assessment. If necessary, appropriate mitigation must be put in place.*

There have been objections received from residents regarding the level of noise and pollution at the site, but their concerns are associated with the existing, authorised use. The industrial business that is currently operating from the rear of the site has already been approved, and it is not anticipated that an additional area of hardstanding for parking, is likely to increase noise levels or activities; as there will be no further intensification in the use of the site.

The Environmental Health team had initial concerns in relation to the potential level of disturbance generated from the site, but during the processing of this application they have visited the site to monitor activities. They consider that on balance, the proposed area of development does not substantially increase what is currently permitted on the site.

The Noise Assessment that was submitted for the previous application is unlikely to alter significantly with the addition of the extra land. This Assessment identified that the *impact of*

the business was acceptable between the hours of 05:00-21:00 Monday to Saturday as the noise from the motorway is the dominant noise source in the area and the rating level of the business activities was at least 5dB below the residual sound level. Should the application be approved, this restriction in the hours of operation will be included as an appropriately worded condition on the decision notice.

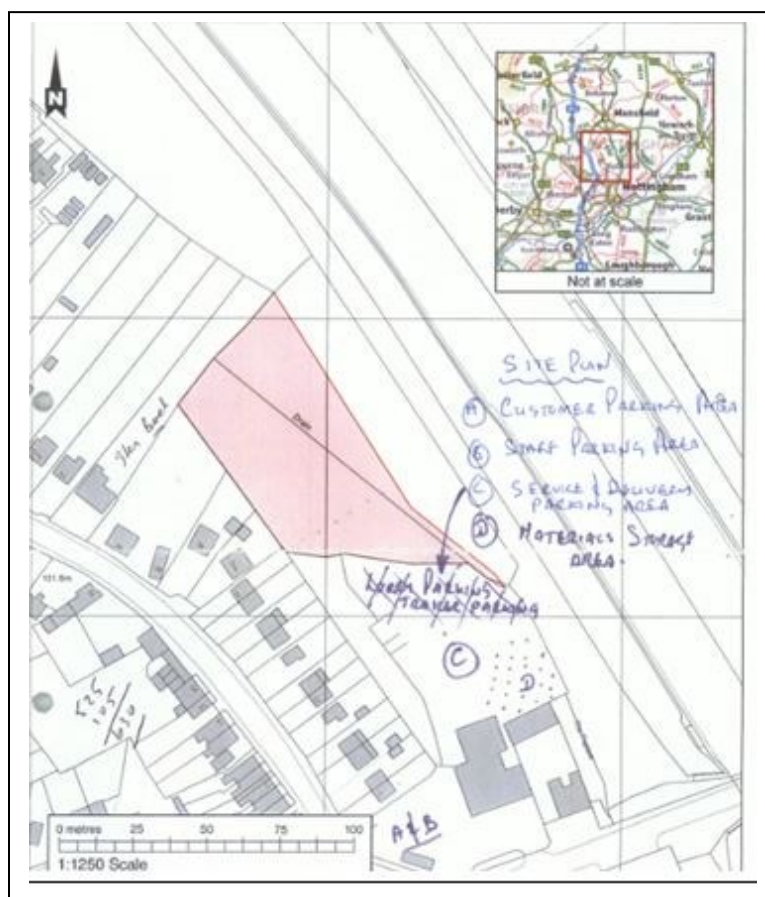
It is therefore considered that provided the applicant adheres to the approved hours of operation, there will be no detriment to the amenity of neighbouring residents; in compliance with the policies identified above.

Highway Issues

- **Saved Policy GEN1** of the Bolsover District Local Plan identifies *that development proposals will be required provide parking and manoeuvring space; to provide safe access arrangements for vehicles entering and leaving the site; and that the local highway network shall be able to accommodate the vehicular, cycle and pedestrian traffic from the site without causing material harm to highway safety, or unacceptable congestion*
- **Saved Policy GEN2** states that *when considering the environmental impact of every proposal for development regard will be given to the amount of road traffic generated by the proposal; the type and frequency of that traffic in relation to the quality and character of the proposed access and local highway system, and the extent and impact of parking facilities for that traffic*
- **Policy ITCR11** of the Emerging Local Plan publication *identifies that parking provision should provide a safe and secure environment and minimise conflict with pedestrians and / or cyclists.*

The proposal increases the amount of available parking and manoeuvring space within the site, and as such it is not expected to cause any detriment to highway safety.

A condition was included on 17/00225/FUL for details to be submitted for parking, loading and unloading and manoeuvring of visitors, staff, customers and service and delivery vehicles). This condition was approved by reason of 19/00074/DISCON.



The Highway Authority had no objections to the parking layout provided above, and has no objections to the current proposal.

It is therefore considered that the proposal will not cause any detriment to highway safety and complies with the policies identified above.

Trees

Saved Policy GEN8 identifies that *planning permission will not be granted for development which fails to make allowance for trees worthy of retention.*

Emerging Policy SC10 of the Bolsover Local Plan Publication identifies that *development proposals should incorporate important woodlands and trees into the overall design and landscape scheme wherever possible, and take opportunities for new planting consistent with wildlife interests.*

Prior to the submission of the application, a number of mature trees within a woodland to the rear of properties along Town Street were removed. At the time of their removal the trees were not protected.

Once the application was submitted, and it became evident that the area of land where the trees were cleared from was to form the application site, an emergency Tree Preservation Order was served on the remaining woodland, which is not within the application site

boundary; but is within the applicants' ownership.

This Order has now been formally confirmed and endorsed by the Council.

There were several trees remaining within the boundary of the application site which were not included within the Order. The applicant marked these trees for identification and a site visit was carried out to confirm that the trees were not included within the Preservation Order. The trees were sporadically spaced out at the edge of the woodland, they were not considered to be worthy of formal protection, and they were subsequently removed.

There will be no further felling of trees within the adjacent woodland unless works are approved through the submission of a formal planning application.

The removal of the trees would have resulted in the loss of some biodiversity, but the formal protection of the remaining woodland will ensure that biodiversity interests are conserved.

It is therefore considered that during the processing of the application the importance of protecting the remaining trees has been properly acknowledged, and consideration has been given for the planting of additional trees to offset against the loss. As such the proposal complies with the policies identified above.

Biodiversity Matters

- **Saved Policy ENV 5** of the Bolsover District Local Plan states that *in granting planning permission the local planning authority will require development to retain, wherever possible, habitats which are locally important for biodiversity including woodland, trees, and protect them during construction work; and make provision, wherever possible, for replacement habitats where the loss of existing wildlife habitats is unavoidable*
- **Emerging Policy SC9** explains that *development proposals should seek to conserve and enhance the biodiversity and geodiversity of the District and to provide net gains where possible.*

The application has resulted in some loss of biodiversity, as a result of the tree felling; although this was carried out beyond the scope of the planning process.

The remaining area of woodland has now been formally protected through a Tree Preservation Order, which will provide some mitigation to offset against the loss of biodiversity.

Planning Balance / Conclusion

The main consideration of this proposal is whether the development fails to comply with the provisions of Saved Policy GEN10 of the Bolsover District, which identifies that development proposals will only be permitted which do not detract from the objective of maintaining the open character of the 'Important Open Space'.

The application site is not visible from within the public domain, but there are views into it from

rear windows of properties along the western boundary of the site.

The open character of the land has already been diminished to some extent by the removal of the trees, and should the application be refused there will be no requirement for trees to be re-planted, and the site could remain clear, but as unmade ground.

It is therefore considered that should the development be granted planning permission, the impact on visual amenity, and the open character of the site will be minimal, due to the isolated location of the application site.

The concerns raised by residents regarding noise and disturbance can be curtailed by a condition restricting the hours of operation to be in accordance with the Noise Impact Assessment, and residents' main concerns do in fact relate to issues which have already been considered through the previous planning application, of which the Council only received two letters of objection.

The proposal will not intensify industrial activities at the site, and as such there will be no additional traffic in excess of that generated by planning permission 17/00225/FUL, which established the principle of an industrial use on the site.

Any loss of biodiversity has been mitigated against through the formal protection of the remaining woodland.

It is therefore considered that the application complies with the Councils Adopted and Emerging Planning Policies, and the objectives of the National Planning Policy Framework 2019, and it is therefore recommended that the application is granted planning permission, subject to conditions.

Other Matters

Listed Building: None Affected.

Crime and Disorder: No issues identified.

Equalities: No issues identified.

Access for Disabled: No issues identified.

Trees (Preservation and Planting): See report

SSSI Impacts: None affected.

Biodiversity: See report

Human Rights: No issues identified.

RECOMMENDATION – Grant with conditions

Conditions

1. The development hereby permitted shall be carried out in accordance with the details and specifications shown on the submitted application form and plans.

2. There shall be no movement of any vehicles, or any noisy activities, to be carried out within the area of land outlined in red on the submitted site location plan, outside of the hours 05:00-21:00 Mondays to Saturdays.

Reasons for Conditions

1. To ensure that the development takes the form as envisaged by the Local Planning Authority.
2. To protect the amenity of residents living within vicinity of the application site; in compliance with Saved Policy GEN2 of the Bolsover District Local Plan and Emerging Policy SC3 of the Bolsover District Publication Local Plan Document.

Informative

1. The applicant is reminded that the area of land to which this application relates shall be used as parking for HGV lorries, trailers, and staff parking only; in association with the use permitted by planning permission 17/00255/FUL, and shall be maintained clear of any obstacles throughout the life of the development.

Statement of Decision Process

This proposal is to provide an extension to the parking area relating to an existing development and will be used only for the parking of vehicles associated with the business. It is considered that the current proposal complies with the policies and guidelines adopted by the Council, and the decision has been taken in accord with the guidelines of the National Planning Policy Framework.

Bolsover District Council

Planning Committee

5th June, 2019

Local Plan – Main Modifications
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Report of the Planning Policy Manager

This report is public

Purpose of the Report

- To outline the Inspector's judgement on the Main Modifications to the Submitted Local Plan for Bolsover District that are necessary to make the Local Plan legally compliant and sound.
- To outline the findings of Sustainability Appraisal and Habitat Regulation Assessment on the Main Modifications to the Submitted Local Plan for Bolsover District.
- To approve the Main Modifications and associated documents for the purposes of the required public consultation exercise.

1 Report Details

Background

- 1.1 Work commenced on the preparation of the Local Plan for Bolsover District in October 2014 and has progressed through stages of public consultation in 2015 and 2016 as various spatial options have been considered and then narrowed down with the selection of preferred options for the Local Plan.
- 1.2 This preparation work culminated in the Publication version of the Local Plan for Bolsover District being reported to Planning Committee in April 2018 for approval. At the meeting, it was resolved that:
 - a) Planning Committee approve the Bolsover District Publication Local Plan, for a six week public consultation in accordance with Regulation 19 of the Town and Country Planning (Local Plan) (England) Regulations 2012,
 - b) following the Publication and Consultation period, the plan be submitted to the Secretary of State in accordance with regulation 22 of Town and Country Planning (Local Plan) (England) Regulations 2012,
 - c) authority be delegated to the Chief Executive Officer, in consultation with the Leader of the Council and Chair of Planning Committee, to approve:
 - i. minor changes to the Local Plan text prior to and post-consultation (including the insertion of maps and illustrations within the document);

- ii. details concerning the final arrangements and associated supporting documents for public consultation; and
- iii. submission of the Local Plan and associated supporting documents to the Secretary of State following consultation on the Publication Draft Local Plan.

(minute 0744 18/19 refers)

- 1.3 Based on these resolutions, the Council commenced the statutory Regulation 19 (Publication) public consultation stage on 2nd May 2018 and this consultation exercise ran until 15th June 2018.
- 1.4 Following this consultation exercise, the Local Plan was formally submitted to the Secretary of State on 31st August 2018 and this led to the appointment of an independent Government Planning Inspector to undertake the formal Examination of the Local Plan for Bolsover District.
- 1.5 The Local Plan Examination has progressed and the Local Plan Inspector held Hearing Sessions between 21st January to 6th February 2019 with an additional and final session on 12th March. Following this final session, the Inspector explained the next stages and outlined her timetable for providing her judgement on the necessary Main Modifications to make the Local Plan for Bolsover District legally compliant and sound. In accordance with this, the Inspector provided her judgement and the necessary Main Modifications on 14th May 2019.
- 1.6 The final stage of the Local Plan Examination is for the Council to consult on the necessary Main Modifications for a six week period and send any representations received on the Main Modifications to the Inspector. The Inspector will then consider the representations and then set out her recommendations in her Report, so concluding the Local Plan Examination.

Government Intervention

- 1.7 On 17th November 2017, the Council formally received a letter from the Secretary of State in relation to potential Government intervention into the Council's plan making process. The reason for the potential Government intervention was that the Council had yet to adopt a Local Plan since the enactment of the 2004 Planning and Compulsory Purchase Act. The letter outlined that the Council could make its case for avoiding intervention if this was provided by 31st January 2018.
- 1.8 In response, on 29th January 2018 the Council put forward a robust submission that explained the positive steps being made in the preparation of the Local Plan for Bolsover District and outlined the timetable for reaching Submission and Examination.
- 1.9 On 23rd March 2018, the Secretary of State replied to the Council advising:

"I note that your Council has made some progress since my letter of 16 November 2017. Whilst this is welcome, your Council still remains without an up to date Local Plan which undermines public confidence in the plan-led planning system.

Therefore I will hold you to account for your Council's actions. Your Council needs to continue to meet your published timetable. I will continue to monitor your progress closely and any further significant delays in meeting your timetable will cause me to have considerable doubt as to whether your Council is doing everything that is necessary in connection with the preparation of its Local Plan. I will not hesitate to consider how to use the full range of powers Parliament has given me to ensure that a Plan is in place."

- 1.10 As a result, the Council has continued to keep the officials at the Ministry for Housing, Communities & Local Government informed of the Council's efforts to get its new Local Plan in place. The progress to Submission and through the Examination has, to date, meant that the Government has not intervened.
- 1.11 However, it is clear that the Council needs to continue to move forward towards putting in place an up to date Local Plan to ensure that the Government does not decide to intervene and to take control away from the Council.

Main Modifications

- 1.12 Main Modifications are those changes to the Submitted Local Plan for Bolsover District that in the Inspector's judgement are necessary to make the Local Plan legally compliant and sound.
- 1.13 The Main Modifications draw upon the proposed modifications reported to the Council's Local Plan Steering Group on 21st November 2018 and those put forward by the Council during the Examination Hearing Sessions. In a large number of cases, the modification was sought by the Inspector to address a specific challenge to the Submitted Local Plan by an objector and has been agreed by the Council in a Statement of Common Ground.
- 1.14 The modifications cover a range of subjects and modify either the wording of the Local Plan's policies or supporting text. The modifications vary in their extent and can modify a single word or the thrust of the whole policy. Whilst all of the Main Modifications are necessary to make the Local Plan legally compliant and sound, the key areas to note are as follows:
- to set out the strategic policies of the Local Plan so that it is clear which policies address the Council's priorities for the development of Bolsover District [MM2];
 - to better explain the operation of Policy SS1: Sustainable Development [MM5];
 - to clarify that the amount of housing being planned for in the Local Plan is a minimum [MM6 & MM7];
 - to introduce a northern Transitional Zone to the former Whitwell Colliery Strategic Site Allocation to ensure that the housing development element reflects the need to respond positively to the countryside edge and the Important Open Break between Whitwell and Hodthorpe [MM19 & MM20];
 - to update the plan to reflect the latest position with regards to the restoration of the former Coalite site [MM23 & MM24];
 - to set out a commitment to maintaining the purposes of the Green Belt [MM27];
 - to update the Local Plan with regards to the amended housing 'completions' data [MM28];
 - to update the Local Plan with regards to the anticipated timescale for delivery of the housing allocations [MM31 to MM52];

- to advise that low cost entry level housing is generally well met across the district [MM54];
- to delete Policy LC4: Custom and Self Build Dwellings due to the lack of proven demand for custom and self-build dwellings [MM56 & MM57];
- to amend Policy LC9: Removal of Agricultural and Other Occupancy Conditions to change the minimum period for marketing from 18 months to 12 months [MM63];
- to update the plan to reflect the latest position with regards to the development of the former Sherwood Lodge site [MM69 & MM70];
- to amend Policy WC9: Hot Food Takeaways to delete the requirement that they should not be within 400m of an access point to any school or college due to there being no substantial evidence to support a link between childhood obesity and the siting of hot food takeaways within walking distance of schools in Bolsover District at present [MM73 & MM74];
- to accurately reflect the route of the Archaeological Way and to include an additional Multi User Trail [MM85 & MM86];
- to set out local parking standards to support Policy 11: Parking Provision within a new appendix to the Local Plan [MM92].

1.15 The full set of Main Modifications are set out within a consultation document which is attached as Appendix 1 to this report.

Associated documents

1.16 Alongside the Main Modifications are two associated documents, namely the:

- Policies Map Changes, and
- Additional Modifications

1.17 The Policies Map Changes document sets out the proposed changes to the Submitted Policies Map, which illustrates geographically the application of policies within the Local Plan for Bolsover District. The Policies Map is not defined in statute as a development plan document and so the Inspector does not have the power to recommend Main Modifications to it. However, a number of the proposed Main Modifications to the Plan's policies will require further corresponding changes to be made to the Policies Map and some changes will be required to more accurately reflect the geographical expression of the policies.

1.18 As a consequence, the Policies Map Changes are set out within a consultation document in order to provide clarity for interested parties which is attached as Appendix 2 to this report.

1.19 The Additional Modifications document sets out the proposed changes to the submitted Local Plan for Bolsover District which do not materially affect the Policies of the Local Plan, such as changes to correct typographical and factual errors.

1.20 As a result, the changes do not fall within the scope of the Inspector during the Examination of the Local Plan. However, the Additional Modifications are set out within a document that will be published for information during the consultation on the Main Modifications and the related Policies Map Changes for completeness. This document is attached as Appendix 3 to this report. The proposed Additional Modifications would be made by the Council upon adoption of the Local Plan.

Sustainability Appraisal and Habitats Regulation Assessment

- 1.21 The Sustainability Appraisal and Habitat Regulation Assessment processes are two of the legal tests for plan making. They are intended to be iterative with the findings of the Appraisal and Assessment considered at key stages so that this informs the preparation of a Local Plan.
- 1.22 The Main Modifications recommended by the Inspector have been passed to the consultants undertaking the Sustainability Appraisal and Habitat Regulation Assessment for the Council to screen for any changes that might be deemed significant. To reduce the risk of future challenge, this screening exercise has also considered the Policies Map Changes and the Additional Modifications for completeness.
- 1.23 This screening stage has identified that the majority of the Main Modifications and Policies Map Changes, and all of the Additional Modifications, are considered to not be significant changes in the context of the Appraisal and Assessment.
- 1.24 Where a Main Modification was considered to be a significant change, the modification in question has been subject to detailed appraisal. This exercise has confirmed that the conclusions of the Sustainability Appraisal and Habitat Regulation Assessment reports that informed the Publication Local Plan and were published alongside it in May 2018 remain valid.

Consultation Arrangements

- 1.25 Public consultation on the necessary Main Modifications is required in order for the Inspector to be satisfied that all interested parties, not just those who participated during the Hearing Sessions, have had chance to comment on them. However, the consultation is only about the necessary Main Modifications and is not a chance to re-open matters addressed during the Hearing Sessions to the Inspector's satisfaction.
- 1.26 The period of consultation is required to be at least six weeks in length and should approval be given the consultation exercise can commence as soon as all of the necessary preparatory work can be completed. It is intended that consultation will commence on Monday 10th June 2019 and run for 6 weeks until Monday 22nd July 2019 and will consist of:
 - a) issuing a press release setting out details of when and where the Main Modifications and associated documents can be viewed, including on the Council's website;
 - b) contact everyone on the Local Plan consultation database either by email or letter making them aware of the consultation exercise and giving them an opportunity to comment on the Main Modifications;
 - c) preparing representation forms so that people can respond easily.

Next Steps

- 1.27 Any representations received on the necessary Main Modifications will be sent to the Inspector. The Inspector will then consider the representations and then set out her recommendations in her Report, so concluding the Local Plan Examination.

- 1.28 At this stage, it is expected that the Council would be in a position to send the representations received on the Main Modifications before the end of July 2019. There is no set time period for the Inspector to submit her Report, but practice indicates this can take on average around 3 months.
- 1.29 The Inspector will initially send her Report to the Council for fact checking. During this period, the Council may not question the Inspector's conclusions but may seek clarification on any conclusions that are considered to be unclear. This fact checking stage should be completed within two weeks.
- 1.30 Following this, the Planning Inspectorate will send the final Report to the Council for publication. Once received, the Council is obliged by the Town and Country Planning (Local Planning) (England) Regulations 2012 to publish the Report as soon as reasonably practicable.
- 1.31 The Council will then prepare the Local Plan for adoption, implementing the recommendations set out in the Inspector's Report.

2 Conclusions and Reasons for Recommendation

- 2.1 Receipt of the Inspector's judgement on the necessary Main Modifications to the Submitted Local Plan for Bolsover District enables the Council to move forward towards putting in place an up to date Local Plan as required by the Secretary of State.
- 2.2 These Main Modifications have been screened for any changes that might be deemed significant within the Sustainability Appraisal and Habitat Regulation Assessment processes and where necessary the changes have been subject to detailed appraisal. This exercise has confirmed that the conclusions of the Sustainability Appraisal and Habitat Regulation Assessment reports that informed the Publication Local Plan and were published alongside it in May 2018 remain valid.
- 2.3 This matter is scheduled to be reported to the Council's Local Plan Steering Group on 29th May 2019 for their consideration. At the time of writing, the meeting is yet to take place and thus the view of the Steering Group will be reported verbally at the Planning Committee meeting.
- 2.4 Subject to this, it is recommended that Planning Committee note the Inspector's judgement on the necessary Main Modifications to the Submitted Local Plan for Bolsover District and the findings of the Sustainability Appraisal and Habitat Regulation Assessment.
- 2.5 Furthermore, it is recommended that the Main Modifications and associated documents are approved for the purposes of the required public consultation exercise as detailed in the report.

3 Consultation and Equality Impact

- 3.1 Other Officers involved in the preparation of this report were: Head of Planning, Planning Policy Manager, Principal Planning Officers, Senior Planner and Planning Officer.
- 3.2 Members consulted during the preparation of the report: Members of the Local Plan Steering Group and Portfolio Holder.
- 3.3 An Equality Impact Assessment was carried out to inform the Publication Local Plan. The modifications have been screened for any changes that might be deemed significant within the Equality Impact Assessment process.

4 Alternative Options and Reasons for Rejection

- 4.1 As explained at paragraph 1.12 above, the Main Modifications are those changes to the Submitted Local Plan for Bolsover District that in the Inspector's judgement are necessary to make the Local Plan legally compliant and sound. To not consult on the Main Modifications would fail to comply with the Council's legal requirements. This means that there is no alternative course of action.

5 Implications

Finance and Risk Implications

- 5.1 None. This is part of the existing work plan and is budgeted for. It also accords with the requirements of the Secretary of State, so minimising the risk of Government Intervention.

Legal Implications including Data Protection

- 5.2 The Council has a statutory duty to prepare and keep up to date a Local Plan. The Planning and Compulsory Purchase Act (2004) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) set out the statutory procedures for preparing planning policy documents. The Local Plan has been prepared in line with these regulations.
- 5.3 There are no specific data protection issues arising from this report. Consultation processes result in the Council handling a customer's personal data. This information is stored securely in line with the Council's procedures and provisions of the Data Protection Act.

Human Resources Implications

- 5.4 None.

6 **Recommendations**

6.1 That Planning Committee:

- a) notes the Inspector's judgement on the Main Modifications to the Submitted Local Plan for Bolsover District that are necessary to make the Local Plan legally compliant and sound;
- b) notes the findings of Sustainability Appraisal and Habitat Regulation Assessment as set out in the report; and
- c) approves the Main Modifications and associated documents for the purposes of the required public consultation exercise as detailed in the report.

7 **Decision Information**

Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: BDC: <i>Revenue - £75,000</i> <input type="checkbox"/> <i>Capital - £150,000</i> <input type="checkbox"/> NEDDC: <i>Revenue - £100,000</i> <input type="checkbox"/> <i>Capital - £250,000</i> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
Has the relevant Portfolio Holder been informed?	Yes
District Wards Affected	All but none affected with a significant impact.
Links to Corporate Plan priorities or Policy Framework	The new Local Plan will identify suitable areas for development to help to deliver the Council's Growth Agenda. It will assist local residents, infrastructure providers and developers by providing certainty about the way the District will develop over the Plan period. It therefore contributes to the following Corporate Aims and their identified priority actions: <ul style="list-style-type: none"> • Unlocking Our Growth Potential (main aim); • Supporting Our Communities to be Healthier, Safer, Cleaner and Greener.

8 Document Information

Appendix No	Title
1	Main Modifications to the Local Plan for Bolsover District
2	Policies Map Changes
3	Additional Modifications to the Local Plan for Bolsover District
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)	
Sustainability Appraisal, Habitat Regulation Assessment and Equality Impact Assessment reports on necessary Main Modifications to the Local Plan for Bolsover District	
Report Author	Contact Number
Christopher McKinney	Ext 2292

**PROPOSED MAIN MODIFICATIONS TO
THE LOCAL PLAN FOR BOLSOVER
DISTRICT (PUBLICATION LOCAL PLAN)**

June 2019



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Introduction

This document includes the proposed Main Modifications to the Local Plan for Bolsover District (Publication Local Plan) [SD2] submitted for Examination on 31 August 2018.

These proposed Main Modifications are put forward for public consultation without prejudice to the Inspector's final conclusions on the Local Plan.

Any representations made upon the proposed Main Modifications will be taken into account by the Inspector.

In addition to the proposed Main Modifications contained in this document, the Council is proposing to make a number of Additional Modifications to the Local Plan upon adoption. These proposed Additional Modifications do not materially affect the policies in the Local Plan and do not fall within the scope of the Examination. As such, the Council is accountable for these changes and they are not before the Inspector. However, a schedule of the proposed Additional Modifications is being published alongside the proposed Main Modifications for completeness.

The Policies Map is not defined in statute as a development plan document and so the Inspector does not have the power to recommend Main Modifications to it. As such, this document does not contain any proposed changes to the Policies Map. However, a number of the proposed Main Modifications to the Plan's policies will require further corresponding changes to be made to the Policies Map and some changes will be required to more accurately reflect the geographical expression of the policies. The Council is therefore publishing a separate document detailing the proposed changes to the Policies Map alongside the proposed Main Modifications for consultation in order to provide clarity for interested parties.

Within the Local Plan, there is a series of maps which precede the Strategic Site Allocation and Priority Regeneration Area policies, as well as the Edge of Town Centre Allocations; Landscape Character; Biodiversity and Geodiversity; and, Strategic Green Infrastructure Network policies. Furthermore, maps are also included in Appendix 8.1 (Locations of planned local transport improvements schemes). Where these plans have been updated to reflect the proposed Main Modifications, these are included in this document.

How to comment on the proposed Main Modifications

Any comments on the proposed Main Modifications should be made on **Response Form 1**. The comments made should relate strictly to the proposed Main Modifications only, and not the Local Plan as a whole (which has already been subject to a comprehensive Examination process). This consultation does not represent an opportunity to raise other matters which either were, or could have been, part of the earlier representations or Hearings, on the Local Plan.

The proposed Main Modifications are prefixed with **MM** in the first column in the following schedule and are arranged in Plan order.

For clarification, where text has been changed, deleted text is shown as ~~striketrough~~ and additional text is shown underlined.

All Policy / Paragraph numbers referred to in the schedule relate to those in the Local Plan for Bolsover District (Publication Local Plan) (May 2018) unless otherwise stated.

In addition to the specific changes listed in the following schedule, consequential renumbering and renaming changes will also be required to policies, sites, paragraphs and footnotes upon adoption of the Local Plan. Please see AM73 in the Proposed Additional Modifications to the Local Plan for Bolsover District (Publication Local Plan) **[ED?]**.

Please complete **Response Form 1** to make a comment on a proposed Main Modification. If you wish to make several comments on proposed Main Modifications, please use a separate form for each. Each comment should respond to a proposed Main Modification number indicated in the first column of the schedule.

PROPOSED MAIN MODIFICATIONS TO THE LOCAL PLAN FOR BOLSOVER DISTRICT (PUBLICATION LOCAL PLAN)

CHAPTER 1 – INTRODUCTION

Mod. No.	Policy/Para No.	Reason for the Change	Proposed Main Modification
MM1	New Paragraph	To comply with Regulation 8(5) of the Town and Country Planning (Local Planning) (England) Regulations 2012.	<p>Add a new paragraph after paragraph 1.8 to read as follows:</p> <p><u>“Once adopted, this Local Plan will supersede the adopted Bolsover District Local Plan and all of the policies within that document as listed in Appendix 1.2.”</u></p> <p>See MM93 below, for the consequential addition to the Appendices.</p>
MM2	New Paragraph	To accord with paragraph 184 of the National Planning Policy Framework [NPPF] (March 2012).	<p>Add a new paragraph after the new paragraph set out in MM1 above to read as follows:</p> <p><u>“It is important to understand what the Strategic Policies are within the Plan. Strategic policies are essentially those which address each local planning authority’s priorities for the development and use of land in its area. A full list of the strategic policies within the Local Plan is set out in Appendix 1.3.”</u></p> <p>See MM94 below, for the consequential addition to the Appendices.</p>

CHAPTER 2 – SPATIAL PORTRAIT

Mod. No.	Policy/Para No.	Reason for the Change	Proposed Main Modification
MM3	Paragraph 2.41	To better reflect Government policy in the NPPF with regards to the historic environment.	Amend Paragraph 2.41 to read as follows: b) “ Protect and enhance identified heritage and natural assets <u>and their settings</u> ”

CHAPTER 3 – VISION AND OBJECTIVES

Mod. No.	Policy/Para No.	Reason for the Change	Proposed Main Modification
MM4	Objective C: Countryside, Landscape Character and Wildlife	To better reflect Government policy in the NPPF with regards to the natural environment.	Amend Objective C by adding an additional Criterion to read as follows: g) “ <u>Protecting and enhancing sites designated for their biodiversity interest (for example SSSIs)</u> ”

CHAPTER 4 – THE SPATIAL STRATEGY

Mod. No.	Policy/Para No.	Reason for the Change	Proposed Main Modification
MM5	New Paragraph	To provide clarity with regards to the requirements of Policy SS1 and to reflect Government policy in the NPPF.	Insert a new paragraph after Paragraph 4.4 to read as follows:

			<p><u>“Policy SS1 sets out the criteria against which the Council will consider the sustainability of a proposal. For clarity, it is recognised that proposals may be able to positively address some of the criteria, to a greater or lesser degree, but not others. The Policy does not require any proposal to achieve a benefit against every criterion, but it seeks to provide a basis on which to recognise the various sustainability costs and benefits of a proposal, which will then be considered by the Council in the overall ‘Planning Balance’.”</u></p>
MM6	Paragraph 4.7	To better reflect Government policy in the NPPF.	<p>Amend Paragraph 4.7 to read as follows:</p> <p>“4.7...As a result, the Council will plan for <u>a minimum of 5,168 dwellings</u> for the period 2014 to 2033.”</p>
MM7	Policy SS2: Scale of Development	To better reflect Government policy in the NPPF.	<p>Amend Policy SS2 to read as follows:</p> <p>“During the plan period, the Local Plan will accommodate new growth and investment in Bolsover District by making provision for</p> <p>a) Sufficient land to accommodate the delivery of <u>a minimum of 5,168 dwellings</u> (272 new homes per year) to meet the Council’s Housing Objectively Assessed Need across the period 2014 to 2033...”</p>

MM8	Policy SS3: Spatial Strategy and Distribution of Development	To provide more flexibility in accordance with the NPPF.	Amend the fourth paragraph of Policy SS3 to read as follows: “The Small Settlements in the Countryside are considered to not be sustainable settlements and the Local Plan will not support urban forms of development beyond infill development on single plots and conversion of agricultural buildings to employment uses where appropriate.”								
MM9	Policy SS3: Spatial Strategy and Distribution of Development	To correct an error and to accord with the updated Settlement Hierarchy Study (February 2018).	Amend the table within Policy SS3 to remove Stanfree from the list of Rural: Small Villages and add 1 dwelling to the Non-Settlement total to read as follows: <table border="1"> <tr> <td>Rural: Small Village</td><td>Stanfree</td><td>1</td><td>0 ha</td></tr> <tr> <td>Non-Settlement</td><td></td><td>33-34</td><td>21.54 ha</td></tr> </table>	Rural: Small Village	Stanfree	1	0 ha	Non-Settlement		33-34	21.54 ha
Rural: Small Village	Stanfree	1	0 ha								
Non-Settlement		33-34	21.54 ha								
MM10	Paragraph 4.26	To more accurately reflect the likely delivery of housing on the Bolsover North Strategic Site.	Amend Paragraph 4.26 to read as follows: “4.26 From testing of this suggested strategic site, the site is expected to accommodate approximately a) 950 dwellings (<u>880 during the Plan period</u>)...” See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.								

MM11	Paragraph 4.27	To more accurately reflect the likely delivery of housing on the Bolsover North Strategic Site.	Amend Paragraph 4.27 to read as follows: “4.27 ... The proposal is expected to be delivered over <u>14</u> 11 years via 6 phases following a start in <u>2020</u> 2019 . A reserved matters application is being prepared <u>has been submitted</u> for the first phase of the development which will <u>incorporates</u> approximately 300 <u>240</u> dwellings and related highway improvements.”
MM12	Paragraph 4.29	To accord with Government policy in the NPPF and the requirements of the Regulations with regards to Supplementary Planning Documents.	Amend Paragraph 4.29 to read as follows: “4.29 The Council has previously prepared a Bolsover North Strategic Allocation Design Brief to guide the general planning principles for the development of the site. This will be updated in light of the approved masterplan and prepared as a Supplementary Planning Document <u>to provide more detailed advice and guidance on the requirements of Policy SS4.</u> to ensure the planning principles can respond in a flexible way to changes in circumstances during the plan period that would necessitate revisions to the above masterplan. ”
MM13	Policy SS4: Strategic Site Allocations – Bolsover North	To more accurately reflect the likely delivery of housing on this site and to accord with Government policy in the NPPF and the requirements of the Regulations with regards to Supplementary Planning Documents.	Amend Criteria a) and c) of Policy SS4 to read as follows: a) “Enable completion of the site by 2033”

			<p>c) “Provide in the region of 950 dwellings <u>(880 during the Plan period)</u>”</p> <p>Delete the last paragraph of Policy SS4 as follows:</p> <p>These requirements will be carried forward into a Supplementary Planning Document to ensure that the Council can respond if required in a flexible way to changes in circumstances during the plan period that would necessitate revisions to the approved masterplan. In the event that the masterplan needs to be revised, this will be considered and approved by the Council through the initial preparation or review of the Supplementary Planning Document.”</p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p>
MM14	Paragraph 4.31	To more accurately reflect the likely delivery of housing on the Clowne Garden Village Strategic Site.	<p>Amend Paragraph 4.31 to read as follows:</p> <p>“4.31 From testing of this suggested strategic site, the site is expected to accommodate approximately</p> <p>a) 1,500 dwellings (1,000 <u>1,050</u> during the plan period) ...”</p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p>

MM15	Paragraph 4.32	To more accurately reflect the likely delivery of housing on the Clowne Garden Village Strategic Site.	<p>Amend Paragraph 4.32 to read as follows:</p> <p>“4.32 As stated above, the Clowne Garden Village proposal will provide <u>around 450</u> at least 500 further dwellings beyond the plan period. This land will be reserved within the Local Plan for this future use.”</p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p>
MM16	Paragraph 4.36	To accord with Government policy in the NPPF and the requirements of the Regulations with regards to Supplementary Planning Documents.	<p>Amend Paragraph 4.36 to read as follows:</p> <p>“4.36 The Council will incorporate the indicative masterplan and the planning principles behind this proposal within a Design Brief. This will be prepared as a Supplementary Planning Document <u>to provide more detailed advice and guidance on the requirements of Policy SS5.</u> so that the proposals can respond in a flexible way to changes in circumstances during the plan period that would necessitate revisions to the above masterplan.”</p>
MM17	Figure 4C: Clowne Garden Village - Indicative Masterplan	To indicate the extent of the Conservation Area on the Indicative Masterplan.	Amend Figure 4C: Clowne Garden Village - Indicative Masterplan to show the Conservation Area boundary as shown in Appendix 3a).
MM18	Policy SS5: Strategic Site	To accurately reflect the terminology with regards to multi-user trails; to fully consider	Amend Criteria i), m) and n) of Policy SS5 to read as follows:

	Allocation - Clowne Garden Village	conserving and enhancing the biodiversity of the District and the historic environment; to fully address methods of tackling climate change and the issue of sewage infrastructure and capacity; and, to accord with Government policy in the NPPF and the requirements of the Regulations with regards to Supplementary Planning Documents.	<p>i) “Provide greenways <u>multi-user trails</u> through the site that connect to the enhanced Clowne Linear Park proposal <u>and the wider proposed multi-user trail network.</u>”</p> <p>m) “Contribute towards conserving and enhancing the biodiversity of the District through the protection and incorporation of existing hedgerows, and woodlands, <u>wetlands and grasslands</u> within the site’s general layout, design and orientation.”</p> <p>n) “Contribute towards the efforts to tackle climate change through its approach to sustainable construction, <u>flood risk reduction, sustainable drainage systems,</u> renewable energy and energy conservation within the site’s general layout, design and orientation.”</p> <p>Add two new Criteria after Criterion n) to Policy SS5 to read as follows:</p> <p>o) “<u>Preserve or enhance the historic environment, heritage assets and/or their setting and be informed by a Heritage Impact Assessment.</u>”</p>
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			<p>p) <u>“Demonstrate that adequate sewage infrastructure and capacity exists or can be provided as part of the development.”</u></p> <p>Delete the last paragraph of Policy SS5 as follows:</p> <p>These requirements will be carried forward into a Supplementary Planning Document to ensure that the Council can respond if required in a flexible way to changes in circumstances during the plan period that would necessitate revisions to the indicative layout diagram. In the event that the masterplan needs to be revised, this will be considered and approved by the Council through the initial preparation or review of the Supplementary Planning Document.”</p>
MM19	Paragraphs 4.37 to 4.39 and New Paragraph	To update the supporting text to more accurately reflect the current position with regards to the former Whitwell Colliery Strategic Site and the importance of a Transitional zone between the development and the Important Open Break.	<p>Amend paragraphs 4.37, 4.38 and 4.39 to read as follows:</p> <p>“4.37 The former Whitwell Colliery site is approximately 43 <u>47</u> hectares in size and ...”</p> <p>“4.38 From testing of this suggested strategic site, the proposal is expected to involve: ... c) A minimum of 200 dwellings <u>within the Plan period</u> ...”</p> <p>“4.39 At this stage, the land owner is</p>

			<p>preparing <u>has submitted</u> a minerals application to Derbyshire County Council as the minerals authority. An outline planning application is also been prepared <u>has also been submitted</u> for the built development elements of this proposal for submission to the District Council as local planning authority.”</p> <p>Insert a new paragraph after paragraph 4.40 to read as follows:</p> <p><u>“The northern ‘Transitional’ zone shall provide for a landscaped area where the form, layout and density of housing development shall reflect the need to respond positively to the countryside edge and the Important Open Break between Whitwell and Hodthorpe. The detailed design of this area will be addressed through the SPD and reserved matters planning submissions.”</u></p> <p>Corresponding change proposed to the Policies Map [PMC3]</p>
MM20	Figure 4D: Former Whitwell Colliery site - Indicative Masterplan	To update the Indicative Masterplan to more accurately reflect the current position and the Transitional zone referred to in MM19 above.	<p>Amend Figure 4D: Former Whitwell Colliery site - Indicative Masterplan as shown in Appendix 3b).</p> <p>A consequential change is also required to Figure xvi) in Appendix 8.1 (See MM96 below).</p>
MM21	Paragraph 4.41	To accord with Government policy in the NPPF and the requirements of the Regulations with regards to Supplementary Planning Documents.	<p>Amend Paragraph 4.41 to read as follows:</p> <p>“4.41 The Council will incorporate the indicative masterplan and the planning principles behind</p>

			<p>this proposal within a Design Brief. This will be prepared as a Supplementary Planning Document <u>to provide more detailed advice and guidance on the requirements of Policy SS6. so that the proposals can respond in a flexible way to changes in circumstances during the plan period that would necessitate revisions to the above masterplan.</u></p>
MM22	<p>Policy SS6: Strategic Site Allocation – Former Whitwell Colliery site</p>	<p>To better reflect Government policy in the NPPF with regards to the historic environment; to acknowledge the location of a principal aquifer on the site; to more accurately reflect the environmental considerations on the site; and, to accord with Government policy in the NPPF and the requirements of the Regulations with regards to Supplementary Planning Documents with regards to Supplementary Planning Documents.</p>	<p>Amend Criteria i) and m) of Policy SS6 to read as follows:</p> <ul style="list-style-type: none"> i) “Contribute towards conserving and enhancing the biodiversity of the District through the protection and incorporation of existing hedgerows, <u>and</u> woodlands, watercourses and the creation and enhancement of open flower rich grassland, wetland and scrub habitats within the site's general layout, design and orientation” m) “Protect <u>Conserve or enhance</u> the setting of heritage assets, in particular the Belf Conservation Area and the wider setting of Creswell Crags” <p>Add two new Criteria after Criterion m) of Policy SS6 to read as follows:</p> <ul style="list-style-type: none"> n) <u>“Due to the historic use of the site and the underlying principal aquifer, a detailed site</u>

			<p><u>investigation and remediation report shall be provided and any necessary works undertaken”</u></p> <p>o) <u>“Provide for a landscaped Transitional zone to the north of Station Road where the form, layout and density of housing development shall reflect the need to respond positively to the countryside edge and the important open break between Whitwell and Hodthorpe”</u></p> <p>Delete the last paragraph of Policy SS6 as follows:</p> <p>These requirements will be carried forward into a Supplementary Planning Document to ensure that the Council can respond if required in a flexible way to changes in circumstances during the plan period that would necessitate revisions to the indicative layout diagram. In the event that the masterplan needs to be revised, this will be considered and approved by the Council through the initial preparation or review of the Supplementary Planning Document.”</p> <p>Corresponding change proposed to the Policies Map [PMC3]</p>
MM23	Paragraph 4.47 and New Paragraph	To make it clear which uses would be appropriate in the Coalite Priority Regeneration Area.	Amend Paragraph 4.47 to read as follows:

			<p>“...The approved scheme, based on both planning permissions, includes the remediation of the site. <u>Within Bolsover District the 32 ha site benefits from permission for uses including general industrial, warehousing, open storage, a transport hub, an energy centre, and a visitor centre/museum.</u> In North East Derbyshire District <u>the approved scheme includes the provision of approximately 660 dwellings; 70,000 m² of employment land, a transport hub; energy centre; visitor centre / museum; a local centre and land for a new primary phase school.</u>”</p> <p>Insert a new paragraph after paragraph 4.49 to read as follows:</p> <p><u>“The Priority Regeneration Area within Bolsover District amounts to 32 hectares and this includes an additional 3.5 hectares to the north-west of the site that is not included in the planning permission but was included within the Development Envelope of the Adopted Bolsover District Local Plan (2000). The 32 hectares excludes the 2.2 hectare area covered by the HS2 line and safeguarding zone at the southern tip of the site.”</u></p>
MM24	Policy SS7: Coalite Priority Regeneration Area	To reflect the current position with regards to the restoration of the site and the existing planning permissions for its redevelopment; to better reflect Government policy in the NPPF with regards to the historic environment;	<p>Amend Criteria b), c) and d) of Policy SS7 to read as follows:</p> <p>b) “Enable the full reclamation of the site prior to the development commencing, in line</p>

		<p>and to reflect the importance of the biodiversity value of the site.</p>	<p>with an agreed programme of work and delivery plan”</p> <p>c) “Protect <u>Conserve or enhance</u> the setting of heritage assets, in particular the Grade I listed Bolsover Castle and Sutton Scarsdale Hall, <u>or demonstrate that the development is necessary to achieve public benefits that outweigh the harm caused to the significance of the asset</u>”</p> <p>d) “Protect and enhance the biodiversity value of the Doe Lea Corridor <u>within the site</u> and promote linkages to the wider green infrastructure network <u>where possible</u>”</p> <p>Add a new paragraph to the end of Policy SS7 to read as follows:</p> <p><u>“The following are considered acceptable main uses for the site either individually or in combination, subject to meeting the requirements above</u></p> <p><u>a) Employment development (comprising B1, B2 and B8) for up to 32 ha</u></p> <p><u>b) Transport hub</u></p> <p><u>c) An energy centre</u></p> <p><u>d) A visitor centre/museum</u></p> <p><u>Proposals for other employment uses will be considered on their merits.”</u></p>
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MM25	Policy SS8: Pleasley Vale Regeneration Area	To better reflect Government policy in the NPPF with regards to the historic environment.	<p>Amend the first paragraph of Policy SS8 to read as follows:</p> <p>“The Council will encourage development proposals for the Pleasley Vale area which preserve <u>conserve</u> and / or enhance the special appearance and character of the area, <u>the historic environment, heritage assets and their setting</u> and provides a long term future for the existing buildings, preferably featuring employment, commercial, and tourism uses....”</p>
MM26	Policy SS9: Development in the Countryside	To ensure that development proposals would be sustainable and in an appropriate location, in accordance with Government policy in the NPPF, and that the wording more accurately reflects that in the NPPF.	<p>Amend Criteria a), b) and c) of Policy SS9 to read as follows:</p> <ul style="list-style-type: none"> a) “Involve a change of use or the re-use of vacant, derelict or previously developed land, <u>provided the proposed use is sustainable and appropriate to the location</u>” b) “Are necessary for the efficient or viable operation of agriculture, horticulture, forestry and <u>or</u> other appropriate land based businesses, including the diversification of activities on an existing farm unit” c) “Are small scale employment uses related to local farming, forestry, recreation, or tourism”

			<p>Delete Criterion h) and re-establish wording as new paragraph at end of Policy SS9 to read as follows:</p> <p>h) “In all cases, where development is considered acceptable it will be required to respect the form, scale and character of the landscape, through careful location, design and use of materials</p> <p><u>In all cases, where development is considered acceptable it will be required to respect the form, scale and character of the landscape, through careful location, design and use of materials.”</u></p>
MM27	Policy SS10: Development in the Green Belt	To set out a commitment to the maintenance of the Green Belt; to provide clarity and to accord with Government policy in the NPPF.	<p>Insert a new paragraph at the beginning of Policy SS10 to read as follows:</p> <p><u>“The purposes of the North East Derbyshire Green Belt are supported and will be maintained during the plan period and beyond. In achieving this, the openness of the land within the Green Belt as defined on the Policies Map will be preserved.”</u></p> <p>Amend the first paragraph of Policy SS10 to read as follows:</p> <p>“Within the Green Belt as defined on the Policies Maps, the The construction of new buildings within the Green Belt will be regarded as inappropriate...”</p>

			<p>Amend the second paragraph of Policy SS10 to read as follows:</p> <p><u>“Certain Other forms of development which may not be inappropriate in the Green Belt, provided it they preserves the its openness and does not conflict with its the purposes of including land within it. These include:.....”</u></p>
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CHAPTER 5 – LIVING COMMUNITIES

Mod. No.	Policy/Para. No.	Reason for the Change	Proposed Main Modification
MM28	Paragraph 5.9	To update the Local Plan with regards to the amended ‘completions’ data and to accord with Government policy in the NPPF.	<p>Amend paragraph 5.9 to read as follows:</p> <p><u>“5.9 The Government’s definition of a completed dwelling is one that is ‘ready for occupation’. Historically, the Council has included dwellings that were at the ‘wind and water tight’ stage as ‘completed’ in its Annual Monitoring Report. The Council resurveyed all dwellings it had recorded as ‘completed’ since 1 April 2014, between 4 and 8 February 2019, to ensure that these dwellings are ‘ready for occupation’. The annual survey was then undertaken in April 2019. Based on this updated information, which confirms the actual completions, using the ‘ready for occupation’ definition, between 1 April 2014 and 31 March</u></p>

			<p><u>2019, the</u> The following elements can be seen as making up this <u>the 5,700 dwellings</u> requirement:</p> <table><tr><td>Completions 2014/15 to 2016/17 <u>2018/19</u></td><td>872 1,407 dwellings</td></tr><tr><td>Expected completions 2017/18</td><td>303 dwellings</td></tr><tr><td>Strategic site allocations</td><td>2,100 <u>2,130</u> dwellings</td></tr><tr><td>Other site allocations</td><td>2,455 <u>2,318</u> dwellings</td></tr><tr><td>TOTAL</td><td>5,730 <u>5,855</u> dwellings</td></tr></table>	Completions 2014/15 to 2016/17 <u>2018/19</u>	872 1,407 dwellings	Expected completions 2017/18	303 dwellings	Strategic site allocations	2,100 <u>2,130</u> dwellings	Other site allocations	2,455 <u>2,318</u> dwellings	TOTAL	5,730 <u>5,855</u> dwellings
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Other site allocations	2,455 <u>2,318</u> dwellings												
TOTAL	5,730 <u>5,855</u> dwellings												
MM29	Paragraph 5.10	To accord with Government policy in the NPPF.	<p>Delete paragraph 5.10 in its entirety as follows:</p> <p>“5.10 In addition to this planned supply of land to meet the OAN of 272 dwellings per year, there are a number of sites with planning permission that are not supported within the Local Plan due to either being not in accordance with the Council’s Spatial Strategy or due to viability concerns. Despite this and questions over deliverability, it is acknowledged that the 300 dwellings they have permission for could in theory be delivered and they could also contribute to meeting the OAN of 272 dwellings per year.”</p>										

MM30	Paragraph 5.12	To clarify how the development of windfall sites is recorded.	Amend Paragraph 5.12 to read as follows: “5.12 The NPPF advises that local planning authorities may make an allowance for windfall sites in their five year supply assessments, if there is compelling evidence to do so. Whilst the Council acknowledges the contribution to housing supply that windfall sites can make, the Council has made no allowance for windfall sites to help meet its Housing OAN of 272 dwellings per year within this plan <u>but records their contribution through its annual monitoring of housing delivery.</u> ”
MM31	Paragraph 5.16	To update the Local Plan with regards to the anticipated timescale for delivery of housing on the Bolsover North Strategic Site.	Amend Paragraph 5.16 to read as follows: “5.16 Bolsover North Strategic Site – This strategic site is described in more detail in Chapter 4. However, it is expected to deliver approximately <u>880 950</u> dwellings between 20 <u>20</u> 19 and <u>2031</u> <u>2033.</u> ” See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.
MM32	Paragraph 5.17	To update the Local Plan with regards to the anticipated timescale for delivery of housing on Land off Langwith Road and Mooracre Lane, Bolsover.	Amend Paragraph 5.17 to read as follows: “5.17 a) Land off Langwith Road and Mooracre Lane – This site is situated to the east of Bolsover, and is <u>Approximately 18.3 hectares in size. The site is expected to come forward in two phases, the first of which has detailed planning permission.</u> <u>The site delivered 21 dwellings in 2018/19 and it is</u>

			<p>expected to deliver <u>the remaining approximately 460 442 dwellings between 20198 and 2031 2033</u>. The site is expected to come forward in two phases, the first of which has detailed planning permission. To achieve sustainable development,..."</p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p>
MM33	Paragraph 5.18	To update the Local Plan with regards to the anticipated timescale for delivery of housing on the Former Courtaulds factory site, Oxcroft Lane, Bolsover.	<p>Amend Paragraph 5.18 to read as follows:</p> <p>"5.18 b) Former Courtaulds factory site, Oxcroft Lane – This approximately 1.4 hectares site, is situated to the north of Bolsover. <u>The site has detailed planning permission and is currently under construction. The site delivered 17 dwellings in 2018/19</u> And is expected to deliver the remaining 18 35 dwellings in 2019/20 between 2018 and 2020. The site has detailed planning permission and is expected to contribute to affordable housing and off-site green space improvements."</p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p>
MM34	Paragraph 5.19	To update the Local Plan with regards to the requirements and anticipated timescale for delivery of housing on Land between Shuttlewood Road and Oxcroft Lane, Bolsover.	<p>Amend Paragraph 5.19 to read as follows:</p> <p>"5.19 c) Land between Shuttlewood Road and Oxcroft Lane – This site is situated to the north of Bolsover, just to the north of the former Courtaulds factory site and is approximately 11.2 hectares in</p>

			<p>size and is expected to deliver approximately 230 dwellings between 2024 <u>2020</u> and 2032. The majority of the site has outline <u>detailed</u> planning permission but the remainder of the site does not yet have permission. To achieve sustainable development, the site will be required to come forward in a comprehensive manner. The following requirements will be made:</p> <ul style="list-style-type: none"> a) Facilitate the reprioritisation <u>provision of a distributor road link to Shuttlewood Road</u> through the site and connect to Oxcroft Lane, so increasing the capacity and traffic flow of the local highway network b) Contribution to increasing the capacity of both primary and secondary phase schools c) Provision of green space within the site d) 10% affordable housing provision e) <u>Contribution to the development of the Bolsover Town cycle and walking networks”</u> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p> <p>Corresponding change proposed to the Policies Map [PMC4]</p>
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MM35	Paragraph 5.21	To update the Local Plan with regards to the anticipated timescale for delivery of housing on Land at Brookvale, Shirebrook.	<p>Amend Paragraph 5.21 to read as follows:</p> <p>“5.21 e) Land at Brookvale – This site is situated to the south of Shirebrook, <u>and</u> is approximately 24 hectares in size. <u>The whole site has outline planning permission, with the development coming forward in phases. The site and delivered 84 dwellings in 2018/19 and is expected to deliver the remaining 600 approximately 560 dwellings between 2018 2019 and 2031 2033.</u> The whole site has outline planning permission and the first second phase of the development is now <u>under construction being readied for commencement. A reserved matters application is being prepared for the second phase of the development.</u> The site is expected to contribute to providing a substantial green space within the site, a SuDS scheme and a small area of commercial development in the south west corner of the site. It will also provide a highway connection to Bracken Road to the north and footpath/greenway connections to the Archaeological Way on the east of the site.”</p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p>
MM36	Paragraph 5.22	To update the Local Plan with regards to the anticipated timescale for delivery of housing on Land at Station Road, Langwith Junction.	<p>Amend Paragraph 5.22 to read as follows:</p> <p>“5.22 f) Land at Station Road, Langwith Junction – This site is situated in Langwith Junction in the northern part of Shirebrook and is approximately 2 hectares in size. The site has full</p>

			<p>planning permission and <u>is currently under construction</u>. The site delivered 14 dwellings in 2018/19 and is expected to deliver <u>the remaining 54</u> 58 dwellings between 20198 and 20224.”</p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p>
MM37	Paragraph 5.23	To update the Local Plan with regards to the anticipated timescale for delivery of housing on Land to the rear of 1 to 35 Red Lane, South Normanton.	<p>Amend Paragraph 5.23 to read as follows:</p> <p>“5.23 g) Land to the rear of 1 to 35 Red Lane – This site is situated to the south-west of South Normanton, is approximately 1.6 hectares in size and is expected to deliver approximately 50 dwellings between 2018 <u>2020</u> and 2020 <u>2022</u>. The site has previously had detailed reserved matters permission but needs a new permission. and is <u>It will be</u> expected to contribute to increasing the capacity of local schools, and to provide sufficient green space within the site <u>and contribute to the provision of affordable housing.</u>”</p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p>
MM38	Paragraph 5.24	To update the Local Plan with regards to the anticipated timescale for delivery of housing on Land at Rosewood Lodge Farm, Alfreton Road, South Normanton and to more accurately reflect Government policy in the NPPF with regards to heritage assets.	<p>Amend Paragraph 5.24 to read as follows:</p> <p>“5.24 h) Land at Rosewood Lodge Farm, Alfreton Road – This site is situated to the south-west of South Normanton, is approximately 6.2 hectares in size and is expected to deliver approximately 143 <u>145</u></p>

			<p>dwellings between 2019 and 2024 <u>2025</u>. The site has outline <u>detailed</u> planning permission and is expected to provide sufficient green space within the site. It will also contribute to off-site formal recreation facilities, affordable housing and to increasing the capacity of local schools and GP surgery. <u>Due to the site being adjacent to the Carnfield Hall Conservation Area and the Carnfield Wood Local Wildlife Site, any alterations to the existing scheme will be expected to preserve the setting of the conservation area and conserve the biodiversity of the wildlife site. Furthermore, the setting of Carnfield Hall should be preserved.</u>"</p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p>
MM39	Paragraph 5.26	To update the Local Plan with regards to the anticipated timescale for delivery of housing on the Clowne Garden Village Strategic Site.	<p>Amend Paragraph 5.26 to read as follows:</p> <p>"5.26 Clowne Garden Village Strategic Site – This strategic site is described in more detail in Chapter 4. It is expected to deliver approximately 4000 <u>1,050</u> dwellings between 2021<u>0</u> and 2033. The site as a whole has capacity for greater levels of development which will support future development in the area and adds flexibility to the Plan."</p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p>

MM40	Paragraph 5.27	To update the Local Plan with regards to the anticipated timescale for delivery of housing on Land to the rear of 169-207 Creswell Road, Clowne.	<p>Amend Paragraph 5.27 to read as follows:</p> <p>“5.27 j) Land to rear of 169-207 Creswell Road – This site is situated in the north-east of Clowne and is approximately 0.77 hectares in size. The site has full planning permission and is currently under construction. <u>It and is expected to deliver its 28 remaining 27 dwellings by 2024 between 2024 and 2027.”</u></p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p>
MM41	Paragraph 5.28	To update the Local Plan with regards to the anticipated timescale for delivery of housing on Land west of Homelea and Tamarisk, Mansfield Road, Clowne.	<p>Amend Paragraph 5.28 to read as follows:</p> <p>“5.28 k) Land west of Homelea and Tamarisk, Mansfield Road – This site is situated in the south-west of Clowne, is approximately 0.8 hectares in size and is expected to deliver 15 dwellings by 2019 <u>2020</u>. The site has outline <u>full</u> planning permission and <u>is expected to contribute to increasing the capacity of local schools. a full planning application is currently being considered by the Council.</u></p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p>
MM42	Paragraph 5.29	To update the Local Plan with regards to the anticipated timescale for delivery of housing on Land at High Ash Farm, Mansfield Road, Clowne.	<p>Amend Paragraph 5.29 to read as follows:</p> <p>“5.29 l) Land at High Ash Farm, Mansfield Road – This site is situated in the south-west of Clowne;</p>

			<p><u>and is approximately 1.8 hectares in size. The site has detailed planning permission and is currently under construction. It is expected to deliver 42 41 dwellings between 2018 and 2020 and 2021. The site has outline planning permission and a reserved matters application has recently been granted by the Council.</u></p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p>
MM43	Paragraph 5.30	To update the Local Plan with regards to the anticipated timescale for delivery of housing on Land north of Chesterfield Road, Barlborough.	<p>Amend Paragraph 5.30 to read as follows:</p> <p>“5.30 m) Land north of Chesterfield Road – This site is situated to the west of Barlborough, is approximately 4.67 hectares in size and is expected to deliver approximately 150 dwellings between 2018 <u>2020</u> and 2024 <u>2026</u>. The site has reserved matters permission and is expected to contribute to increasing the capacity of local schools and to contribute to green space provision and affordable housing. As part of the development, the cessation of the scaffolding business use is also required.”</p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p>
MM44	Paragraph 5.31	To update the Local Plan with regards to the anticipated timescale for delivery of housing on Land to the rear of Skinner Street, Creswell.	<p>Amend Paragraph 5.31 to read as follows:</p> <p>“5.31 n) Land rear of Skinner Street – This site is situated to the north of the centre of Creswell; <u>and</u></p>

			<p>is approximately 3.79 hectares in size. <u>The site has full planning permission and is currently under construction.</u> The site delivered 30 dwellings in 2018/19 and is expected to deliver <u>the remaining 43 82 dwellings</u> between 201<u>9</u>8 and 2021. The site has full planning permission and is expected to provide vehicular access to Creswell Church of England Infant School and provision of a footpath across Derbyshire County Council land to the town <u>village</u> centre.”</p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p>
MM45	Paragraph 5.32	To update the Local Plan with regards to the anticipated timescale for delivery of housing on Land south of Creswell Model Village.	<p>Amend Paragraph 5.32 to read as follows:</p> <p>“5.32 o) Land south of Creswell Model Village – This site is situated to the south of Creswell, and is approximately 6 hectares in size. <u>The site has full planning permission and is currently under construction</u> and is expected to deliver approximately 190 <u>its 197</u> dwellings between 201<u>9</u>8 and 2029. The site has full planning permission. Due to the site being adjacent to the Creswell Conservation Area, any alterations to the existing scheme will be expected to preserve the setting of the conservation area through the relationship with and the creation of appropriate green spaces, between the new buildings and the Model Village properties.”</p>

			See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.
MM46	Paragraph 5.33	To update the Local Plan with regards to the anticipated timescale for delivery of housing on Land at Croftlands Farm, Pinxton.	<p>Amend Paragraph 5.35 to read as follows:</p> <p>“5.33 p) Land at Croftlands Farm – This site is situated to the north of Pinxton, is approximately 3.14 hectares in size and is expected to deliver approximately 50 <u>65</u> dwellings between 2022 and 2024 <u>2025</u>.”</p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p>
MM47	Paragraph 5.34	To update the Local Plan with regards to the anticipated timescale for delivery of housing on Land south of Overmoor View, Tibshelf.	<p>Amend Paragraph 5.34 to read as follows:</p> <p>“5.34 q) Land south of Overmoor View – This site is situated to the east of the northern half of Tibshelf and is approximately 7.25 hectares in size. The site has detailed planning permission and is currently under construction. <u>The site delivered 17 dwellings in 2018/19</u> and is expected to deliver its remaining 403 <u>78</u> dwellings by 2024 <u>2022</u>.”</p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p>
MM48	Paragraph 5.35	To update the Local Plan with regards to the anticipated timescale for delivery of housing on Land west of Spa Croft, Tibshelf.	<p>Amend Paragraph 5.35 to read as follows:</p> <p>“5.35 r) Land west of Spa Croft – This site is situated to the west of the southern half of Tibshelf, <u>and</u> is approximately 1.8 hectares in size. The site</p>

			<p>has full planning permission <u>and is currently under construction</u>. The site delivered 17 dwellings in <u>2018/19</u> and is expected to deliver its remaining 25 <u>27</u> dwellings in 2018 <u>2019/20</u>.”</p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p>
MM49	Paragraph 5.37	To remove Land at Glapwell Nurseries, Glapwell from the Local Plan following the grant of planning permission for the development of a larger site in this location.	<p>Delete the heading and Paragraph 5.37 in its entirety as follows:</p> <p>“Small Village – Glapwell”</p> <p>“5.37 s) Land at Glapwell Nurseries” – This site is situated to the north of Glapwell and is approximately 0.45 hectares in size. The site has detailed planning permission and is expected to deliver its 16 dwellings by 2021.”</p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p> <p>Corresponding change proposed to the Policies Map [PMC5]</p>
MM50	Paragraph 5.40	To remove Land east of Pleasley Pit, Pleasley from the Local Plan following the completion of the development in 2019.	<p>Delete the heading and Paragraph 5.40 in its entirety as follows:</p> <p>“5.40 v) Land east of Pleasley Pit” – This site is situated within Pleasley and is approximately 0.96 hectares in size. The site has detailed planning</p>

			<p>permission and is expected to deliver its 19 dwellings between 2019 and 2021.”</p> <p>See MM95 below, for the consequential changes to Appendix 5.1: Housing Trajectory.</p> <p>Corresponding change proposed to the Policies Map [PMC6]</p>																														
MM51	Figure 5A: Housing Allocations breakdown by size	To update the Local Plan with regards to the breakdown of the housing allocations by size.	<p>Amend Figure 5A to read as follows:</p> <table><tr><th>Size</th><th>Number</th><th>% of sites allocated</th></tr><tr><td>100 ha. +</td><td>1</td><td>4%</td></tr><tr><td>50 ha < 100 ha</td><td>0</td><td>0%</td></tr><tr><td>20 ha < 50 ha</td><td>2</td><td>8 9%</td></tr><tr><td>10 ha < 20 ha</td><td>3</td><td>12 13%</td></tr><tr><td>5 ha < 10 ha</td><td>3</td><td>12 13%</td></tr><tr><td>2 ha < 5 ha</td><td>4</td><td>16 18%</td></tr><tr><td>1 ha < 2 ha</td><td>7</td><td>28 30%</td></tr><tr><td>< 1 ha</td><td>5 3</td><td>20 13%</td></tr><tr><td>Total</td><td>25 23</td><td>100%</td></tr></table>	Size	Number	% of sites allocated	100 ha. +	1	4%	50 ha < 100 ha	0	0%	20 ha < 50 ha	2	8 9%	10 ha < 20 ha	3	12 13%	5 ha < 10 ha	3	12 13%	2 ha < 5 ha	4	16 18%	1 ha < 2 ha	7	28 30%	< 1 ha	5 3	20 13%	Total	25 23	100%
Size	Number	% of sites allocated																															
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MM52	Policy LC1: Housing Allocations	To update the Local Plan with regards to the ‘completions’ data; the delivery rates of the housing allocations; and the current position in respect of the housing allocations, including the number of dwellings anticipated on each site.	<p>Amend Policy LC1 to read as follows:</p> <p>“Policy LC1: Housing Allocations</p> <p>In addition to the strategic sites, the following sites are allocated on the Policies Map to deliver the housing land requirement set out in policy SS2: Scale of Development and in accordance with the</p>																														

			<p>strategy set out in Policy SS3: Spatial Strategy and Distribution of Development:</p> <ul style="list-style-type: none"> a) Land off Langwith Road and Mooracre Lane, Bolsover <u>(442)*</u> b) Former Courtaulds factory site, Oxcroft Lane, Bolsover <u>(18)*</u> c) Land between Shuttlewood Road and Oxcroft Lane, Bolsover <u>(227)</u> d) Land off Oxcroft Lane, Bolsover <u>(45)</u> e) Land at Brookvale, Shirebrook <u>(600)*</u> f) Land at Station Road, Langwith Junction, Shirebrook <u>(54)*</u> g) Land to the rear of 1 to 35 Red Lane, South Normanton <u>(50)</u> h) Land at Rosewood Lodge Farm, Alfretton Road, South Normanton <u>(143)</u> i) Land at Town End Farm, Lees Lane, South Normanton <u>(40)</u> j) Land to rear of 169-207 Creswell Road, Clowne <u>(27)</u> k) Land west of Homelea and Tamarisk, Mansfield Road, Clowne <u>(15)</u> l) Land at High Ash Farm, Mansfield Road, Clowne <u>(41)</u> m) Land north of Chesterfield Road, Barlborough <u>(157)</u> n) Land at Skinner Street, Creswell <u>(43)*</u> o) Land south of Creswell Model Village, Creswell <u>(197)</u> p) Land at Croftlands Farm, Pinxton <u>(65)</u>
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			<p>q) Land south of Overmoor View, Tibshelf <u>(78)*</u></p> <p>r) Land west of Spa Croft, Tibshelf <u>(27)*</u></p> <p>s) Land at Glapwell Nurseries, Glapwell</p> <p>t) Land at Queens Road Allotments, Hodthorpe <u>(38)</u></p> <p>u) Land between 11 and 19 Back Lane, Palterton <u>(11)</u></p> <p>v) Land east of Pleasley Pit, Pleasley</p> <p>In order to achieve sustainable development, the local planning authority will impose conditions on planning permissions or seek to enter into a planning obligation under S106 of the Town and Country Planning Act 1990, to secure the expected requirements for each site set out in paragraphs 5.14 to 5.40 and where relevant elsewhere in this Plan.</p> <p><u>*These sites are currently under construction and the number of dwellings remaining to be completed on each site, at 1 April 2019, is listed in this policy."</u></p>
MM53	New Paragraph	To update the Local Plan with regards to entry-level housing at low cost as set out in Paragraph 71 of the NPPF published in July 2018.	<p>Add a new paragraph after paragraph 5.49 to read as follows:</p> <p><u>"The evidence base for the Local Plan indicates that the need for entry level housing at low cost, as provided for by Paragraph 71 of the 2018 NPPE, is generally well met across the district. Where exceptional circumstances apply and a proposal can clearly show that a specific need is being met</u></p>

			<u>and the dwellings will provide for that need over the long term, proposals will be supported.”</u>
MM54	Policy LC2: Affordable Housing Through Market Housing	To reflect the identified need for affordable housing for rent in the District.	<p>Amend Policy LC2 to read as follows:</p> <p>“The Council will require applications for residential development comprising of 25 or more dwellings <u>(or which form part of a larger development site with a potential capacity of 25 or more dwellings)</u> to provide 10% as affordable housing on site. Where this is stated to not be viable, a detailed site viability appraisal of the development proposal shall be required to inform an alternative level of provision <u>This should be in the form of affordable housing for rent. Where an applicant considers that this requirement would lead to the development becoming unviable, this should be demonstrated through the submission of a detailed viability assessment which should accompany the planning application.”</u></p>
MM55	Policy LC3: Type and Mix of Housing	To set out the approach to Self Build and Custom Build properties, having regard to current and likely future demand.	<p>Add the following paragraph to the end of Policy LC3:</p> <p>“<u>The Council will encourage the inclusion of plots suitable for self and custom build dwellings in areas where the Council’s Self and Custom Build Register shows that there is a demand.</u>”</p>
MM56	Paragraph 5.58	To set out the approach to Self Build and Custom Build properties, having regard to current and likely future demand.	<p>Amend paragraph 5.58 to read as follows:</p> <p>“5.58 The <u>G</u>overnment wants to enable more</p>

			<p>people to build or commission their own homes. The Council has set up a register of individuals and associations who are looking for serviced plots of land in the district on which to build their own homes. To date, very few people have expressed an interest in this type of house building. However, the register has only recently been set up (April 2016), and it is therefore considered that it would be appropriate to make provision to enable this type of house building. Policy LC4 aims to ensure that the aspirations of people who want to build their own homes can be met in accordance with governmental guidance. <u>However, the Council's evidence base shows that, whilst at the present time it is difficult to demonstrate concrete evidence of demand at a local level, there is some potential to encourage developers of larger schemes to designate parts of these sites as plots available for custom and self builders, and this is provided for by Policy LC3.</u>"</p>
MM57	Policy LC4: Custom and Self Build Dwellings	To reflect the limited demand for Custom and Self Build dwellings in the District.	<p>Delete Policy LC4 in its entirety as follows:</p> <p>"Policy LC4: Custom and Self Build Dwellings</p> <p>Planning permission for ten or more dwellings, or for sites with a gross area of 0.3 hectares or above, will be granted if at least 5% of the dwelling plots (or a minimum of one) are set aside as serviced plots for sale to custom or self builders, unless the development is for apartments or involves the</p>

			<p>change of use / conversion of existing buildings. Plots will be made available and marketed appropriately* for at least 12 months and if they have not been sold, the plot(s) may either remain on the open market as custom build or be offered to the council or a housing association before being built out by the developer as an affordable housing unit.</p> <p>*Marketing should be through an appropriate agent as well as through the council's website. Evidence of the results of the sustained marketing strategy will need to be submitted with any planning application."</p> <p>See MM100 and MM102 below, for the consequential changes to Appendix 10.1 - Which Policies contribute towards which Objectives; and to Appendix 10.2 - How the policies will be monitored.</p>
MM58	Paragraphs 5.62, 5.63 and 5.64	To clarify the number of pitches available on Land to the rear of 3-5 Brookhill Lane, Pinxton and to allocate the site for Gypsy and Traveller pitches.	<p>Amend Paragraph 5.62 to read as follows:</p> <p>"5.62 Since 2014, 1 pitch has been granted planning permission on land to the rear of 3-5 Brookhill Lane at Pinxton, for a residential traveller site for 1 mobile home and two 2 touring caravans. This planning permission has been implemented and reduces the district's requirement over the plan period from 17 to 16 pitches. In addition, 3 pitches were granted planning permission on land at Hilcote Lane in Hilcote. Together, these</p>

			<p><u>permitted sites meet 4 of the required 17 residential pitches.”</u></p> <p>Amend Paragraph 5.63 to read as follows:</p> <p><u>“5.63 In 2016, 3 pitches were granted planning permission on land in Hilcote. Based on the Council’s Gypsy and Travellers Land Availability Assessment, A a 2 pitch extension to an existing site off Church Road, near Shuttlewood has also been promoted. An additional 1 residential pitch has also been suggested to the Council within the permitted site on land to the rear of 3-5 Brookhill Lane at Pinxton. These sites is are allocated along with the permitted sites in the policy below along with the site at Hilcote.”</u></p> <p>Amend Paragraph 5.64 to read as follows:</p> <p><u>“5.64 To meet the remaining requirement of 10 residential pitches. Further sites have been suggested to the Council by private landowners, however, the initial interest expressed by landowners has not been sustained and those sites suggested are not considered to be available. The District Council has not been able to identify any suitable and available sites after reviewing its landholdings. Derbyshire County Council hasve not identified any sites from its landholdings within the District. Neighbouring Authorities have not been able to assist the District Council to meet its need. As a result, Tthe Council will rely on the</u></p>
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			criteria based policy set out in policy LC6 which allows sufficient flexibility to meet need where it might arise.”
MM59	Policy LC5: Site Allocations for Gypsies, Travellers, and Travelling Showpeople	To include the pitches available on Land to the rear of 3-5 Brookhill Lane, Pinxton and to allocate the site for Gypsy and Traveller pitches.	<p>Amend Policy LC5 to read as follows:</p> <p>“The following sites are allocated for a maximum number of Gypsy and Traveller pitches as shown on the Policies Map.</p> <p><u>a) 3 Pitches at Hilcote Lane, Hilcote.</u></p> <p><u>b) 2 Pitches at Land adjacent to 255A, Shuttlewood Road, near Shuttlewood.</u></p> <p><u>c) 2 Pitches at Land to the rear of 3-5 Brookhill Lane, Pinxton.</u></p> <p>The following site is allocated for a maximum number of Travelling Showpeople’s plots as shown on the Policies Map.</p> <p><u>d) e) 14 plots Beaufit Lane, Pinxton”</u></p> <p>See MM61 below, for the consequential change to Policy LC7.</p> <p>Corresponding change proposed to the Policies Map [PMC7]</p>
MM60	Policy LC6: Applications for	To ensure that new sites for Gypsies, Travellers and Travelling Showpeople would	Amend Criteria a) and c) of Policy LC6 to read as follows:

	Gypsies, Travellers and Travelling Showpeople	be sited in sustainable locations and would meet the future needs of the Gypsy and Traveller community.	<p>a) <u>“Proposals should be within development envelopes or on other suitable development land as provided for within the Plan unless they can be</u> Is shown to meet a need identified in an independent assessment”</p> <p>c) “Is located within a reasonable distance one kilometre (preferably within 2 kilometres) of a convenience food store, a primary school, and a doctor’s surgery, or of access to public transport”</p> <p>Delete Criterion i) in its entirety as follows:</p> <p>i) “Provides for a S106 agreement that ensures that the future use of the site shall only be to meet the identified need”</p> <p>Insert a new paragraph below Criteria a) to h) to read as follows as follows:</p> <p><u>“Acceptable proposals will be subject to a condition or agreement that ensures that the future use of the site shall only be to meet the needs of the Gypsy and Traveller community.”</u></p>
MM61	Policy LC7: Safeguarding sites for Gypsies, Travellers and	To remove the Land to the rear of 3-5 Brookhill Lane, Pinxton as an existing permanent site for use by Gypsies and Travellers.	<p>Amend Policy LC7 to read as follows:</p> <p>“Existing permanent sites, listed below, are identified on the Policies Map and will be safeguarded for use by Gypsies and Travellers,</p>

	Travelling Showpeople		<p>unless it is demonstrated the site is no longer suitable for such a use.</p> <p>Gypsies and Travellers</p> <p>a) Land to the rear of 3-5 Brookhill Lane, Pinxton – 1 pitch ...”</p> <p>See MM59 above, for the consequential change to Policy LC5.</p> <p>Corresponding change proposed to the Policies Map [PMC7]</p>
MM62	Policy LC8: Agricultural, Forestry and Other Occupational Dwellings in the Countryside	To accord with paragraph 55 of the NPPF, as well as the title of the Policy.	<p>Amend the first paragraph of Policy LC8 to read as follows:</p> <p>“Planning permission for a new dwelling in the countryside based upon the essential needs of agriculture and, forestry or other rural business shall only be granted planning permission...”</p>
MM63	Policy LC9: Removal of Agricultural and Other Occupancy Conditions	To include a more appropriate minimum marketing period.	<p>Amend Criterion c) of Policy LC9 to read as follows:</p> <p>c) “The property has been marketed locally for an appropriate period (minimum 18 <u>12</u> months) at an appropriate price and evidence of marketing is demonstrated.”</p>

CHAPTER 6 – WORKING COMMUNITIES

Mod. No.	Policy/Para. No.	Reason for the Change	Proposed Main Modification									
MM64	Paragraph 6.13	To reflect the current position with regards to the site at Land between Brickyard Farm and Barlborough Links, Barlborough.	Amend Paragraph 6.13 to read as follows: “6.13 Land between Brickyard Farm and Barlborough Links, Barlborough – The site has outline detailed planning permission for B1/B2/B8 uses. although a new application is currently being considered. ”									
MM65	Policy WC1: Employment Land Allocations	To clarify the acceptable uses on the employment sites and provide flexibility in accordance with the NPPF.	Amend the table in Policy WC1 to read as follows: <table><tr><th>Sites with Planning Permission</th><th>Ha</th><th>Use</th></tr><tr><td>Explore Industrial Park, Explore Way (off A619), Steetley</td><td>10.70</td><td><u>B1/B2/B8</u></td></tr><tr><td>Land between Brickyard Farm and Barlborough Links</td><td>3.45</td><td>B1/<u>B2</u>/B8</td></tr></table>	Sites with Planning Permission	Ha	Use	Explore Industrial Park, Explore Way (off A619), Steetley	10.70	<u>B1/B2/B8</u>	Land between Brickyard Farm and Barlborough Links	3.45	B1/ <u>B2</u> /B8
Sites with Planning Permission	Ha	Use										
Explore Industrial Park, Explore Way (off A619), Steetley	10.70	<u>B1/B2/B8</u>										
Land between Brickyard Farm and Barlborough Links	3.45	B1/ <u>B2</u> /B8										
MM66	Policy WC2: General Principles for Economic Development	To clarify that the Existing Employment Area and the Core Area of EPC-UK Explosives, Rough Close Works, South Normanton are one and the same.	Amend the existing employment area xxiii) in Policy WC2 to read as follows: xxiii) “ <u>Core Area of</u> EPC-UK Explosives, Rough Close Works, South Normanton”									

			Corresponding change proposed to the Policies Map [PMC9]
MM67	Paragraph 6.36	To clarify the position with regards to comparison goods floorspace.	<p>Amend Paragraph 6.36 to read as follows:</p> <p>“6.36 The floorspace requirements range for comparison goods are negative figures because the amount already developed within the study period has exceeded the need identified. In essence, in quantitative modelling terms, the District has too much comparison floorspace, and effectively would need to lose at least 3,087 m² before any new Comparison goods floorspace is needed. This is mainly due to the 4,669 m² Retail store granted permission and nearly complete (December 2017) at Brook Park, Shirebrook. <u>There is therefore insufficient capacity in the system for additional comparison goods floorspace, right through until the end of the plan period.</u></p>
MM68	Policy WC5: Retail, Town Centre and Local Centre Development	To accord with Government policy in the NPPF.	<p>Amend Policy WC5 to read as follows:</p> <p>“...Retail development must demonstrate that it is:</p> <p style="padding-left: 40px;">a) Appropriate in scale and function to its location;</p> <p>...</p> <p>A sequential <u>test</u> and retail or leisure impact assessment will be required for applications in</p>

			edge-of-centre or out-of-centre locations which include ...”
MM69	Paragraphs 6.51, 6.52, 6.53 and 6.55	To clarify the current position with regards to the Sherwood Lodge Edge of Town Centre Allocation.	<p>Amend Paragraph 6.51 to read as follows:</p> <p>“6.51 Development of the Sherwood lodge site is a major undertaking that necessitates Local Plan support. The site, between Town End (the ‘high street’) and Oxcroft Lane to the north is a large potential redevelopment area. An extant planning permission exists for development of a large Supermarket on the site, with a road connection through from Town End to Oxcroft Lane, however the developer (Morrisons) is no longer proceeding with the scheme. A large vacant site, (Sherwood Lodge) close to the town centre was recognised as a potential retail based development site. Planning permission for the erection of a food store and retail terrace with associated car parking was granted planning permission (17/00615/FUL), on 26th September 2018.”</p> <p>Amend Paragraph 6.52 to read as follows:</p> <p>“6.52 The development of the ‘Sherwood Lodge site’ is seen by the Council as an important objective in delivering significant improvements within Bolsover town centre. The site will play two important roles: <u>provide town centre retail development opportunities.</u></p>

			<p>a) Provide a vehicular link to help mitigate against potential congestion due to traffic generated within and around the town centre;</p> <p>b) Provide town centre retail development opportunities, potentially with residential or community facilities as well."</p> <p>Amend Paragraph 6.53 to read as follows:</p> <p>"6.53 Figure 6A. below shows the main area of the development. However, it is accepted that provided that the site helps to provide for a link road and enhances the retail provision within the town centre, other forms of town centre development would be welcomed as part of the overall development site."</p> <p>Delete Paragraph 6.55 in its entirety as follows:</p> <p>"6.55 Whilst the allocated land is largely not within the Council's ownership, there have been discussions with the landowners over potential redevelopment schemes."</p>
MM70	Policy WC6: Bolsover Edge of Town Centre Allocation	To clarify the current position with regards to the Bolsover Edge of Town Centre Allocation.	<p>Amend Policy WC6 to read as follows:</p> <p>"As part of the regeneration and redevelopment of Bolsover town centre, the area known as the Sherwood Lodge site, as indicated in Figure 6A and defined on the Policies Map is allocated as an edge of town</p>

			<p>centre allocation within the Local Plan. Proposals for the development of this site will be permitted where they are comprehensive, guided by an approved masterplan for the site and:</p> <ul style="list-style-type: none"> a) Provide for an acceptable two way vehicular access road between Town End and Oxcroft Lane; b) Ensure the provision of pedestrian access and linkage between Cavendish Walk and the site; c) Provide for at least one Convenience retail store in excess of 1,200m²; d) Provide for other town centre related uses which may include retail, leisure, employment, residential or community facilities; e) Ensure that a suitable level of public parking is made available as part of the scheme; f) Give special consideration to the historic grounds and remaining building on the western side of the site, as identified heritage assets;
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			<p>g) Contribute to the planned Bolsover town cycle network through the provision of cycling facilities within the site;</p> <p>h) Contribute towards place-making through the delivery of a high quality designed development that creates an attractive and locally distinctive new urban neighbourhood-utilising public art as appropriate;</p> <p>i) Contribute towards the efforts to tackle climate change through its approach to sustainable construction, renewable energy and energy conservation within the site's general layout, design and orientation;</p> <p>j) Mitigate the loss of the green space through a financial contribution to be towards the improvement of a green space within Bolsover Town.</p> <p>These requirements will be carried forward into a Supplementary Planning Document to ensure that the Council can respond if required in a flexible way to changes in circumstances during the plan period that would necessitate revisions to the approved masterplan."</p>
MM71	Policy WC7: Shirebrook	To provide clarity in respect of the provision of a replacement recreational facility.	Amend Criterion e) of Policy WC7 to read as follows:

	Edge of Town Centre Allocations		“e) Provide <u>for</u> a replacement play area <u>and</u> <u>or</u> provide a commuted sum to be agreed with the Council <u>for alternative recreational facilities.</u> ”
MM72	Policy WC8: South Normanton Edge of Town Centre Allocations	To highlight the need for development proposals to also comply with the provisions of Policy WC4 and to remove the South Normanton Edge of Town Centre Allocations from within the Explosive Safeguarding Zone.	<p>Amend Criterion c) of Policy WC8 to read as follows:</p> <p>c) “Comply with <u>the provisions of Policy WC4 and</u> current Health and Safety Executive (HSE) land use planning guidance in relation to the nearby Rough Close Works”</p> <p>Amend Figure 6C – South Normanton Edge of Town Centre Allocations to keep the site boundary outside of the Explosive Safeguarding Zone (See Appendix 3(c)).</p> <p>A consequential change is also required to Figure xx) in Appendix 8.1 (See MM98 below).</p> <p>Corresponding change proposed to the Policies Map [PMC10]</p>
MM73	Paragraphs 6.73, 6.75, 6.76 and 6.77	To more accurately reflect Government policy in the NPPF.	<p>Amend Paragraph 6.73 to read as follows:</p> <p>“6.73 Action on the food environment is supported by the NICE public health guidance, <i>‘Prevention of Cardiovascular Disease’</i>. NICE recommends restricting planning permission for takeaways and other food retail outlets in</p>

			<p>specific areas (for example, within walking distance of schools). <u>However, there is no substantial evidence to support a link between childhood obesity and the siting of hot food takeaways within walking distance of schools in Bolsover District at present.</u>"</p> <p>Amend Paragraph 6.75 to read as follows:</p> <p>"6.75 The NPPF says that planning should "take account of and support local strategies to improve health, social and cultural wellbeing for all" (paragraph 17), and it "can play an important role in facilitating social interaction and creating healthy, inclusive communities" (paragraph 69)."</p> <p>Amend Paragraph 6.76 to read as follows:</p> <p>"6.76 A condition may be imposed which removes permitted development rights in cases where the size and / or location of the proposed hot food takeaway could undermine the district's retail hierarchy should a change of use occur. The Council is also considering further work alongside Public Health to develop A Supplementary Planning Document (SPD) to support / inform decision making in relation to fast food outlets and therefore aid the implementation of the policy."</p>
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			<p>Add a new paragraph after paragraph 6.76 to read as follows:</p> <p><u>“The Council will continue to work with partners in the Public Health sector to monitor and develop its policies in relation to hot food takeaways.”</u></p> <p>Delete Paragraph 6.77 in its entirety as follows:</p> <p>“6.77 Whilst it is recognised that this policy cannot have a retrospective impact on existing outlets, it can reduce the potential for saturation of outlets in locations near to schools and colleges. Therefore, it is seen useful to have a policy that will help limit the worsening of an identified issue by preventing proliferation of hot food takeaway outlets and preventing new outlets opening in undesirable locations if existing ones close.”</p>
MM74	Policy WC9: Hot Food Takeaways	To more accurately reflect Government policy in the NPPF.	<p>Delete Criterion a) from Policy WC9 as follows:</p> <p>a) “They are not within 400m* of an access point to any school or college”</p> <p>Delete the corresponding footnote to Policy WC9 as follows:</p> <p>“*400m radius around the proposal — based on an approximate ten minute walking time.”</p>

			<p>Delete the second part of Policy WC9 as follows:</p> <p>“Where planning permission is forthcoming for hot food takeaways the following actions may be pursued to minimise impact:</p> <p style="padding-left: 40px;">a) S106 contribution to support local healthy eating programmes</p> <p>Conditions restricting opening hours during school term time, for example at the start/end of a school day; break and lunchtimes”</p> <p>See MM101 and MM103 below, for the consequential changes to Appendix 10.1 - Which Policies contribute towards which Objectives; and to Appendix 10.2 - How the policies will be monitored.</p>
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CHAPTER 7 – SUSTAINABLE COMMUNITIES

Mod. No.	Policy/Para. No.	Reason for the Change	Proposed Main Modification
MM75	Policy SC2: Sustainable Design and Construction	To include a reference to the drainage hierarchy set out in the NPPG.	<p>Add a footnote to Criterion f) of Policy SC2 to read as follows:</p> <p>f) “Adopts sustainable drainage principles* and avoids detrimental changes to the characteristics of groundwater drainage</p>

			<p>and surface water run-off, and protects the capacity of natural surface water drainage systems and access to them for maintenance and improvement”</p> <p><u>“* Generally, the aim should be to discharge surface run off as high up the following hierarchy of drainage options as reasonably practicable:</u></p> <ol style="list-style-type: none"> 1. <u>into the ground (infiltration);</u> 2. <u>to a surface water body;</u> 3. <u>to a surface water sewer, highway drain, or another drainage system;</u> 4. <u>to a combined sewer.”</u>
MM76	Policy SC6: Renewable and Low Carbon Energy	To reflect the terminology used in the NPPF.	<p>Amend Criterion d) of Policy SC6 to read as follows:</p> <p>d) “Significant <u>Substantial</u> harm to the historic environment, including the effect on the significance of heritage assets and their setting and important views associated with valued landscapes and townscapes.”</p>
MM77	Policy SC8: Landscape Character	To include reference to the Historic Landscape Character Data.	<p>Amend the second paragraph of Policy SC8 to read as follows:</p> <p>“Development proposals should have regard to the Derbyshire Landscape Character Assessment, <u>Historic Landscape Character Data</u> and the Areas of Multiple Environmental</p>

			Sensitivity ² and contribute, where appropriate, to the conservation and enhancement, or restoration and re-creation of the local landscape.”
MM78	Policy SC14: Contaminated and Unstable Land	To accord with Government policy in Paragraphs 135 and 139 of the NPPF.	Amend the third paragraph of Policy SC14 to read as follows: “Proposals for the remediation of contaminated or unstable land will only be permitted where the benefits of remediation outweigh any harm to the natural, and built, <u>and historic</u> environment.”
MM79	Policy SC15: Hazardous Installations	To highlight the need for development proposals to also comply with the provisions of Policy WC4 and other policies within the Local Plan.	Amend Policy SC15 to read as follows: “Planning permission will be granted for development within the Health and Safety consultation zones provided that the risks arising from the presence of the hazardous substance are acceptable in relation to the nature of the proposed development, <u>and the development is compliant with the provisions of other Local Plan policies, including Policy WC4.</u> ”
MM80	Paragraph 7.106	To reflect the terminology used in the NPPF. .	Amend Paragraph 7.106 to read as follows: “7.106 Policy SC18 below, aims to ensure that these settlements and all other important sites are preserved <u>conserved</u> and where possible enhanced.”

MM81	Policy SC18: Scheduled Monuments and Archaeology	To reflect the need for any assessment to be carried out prior to the consideration of a development proposal.	Amend the second paragraph of Policy SC18 to read as follows: “...In some cases this will require archaeological desk based assessment and / or field evaluation of the site <u>which should be submitted as part of a development proposal and should be undertaken by a suitably qualified archaeologist</u> . Provision should then...”
MM82	Policy SC19: Bolsover Area of Archaeological Interest	To ensure that an assessment appropriate to the individual site’s circumstances is undertaken.	Amend Criterion 1) of Policy SC19 to read as follows: 1) “Planning applications involving ground disturbance should be accompanied by the results of an archaeological desk based assessment, or heritage impact assessment <u>or other site evaluation assessment method</u> , as appropriate to the scale and type of development. <u>The assessment work should be undertaken by a suitably qualified archaeologist</u> ”
MM83	Paragraph 7.109	To reflect the terminology used in the NPPF.	Amend Paragraph 7.109 to read as follows: “7.109 Policy SC20 below aims to ensure that these assets are preserved <u>conserved</u> , whilst development proposals which conserve and offer opportunities to enhance the character, appearance and significance of such assets are treated positively.”

MM84	Paragraph 7.112	To reflect the terminology used in the NPPF.	Amend Paragraph 7.112 to read as follows: “7.112 Policy SC21 below aims to ensure that these are assets <u>are preserved conserved</u> , whilst development proposals which conserve and offer opportunities to enhance the character, appearance and significance of such assets are treated positively.”
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CHAPTER 8 – INFRASTRUCTURE, TRANSPORT, COMMUNITY AND RECREATION PROVISION

Mod. No.	Policy/Para. No.	Reason for the Change	Proposed Main Modification
MM85	Figure 8A: Strategic Green Infrastructure Network	To accurately reflect the route of the Archaeological Way and to add an additional Multi User Trail East of Hennymoor Farm to Hodthorpe.	Amend the route of the Archaeological Way shown on Figure 8A: Strategic Green Infrastructure Network as follows: 1) Show Mag Lane as part of the existing route (Solid Green). 2) Show Sookholme Road as part of the existing route (Solid Green). 3) Change Frithwood Lane from an existing route to a proposed route, (Dotted green line). (See Appendix 3d))

			<p>A consequential change is also required to Figure xviii) in Appendix 8.1 (See MM97 below).</p> <p>Corresponding changes proposed to the Policies Map [PMC15] [PMC16] [PMC17]</p>
MM86	Policy ITCR2: The Multi-User Trails Network	To update the Local Plan with regards to the Archaeological Way and to add East of Hennymoor Farm to Hodthorpe.	<p>Amend Policy ITCR 2 to read as follows:</p> <p>“Planning permission will be granted for proposals providing that they would not prejudice the use of the following sites as existing Multi-User Trails (a-y) and proposed Multi-User Trails (1-38 <u>39</u>) as shown on the Policies Map:</p> <p>Proposed Multi-User Trails</p> <p>...</p> <p>3) Archaeological Way Link from Frithwood Lane Bridleway <u>and link</u> to Gypsy Lane, Creswell</p> <p>....</p> <p>39)<u>East of Hennymoor Farm to Hodthorpe</u>”</p> <p>A consequential change is also required to Figure xviii) in Appendix 8.1 (See MM97 below).</p> <p>Corresponding change proposed to the Policies Map [PMC18]</p>

MM87	Policy ITCR4: Local Shops and Community Facilities	To clarify what is required in respect of marketing evidence.	<p>Amend the second footnote of Policy ITCR4 to read as follows:</p> <p>“** Marketing should be through an appropriate agent as well as through the Council’s regeneration service facility. The applicant should agree the marketing strategy, including any marketing period <u>(with a rent or sale price for the existing use of the facility)</u>, with the Local Planning Authority in advance. Evidence of the results of the sustained marketing strategy will need to be submitted with any planning application. Marketing should not be restricted to just the building’s last use but also other potential community uses.”</p>
MM88	Policy ITCR5: Green Space and Play Provision	To clarify the contributions required from new residential developments in respect of green spaces.	<p>Amend Policy ITCR5 to read as follows:</p> <p>“...Quality Improvements to Green Spaces</p> <p>In addition new residential developments of more than 10 units will be expected to make reasonable financial contributions, either for new green spaces, playing pitches, or to improve green spaces, or playing pitches falling within the following walking distances.</p> <ul style="list-style-type: none"> ● Spaces of a minimum size of 10 ha. within 7.5 km; ● Spaces of a minimum size of 4 ha. within 2 km;

			<ul style="list-style-type: none"> • Spaces of a minimum size of 2 ha. within 800 metres; • Spaces of a minimum size of 0.5 ha. or equipped play areas within 400 metres. • <u>Equipped Play Areas within 400 metres</u> • <u>Amenity Green Space within 500 metres</u> • <u>Recreation Grounds or Semi-Natural Green Space within 800 metres</u> <p>The Council will prioritise contributions to achieve minimum quality standards of 60% for Green Spaces and an 'Average' standard for Playing Pitches."</p> <p>A consequential change is also required to Policy ITCR7 (See MM90 below).</p>
MM89	Policy ITCR6: Protection of Green Space	To more accurately reflect Government policy in the NPPF.	<p>Amend the first paragraph of Policy ITCR6 to read as follows:</p> <p>"Development proposals will be permitted where they do not have any adverse effect upon, or result in the loss of, existing green spaces, including allotments and village greens, as identified on the Policies Map or in the Council's Green Space Strategy, and associated documents, or any future green space..."</p>
MM90	Policy ITCR7: Playing Pitches	To more accurately reflect Government policy in the NPPF and to reflect the changes proposed to Policy ITCR5 in MM88 above.	<p>Amend Policy ITCR7 to read as follows:</p> <p>"Existing Playing Pitches</p>

			<p>Development proposals will be <u>permitted supported</u> where they do not have an adverse effect upon or result in the loss of Playing Pitches or Playing field land, as identified on the Policies Map or within the Council's Playing Pitch Strategy and associated documents. Proposals resulting in a loss will need to provide a replacement <u>facility provision equivalent or better in terms of quantity and quality in a suitable location</u>.</p> <p>Need for new Playing Pitches</p> <p>When considering development proposals the Council will use the Sport England Playing Pitch Calculator and the Playing Pitch Strategy and Assessment to consider whether new playing pitch provision or improvements to existing pitches will be needed.</p> <p><u>Quality Improvements to Playing Pitches</u></p> <p><u>If improvements to existing pitches are needed, new residential development of more than 10 dwellings will be expected to make financial contributions to the improvement of playing pitches and/or their ancillary facilities. The Playing Pitch strategy and assessment will be used to consider the most appropriate site for enhancements. The site must be well-related to the development. The Council will</u></p>
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			<u>prioritise contributions to achieve minimum quality standards of 'average' for playing pitches."</u>
MM91	Paragraph 8.57	To clarify the current position with regards to the Sherwood Lodge Edge of Town Centre Allocation.	<p>Delete Paragraph 8.57 in its entirety as follows:</p> <p>"8.57 Related to these improvement schemes, as set out in policy WC6, the Bolsover Town Centre Regeneration site should come forward during the plan period. In this case, the regeneration and redevelopment of the site will be required to deliver an acceptable two way vehicular access road between Town End and Oxcroft Lane in order to help mitigate against potential congestion due to traffic generated within and around the town centre."</p>
MM92	Policy ITCR11: Parking Provision	To accord with Regulations 5 and 6 of the Town and Country Planning (Local Planning) (England) Regulations 2012.	<p>Amend Policy ITCR11 to read as follows:</p> <p>"Planning permission will be granted where there is appropriate provision for vehicle and cycle parking as outlined <u>set out</u> within <u>Appendix 8.2 – Parking Standards</u> and guided by the Local Parking Standards Supplementary Planning Document.</p> <p>Parking provision should</p> <p>a) Relate well to the proposed development</p>

			<p>b) Be well designed, taking account of the characteristics of the site and the locality</p> <p>c) Provide a safe and secure environment</p> <p>d) Minimise conflict with pedestrians and / or cyclists</p> <p>e) Make provision for service and emergency access”</p> <p>See MM99 below, for the consequential addition to the Appendices.</p>
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CHAPTER 9 – IMPLEMENTATION AND INFRASTRUCTURE DELIVERY - No Main Modifications Proposed

CHAPTER 10 – MONITORING – No Main Modifications Proposed

CHAPTER 11 – APPENDICES

Mod. No.	Policy/Para. No.	Reason for the Change	Proposed Main Modification
MM93	New Appendix	To comply with Regulation 8(5) of the Town and Country Planning (Local Planning) (England) Regulations 2012 as referred to in MM1 above.	Include a list of superseded policies as a new Appendix to the Local Plan as shown in Appendix 1.
MM94	New Appendix	To accord with paragraph 184 of the NPPF as referred to in MM2 above.	Include a list of strategic policies as a new Appendix to the Local Plan as shown in Appendix 2.
MM95	Appendix 5.1	To update the housing trajectory to more accurately reflect the current position with regards to the housing site allocations as referred to in MM10 , MM13 to MM15 and MM31 to MM50 above.	Update the Housing Trajectory as shown in Appendix 4.
MM96	Appendix 8.1	To update Figure xvi) to more accurately reflect the current position in respect of the Transitional zone referred to in MM19 and MM20 above.	Update Figure xvi) as shown in Appendix 3e).
MM97	Appendix 8.1	To update Figure xviii) to reflect the changes to the Multi User Trails referred to in MM85 and MM86 above.	Update Figure xviii) as shown in Appendix 3f).
MM98	Appendix 8.1	To update Figure xx) to reflect the changes to the South Normanton Edge of Town Centre allocation referred to in MM72 above.	Update Figure xx) as shown in Appendix 3g).

MM99	New Appendix	To accord with Regulations 5 and 6 of the Town and Country Planning (Local Planning) (England) Regulations 2012 as referred to in MM92 above.	Include the Parking Standards as a new Appendix to the Local Plan as shown in Appendix 5.
MM100	Appendix 10.1	To reflect the deletion of Policy LC4: Custom and Self Build Dwellings as referred to in MM57 above.	Delete the reference to Policy LC4 in Appendix 10.1 as shown in Appendix 6.
MM101	Appendix 10.1	To reflect the changes made to Policy WC9: Hot Food Takeaways as referred to in MM74 above.	Amend the assessment of Policy WC9 in Appendix 10.1 as shown in Appendix 6.
MM102	Appendix 10.2	To reflect the deletion of Policy LC4: Custom and Self Build Dwellings as referred to in MM57 above.	Update the Monitoring Indicators for Policy LC3 in Appendix 10.2 as shown in Appendix 7.
MM103	Appendix 10.2	To reflect the amendments made to Policy WC9 and more accurately reflect Government policy in the NPPF as referred to in MM74 above.	Update the Monitoring Indicators for Policy WC9 in Appendix 10.2 as shown in Appendix 7.

Appendices

Appendix 1 – Proposed Main Modification [MM93] – New Appendix: List of superseded policies

Appendix 1.2 - Policies in the adopted Bolsover District Local Plan which would be replaced by the policies in the Local Plan for Bolsover District if they were to be adopted.

The following table identifies those previously saved policies in the Bolsover District Local Plan (February 2000) which would be replaced by the policies in the Local Plan for Bolsover District if they were to be adopted.

<u>POLICY NO.</u>	<u>POLICY TITLE</u>
<u>GEN 1</u>	<u>Minimum requirements for development</u>
<u>GEN 2</u>	<u>Impact of Development on the Environment</u>
<u>GEN 3</u>	<u>Development Affected by Adverse Environmental Impacts from Existing or Permitted Uses</u>
<u>GEN 4</u>	<u>Development on Contaminated Land</u>
<u>GEN 5</u>	<u>Land Drainage</u>
<u>GEN 6</u>	<u>Sewerage and Sewage Disposal</u>
<u>GEN 7</u>	<u>Land Stability</u>
<u>GEN 8</u>	<u>Settlement Frameworks</u>
<u>GEN 9</u>	<u>Development in the Green Belt</u>
<u>GEN 10</u>	<u>Important Open Areas</u>
<u>GEN 11</u>	<u>Development Adjoining the Settlement Framework Boundary</u>
<u>GEN 12</u>	<u><i>Expired September 2007</i></u>
<u>GEN 13</u>	<u>Provision for People with a Disability</u>
<u>GEN 14</u>	<u><i>Expired September 2007</i></u>
<u>GEN 15</u>	<u>Telecommunications Development</u>
<u>GEN 16</u>	<u><i>Expired September 2007</i></u>
<u>GEN 17</u>	<u>Public Art</u>
<u>HOU 1</u>	<u><i>Expired September 2007</i></u>
<u>HOU 2</u>	<u>Location of Housing Sites</u>
<u>HOU 3</u>	<u>Housing Allocations</u>
<u>HOU 4</u>	<u><i>Expired September 2007</i></u>
<u>HOU 5</u>	<u>Outdoor Recreation and Play Space Provision for New Housing Developments</u>
<u>HOU 6</u>	<u>Affordable Housing</u>
<u>HOU 7</u>	<u>Low Cost Housing in Small Settlements in the Countryside</u>
<u>HOU 8</u>	<u>Replacement or Extension of Existing Dwellings in the Countryside</u>
<u>HOU 9</u>	<u>Essential New Dwellings in the Countryside</u>
<u>HOU 10</u>	<u>Removal of Conditions Limiting Occupancy of Essential Dwellings in the Countryside</u>
<u>HOU 11</u>	<u>Houses in Multiple Occupations and Hostels</u>
<u>HOU 12</u>	<u>Conversions of Building to Flats</u>
<u>HOU 13</u>	<u>Residential Care Homes and Nursing Homes</u>
<u>HOU 14</u>	<u>Residential Caravans and Mobile Homes</u>
<u>HOU 15</u>	<u>Sites for Gypsies and Travellers</u>
<u>HOU 16</u>	<u>Mobility Housing</u>

<u>HOU 17</u>	<u>Expired September 2007</u>
<u>EMP 1</u>	<u>Key Employment Site on Land Adjoining Pinxton Castle</u>
<u>EMP 2</u>	<u>South Shirebrook Mixed Development Package Providing a Key Employment Site.</u>
<u>EMP3</u>	<u>Local Employment Sites</u>
<u>EMP 4</u>	<u>Expired September 2007</u>
<u>EMP 5</u>	<u>Protection of Sites and Buildings in Employment Use</u>
<u>EMP 6</u>	<u>Non-industrial Employment Sites</u>
<u>EMP 7</u>	<u>Expired September 2007</u>
<u>EMP 8</u>	<u>Expired September 2007</u>
<u>EMP 9</u>	<u>Expired September 2007</u>
<u>EMP 10</u>	<u>Sites for Large Firms</u>
<u>EMP 11</u>	<u>Rough Close Works, South Normanton, Core Area</u>
<u>EMP 12</u>	<u>Rough Close Works, South Normanton; Area of Wider Operations</u>
<u>EMP 13</u>	<u>Rough Close Works Inner Development Control Zone</u>
<u>EMP 14</u>	<u>Rough Close Works Outer Development Control Zone</u>
<u>EMP 15</u>	<u>Coalite Chemicals, Bolsover; Area of Existing Operations</u>
<u>EMP 16</u>	<u>Coalite Chemicals Inner Development Control Zone</u>
<u>EMP 17</u>	<u>Coalite Chemicals Middle and Outer Development Control Zones</u>
<u>EMP 18</u>	<u>New Hazardous and Pollutant Industries</u>
<u>EMP 19</u>	<u>Expired September 2007</u>
<u>SAC 1</u>	<u>Shopping Development in South Normanton, Shirebrook, Bolsover and Clown Town Centres.</u>
<u>SAC 2</u>	<u>Expansion of South Normanton Town Centre</u>
<u>SAC 3</u>	<u>Non-retail uses in Town Centres</u>
<u>SAC 4</u>	<u>Upper Floor Development in Town Centres</u>
<u>SAC 5</u>	<u>Rear servicing in Town Centres</u>
<u>SAC 6</u>	<u>Car Parking in Town Centres</u>
<u>SAC 7</u>	<u>Local Centres and Shopping Frontages</u>
<u>SAC 8</u>	<u>Individual Local Shops</u>
<u>SAC 9</u>	<u>Hot Food Shops, Cafes, Restaurants, Public Houses and Social Clubs</u>
<u>SAC 10</u>	<u>Retail Development at Industrial or Warehousing Sites</u>
<u>SAC 11</u>	<u>Retail uses at Horticultural Nurseries, Farms and Factories</u>
<u>SAC 12</u>	<u>Retail Development on the Edge of Defined Town and Local Centres</u>
<u>SAC 13</u>	<u>Retail Development Outside Defined Town and Local Centres</u>
<u>SAC 14</u>	<u>Retention of Existing Shop Fronts</u>
<u>SAC 15</u>	<u>Design of New Shops Fronts and Alterations to Existing Shop Fronts</u>
<u>SAC 16</u>	<u>Amusement Centres</u>
<u>CLT 1</u>	<u>Protection of Existing Buildings which Serve the Community</u>
<u>CLT 2</u>	<u>New Community Facilities</u>
<u>CLT 3</u>	<u>Reservation of Land for Social and Community Projects</u>
<u>CLT 4</u>	<u>Indoor Sport and Recreation Facilities</u>
<u>CLT 5</u>	<u>Large Scale Indoor Sport and Recreation Facilities</u>
<u>CLT 6</u>	<u>Existing Outdoor Playing Space and Amenity Open Space</u>
<u>CLT 7</u>	<u>New Outdoor Playing Space and Amenity Open Space</u>
<u>CLT 8</u>	<u>New Golf Courses</u>

<u>CLT 9</u>	<u>Protection of Existing Allotments</u>
<u>CLT 10</u>	<u>Countryside Recreation Facilities</u>
<u>CLT 11</u>	<u>New Countryside Recreation Facilities</u>
<u>CLT 12</u>	<u>Water-based Recreation and Natural History Interests</u>
<u>CLT 13</u>	<u>Location of Major New Leisure and Entertainment Developments</u>
<u>CLT 14</u>	<u>Hotel Development</u>
<u>TRA 1</u>	<u>Location of New Development</u>
<u>TRA 2</u>	<u>Protection of Rail Routes</u>
<u>TRA 3</u>	<u>Protection of Sites for Railway Stations</u>
<u>TRA 4</u>	<u>Protection of Existing Railway Stations</u>
<u>TRA 5</u>	<u>Safeguarding Potential Railway Sidings</u>
<u>TRA 6</u>	<u>Expired September 2007</u>
<u>TRA 7</u>	<u>Design for Accessibility by Bus</u>
<u>TRA 8</u>	<u>Expired September 2007</u>
<u>TRA 9</u>	<u>Mill Street Relief Road, Clowne</u>
<u>TRA 10</u>	<u>Traffic Management</u>
<u>TRA 11</u>	<u>Expired September 2007</u>
<u>TRA 12</u>	<u>Protection of Existing Footpaths and Bridleways</u>
<u>TRA 13</u>	<u>Provision for Cyclists</u>
<u>TRA 14</u>	<u>Expired September 2007</u>
<u>TRA 15</u>	<u>Design of Roads and Paths to Serve New Development</u>
<u>CON 1</u>	<u>Development in Conservation Areas</u>
<u>CON 2</u>	<u>Demolition of unlisted Building or Structures in Conservation Areas</u>
<u>CON 3</u>	<u>Important Open Areas within Conservation Areas</u>
<u>CON 4</u>	<u>Development Adjoining Conservation Areas</u>
<u>CON 5</u>	<u>Expired September 2007</u>
<u>CON 6</u>	<u>Expired September 2007</u>
<u>CON 7</u>	<u>Extension and Alteration of Listed Buildings</u>
<u>CON 8</u>	<u>Demolition of Listed Buildings</u>
<u>CON 9</u>	<u>Change of Use of Listed Buildings</u>
<u>CON 10</u>	<u>Development Affecting the Setting of Listed Buildings</u>
<u>CON 11</u>	<u>Documentary Archives relating to all Listed Buildings and to Unlisted Buildings of Merit in Conservation Areas</u>
<u>CON 12</u>	<u>Historic Parks, Gardens, Graveyards and Cemeteries</u>
<u>CON 13</u>	<u>Archaeological Sites and Ancient Monuments</u>
<u>CON 14</u>	<u>Bolsover Area of Archaeological Interest</u>
<u>ENV 1</u>	<u>Agricultural Development</u>
<u>ENV 2</u>	<u>Protection of the Best and Most Versatile Agricultural Land and the Viability of Farm Holdings.</u>
<u>ENV 3</u>	<u>Development in the Countryside</u>
<u>ENV 4</u>	<u>Re-Use and Adaption of Rural Buildings</u>
<u>ENV 5</u>	<u>Nature Conservation Interests Throughout the District</u>
<u>ENV 6</u>	<u>Designated and Registered Nature Conservation Sites</u>
<u>ENV 7</u>	<u>Expired September 2007</u>
<u>ENV 8</u>	<u>Development affecting trees and hedgerows</u>
<u>ENV 9</u>	<u>Expired September 2007</u>
<u>ENV 10</u>	<u>Expired September 2007</u>
<u>ENV 11</u>	<u>Expired September 2007</u>

Appendix 2 – Proposed Main Modification [MM94] – New Appendix: List of strategic policies

Appendix 1.3 - Strategic policies of the Local Plan for Bolsover District

The following table identifies the strategic policies of the Local Plan for Bolsover District which address the Council's priorities for the development and use of land in Bolsover District.

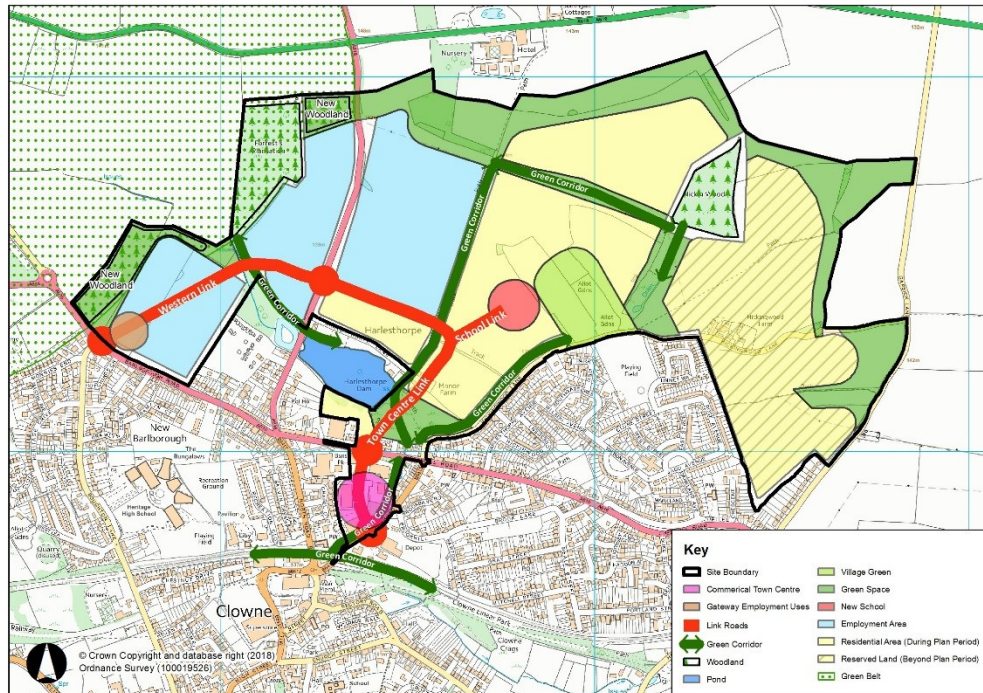
<u>POLICY NO.</u>	<u>POLICY TITLE</u>	<u>STRATEGIC OR NOT</u>
SS1	<u>Sustainable Development</u>	<u>Strategic</u>
SS2	<u>Scale of Development</u>	<u>Strategic</u>
SS3	<u>Spatial Strategy and Distribution of Development</u>	<u>Strategic</u>
SS4	<u>Strategic Site Allocation - Bolsover North</u>	<u>Strategic</u>
SS5	<u>Strategic Site Allocation - Clowne Garden Village</u>	<u>Strategic</u>
SS6	<u>Strategic Site Allocation - Former Whitwell Colliery site</u>	<u>Strategic</u>
SS7	<u>Coalite Priority Regeneration Area</u>	<u>Strategic</u>
SS8	<u>Pleasley Vale Regeneration Area</u>	<u>Strategic</u>
SS9	<u>Development in the Countryside</u>	<u>Strategic</u>
SS10	<u>Development in the Green Belt</u>	<u>Strategic</u>
SS11	<u>Development in Important Open Breaks</u>	<u>Strategic</u>
LC1	<u>Housing Allocations</u>	<u>Strategic</u>
LC2	<u>Affordable Housing Through Market Housing</u>	<u>Strategic</u>
LC3	<u>Type and Mix of Housing</u>	<u>Not Strategic</u>
LC5	<u>Site Allocations for Gypsies, Travellers and Travelling Showpeople</u>	<u>Strategic</u>
LC6	<u>Applications for Gypsies, Travellers and Travelling Showpeople</u>	<u>Strategic</u>
LC7	<u>Safeguarding sites for Gypsies, Travellers and Travelling Showpeople</u>	<u>Strategic</u>
LC8	<u>Agricultural, Forestry and Other Occupational Dwellings in the Countryside</u>	<u>Not Strategic</u>
LC9	<u>Removal of Agricultural and Other Occupancy Conditions</u>	<u>Not Strategic</u>
WC1	<u>Employment Land Allocations</u>	<u>Strategic</u>
WC2	<u>General Principles for Economic development</u>	<u>Strategic</u>
WC3	<u>Supporting the Rural Economy</u>	<u>Strategic</u>
WC4	<u>Rough Close Works, South Normanton</u>	<u>Not Strategic</u>
WC5	<u>Retail, Town Centre and Local Centre Development</u>	<u>Strategic</u>
WC6	<u>Bolsover Edge of Town Centre Allocation</u>	<u>Strategic</u>
WC7	<u>Shirebrook Edge of Town Centre Allocations</u>	<u>Strategic</u>
WC8	<u>South Normanton Edge of Town Centre Allocations</u>	<u>Strategic</u>
WC9	<u>Hot Food Takeaways</u>	<u>Strategic</u>
WC10	<u>Tourism and the Visitor Economy</u>	<u>Strategic</u>
SC1	<u>Development within the Development Envelope</u>	<u>Strategic</u>
SC2	<u>Sustainable Design and Construction</u>	<u>Strategic</u>

<u>SC3</u>	<u>High Quality Development</u>	<u>Strategic</u>
<u>SC4</u>	<u>Comprehensive Development</u>	<u>Strategic</u>
<u>SC5</u>	<u>Change of Use and Conversions in the Countryside</u>	<u>Strategic</u>
<u>SC6</u>	<u>Renewable and Low Carbon Energy</u>	<u>Not Strategic</u>
<u>SC7</u>	<u>Flood Risk</u>	<u>Not Strategic</u>
<u>SC8</u>	<u>Landscape Character</u>	<u>Not Strategic</u>
<u>SC9</u>	<u>Biodiversity and Geodiversity</u>	<u>Not Strategic</u>
<u>SC10</u>	<u>Trees, Woodland and Hedgerows</u>	<u>Not Strategic</u>
<u>SC11</u>	<u>Environmental Quality (Amenity)</u>	<u>Not Strategic</u>
<u>SC12</u>	<u>Air Quality</u>	<u>Not Strategic</u>
<u>SC13</u>	<u>Water Quality</u>	<u>Not Strategic</u>
<u>SC14</u>	<u>Contaminated and Unstable Land</u>	<u>Not Strategic</u>
<u>SC15</u>	<u>Hazardous installations</u>	<u>Not Strategic</u>
<u>SC16</u>	<u>Development Within or Impacting upon Conservation Areas</u>	<u>Not Strategic</u>
<u>SC17</u>	<u>Development affecting Listed Buildings and their Settings</u>	<u>Not Strategic</u>
<u>SC18</u>	<u>Scheduled Monuments and Archaeology</u>	<u>Not Strategic</u>
<u>SC19</u>	<u>Bolsover Area of Archaeological Interest</u>	<u>Not Strategic</u>
<u>SC20</u>	<u>Registered Parks and Gardens</u>	<u>Not Strategic</u>
<u>SC21</u>	<u>Non Designated Local Heritage Assets</u>	<u>Not Strategic</u>
<u>ITCR1</u>	<u>Strategic Green Infrastructure Network</u>	<u>Strategic</u>
<u>ITCR2</u>	<u>The Multi-User Trails Network</u>	<u>Strategic</u>
<u>ITCR3</u>	<u>Protection of Footpaths and Bridleways</u>	<u>Not Strategic</u>
<u>ITCR4</u>	<u>Local Shops and Community Facilities</u>	<u>Not Strategic</u>
<u>ITCR5</u>	<u>Green Space and Play Provision</u>	<u>Strategic</u>
<u>ITCR6</u>	<u>Protection of Green Space</u>	<u>Strategic</u>
<u>ITCR7</u>	<u>Playing Pitches</u>	<u>Strategic</u>
<u>ITCR8</u>	<u>New and Existing Indoor Sports Facilities</u>	<u>Not Strategic</u>
<u>ITCR9</u>	<u>Local Transport Improvement Schemes</u>	<u>Strategic</u>
<u>ITCR10</u>	<u>Supporting Sustainable Transport Patterns</u>	<u>Strategic</u>
<u>ITCR11</u>	<u>Parking provision</u>	<u>Strategic</u>
<u>ITCR12</u>	<u>Information Communication Technology and Telecommunications</u>	<u>Not Strategic</u>
<u>II1</u>	<u>Plan Delivery and the Role of Developer Contributions</u>	<u>Strategic</u>
<u>II2</u>	<u>Employment and Skills</u>	<u>Strategic</u>

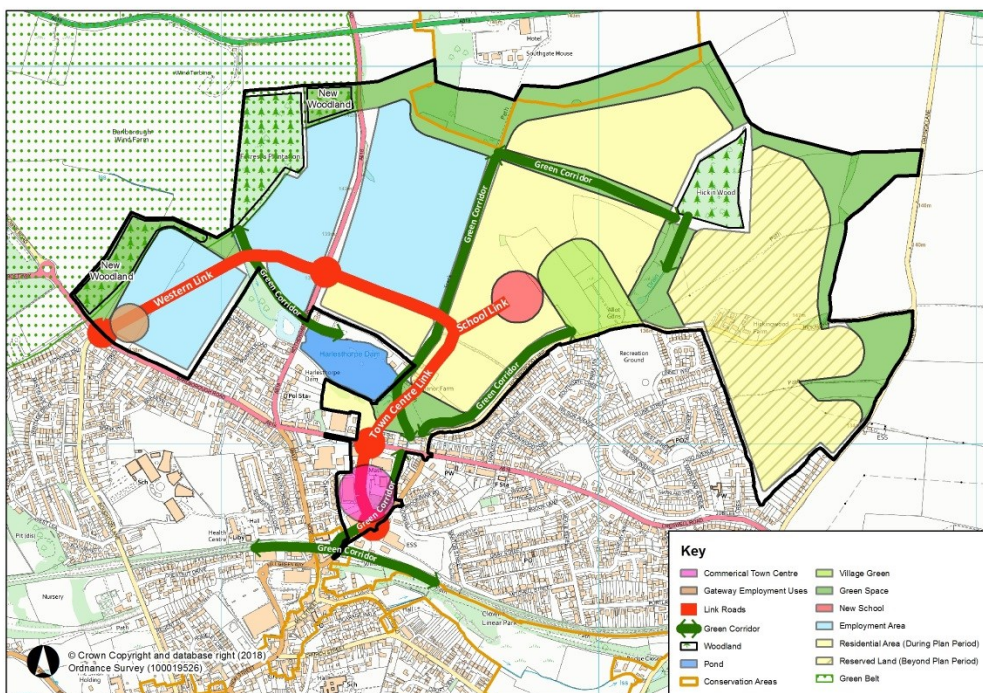
Appendix 3 – Proposed Main Modifications to Figures / Diagrams

a) Figure 4C: Clowne Garden Village - Indicative Masterplan (Policy SS5)

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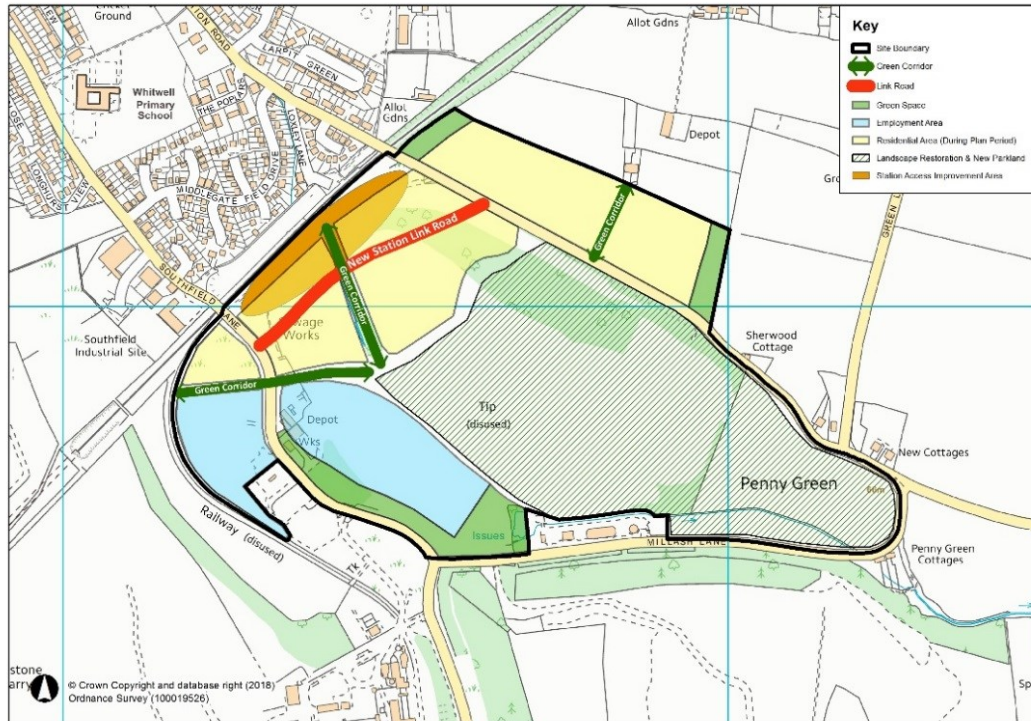


Proposed Main Modification [MM17]

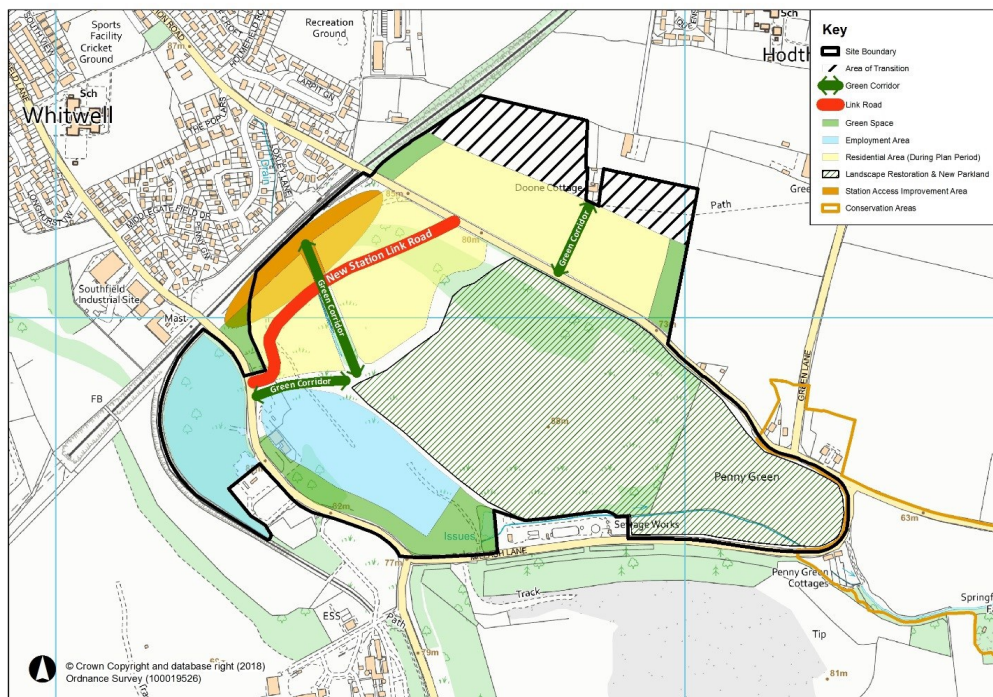


b) Figure 4D: Former Whitwell Colliery site - Indicative Masterplan (Policy SS6)

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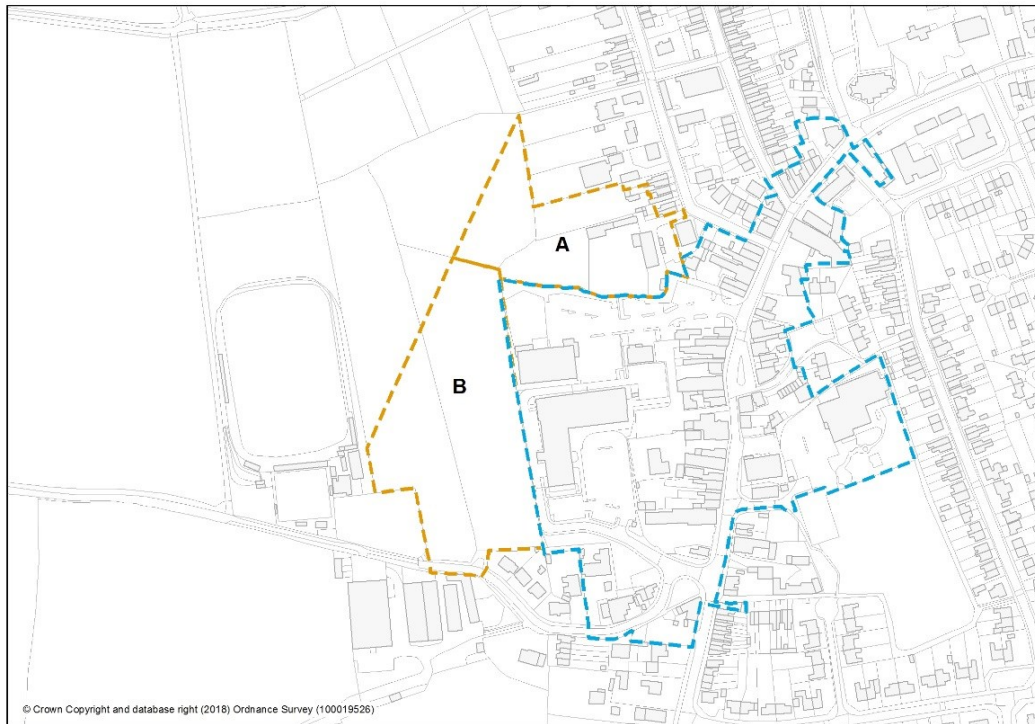


Proposed Main Modification [MM20]

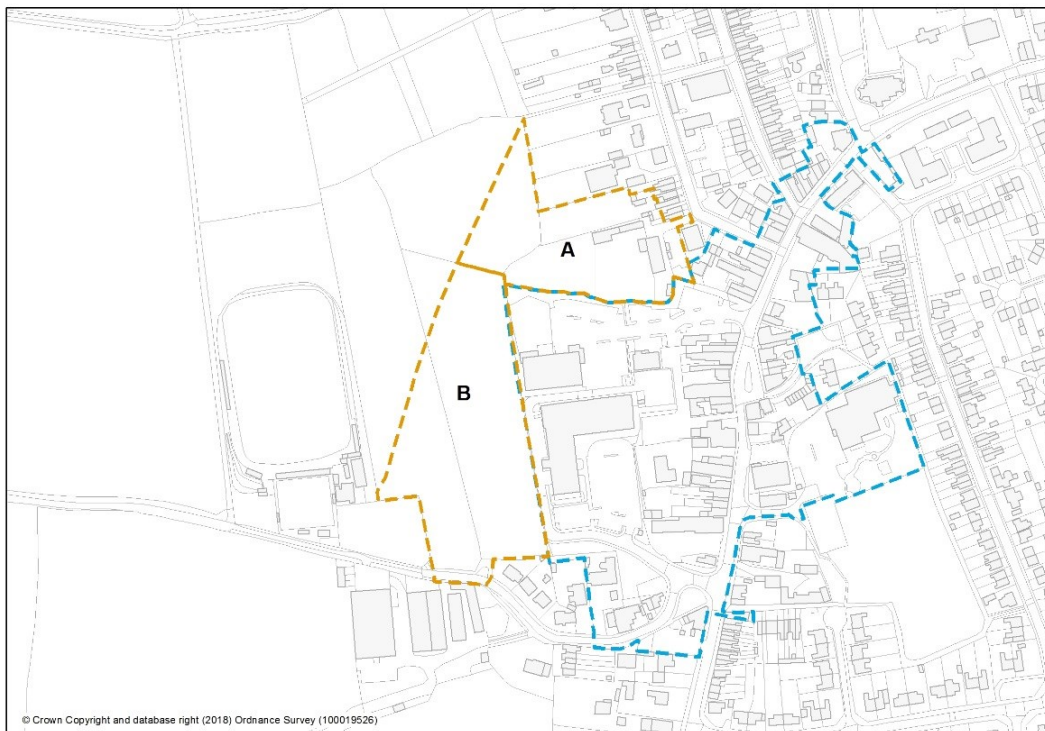


c) Figure 6C - South Normanton Edge of Town Centre Allocations (Policy WC8)

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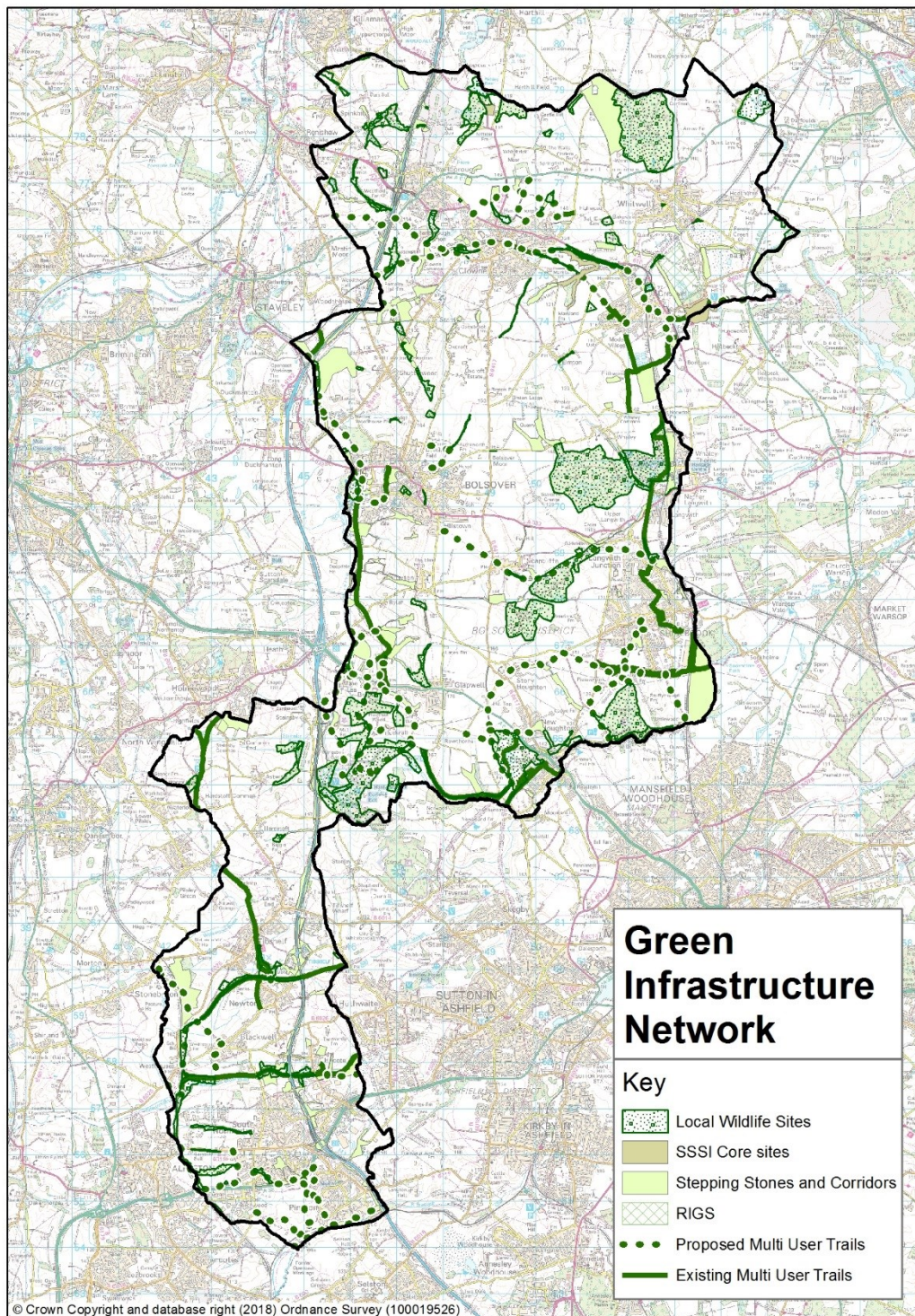


Proposed Main Modification [MM72]

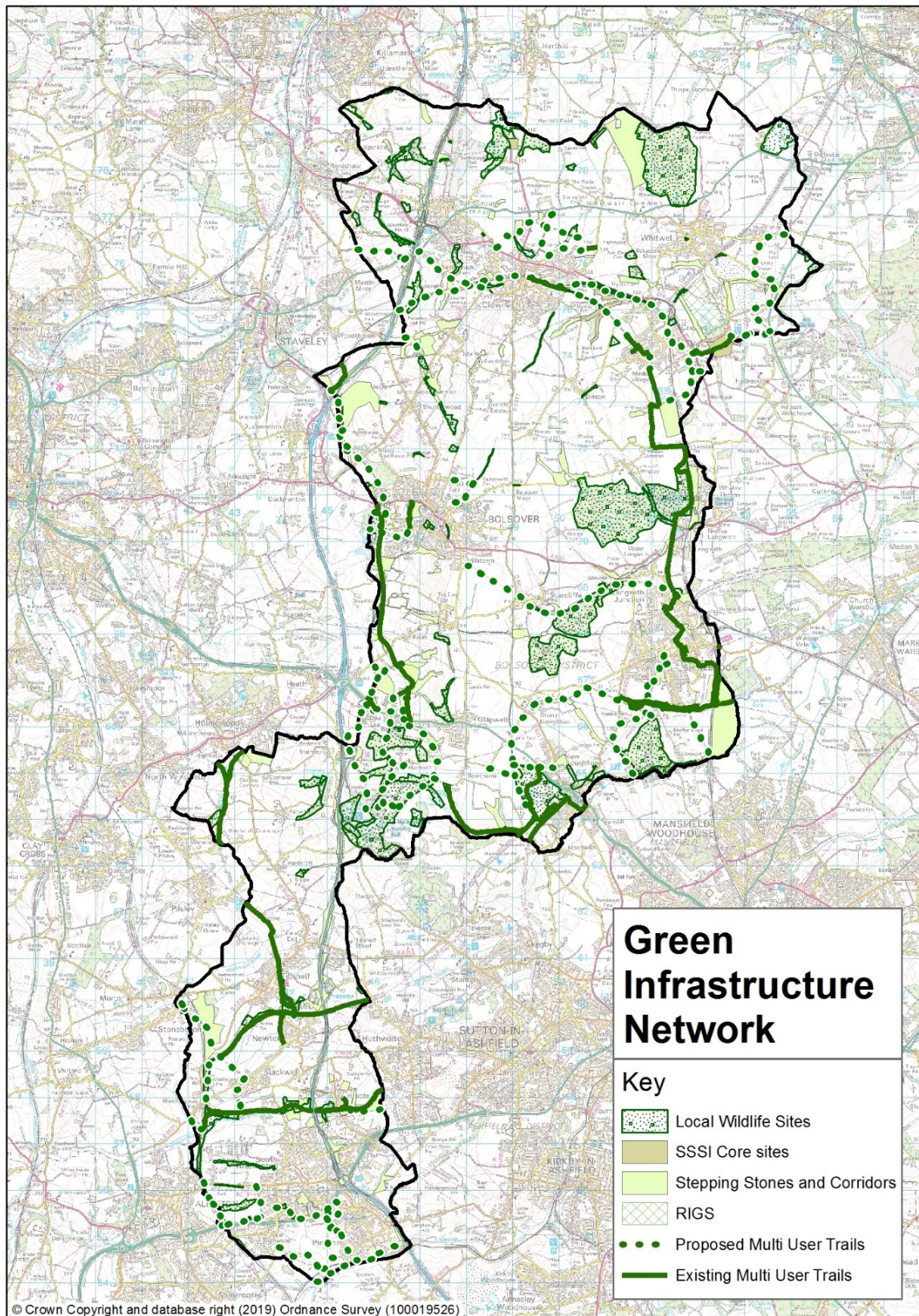


d) Figure 8A: Strategic Green Infrastructure Network (Policy ITCR1)

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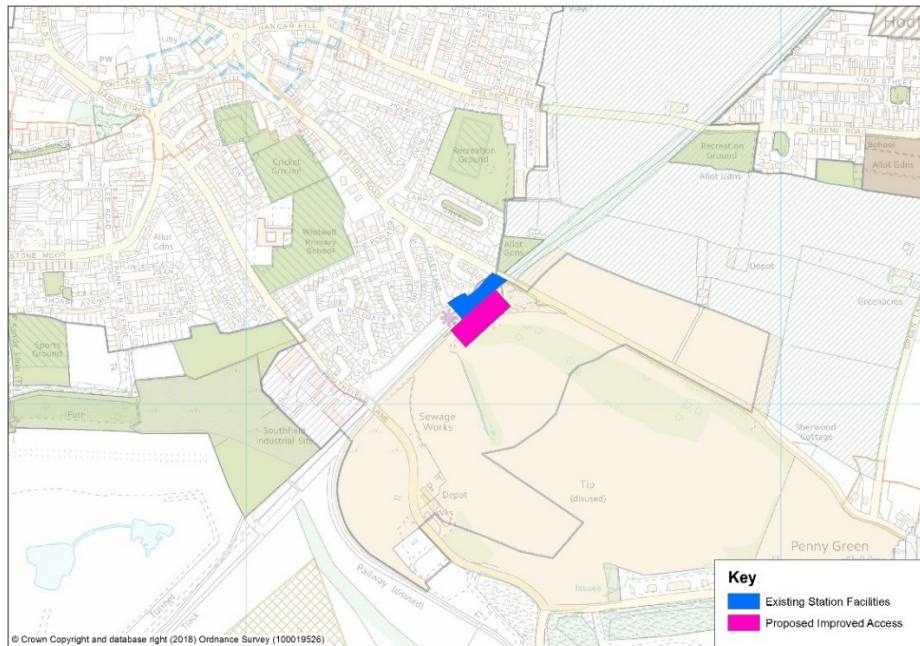


Proposed Main Modification [MM85]

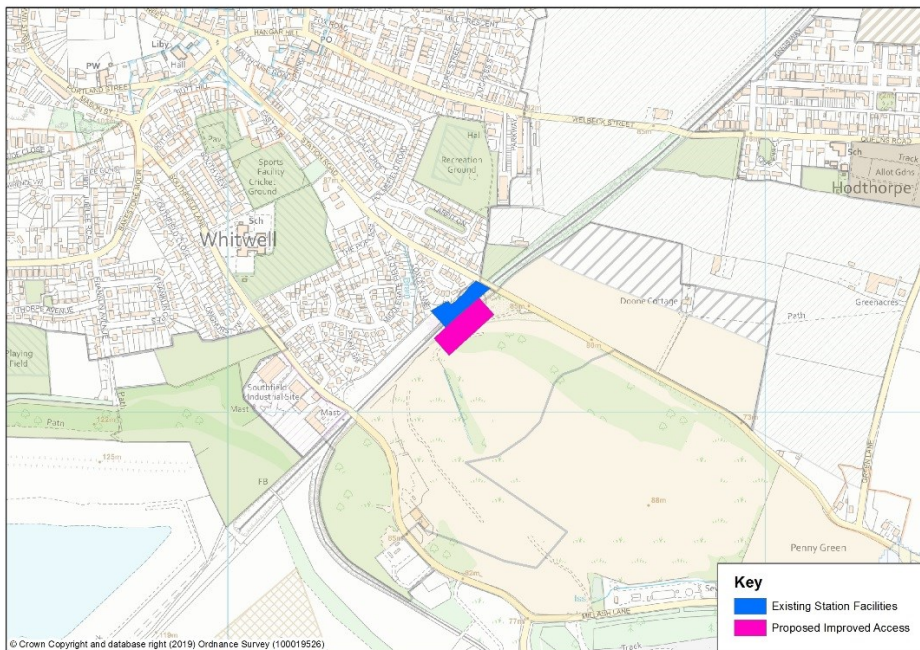


e) Figure xvi) of Public transport route alteration and improvements (Appendix 8.1)

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Proposed Main Modification [MM96]

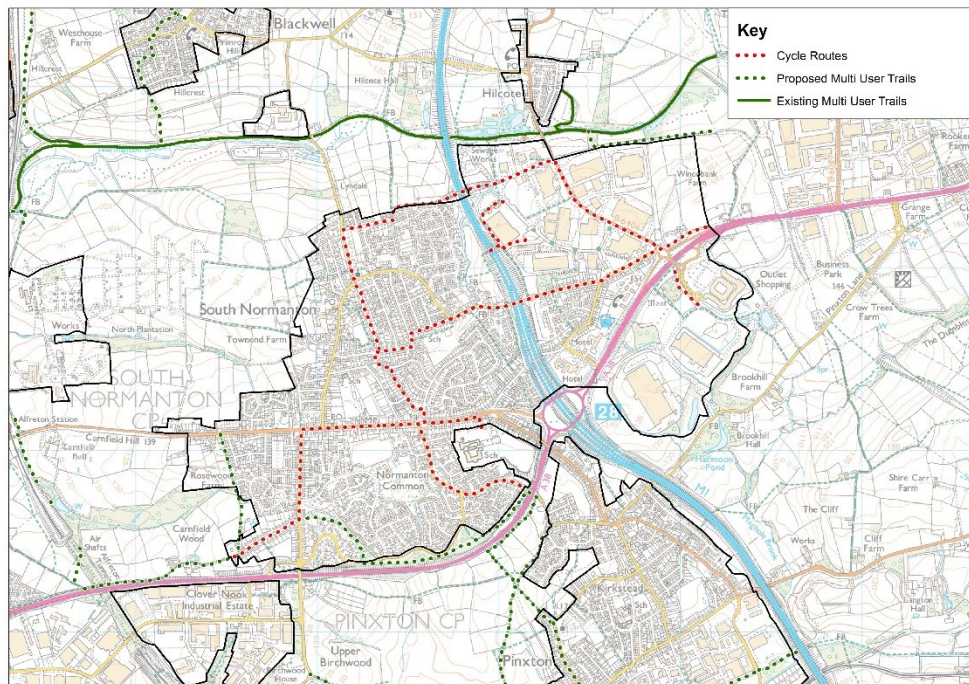


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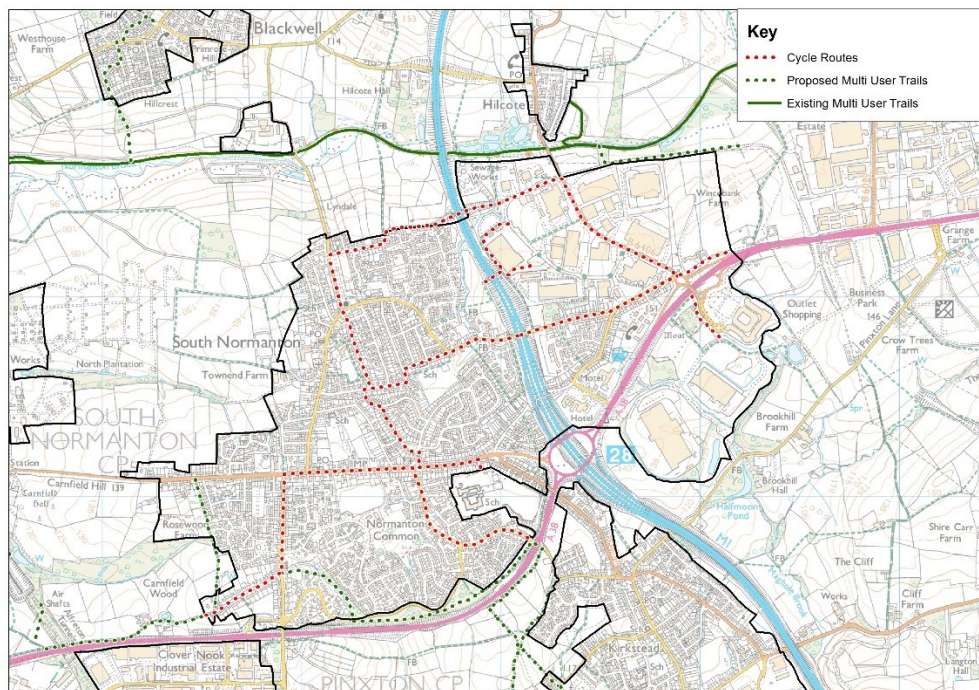


g) Figure xx) Cycling and walking networks (Appendix 8.1)

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Proposed Main Modification [MM98]



Appendix 5.1 - Housing Trajectory

RESIDENTIAL SITE ALLOCATIONS	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	Total	Beyond
Bolsover																	
Bolsover North Strategic Site	0	30	60	120	90	90	100	100	100	70	60	50	50	30	0	950	70
		0	40	70	70	70	70	70	70		70	70	70	70	70	880	
Land off Langwith Road and Mooracre Lane	30	40	40	45	40	30	30	30	30	30				28	0	463	
		30	30	30	30	40	40	40	40	40	30	30	30	30	2	442	
Former Courtaulds factory site	15	20														35	
		18	0	0	0	0	0	0	0	0	0	0	0	0	0	18	
Land between Shuttlewood Road and Oxcroft Lane	0		0	0	0	0	17	30	30	30	30	30	30	30		227	
		0	20	20	20	20	20	20	20	20	20	20	20	7	0		
Land off Oxcroft Lane	0	20	25	0	0	0	0	0	0	0	0	0	0	0	0	45	
Sub-total	45	110	125	165	130	120	147	160	160	130	120	110	110	88	0	1720	70
		68	115	120	120	130	130	130	130		120	120	120	107	72	1612	
Shirebrook																	
Land at Brookvale	45	24	45	45	45	45	45	45	45	45	45	45	47	0	0	566	
		40	40	40	40	80	40	40	40	40	40	40	40	40	40	600	
Land at Station Road, Langwith Junction	20	20	18	0												58	
		20	20	14	0	0	0	0	0	0	0	0	0	0	0	54	
Sub-total	65	44	63	45	45	45	45	45	45	45	45	45	47	0	0	624	
		60	60	54	40	80	40	40	40	40	40	40	40	40	40	654	
																	500
South Normanton																	
Land to the rear of 1 to 35 Red Lane	20	30	0	0												50	
		0	20	30	0	0	0	0	0	0	0	0	0	0	0		
Land at Rosewood Lodge Farm, Alfreton Road	0	30	30	30	30		0									145	
		25	25	25	25	25	18	0	0	0	0	0	0	0	0	143	
Land at Town End Farm, Lees Lane	0	0	0	0	0	25	15	0	0	0	0	0	0	0	0	40	
Sub-total	20	60	30	30	30	50	15	0	0	0	0	0	0	0	0	235	
		25	45	55	25	80	33	0	0	0	0	0	0	0	0	233	
																	450
Clowne																	
Clowne Garden Village Strategic Site	0	0	60	60	80	80	100	100	100	100	80	60	60	60	60	1000	
			0	60	90	90	90	90	90	90	90	90	90	90	90	1050	
Land to rear of 169-207 Creswell Road	0	0	27	0			0	0	0	0	0	0	0	0	0	27	
		0	0	0	0	0	10	10	7		0	0	0	0	0		
Land west of Homelea and Tamarisk, Mansfield Road	15	0		0			0	0	0	0	0	0	0	0	0	15	
		15	0	0	0	0	0	0	0	0	0	0	0	0	0		
Land at High Ash Farm, Mansfield Road	21	21	0	0			0	0	0	0	0	0	0	0	0	42	
		20	21	0	0	0	0	0	0	0	0	0	0	0	0	41	
Sub-total	36	21	87	60	80	80	100	100	100	100	80	60	60	60	60	1084	
		35	21	60	90	90	100	100	97	90	90	90	90	90	90	1133	

RESIDENTIAL SITE ALLOCATIONS	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	Total	Beyond
<u>Barlborough</u>																	
Land north of Chesterfield Road	7	30 0	30 15	30	30	30	0 30	0 22	0	0	0	0	0	0	0	157	
Sub-total	7	30 0	30 15	30	30	30	0 30	0 22	0	0	0	0	0	0	0	157	
<u>Creswell</u>																	
Land at Skinner Street	20	36 25	26 18	0	0	0	0	0	0	0	0	0	0	0	0	82 43	
Land south of Creswell Model Village	20	20	20	20	20	16 20	16 20	16 20	16 20	16 20	7 17	0	0	0	0	187 197	
Sub-total	40	56 45	46 38	20	20	16 20	16 20	16 20	16 20	16 20	7 17	0	0	0	0	269 240	
<u>Pinxton</u>																	
Land at Croftlands Farm	0	0	0	0	25	25	0 15	0	0	0	0	0	0	0	0	50 65	
Sub-total	0	0	0	0	25	25	0 15	0	0	0	0	0	0	0	0	50 65	
<u>Tibshelf</u>																	
Land south of Overmoor View	42	44 30	17 30	0 18	0	0	0	0	0	0	0	0	0	0	0	103 78	
Land west of Spa Croft	25	0 27	0	0	0	0	0	0	0	0	0	0	0	0	0	25 27	
Sub-total	67	44 57	17 30	0 18	0	0	0	0	0	0	0	0	0	0	0	128 105	
<u>Whitwell</u>																	
Former Whitwell Colliery Strategic Site	0	0	0	0	0	0	0	0	20	30	35	35	30	30	20	200	
Sub-total	0	0	0	0	0	0	0	0	20	30	35	35	30	30	20	200	
<u>Glapwell</u>																	
Land at Glapwell Nurseries	0	0	16	0	0	0	0	0	0	0	0	0	0	0	0	16	
Sub-total	0	0	16	0	0	0	0	0	0	0	0	0	0	0	0	16	
<u>Hodthorpe</u>																	
Land at Queens Road Allotments	0	10	10	10	8	0	0	0	0	0	0	0	0	0	0	38	
Sub-total	0	10	10	10	8	0	0	0	0	0	0	0	0	0	0	38	
<u>Palterton</u>																	
Land between 11 and 19 Back Lane	0	0	5	6	0	0	0	0	0	0	0	0	0	0	0	11	
Sub-total	0	0	5	6	0	0	0	0	0	0	0	0	0	0	0	11	
<u>Pleasley</u>																	
East of Pleasley Pit, Pit Lane, Pleasley	0	9	10	0	0	0	0	0	0	0	0	0	0	0	0	19	
Sub-total	0	9	10	0	0	0	0	0	0	0	0	0	0	0	0	19	

[illegible]

Appendix 5 – Proposed Main Modification [MM99] New Appendix: Parking Standards

Residential Development

1. Minimum number of parking spaces required for all new residential development, including extensions and changes of use. The design of parking areas should be in accordance with the requirements and design guidance set out in the **Delivering Streets and Places (2017)** and **Successful Places SPD (2013)** documents, or any superseding documents that replaces them:

<u>Number of bedrooms</u>	<u>Number of spaces</u>
<u>1 bed and aged persons residence</u>	<u>1 space per unit plus 1 space per 2 units for visitors</u>
<u>2/3 bed</u>	<u>2 spaces per unit</u>
<u>4+ bed</u>	<u>3 spaces per unit (with a preference of no more than 2 in-line*)</u>

*This includes circumstances where a garage meets the minimum internal dimensions to count as a parking space. Having more than 2 vehicles in tandem will only be allowed where not doing so would lead to an unsatisfactory design scheme.

2. Whilst it is acknowledged that there may be a limited number of exceptional circumstances where a departure from the standards may be acceptable, the departure must be fully justified and not lead to negative impacts on health and safety or unacceptably impact upon amenity. Any material considerations that may justify such a departure must be clearly demonstrated by the applicant, including evidence of how the proposal will not detract from the objectives of these standards.

Residential garages and Cycle parking

3. The provision of residential garages and cycle parking should be in accordance with the requirements and design guidance set out in the **Delivering Streets and Places (2017)** and **Successful Places SPD (2013)** documents, or any superseding documents that replaces them.

Non-Residential Development

4. Minimum number of parking spaces required for non-residential developments (and residential institutions). Uses not listed in the table will be assessed individually. Where it is anticipated that a development will generate a particularly high number of users, a higher parking provision may be sought. If it is not possible for a development to provide the provision set out in these standards; for example due to its historic setting or it being a change of use of a building on an existing high street where it is not possible to provide off-street parking provision, the Council will consider whether the

surrounding local provision can accommodate the anticipated demand. The design of parking areas should be in accordance with the requirements and design guidance set out in the **Delivering Streets and Places (2017)** and **Successful Places SPD (2013)** documents, or any superseding documents that replaces them:

(Measured in gross floor area (GFA) unless otherwise stated)

<u>Shops</u>	<u>General Shops & Individual Superstores</u>	<u>Less than 1000sqm - 1 space per 25m²</u> <u>1000-3000sqm – 1 space per 14m²</u> <u>Above 3000sqm – 1 space per 9m²</u>
	<u>Individual non-food retail warehouses (DIY stores, garden centres, etc.)</u>	<u>1 space per 20m²</u> <u>(Covered area for garden centres, + 1 space per 50m² open display area)</u>
	<u>Retail parks</u>	<u>To be assessed as per specific uses</u>
<u>Financial and Professional Services</u>	<u>Public services offices, banks, estate agents, employment agents, etc.</u>	<u>1 space per 35m² (minimum of 2 spaces)</u>
<u>Food & Drink</u>	<u>Restaurants, cafes and hot food takeaways</u>	<u>1 space per 4m² dining area or waiting space in takeaway</u>
	<u>Transport Cafes</u>	<u>1 lorry space per 2m² (size 15mx3m and can enter and leave site forwards)</u>
	<u>Pubs, clubs & bar areas of restaurants</u>	<u>1 space per 2m² drinking area + consider outside area on individual basis (+ residential dwelling standards if accommodation included)</u>
<u>Business (B1)</u>	<u>Administrative offices, high tech industry and science parks</u>	<u>1 space per 25m² (minimum of 2 spaces. A reduction amount may be considered on floor spaces over 2500sqm)</u>
<u>General Industry (B2)</u>	<u>Industrial Processes</u>	<u>1 space per 40m² (additional consideration if significant amount of associated office space. A reduction amount may be considered on floor spaces over 2500sqm)</u>
	<u>Vehicle service, repair and parts stores</u>	<u>1 space per 15m²</u> <u>+ tow vehicle space where relevant</u>
<u>Special Industry</u>	<u>Groups A to E</u>	<u>Assessed individually based on activity, periods of production and max. employees per shift</u>

<u>Storage & Distribution (B8)</u>	<u>Warehousing</u>	<u>Below 250sqm – 1 space per 25m²</u> <u>Above 250sqm – 7 spaces + 1 space per 100m² internal + 200m² external storage area</u>
	<u>Wholesale cash & Carry</u>	<u>Below 250sqm – 1 space per 25m²</u> <u>Above 250sqm – 2 spaces + 1 space per 30m²</u>
<u>Hotels, Hostels and Holiday Residences</u>	<u>Hotels, boarding and guest houses</u>	<u>1 space per bedroom + staff consideration (Individually assess coach provisions. No. of bedrooms include staff bedrooms. If bar and restaurant, parking for these must meet half the appropriate food and drink standards, If conference facilities; 1 space per 3m² of rooms)</u>
	<u>Residential hostels and community homes</u>	<u>1 space per 4 bedrooms</u>
	<u>Holiday residences</u>	<u>1 space per 1 & 2 sleeping room units</u> <u>2 spaces per 3+ sleeping room units</u>
	<u>Caravan</u>	<u>1 space per caravan + restaurant, bar and office facilities to comply with relevant food and drink / business requirements</u>
<u>Residential Institutions</u>	<u>Aged persons care homes</u>	<u>1 space per 3 bedrooms + 1 space for each member of staff (maximum number of staff on site at one time)</u>
	<u>Sheltered accommodation</u>	<u>2 spaces + 1 space per 3 residential units</u>
	<u>Residential schools, colleges, training centres, hall of residences, hospitals and community housing for disabled people</u>	<u>To be assessed individually</u>
<u>Non-Residential Institutions</u>	<u>Medical surgeries / Dentists / vets</u>	<u>2 spaces per consulting room + 1 space for each member of staff (maximum number of staff on site at one time)</u>
	<u>Crèches & day nurseries</u>	<u>1 space + 1 space per 10m² (0-3yrs old)</u> <u>1 space + 1 space per 20m² (3+-8yrs old) of accommodation/internal play area + 1 extra if licence for 20+ children (the higher provision to be used where age is not specified. Facilities should be clear of highway, avoiding the need for vehicles to reverse unless location is safe to set down / pick up without affecting free and safe flow of traffic).</u>
	<u>Day centres</u>	<u>1 space per 2 staff + appropriate turning, standing and parking for coaches/minibuses. Additional needs to</u>

		be considered for extra spaces and <u>accessibly spaces depending on users of facility.</u>
	<u>Infant, primary & secondary school</u>	<u>2 spaces per classroom / teaching area + 1 space per 15 sixth form students + sufficient hard-standing to provide for play areas / sports pitches etc. for out-of-hours parking by parents / mature students (facilities enabling pupils to enter / leave parked coaches and cars safely and clear of the highway, without vehicles reversing)</u>
	<u>Colleges of further and higher education</u>	<u>Assessed individually, based on type, number of staff/students (full or part-time) and location</u>
	<u>Art galleries, museums, libraries</u>	<u>To be assessed individually</u>
	<u>Places of worship & religious instruction</u>	<u>1 space per 5 seats or 5m² public floor area</u>
<u>Assembly & Leisure</u>	<u>Cinemas</u>	<u>1 space per 3 seats or 3m² gross auditorium floor area if seats not fixed</u>
	<u>Concert halls</u>	<u>1 space per 3 seats or 3m² gross auditorium floor area, whichever is greater</u>
	<u>Bingo halls</u>	<u>1 space per 3 seats or 3m² gross auditorium floor area</u>
	<u>Casinos</u>	<u>1 space per 5m² public floor area</u>
	<u>Swimming baths</u>	<u>20 spaces + 1 space per 10m² water area</u>
	<u>Skating rinks</u>	<u>Assessed individually</u>
	<u>Sports halls & multi-purpose sports venues</u>	<u>Assessed individually having regard to an aggregate of the different facilities</u>
	<u>Multigyms & sport dance venues</u>	<u>1 space per 5m² gross floor area</u>
	<u>Racquet clubs</u>	<u>4 spaces per court</u>
	<u>Outdoor sports grounds</u>	<u>15 spaces per pitch</u>
	<u>Golf clubs</u>	<u>150 spaces per 18 hole course (smaller courses assessed individually and club house facilities assessed on appropriate food and drink standards)</u>
	<u>Driving ranges</u>	<u>2 spaces per bay</u>
	<u>Bowls and bowling</u>	<u>15 spaces per green or 4 spaces per lane</u>
	<u>Snooker halls</u>	<u>2 spaces per table</u>
	<u>Camp sites</u>	<u>1 space per pitch</u>
	<u>Water sport venues</u>	<u>Assessed individually with regard to intensity and type of use and private / public access</u>

	<u>Specialist sports facilities (e.g. dry-ski slopes)</u>	<u>To be assessed individually (restaurant, bar and office facilities require extra provision in accordance with food and drink, and business standards)</u>
<u>Non-Schedule Uses</u>	<u>Theatres</u>	<u>1 space per 3 seats or 3m² gross auditorium if seats not fixed</u>
	<u>Amusement arcades or centres and funfairs</u>	<u>To be assessed individually with regard to opening times and seasonal use</u>
	<u>Coin-operated laundrettes and dry cleaners</u>	<u>1 space per 30m²</u>
	<u>Retail fuel filling stations</u>	<u>1 space per 30m² + extra for car wash and with regard to size of retail provision</u>
	<u>Sale and display of motor vehicles</u>	<u>1 space per 40m² gross display area, whether internal or external</u>
	<u>Sale and display of boats and caravans</u>	<u>Assessed individually, with regard to the sale of motor vehicle standards</u>
	<u>Taxi and vehicle hire businesses, including driving schools</u>	<u>1 space per vehicle operated (1 space required if just an office receiving orders with vehicles being kept elsewhere, with additional spaces assessed individually)</u>
	<u>Scrapyards, mineral storage or distribution yards, earth moving plant, depots, motor vehicle breakers and plant hire firms</u>	<u>To be assessed individually with regard to public access</u>
<u>Criteria Not Mentioned Elsewhere</u>	<u>Abattoirs, auction rooms, car valeting, cemeteries, livery stables and riding schools, livestock markets and ambulance, fire and police stations, etc. will be assessed individually with particular regard to periods and frequency of use</u>	<u>To be assessed individually with regard to periods and frequency of use, public access and anticipated need</u>

Cycle and Motorcycle Parking

5. Cycle and motorcycle parking should be in accordance with the requirements and design guidance set out in the **Delivering Streets and Places (2017)** and **Successful Places SPD (2013)** documents, or any superseding documents that replaces them.

Accessible (Disabled) Parking

6. Where residential development is intended for disabled occupiers, off-street and on-street parking spaces should be on a suitably stable ground surface with level or as shallow a gradient as possible, and on a step free route to

the dwelling. There should be adequate lighting to enable safe access after dark. Part M4(2) of the Building Regulations provides more information on accessible and adaptable dwellings. Spaces should have the minimum dimensions set out in below and the minimum internal dimensions of garages should be in accordance with the guidance set out in the **Delivering Streets and Places (2017)** document. Consideration also needs to be given to the provision of storage and charging facilities of mobility equipment.

7. **For non-residential developments, a minimum of 6% of the total number of spaces should be designated for disabled use.** Where there may be a higher anticipated demand, for example at care facilities, an appropriate additional provision will be required. These spaces should be as close as possible to the facilities they serve (preferably within 50m), have adequate signage and lighting, have sufficient space to the sides and rear to safely manoeuvre mobility equipment, have suitable dropped kerbs with tactile paving and a suitable route to the facilities they serve.
8. Accessible spaces should be larger than standard spaces. For spaces perpendicular to the pavement or access strip, an additional 1.2m behind the space and 1.2m either side (which can be shared between spaces) should be provided as hatched margins. For spaces parallel to the pavement or access strip, the length of the space should be 6.8m and the width should preferably be 3.8m, but a minimum of 2.9m (depending on the suitability of the pavement or access strip for use as access and manoeuvrability space). For further guidance on specific technical requirements, refer to British Standards BS 8300-1:2018, 'Design of an accessible and inclusive built environment. External environment. Code of practice'.

Parking Space Dimensions

9. The minimum parking space dimensions for standard and accessible spaces, for both bay and parallel parking situations:

	<u>Bay space</u>	<u>Parallel space</u>
<u>Standard</u>	<u>5m x 2.6m</u>	<u>6.2m x 2m</u>
<u>Disabled</u>	<u>6.2m x 3.8m</u>	<u>6.8m x 3.8m (2.9m min.)</u>

Ultra-Low Emission Vehicles

10. At this stage, there is no specific requirement for electric vehicle charging facilities to be installed. However, as it is recognised that this will become more important in the coming years, it is necessary for proposals to consider the future. Therefore, it is necessary for all new homes to, as a minimum, have a suitable electricity circuit that allows for the future fitment of charging facilities with minimum work and disruption.

11. As it is impossible to predict future innovations and technology is ever improving, planning applications should demonstrate the ability to retrofit a charging facilities to the exterior wall of a dwelling or safe, suitable and convenient place within its parking area. This may include design features such as landscaped areas adjacent to parking spaces where the necessary cabling can easily be installed and hidden with minimal work and visual impact. Such features may be particularly useful where parking is provided off-street or in communal parking areas. We cannot determine exactly what infrastructure will be needed in the future but it seems prudent to not create unnecessary barriers that may make future adaption more difficult than it needs to be.
12. For non-residential uses; particularly those generating high volumes of visitors such as supermarkets and other shopping complexes, similar regard should be had to 'future proofing' parking areas by a design that facilitates future adaption to accommodate growing demand. Where it is anticipated that non-residential development would benefit now from the provision of charging facilities; such as uses attracting large numbers visitors, the provision of charging facilities is encouraged.

Transport Statements and Travel Plans

13. The requirement for Transport Statements and Travel Plans is set out in policy **ITCR10: Supporting Sustainable Transport Patterns** of the Local Plan.

Appendix 6 – Proposed Main Modifications [MM100 and MM101]

Appendix 10.1 – Which Policies contribute towards which Objectives

POLICIES		Objective A: Sustainable Growth	Objective B: Climate Change	Objective C: Countryside, Landscape Character & Wildlife	Objective D: Historic Environment	Objective E: Regeneration	Objective F: Tourism	Objective G: Infrastructure and New Facilities	Objective H: Sustainable Transport	Objective I: Green Spaces and Green Infrastructure	Objective J: Rural Areas	Objective K: Health and Wellbeing	Objective L: Economic Prosperity	Objective M: Employment Opportunities	Objective N: Meeting Housing Needs	Objective O: Place Making	Objective P: Town Centres
Living Communities																	
LC4 Custom and Self Build Dwellings		X													X	X	
Working Communities																	
WC9 Hot Food Takeaways												X				X	X

Appendix 7 – Proposed Main Modifications [MM102 and MM103]

Appendix 10.2 – How the policies will be monitored

Policy No.	Policy Title	Indicators	Targets	Review Trigger	Monitoring Mechanisms
LC3	Type and Mix of Housing	<ul style="list-style-type: none"> No. of dwellings delivered by type <u>No. of custom and self build plots delivered</u> 	<ul style="list-style-type: none"> Dwelling requirements identified by SHMA met <u>No. of delivered custom and self build plots exceeds the number on the Council's interest register</u> 	<p>Dwelling requirements identified by SHMA not met for 3 consecutive years</p> <p><u>Number of people on the Council's custom and self build register increasing</u></p>	<ul style="list-style-type: none"> SMART reports SHMA <u>Housing Completion Survey</u>
LC4	Custom and Self Build Dwellings	<ul style="list-style-type: none"> No. of custom and self build plots delivered 	<ul style="list-style-type: none"> No. of delivered custom and self build plots exceeds the number on the Council's interest register 	<p>Number of people on the Council's custom and self build register increasing</p>	<ul style="list-style-type: none"> Housing Completion Survey SMART reports
WC9	Hot Food Takeaways	<ul style="list-style-type: none"> No. of hot food takeaways granted per year No. of S106 agreements to support healthy eating programmes 	<ul style="list-style-type: none"> Zero planning permissions contrary to the policy 	<p>Planning permissions granted contrary to policy with no exceptional circumstances</p>	<ul style="list-style-type: none"> Liaising with Development Management

**LOCAL PLAN FOR BOLSOVER DISTRICT
(PUBLICATION LOCAL PLAN)**

**PROPOSED CHANGES TO THE
SUBMITTED POLICIES MAP**

June 2019



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Introduction

This document includes the proposed changes to the submitted Policies Map. The Policies Map illustrates geographically the application of policies within the Local Plan. The Policies Map is not defined in statute as a development plan document and so the Inspector does not have the power to recommend Main Modifications to it. However, a number of the proposed Main Modifications to the Plan's policies will require further corresponding changes to be made to the Policies Map and some changes will be required to more accurately reflect the geographical expression of the policies. The Council is therefore publishing this document, which sets out the proposed changes to the Policies Map, alongside the proposed Main Modifications, for consultation in order to provide clarity for interested parties.

How to comment

Any comments on the proposed changes to the Policies Map should be made on **Response Form 2**. The comments made should relate strictly to the proposed changes to the Policies Map only. Any comments relating to the proposed Main Modifications should be made on Response Form 1. This consultation does not represent an opportunity to raise other matters which either were, or could have been, part of the earlier representations or Hearings, on the Local Plan.

The proposed changes to the Policies Map are prefixed with **PMC** in the first column in the following schedule and are arranged in Plan order.

All Policy numbers referred to in the schedule relate to those in the Local Plan for Bolsover District (Publication Local Plan) (May 2018) unless otherwise stated. Please complete the **Response Form 2** to make a comment on a proposed change to the Policies Map. If you wish to make several comments on proposed changes to the Policies Map, please use a separate form for each. Each comment should respond to a proposed Policies Map Change [**PMC**] indicated in the first column of the schedule.

LOCAL PLAN FOR BOLSOVER DISTRICT (PUBLICATION LOCAL PLAN)

PROPOSED CHANGES TO THE POLICIES MAP

Change No.	Policy Map Key Ref.	Reason for the Change	Proposed Change
PMC1	SS3, SS9, SC1 - Development Envelopes	To update the Policies Map following a review of the development envelope boundary at Scarcliffe.	Amend the development envelope at Manor Farm, Scarcliffe to include a stone barn building, with courtyard, fronting Main Street as shown in Appendix 1.
PMC2	SS4 - Strategic Site Allocation: Bolsover North	To correct the Policies Map to show the extent of the Strategic Site Allocation at Bolsover North.	Amend the site boundary of the Strategic Site Allocation: Bolsover North as shown in Appendix 2.
PMC3	SS6 - Strategic Site Allocation: Former Whitwell Colliery Site, SS6 - Area of Transition, SS3, SS9, SC1 - Development Envelopes & SS11 - Important Open Breaks	To update the Policies Map to include an Area of Transition to the north of the Strategic Site Allocation at the Former Whitwell Colliery Site and to make consequential changes to the Development Envelope and Important Open Break boundaries.	<p>Add an Area of Transition to the Strategic Site Allocation: Former Whitwell Colliery site and amend the Development Envelope to include this Area of Transition and amend the Important Open Break to exclude this Area of Transition as shown in Appendix 3.</p> <p>(Main Modifications MM19 to MM22 refer)</p>

PMC4	LC1 - Housing Allocations & SS3, SS9, SC1 - Development Envelopes	To update the Policies Map to reduce the extent of the allocated housing site c) Land between Shuttlewood Road and Oxcroft Lane, Bolsover (around Boleappleton Farm), and to make consequential changes to the Development Envelope boundary.	Amend the site boundary of Housing Allocation c) Land between Shuttlewood Road and Oxcroft Lane, Bolsover and amend the development envelope accordingly as shown in Appendix 4. (Main Modification MM34 refers)
PMC5	LC1 - Housing Allocations & SS3, SS9, SC1 - Development Envelopes	To update the Policies Map to remove the housing allocation s) Land at Glapwell Nurseries, Glapwell and to make consequential changes to the Development Envelope boundary in accordance with the methodology set out in the Development Envelope Review.	Delete the Housing Allocation s) Land at Glapwell Nurseries, Glapwell, and amend the Development Envelope accordingly as shown in Appendix 5. (Main Modification MM49 refers)
PMC6	LC1 - Housing Allocations	To update the Policies Map to remove the housing allocation v) Land east of Pleasley Pit, Pleasley following the completion of the development in 2019.	Delete the Housing Allocation v) Land east of Pleasley Pit, Pleasley as shown in Appendix 6. (Main Modification MM50 refers)
PMC7	LC7 - Existing Gypsy and Traveller Sites & LC5 - Gypsy and Traveller Site Allocations	To correct a factual error.	Change the Gypsies and Traveller Site at Pinxton from an Existing Site to an Allocated Site as shown in Appendix 7. (Main Modification MM59 refers)
PMC8	WC1 - Employment Land Allocations	To update the Policies Map to more accurately reflect the site boundary of the Employment Allocation at Explore Industrial Park, Steetley, following the grant of planning permission (Ref.	Amend the employment allocation to more accurately reflect the site boundary of Explore Industrial Park, Steetley and amend the

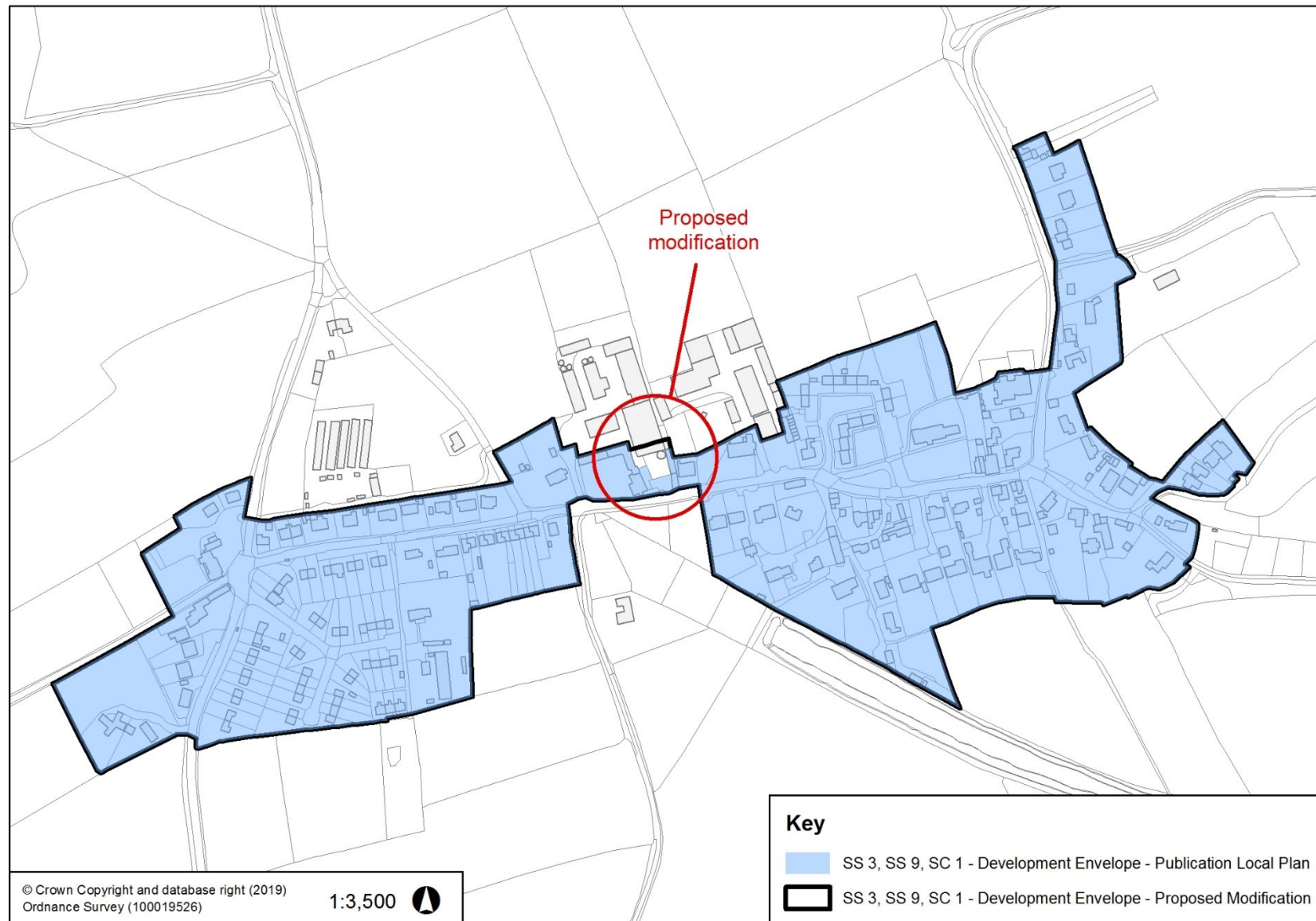
		08/00762/OUTEA) and to ensure that the development envelope boundary aligns with this.	development envelope at Steetley to align with this as shown in Appendix 8. A consequential change is also required to the boundary of the Local Wildlife Site (See PMC11 below).
PMC9	WC4 - Rough Close Works Explosive Safeguarding Zones	To update the Policies Map to clarify the extent of the inner and outer Explosive Safeguarding Zones around Rough Close Works, South Normanton and to show the Area of Wider Operations referred to in the policy.	Rename Key title for WC4 - Explosive Safeguarding Zones to read as follows: “WC4 - Rough Close Works Explosive Safeguarding Zones” Delete the inner Explosive Safeguarding Zone (thereby the middle zone becomes the inner zone), and add an Area of Wider Operations as shown in Appendix 9. (Main Modification MM66 and Additional Modification AM26 refer)
PMC10	WC8 - Edge of Town Centre Allocations & SS3, SS9, SC1 - Development Envelopes	To update the Policies Map to ensure that the Edge of Town Centre Allocations in South Normanton are sited outside the Rough Close Works Inner Explosive Safeguarding Zone and to make consequential changes to the Development Envelope boundary.	Amend the boundary of the Edge of Town Centre Allocations in South Normanton to exclude land within the Inner Explosive Safeguarding Zone and amend the Development Envelope to align with this as shown in Appendix 10. (Main Modification MM72 refers)

PMC11	SC9 - Local Wildlife Sites	To update the Policies Map to remove part of the Local Wildlife Site from within the employment allocation at Explore Industrial Park, Steetley.	Delete the part of the Local Wildlife Site that is within the Explore Industrial Park employment allocation as shown in Appendix 11.
PMC12	SC9 - Wildlife Corridors and Stepping Stones	To update the Policies Map to remove the Wildlife Corridors and Stepping Stones designation from Bolsover Moor Quarry as they are sited on a live minerals site.	Delete the Wildlife Corridors and Stepping Stones designations at Bolsover Moor Quarry as shown in Appendix 12.
PMC13	SC9 - Wildlife Corridors and Stepping Stones	To update the Policies Map to remove the Wildlife Corridors and Stepping Stones Designation from a site at Ball Hill, South Normanton, which has planning permission, and has been cleared ready for development.	Delete the Wildlife Corridors and Stepping Stones designation at Ball Hill, South Normanton as shown in Appendix 13.
PMC14	ITCR2 - Proposed Multi User Trails	To update the Policies Map to remove sections of the Proposed Multi User Trail from within the inner Explosive Safeguarding Zone around Rough Close Works, South Normanton.	Delete the two small distances of Proposed Multi User Trails that are within the inner Explosive Safeguarding Zone around Rough Close Works, South Normanton as shown in Appendix 14.
PMC15	ITCR2 - Existing Multi User Trails	To update the Policies Map to include Mag Lane, Langwith as an Existing Multi User Trail.	Amend the Existing Multi User Trail to include Mag Lane, Langwith as shown in Appendix 15. (Main Modification MM85 refers)
PMC16	ITCR9 - Cycle Routes & ITCR2 - Existing Multi User Trails	To update the Policies Map to include Sookholme Road, Shirebrook as an Existing Multi User Trail rather than as part of the Cycle Network.	Amend the Cycle Routes to delete Sookholme Road, Shirebrook and amend the Existing Multi User Trails to include Sookholme Road, Shirebrook as shown in Appendix 16. (Main Modification MM85 refers)

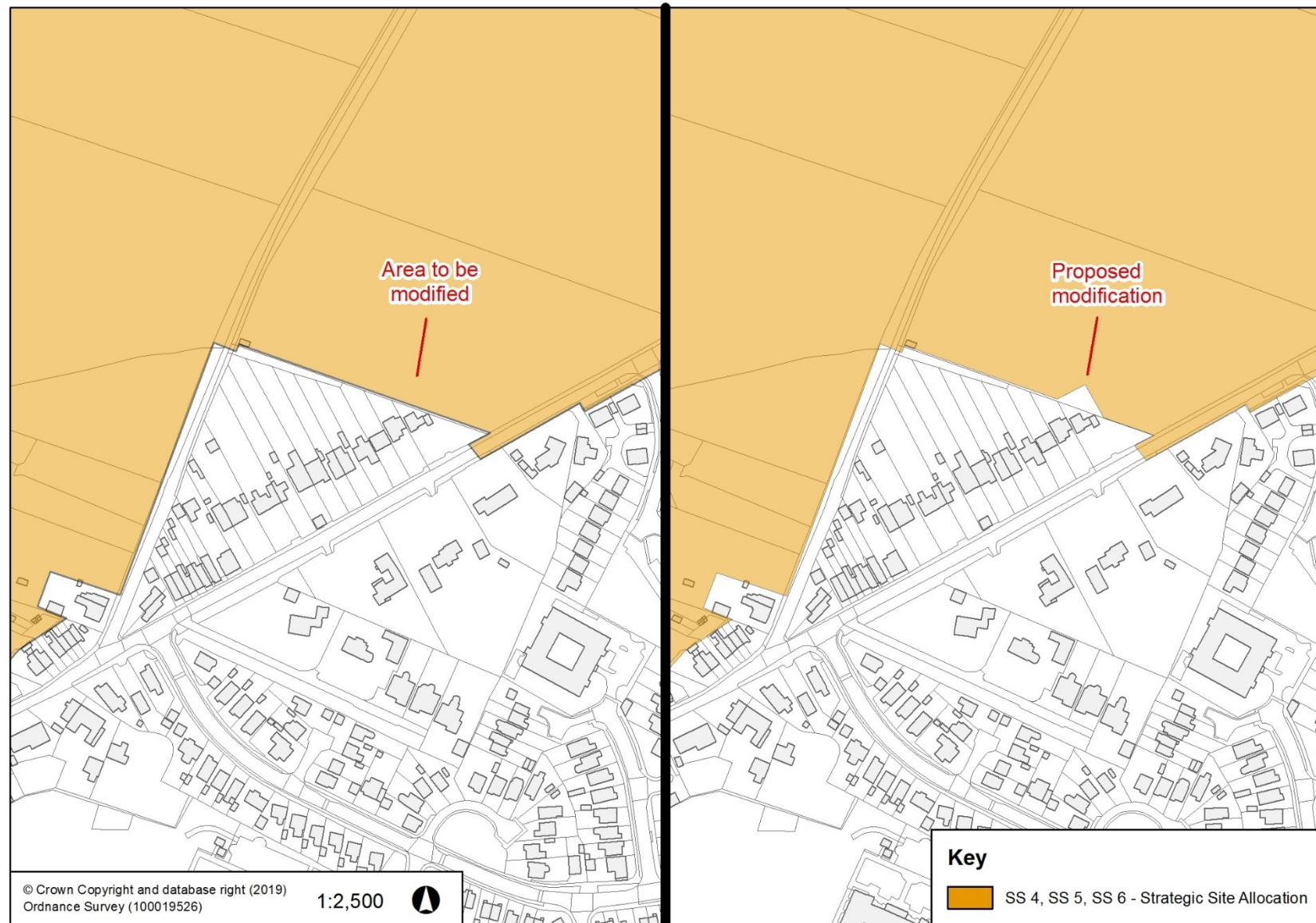
PMC17	ITCR2 - Existing Multi User Trails & ITCR2 - Proposed Multi User Trails	To correct the Policies Map to show the Multi User Trail at Frithwood Lane, Creswell as a Proposed Multi User Trail rather than as an Existing Multi User Trail.	Amend the Existing Multi User Trails to delete Frithwood Lane, Creswell and amend the Proposed Multi User Trails to include Frithwood Lane, Creswell as shown in Appendix 17. (Main Modification MM85 refers)
PMC18	ITCR2 - Proposed Multi User Trails	To update the Policies Map to add a new Proposed Multi User Trail to link existing trails outside the District.	Add a new Proposed Multi User Trail (39) East of Hennymoor Farm to Hodthorpe as shown in Appendix 18. (Main Modification MM86 refers)

Appendices

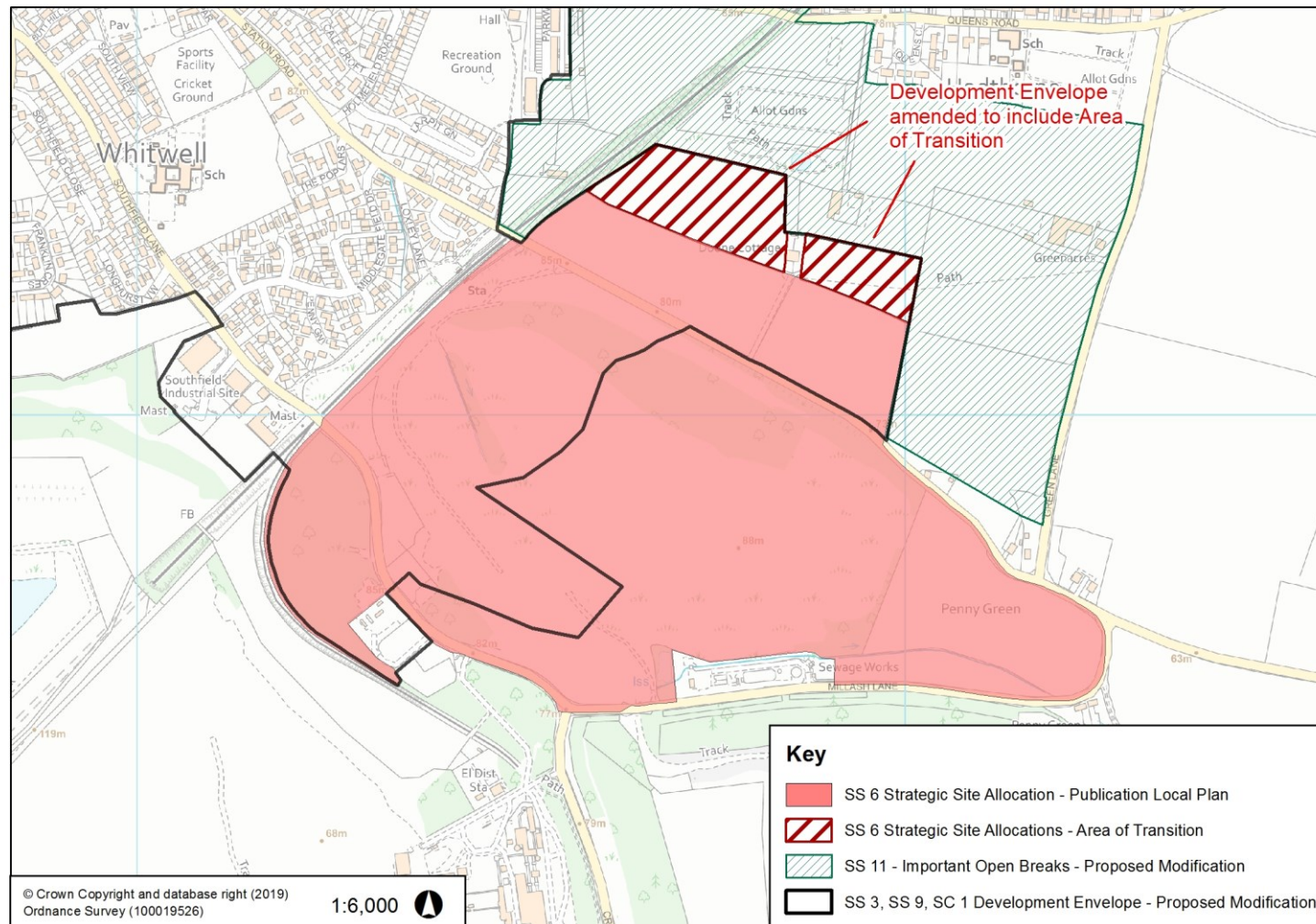
Appendix 1 – Amendment to development envelope boundary at Scarcliffe [PMC1]



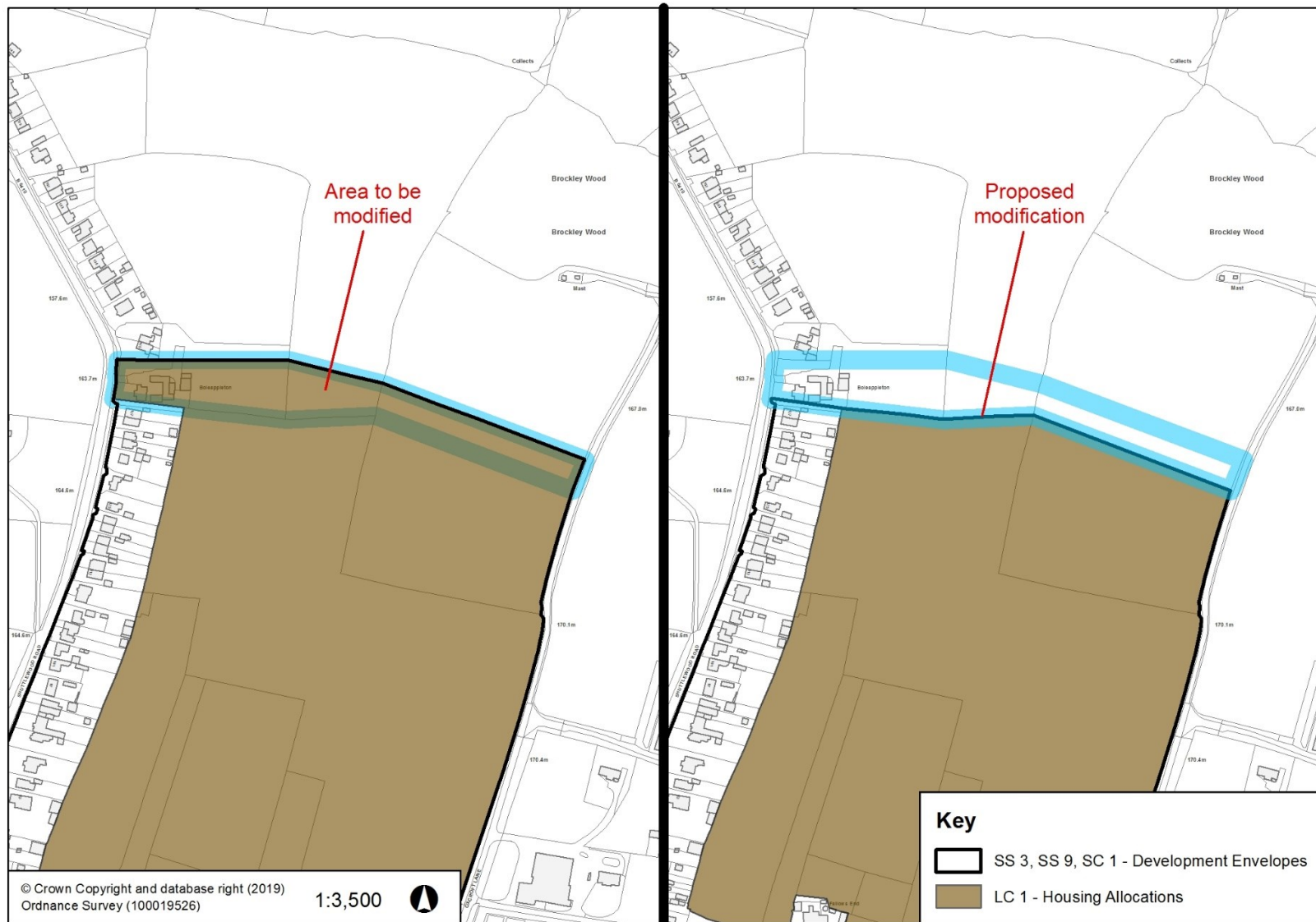
Appendix 2 – Amendment to the site boundary of the Strategic Site Allocation at Bolsover North [PMC2]



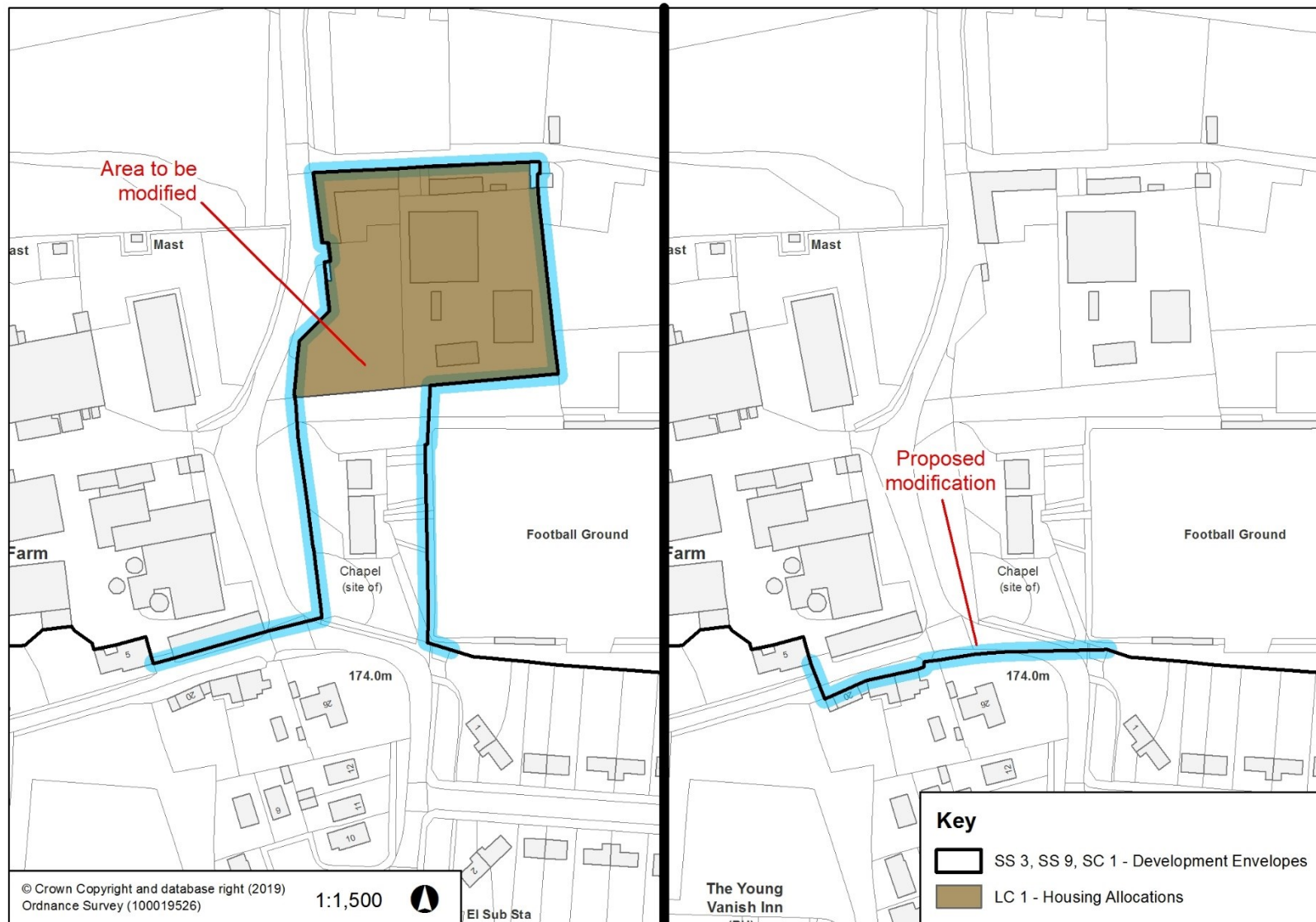
Appendix 3 – Addition of an Area of Transition to the Strategic Site Allocation: Former Whitwell Colliery site and amendment to the Development Envelope to include this Area of Transition and amendment to the Important Open Area to exclude this Area of Transition [PMC3]



Appendix 4 – Amendments to the Housing Allocation c) Land between Shuttlewood Road and Oxcroft Lane, Bolsover and the Development Envelope [PMC4]



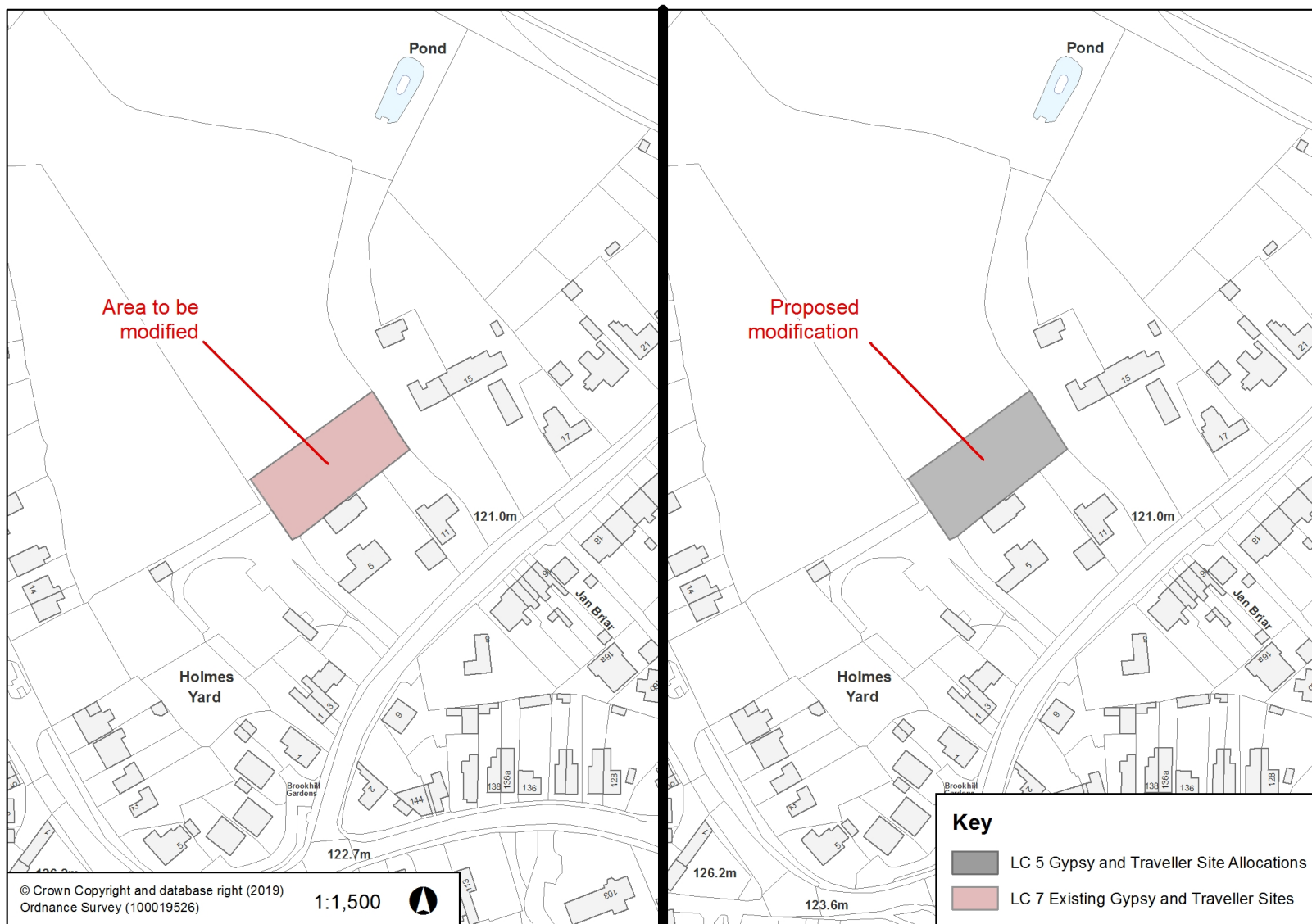
Appendix 5 – Deletion of Housing Allocation s) Land at Glapwell Nurseries, Glapwell, and amendments to the Development Envelope [PMC5]



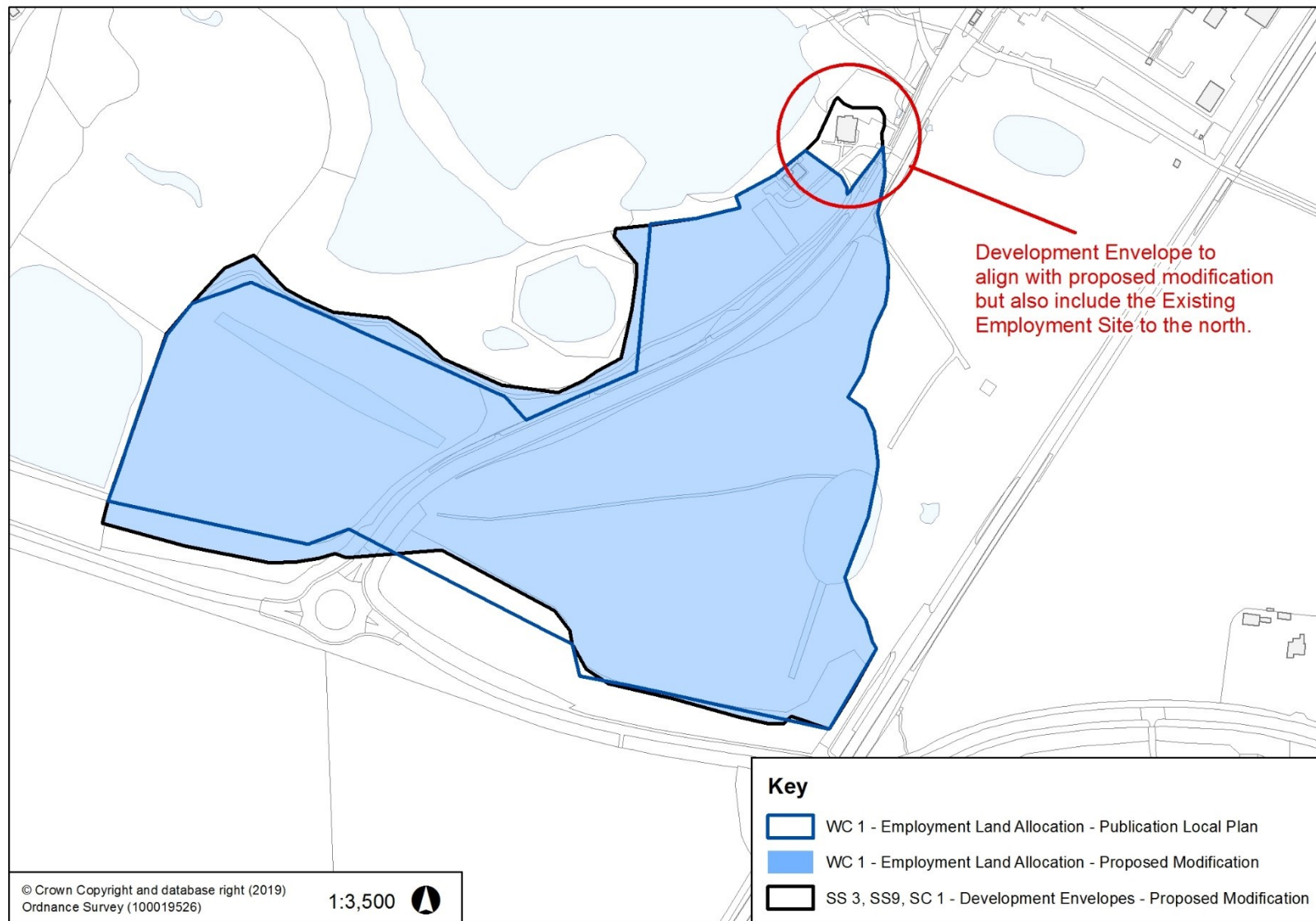
Appendix 6 – Deletion of Housing Allocation v) Land east of Pleasley Pit, Pleasley [PMC6]



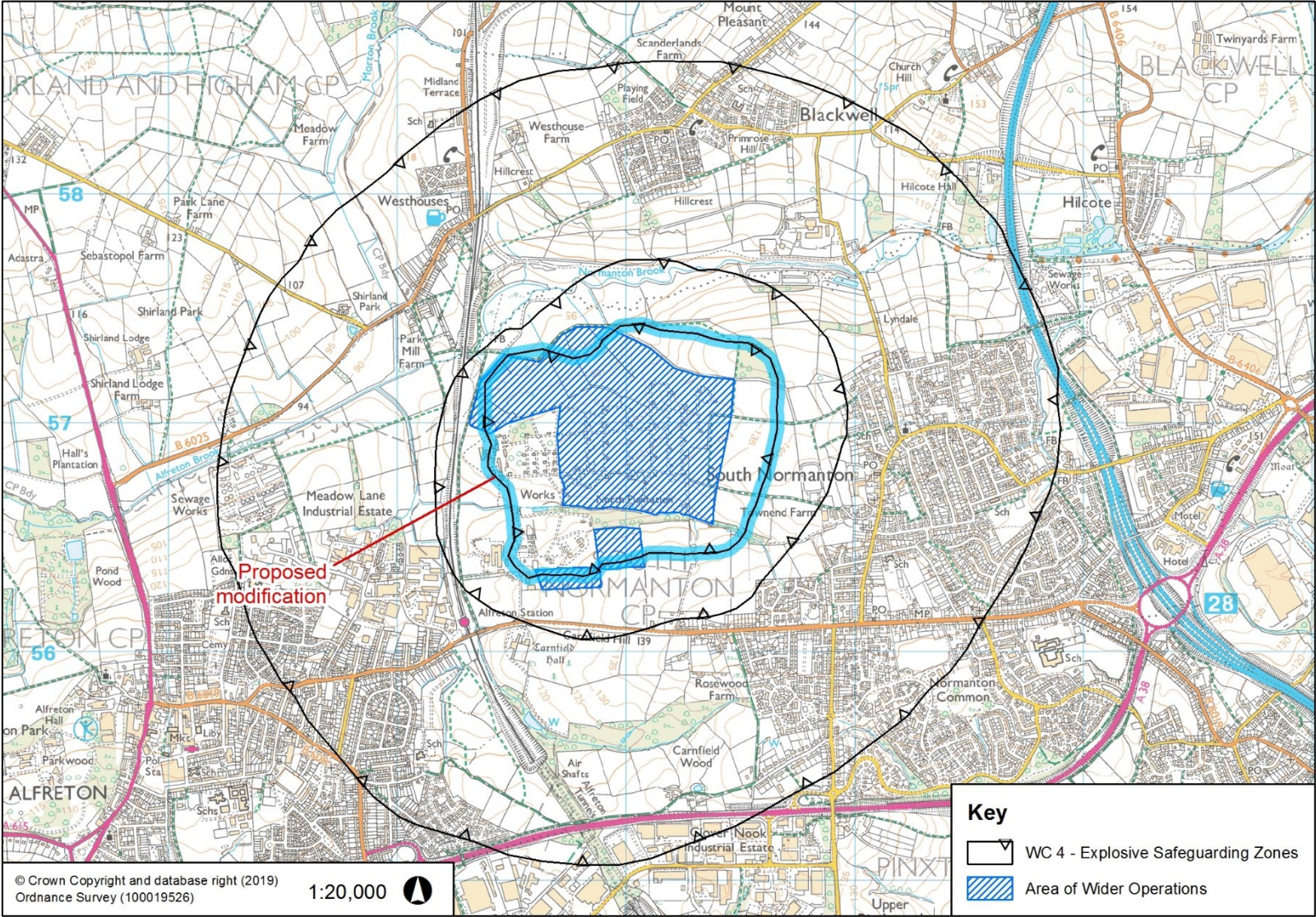
Appendix 7 – Change from an Existing Gypsies and Travellers Site to a Gypsies and Travellers Site Allocation in Pinxton [PMC7]



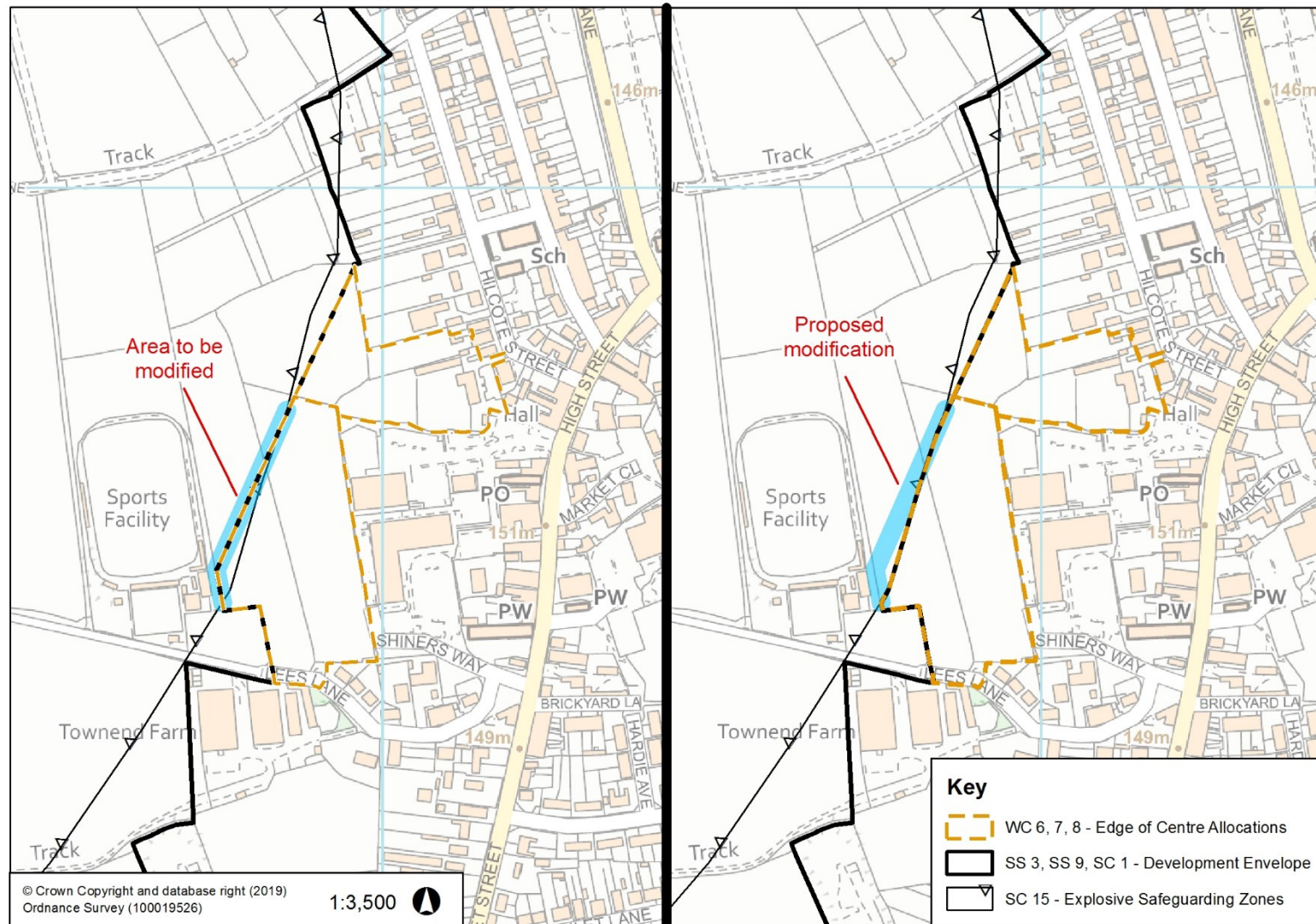
Appendix 8 – Amendment to the Explore Industrial Park Employment Allocation boundary and corresponding amendment to the Development Envelope boundary at Steetley [PMC8]



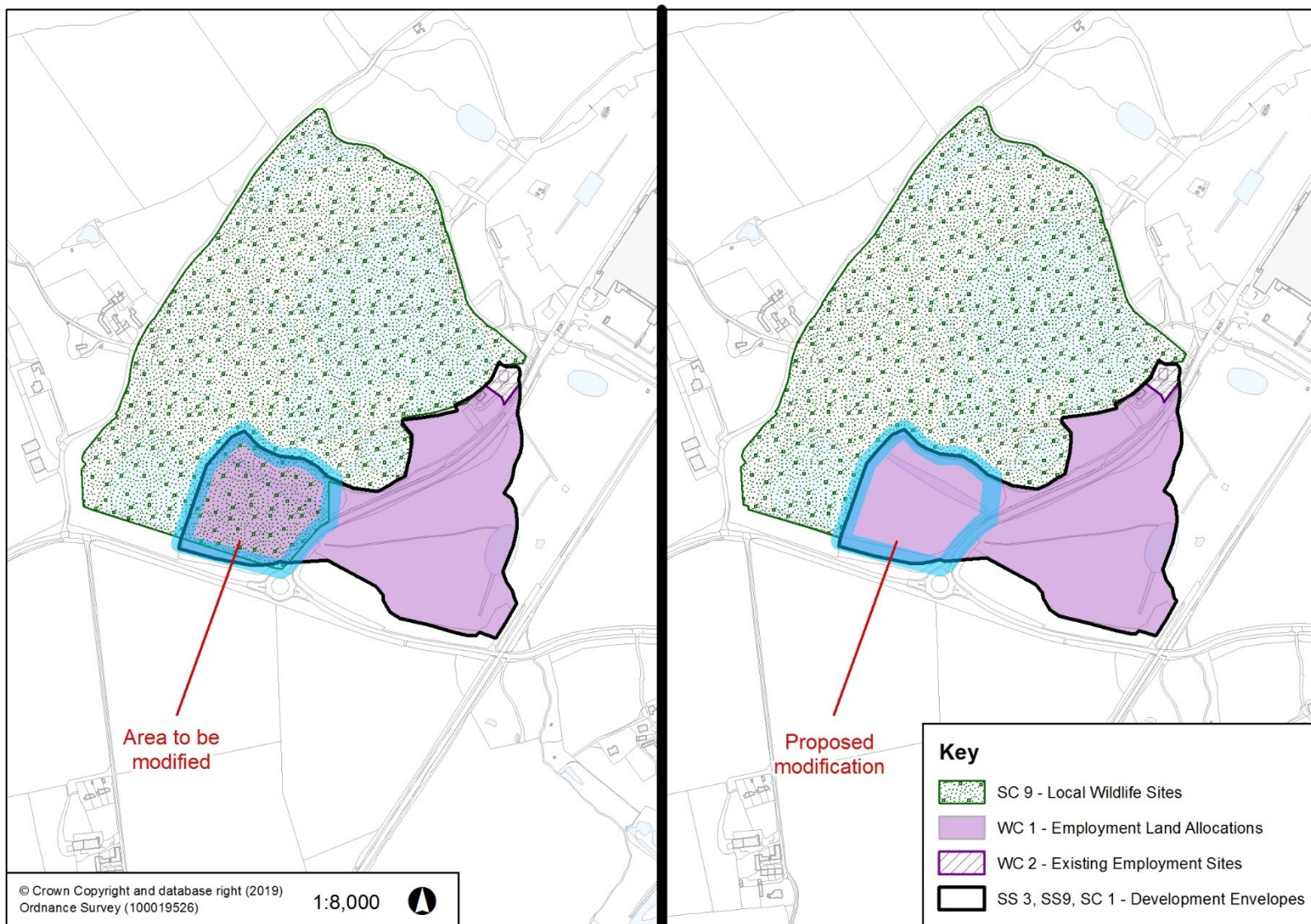
Appendix 9 – Amendment to the Explosive Safeguarding Zones around Rough Close Works, South Normanton and identification of the Area of Wider Operations [PMC9]



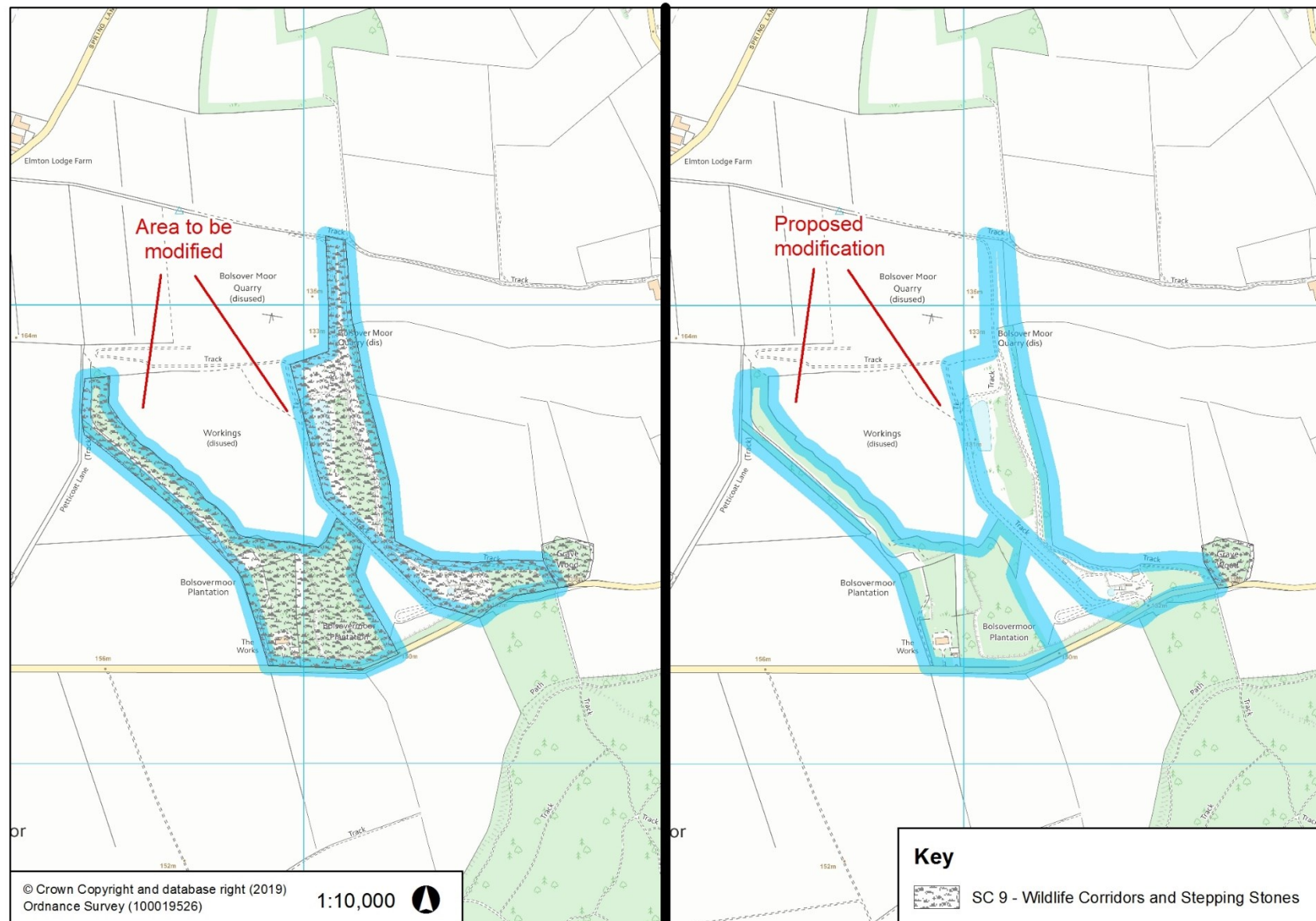
Appendix 10: Amendments to the Edge of Town Centre Allocations in South Normanton and the Development Envelope [PMC10]



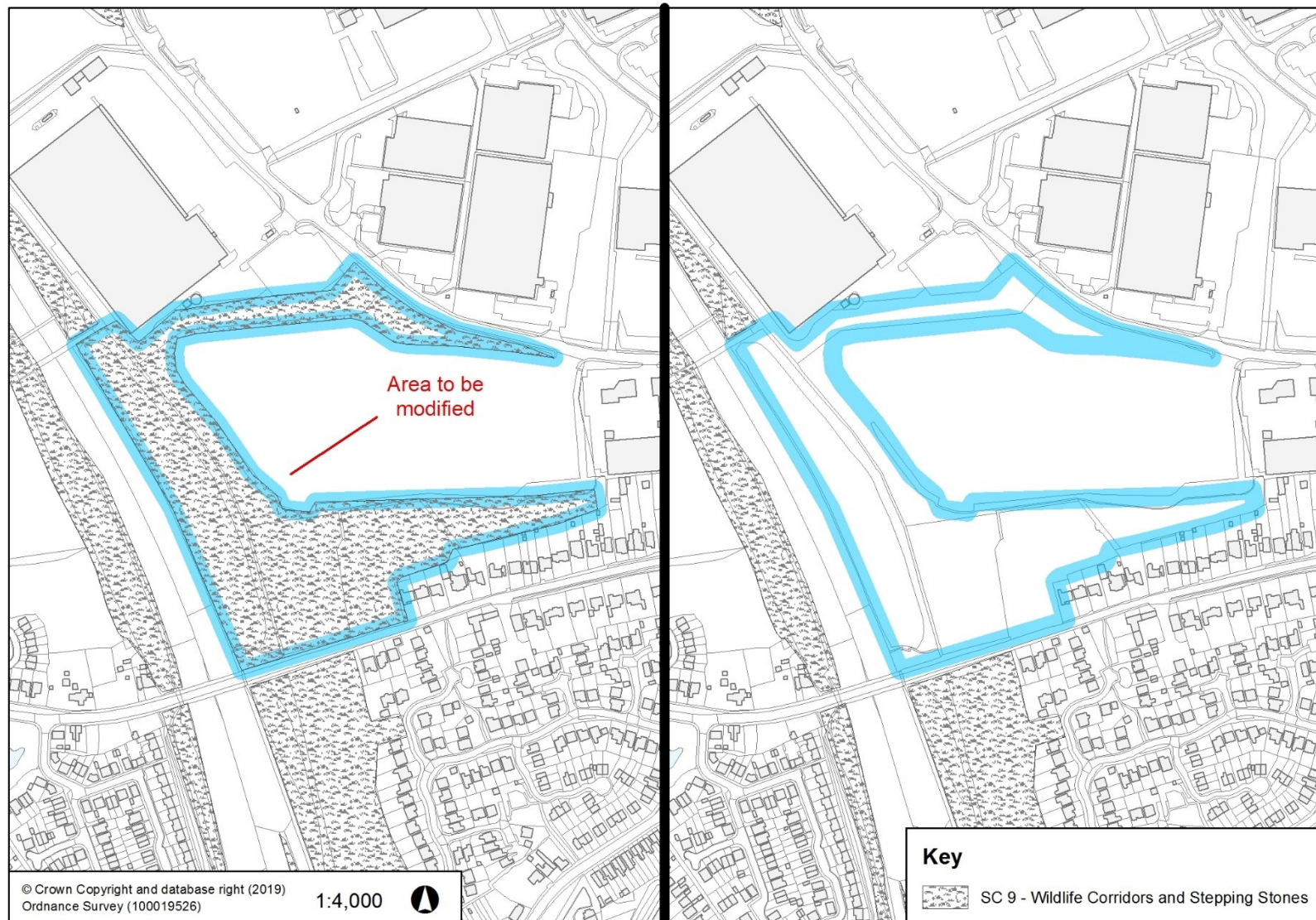
Appendix 11: Deletion of the part of the Local Wildlife Site that is within the Explore Industrial Park Employment Allocation [PMC11]



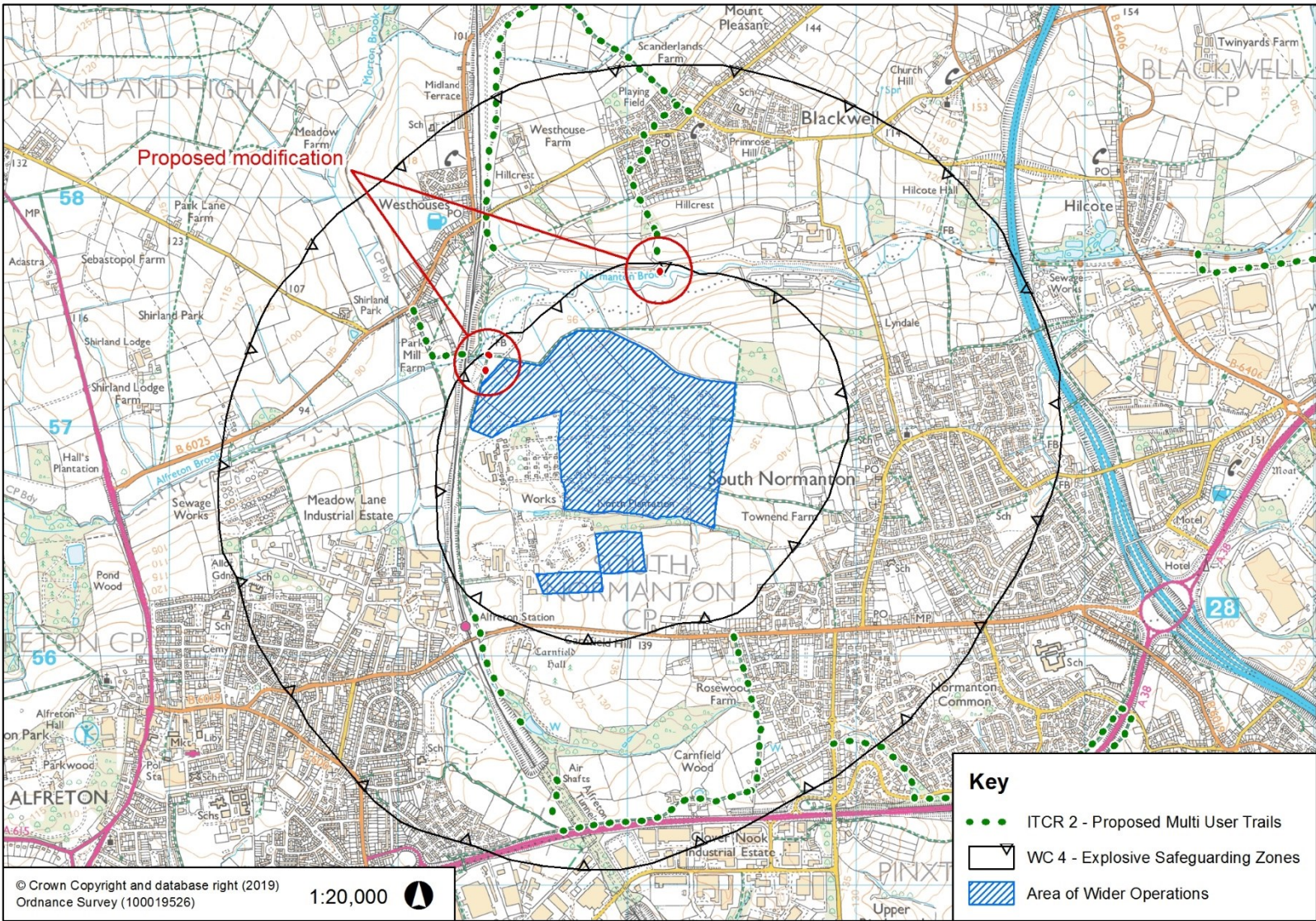
Appendix 12: Deletion of the Wildlife Corridors and Stepping Stones designations at Bolsover Moor Quarry [PMC12]



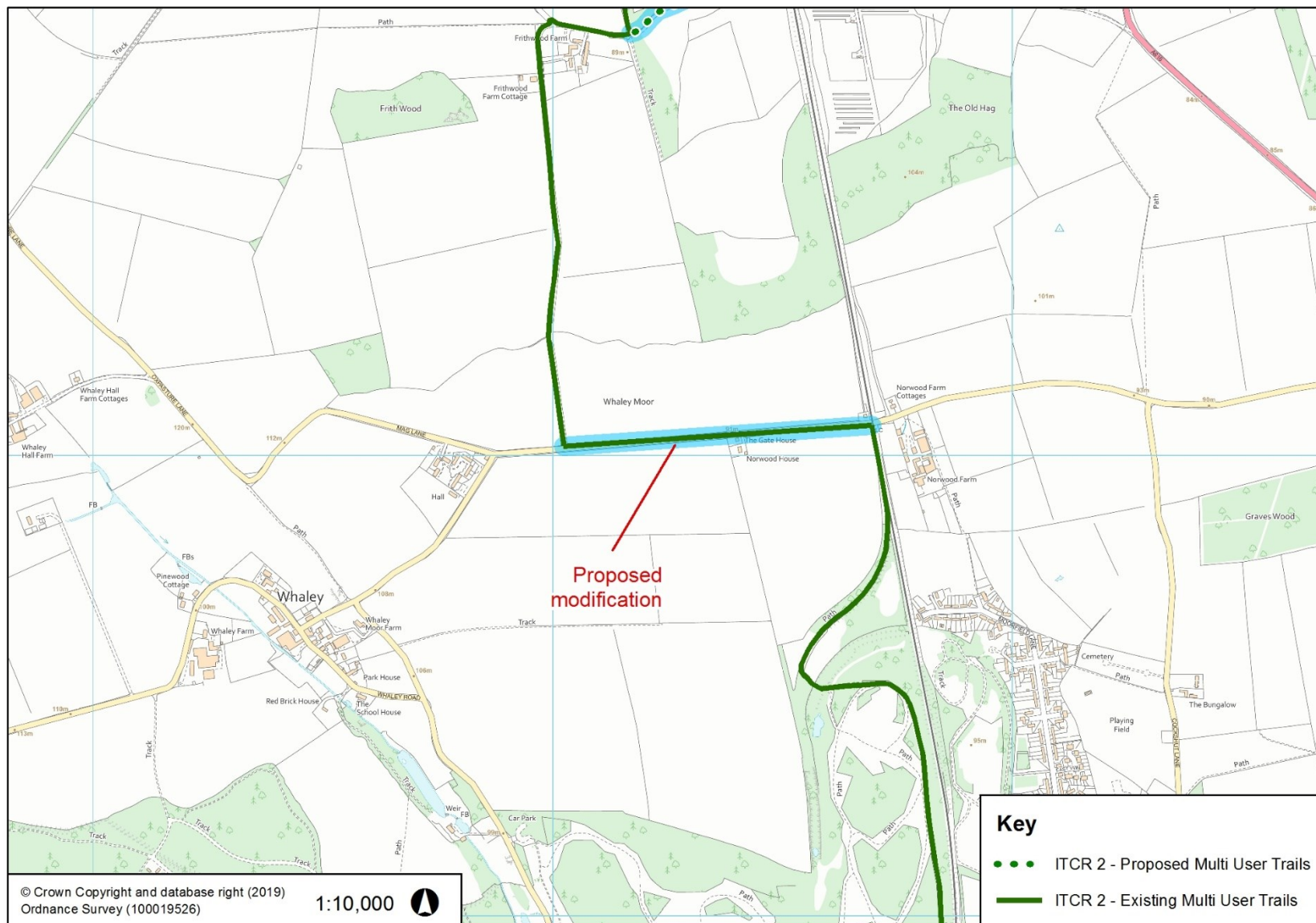
Appendix 13: Deletion of the Wildlife Corridors and Stepping Stones designation at Ball Hill, South Normanton [PMC13]



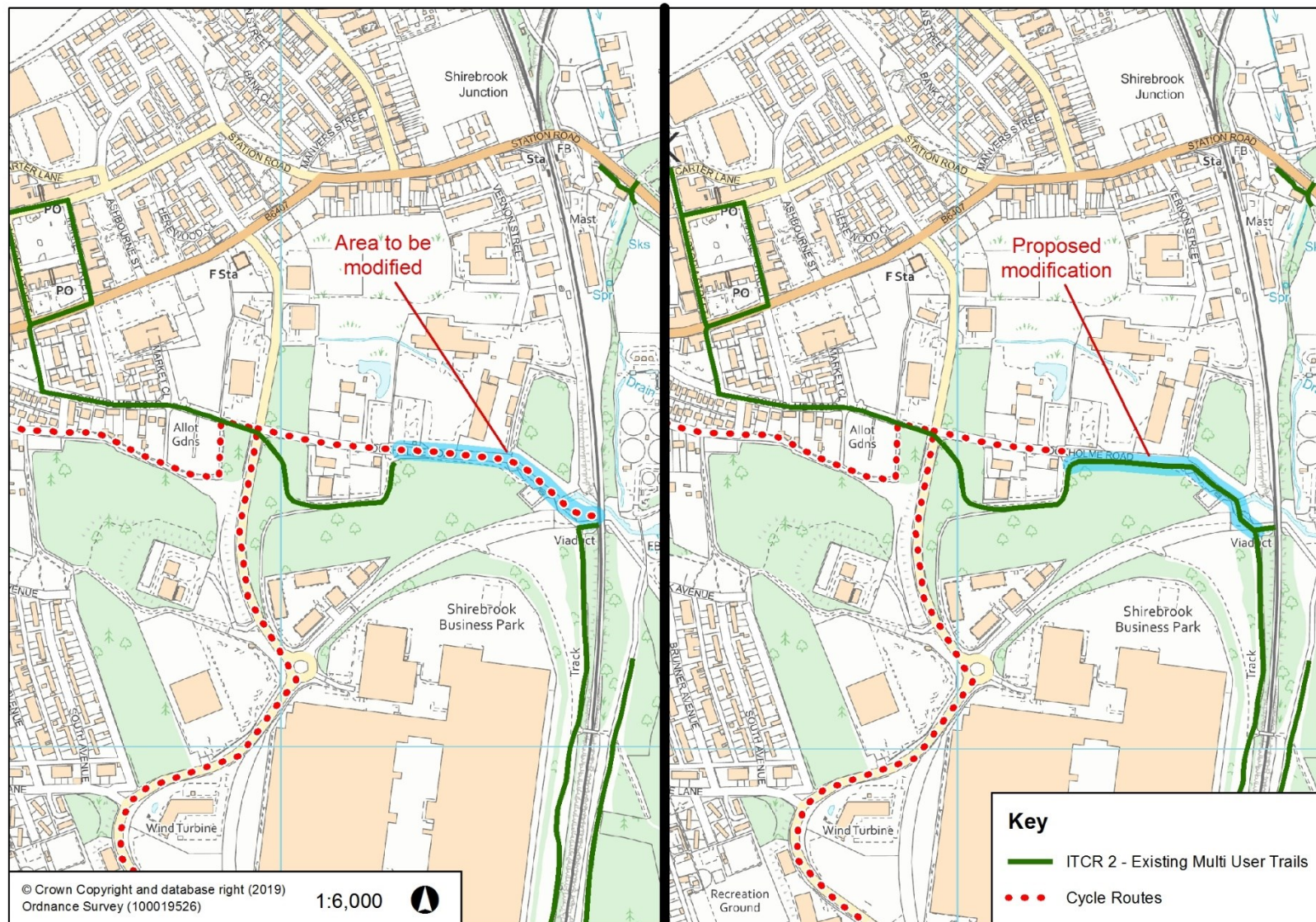
Appendix 14: Deletion of two small distances of Multi User Trails within the inner Explosive Safeguarding Zone around Rough Close Works, South Normanton [PMC14]



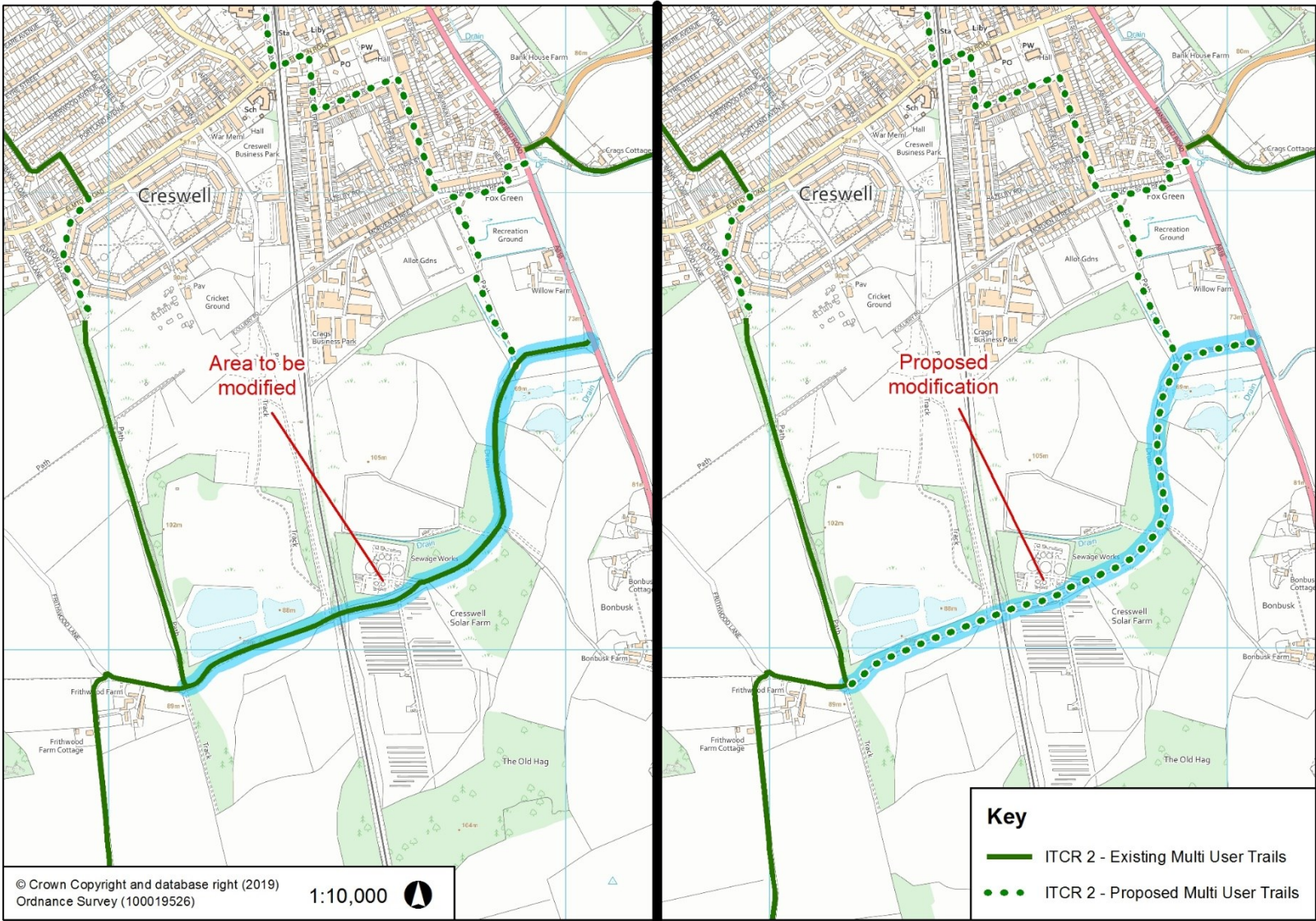
Appendix 15: Amendment to the Multi User Trail to include Mag Lane, Langwith [PMC15]



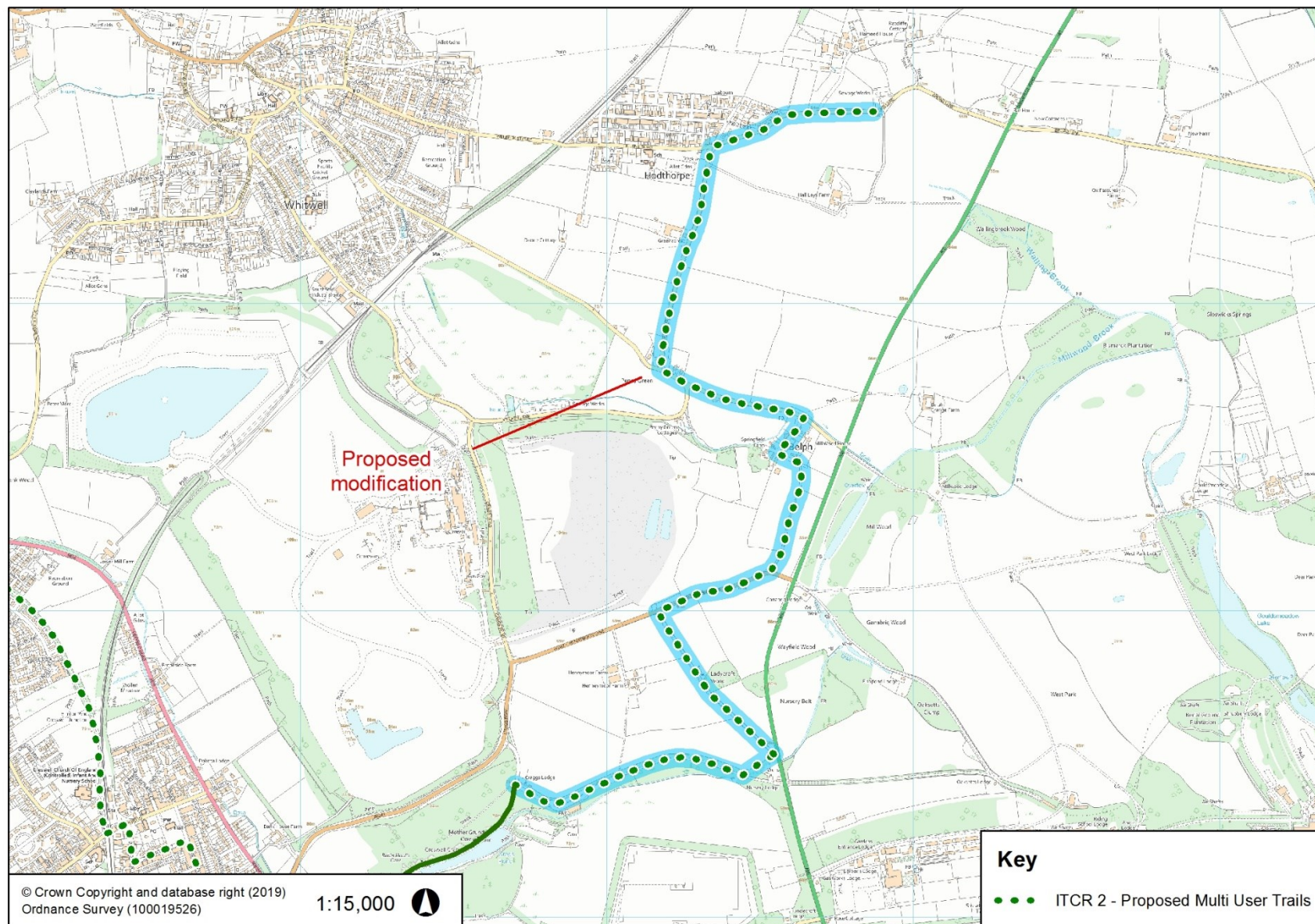
Appendix 16: Amendment to Cycle Routes to delete Sookholme Road, Shirebrook and amendment to the Existing Multi User Trails to include Sookholme Road, Shirebrook [PMC16]



Appendix 17: Amendment to the Existing Multi User Trails to delete Frithwood Lane, Creswell and amend the Proposed Multi User Trails to include Frithwood Lane, Creswell [PMC17]



Appendix 18: Add a new Proposed Multi User Trail East of Henny Moor Farm to Hodthorpe [PMC18]



**PROPOSED ADDITIONAL MODIFICATIONS
TO THE LOCAL PLAN FOR BOLSOVER
DISTRICT (PUBLICATION LOCAL PLAN)**

For Information Only

June 2019



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Proposed Additional Modifications	4 to 27

Introduction

This document details the proposed Additional Modifications to the Local Plan for the Bolsover District (Publication Local Plan) (May 2018) [SD2] submitted for Examination on 31 August 2018.

These are changes which do not materially affect the Policies of the Local Plan and do **not** fall within the scope of the Examination. The Council is therefore accountable for these changes.

The proposed Additional Modifications will be made upon adoption of the Local Plan by the Council.

For clarification, where text has been changed, deleted text is shown as ~~strike through~~ and additional text is shown underlined.

In addition to the specific changes listed in the schedule, consequential renumbering and renaming changes will also be required to policies, sites, paragraphs and footnotes upon adoption of the Local Plan (see **AM73**).

ADDITIONAL MODIFICATIONS TO THE LOCAL PLAN FOR BOLSOVER DISTRICT (PUBLICATION LOCAL PLAN)

CHAPTER 1 – INTRODUCTION

AM No.	Policy/Para. No.	Reason for Change	Proposed Additional Modification
AM1	Paragraphs 1.7 and 1.8	To update the Local Plan in terms of the stage it has reached.	<p>Amend Paragraph 1.7 to read as follows:</p> <p>“Once formally adopted the <u>The adopted</u> Local Plan will form<u>s</u> the key part of the development Plan for Bolsover District...”</p> <p>Amend Paragraph 1.8 to read as follows:</p> <p>“An overview of how policies in this publication version of the <u>adopted</u> Local Plan were developed can be found at Appendix 1.1, ‘Development of the Local Plan’. Further details of the consultation undertaken at all the stages of the development of the Plan, together with how public engagement has helped to shape this version of the Plan can be found in the Council’s Statement of Consultation.”</p>
AM2	Paragraphs 1.28 and 1.29	To correct a typographical error.	<p>Amend Paragraph 1.28 to read as follows:</p> <p>“The Economic Development Needs Assessment (<u>EDNA</u>) (October 2015) identified that the Functional Economic <u>Market</u> Area</p>

			<p>(<u>FEMA</u>) for Bolsover District principally covers the authority areas of”</p> <p>Amend Paragraph 1.29 to read as follows:</p> <p>The <u>FEMA</u> Functional Economic Area covers more than one local planning authority area. Therefore, the delivery of employment land across the <u>FEMA</u> Functional Economic Area is legally a cross boundary strategic matter and thus subject to the Duty to Co-operate. However, as each local planning authority’s <u>FEMA</u> Functional Economic Area differs and overlaps the <u>FEMA</u> Functional Economic Areas of their neighbouring authorities, there is no fixed quantum of employment land to be distributed across the District’s <u>FEMA</u> Functional Economic Area. In accordance with national guidance, the Council’s Economic Development Needs Assessment EDNA has been used to identify a range of employment land targets for Bolsover District.”</p>
AM3	Figure 1A: Key Diagram	To correct a typographical error.	<p>Amend the title of Figure 1A to read as follows:</p> <p>“Figure 1A: Key Diagram <u>Stages of Plan Preparation</u>”</p>

CHAPTER 2 – SPATIAL PORTRAIT – No Additional Modifications Proposed

AM No.	Policy/Para. No.	Reason for Change	Proposed Additional Modification
AM4	Paragraph 2.11	To correct a factual error.	Amend Paragraph 2.11 to read as follows: “... Junction 30 also lies within the District and Junctions 29 and 29a are located just outside in North East Derbyshire District <u>and Chesterfield Borough respectively.</u> ”

CHAPTER 3 – VISION AND OBJECTIVES – No Additional Modifications Proposed

AM No.	Policy/Para. No.	Reason for Change	Proposed Additional Modification
AM5	Vision – Social Role	To correct a typographical error.	Amend the first paragraph under Social Role to read as follows: “A range of new housing will have met the needs of a growing and ageing population. New infrastructure...”
AM6	Paragraph 3.5	To correct a typographical error.	Amend Paragraph 3.5 to read as follows: “In order to show the inter-relationships within the Plan, Appendix 1.1 ‘Development of the Local Plan’, seeks to show the linkage between the identified issues, and the...”

CHAPTER 4 – THE SPATIAL STRATEGY

AM No.	Policy/Para. No.	Reason for Change	Proposed Additional Modification
AM7	Paragraph 4.8	To correct a typographical error.	Amend Paragraph 4.8 to read as follows: “In addition to this, the Council will also provide enough achievable <u>available</u> , suitable and achievable sites to provide...”
AM8	Paragraph 4.12	To correct a typographical error.	Amend Paragraph 4.12 to read as follows: “On this basis, the Council will plan for 92 hectares of employment land for the period 2014 2015 to 2033.”
AM9	Paragraph 4.18	To correct a typographical error.	Amend Paragraph 4.18 to read as follows: “...However, whilst South Normanton is identified as one of the District’s most sustainable settlements, it will have a lower level of growth due to the significant constraints on development represented by the EPG Rough Close works and the strategic highway network. Beyond this, lower...”
AM10	Paragraph 4.28	To correct a typographical error.	Amend Paragraph 4.28 to read as follows: “...This represents an appropriate, high quality design led approach to the development of this important <u>site</u> .”

AM11	Policy SS8: Pleasley Vale Regeneration Area	To correct an omission.	Amend the title of Policy SS8 to read as follows: “Policy SS8: Pleasley Vale <u>Priority</u> Regeneration Area.”
AM12	Paragraph 4.62	To correct a factual error.	Amend Paragraph 4.62 to read as follows: “For the purpose of the Local Plan, countryside is defined as that land outside the development envelopes of the Small Towns, Emerging Towns, Large Villages, and <u>Small Villages and stand-alone employment sites and motorway services</u> as defined on the Policies Map.”
AM13	Paragraph 4.63	To correct a typographical error.	Amend Paragraph 4.63 to read as follows: “...Whilst many of the activities in the countryside are outside the scope of the planning control, there are...”
AM14	Paragraph 4.67	To correct two typographical errors.	Amend Paragraph 4.67 to read as follows: “...and following the selection of a Preferred Spatial Option in February 2016 that involves <u>d</u> the direction of growth... ...whether land currently within the Green Belt as defined in the adopted Local Plan but adjacent...”

AM15	Paragraph 4.69	To correct a typographical error.	Amend Paragraph 4.69 to read as follows: “Therefore, based on this evidence and an assessment of the exceptional circumstances that exist to alter the Green Belt boundary in this limited way. In reaching this conclusion, it is considered that the proposed altered Green Belt boundary...”
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CHAPTER 5 – LIVING COMMUNITIES

AM No.	Policy/Para. No.	Reason for the Change	Proposed Additional Modification
AM16	Paragraph 5.2	To correct a typographical error.	Amend Paragraph 5.2 item g) to read as follows: “g) The need to plan for ageing population”
AM17	Paragraph 5.14	To correct a typographical error.	Amend Paragraph 5.14 to read as follows: “Allocations have been made by balancing a range of considerations, such as the Plan’s approach to...”
AM18	Paragraph 5.38	To correct a typographical error.	Amend Paragraph 5.38 to read as follows: “5.38 t) Land at Queens Road Allotments - This site is situated to the south of Hodthorpe, is approximately 1.8 hectares in size and is expected to deliver its 38 dwellings between

			2019 and 2033 <u>2023</u> . The site has outline planning permission and is expected to relocate and expand the allotment provision in the village in advance of development, to provide a 1ha community woodland and a permissive path to the south of the allotment relocation site and a 400sqm parking area within the site to reduce on-street parking on Queens Road.”
AM19	Paragraph 5.46	To correct a typographical error.	Amend Paragraph 5.46 to read as follows: “...that the Council needs to be demonstrate is deliverable is its approach to affordable housing.”
AM20	Paragraph 5.49	To correct a typographical error.	Amend Paragraph 5.49 to read as follows: “Based on this evidence, policy LC2 aims to ensure that market housing development proposals contribute to affordable housing provision...”
AM21	Paragraph 5.53	To correct typographical errors.	Amend Paragraph 5.53 to read as follows: “Nationally and locally there is an ageing population with people living longer, and needing more accessible accommodation. As set out in the Spatial Portrait, the District is <u>also</u> characterised by an ageing population, with a higher than average percentage of retired households. <u>Furthermore</u> , H households with

			poor health is a significant issue for many in the District and demographic trends are expected to lead to a growth in the number of households with support needs by to <u>2,800 households to by</u> 2031.”
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CHAPTER 6 – WORKING COMMUNITIES

AM No.	Policy/Para. No.	Reason for Change	Proposed Additional Modification
AM22	Paragraph 6.8	To correct a factual error.	Amend Paragraph 6.8 item b) i) to read as follows: “ Erin <u>Seymour Link</u> Road (Northern Plot); Seymour <u>Markham Vale</u> ”
AM23	Paragraph 6.10	To correct a factual error.	Amend Paragraph 6.10 to read as follows: “6.10 Land at Seymour <u>Link Road</u> , Markham Vale”
AM24	Policy WC1: Employment Land Allocations	To correct typographical errors.	Amend Policy WC1 to read as follows: “The Council will support the development of the following <u>allocated</u> sites <u>as shown on the Policies Map, within stand-alone Development Envelopes where necessary</u> , for B1, B2 and B8 uses only, over the plan period.” Amend the allocated sites’ names as follows:

			<p>Sites under construction 2016 – 2017</p> <p>“Erin Road (Northern Plot), Seymour, (Markham Vale)”</p> <p>Sites with Planning Permission</p> <p>“Erin Seymour Link Road (central plot), Seymour, (Markham Vale)</p> <p>Erin Seymour Link Road (southern plot), Seymour, (Markham Vale)</p> <p>...</p>
AM25	Policy WC2: General Principles for Economic Development	To correct typographical errors.	<p>Amend Policy WC2 to read as follows:</p> <p>“ ...</p> <p>The following important eExisting eEmployment areas <u>Sites are allocated (as shown on the Policies Maps), within stand-alone Development Envelopes where necessary, are as</u> key economic drivers for the District for employment uses and will be protected:</p> <p>vi) “Erin Seymour Link Road, Seymour Markham Vale”</p> <p>xxvi) “Brookhill Lane Road, Industrial Estate, Pinxton”</p>

AM26	Paragraph 6.28	To correct typographical and factual errors.	<p>Amend Paragraph 6.28 to read as follows:</p> <p>“As noted in the policy WC2, the Council recognises the importance of the existing employment site at EPC-UK, Rough Close, South Normanton <u>operated by EPC United Kingdom PLC</u>. Due to the complex nature of the business, the site is designated as a hazardous substances site, and an explosives site, with three <u>two</u> Explosives Safeguarding Zones. These...”</p> <p>Corresponding change proposed to the Policies Map [PMC9]</p>
AM27	Policy WC4: Rough Close Works, South Normanton	To provide clarity and consistency in respect of the terminology used in the Local Plan and on the Policies Map.	<p>Amend the second paragraph of Policy WC4 to read as follows:</p> <p>“Within the core area <u>Existing Employment Area (Core Area)</u>, as shown on the Policies Map, planning permission will be granted for employment development or variation of existing permissions, provided that...”</p> <p>Amend the third paragraph of Policy WC4 to read as follows:</p> <p>“Within the a<u>Area of w</u><u>Wider e</u><u>O</u>perations, as shown on the Policies Map, planning permission...”</p>

			<p>Amend the fourth paragraph of Policy WC4 to read as follows:</p> <p><u>“Within the inner development zone Explosive Safeguarding Zone, as defined on the Policies Map, of the site permission...”</u></p> <p>Amend the fifth paragraph of Policy WC4 to read as follows:</p> <p><u>“Within the outer development zone Explosive Safeguarding Zone, as defined on the Policies Map as the rough close works, and during the operation...”</u></p> <p>Corresponding changes proposed to the Policies Map [PMC9]</p>
AM28	Paragraph 6.34	To correct two typographical errors.	<p>Amend Paragraph 6.34 to read as follows:</p> <p><u>“The Council seeks to ensure that each town centre in the District serves the day to day convenience, comparison and service needs...”</u></p>
AM29	Paragraph 6.41	To correct a typographical error.	<p>Amend Criterion e) of Paragraph 6.41 to read as follows:</p> <p><u>“e) Land North of Lees Lane (B), South Normanton (See Policy WC 8)”</u></p>

AM30	Paragraphs 6.42 and 6.43	To correct two typographical errors.	<p>Amend Paragraph 6.42 to read as follows:</p> <p>“The NPPF requires Local Authorities to define the extent of town centres and Pprimary shopping areas. The primary...”</p> <p>Amend Paragraph 6.43 to read as follows:</p> <p>“...The study also recommends a single town centre boundary that serves as the Pprimary Sshopping Aarea. The town and local centre...”</p>
AM31	Policy WC5: Retail, Town Centre and Local Centre Development	To correct a factual error.	<p>Amend Policy WC 5 to read as follows:</p> <p>“Support will be given to proposals which maintain or enhance the vitality and viability of the following hierarchy of town and local centres <u>as defined on the Policies Map</u>.”</p>
AM32	Paragraph 6.60	To correct a typographical error.	<p>Amend Paragraph 6.60 to read as follows:</p> <p>“Addressing these issues and <u>a</u> re-imagining of the square holds the potential to support, sustain and grow the...”</p>
AM33	Paragraph 6.62	To correct a factual error.	<p>Amend Criterion b) of Paragraph 6.62 to read as follows:</p> <p>“b) Portland Road (east) is considered suitable for a range of town centre uses but is also</p>

			<u>includes protected green space</u> including an equipped play area.”
AM34	Policy WC7: Shirebrook Edge of Town Centre Allocations	To delete a typographical error.	Delete Criterion d) of Policy WC7 in its entirety as follows: “ d) Contribute towards the efforts to tackle climate change through its approach to sustainable construction, renewable energy and energy conservation within the site’s general layout, design and orientation ”

CHAPTER 7 – SUSTAINABLE COMMUNITIES

AM No.	Policy/Para. No.	Reason for Change	Proposed Additional Modification
AM35	Paragraph 7.5	To correct a typographical error.	Amend Paragraph 7.5 to read as follows: “...Development proposals outside of built up areas will be considered against Policy SS8 <u>SS9</u> : {Development in the Countryside}. This approach complies...”
AM36	Paragraph 7.6	To correct a typographical error.	Amend Paragraph 7.6 to read as follows: “A key issue feature <u>message</u> from all stages of consultation on the Local Plan...”
AM37	Paragraph 7.39	To correct a typographical error.	Amend Paragraph 7.39 to read as follows:

			<p>“...However, it identifies two locations where flood risk needs to be carefully managed at South on the southern side of Pinxton, where there has been recurring flooding...”</p>
AM38	Section Title and Paragraphs 7.41, 7.42 and 7.43	To include the correct terminology.	<p>Amend the Section Title to read as follows:</p> <p>“Flood Risks and Sustainable Urban Drainage Techniques:”</p> <p>Amend Paragraphs 7.41, 7.42 and 7.43 to read as follows:</p> <p>“7.41 The Water Cycle Study recommended that the Local Plan included policies that promote sustainable drainage techniques, rather than using traditional piped systems. Sustainable Urban Drainage Systems (SuDS) mimic natural drainage by reducing the amount and rate of water flow following rainfall, therefore reducing the risk of surface water flooding.</p> <p>7.42 Sustainable Urban Drainage Systems <u>SuDS</u> have several other benefits Sustainable Urban Drainage Systems (SUDS) <u>SuDS</u> can also be used to assist flood management from new and existing developments with respect to surface water drainage discharges..... The inclusion of Sustainable Urban Drainage Systems <u>SuDS</u> should be done at the earliest stages of the</p>

			<p>process to ensure that they are successfully designed, built and maintained.</p> <p>7.43 The aim of policy SC7 below is to appropriately manage flood risk from all sources, and encourage the use of Sustainable Urban Drainage Systems SuDS to help achieve this.”</p>
AM39	Policy SC7: Flood Risk	To include the correct terminology.	<p>Amend Policy SC7 to read as follows:</p> <p>f) “The development incorporates a Sustainable Urban Drainage System (Su<u>U</u>DS) to manage surface water drainage...”</p>
AM40	Paragraph 7.44	To correct a typographical error.	<p>Amend Paragraph 7.44 to read as follows:</p> <p>“...Air, water, soil, fossil fuels and minerals are all vital natural resources <u>on</u> which we depend. Development can have direct and indirect...”</p>
AM41	Paragraph 7.55	To correct typographical errors.	<p>Amend Paragraph 7.55 to read as follows:</p> <p>“...The District has six <u>7</u> nationally important sites designated as Sites of Special Scientific Interest (SSSI<u>s</u>’S), either wholly or partly within its boundaries. These have... ..as Local Wildlife Sites. Of these, three <u>3</u> are also designated...The SSSI’s, Local Nature Reserves,...”</p>

AM42	Paragraph 7.58	To correct a typographical error.	Amend Paragraph 7.58 to read as follows: “It is useful to compare Figures SC4 7A & SC2 7B , as it becomes clear that the biodiversity...”
AM43	Paragraph 7.65	To correct a typographical error.	Amend Paragraph 7.65 to read as follows: “The Council can protect selected trees and woodland in the interests of amenity by the making of Tree Preservation Orders (TPOs). The Council will seek to make Tree Preservation Orders <u>TPOs</u> where trees that”
AM44	Paragraph 7.66	To correct a typographical error.	Amend Paragraph 7.66 to read as follows: “...It is a criminal offence to damage or fell a protected tree. In assessing applications for the felling or works to a TPO <u>protected</u> tree, the Council will take into account...”
AM45	Policy SC12: Air Quality	To correct typographical errors.	Amend Policy SC12 to read as follows: “The assessment of new development will include a consideration of the potential impact of a new development and increased traffic on air quality, particularly in relation to development close to the M1, and the existing Air Quality Management Areas (AQMA): and other major highways or transport corridors. Development that, on its own or cumulatively, would be likely to exacerbate air quality

			problems in existing and potential AQMA's will only be permitted if the potential adverse effects would be mitigated to..."
AM46	Paragraph 7.75	To correct typographical errors.	Amend Paragraph 7.75 to read as follows: "...into water courses that feed into important Sites of Special Scientific Interest (SSSIs) at Welbeck Lakes, Thoresby Lake, and Clumber Park Downstream . These SSSIs and other..."
AM47	Paragraph 7.76	To correct typographical errors.	Amend Paragraph 7.76 to read as follows: "...and prevent adverse changes in water quality in the d District impacting on Sites of Special Scientific Interest <u>SSSIs</u> downstream."
AM48	Policy SC13: Water Quality	To correct a typographical error.	Amend Policy SC13 to read as follows: "...made where possible. All major planning applications should be accompanied by a) <u>Provide d</u> Details of how the development contributes to the protection and enhancement of waterbodies identified by the Humber River Basin Management Plan and the Water Framework Directive b) Demonstrates that adequate sewage infrastructure..."

AM49	Paragraphs 7.83 and 7.84	To correct typographical errors.	<p>Amend paragraph 7.83 to read as follows:</p> <p>“...For this reason the Health and Safety Executive (HSE) identifies consultation distances for each of these installations. There are three <u>two</u> explosives safeguarding zones (inner, middle and outer) around EPC Explosives <u>Rough Close Works</u>, South Normanton. There are a further four Hazardous Substances Consent Consultation Zones around Hazardous Installations which affect the District. The full list is:</p> <p style="padding-left: 40px;">a) EPC Explosives <u>United Kingdom PLC</u>, Rough Close Works, South Normanton, DE55 2BE...”</p> <p>Amend paragraph 7.84 to read as follows:</p> <p>“Due to the complicated nature of the three <u>two</u> separate safeguarding zones in regard to the EPC Explosives <u>Rough Close Works</u> site, a detailed policy in relation to the site (WC4) is contained in Chapter 6.”</p>
AM50	Paragraph 7.87	To correct a typographical error.	<p>Amend Paragraph 7.87 to read as follows:</p> <p>“...part of the development plan for Bolsover District. They include saved policies relating to Minerals Consultation Areas (MCA's) and procedures to ensure...”</p>

CHAPTER 8 – INFRASTRUCTURE, TRANSPORT, COMMUNITY AND RECREATION PROVISION

AM No.	Policy/Para. No.	Reason for Change	Proposed Additional Modification
AM51	Policy ITCR2: The Multi-User Trails Network	To correct a typographical error.	Amend Policy ITCR2 to read as follows: “Existing Multi-User Trails ... k) Archaeological Way (Sookholme Road, Shirebrook to Frithwood Lane <u>Trail</u> , Creswell
AM52	Paragraph 8.18	To correct a typographical error.	Amend paragraph 8.18 to read as follows: “One of the key characteristics of the District is that it has an ageing population and a significant number... ”
AM53	Policy ITCR4: Local Shops and Community Facilities	To correct a typographical error.	Amend Policy ITCR4 to read as follows: “Protection of local convenience shops and community facilities Planning permission for development that...”
AM54	Paragraph 8.24	To correct a factual error.	Amend paragraph 8.24 to read as follows: “Baseline information for the Green Space Strategy was collected in the form of an audit: the Green Space Quality <u>Quantity</u> and

			Accessibility Report (December 2013), and updated... ”
AM55	Paragraph 8.25	To correct a factual error.	Amend paragraph 8.25 to read as follows: “The Green Space Quality <u>Quantity</u> and Accessibility Report showed that the e District has over...”
AM56	Paragraph 8.56	To correct a typographical error.	Amend paragraph 8.56 to read as follows: “...The locations of these planned local transport improvement schemes are identified on the Policies Map, with detailed proposals included <u>withi</u> n Appendix 8.1 of the Plan.”
AM57	Policy ITCR12: Information Communication Technology and Telecommuni-cations	To correct a typographical error.	Amend Criterion c) of Policy ITCR12 to read as follows: “c) The colour and profile are sympathetic to the site’s surroundings and the size of the development...”

CHAPTER 9 – IMPLEMENTATION AND INFRASTRUCTURE DELIVERY

AM No.	Policy/Para. No.	Reason for Change	Proposed Additional Modification
AM58	Paragraph 9.8	To correct a typographical error.	Amend paragraph 9.8 to read as follows:

			"It is recognised that infrastructure requirements may change over time and some..."
AM59	Policy II1: Plan Delivery and the Role of Developer Contributions	To correct factual errors.	Amend Criterion a) of Policy II1 to read as follows: "a) Green <ul style="list-style-type: none"> • Strategic green infrastructure (greenways <u>multi-user trails</u> and wildlife corridors) • Green spaces (formal, and semi-natural green spaces <u>and playing pitches</u>)"

GLOSSARY

AM No.	Policy/Para. No.	Reason for Change	Proposed Additional Modification
AM60	Glossary of terms	To correct a typographical error.	Amend the Glossary of terms as follows: " Ageing Population - A change in the age structure within an area where the average age rises and a growing number of people live beyond the standard working age."
AM61	Glossary of terms	To include the term 'Environmental Impact Assessment' in the Glossary.	Amend the Glossary of terms to include: " <u>Environmental Impact Assessment</u> - A procedure to be followed for certain types of project to ensure that decisions are made in

			<u>full knowledge of any likely significant effects on the environment.”</u>
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APPENDICES

AM No.	Policy/Para. No.	Reason for Change	Proposed Additional Modification
AM62	Appendix 1.1 - Development of the Local Plan	To correct a typographical error.	Amend the first row on page 172 ‘Reference in vision’ to read as follows: “Ref in <i>Social Role</i> ‘A range of new housing will have met the needs of a growing and ageing population’ AND...”
AM63	Appendix 1.1 - Development of the Local Plan	To correct a typographical error.	Amend the first row on page 173 ‘Reference in vision’ to read as follows: “Ref in <i>Social Role</i> ‘A range of new housing will have met the needs of a growing and ageing population’.”
AM64	Appendix 1.1 - Development of the Local Plan	To correct a typographical error.	Amend the fourth row on page 178 ‘Reference in vision’ to read as follows: “Ref in <i>Social Role</i> ‘A range of new housing will have met the needs of a growing and ageing population’.”
AM65	Appendix 1.1 -	To update the Plan in respect of the deletion of Policy LC4.	Delete the reference to Policy LC4 in the fourth row on page 178 ‘Policies’.

	Development of the Local Plan		
AM66	Appendix 1.1 - Development of the Local Plan	To update the Plan in respect of the deletion of Policy LC4.	Delete the reference to Policy LC4 in the first row on page 179 'Policies'.
AM67	Appendix 1.1 - Development of the Local Plan	To correct a typographical error.	Amend the third row on page 182 'Reference in vision' to read as follows: "Ref in <i>Social Role</i> 'A range of new housing will have met the needs of a growing and ageing population'."
AM68	Appendix 1.1 - Development of the Local Plan	To update the Plan in respect of the deletion of Policy LC4.	Delete the reference to Policy LC4 in the third row on page 182 'Policies'.
AM69	Appendix 1.1 - Development of the Local Plan	To correct a typographical error.	Amend the first row on page 183 'Reference in vision' to read as follows: "Ref in <i>Social Role</i> 'A range of new housing will have met the needs of a growing and ageing population'."
AM70	Appendix 1.1 -	To correct a typographical error.	Amend the second row on page 183 'Reference in vision' to read as follows:

	Development of the Local Plan		“Ref in <i>Social Role</i> ‘A range of new housing will have met the needs of a growing and ageing population’.”
AM71	Appendix 1.1 - Development of the Local Plan	To correct a typographical error.	Amend the third row on page 183 ‘Reference in vision’ to read as follows: “Ref in <i>Social Role</i> ‘A range of new housing will have met the needs of a growing and ageing population’.”
AM72	Appendix 8.1 - Locations of planned local transport improvement schemes	To correct a typographical error.	Amend the title of the plan xv) in Appendix 8.1 to read as follows: xv) “Redirection of bus routes to service Brookvale and Brook Park allocations in Shirebrook Redirection of bus routes through the Clowne Garden Village strategic site ”

THROUGHOUT THE PLAN

AM No.	Policy/Para. No.	Reason for Change	Proposed Additional Modification
AM73	As Required.	To update the Plan to take account of additions and deletions set out in this document and in the schedule of proposed Main Modifications.	Policies, sites, paragraphs and footnotes to be renumbered and/or renamed as required throughout the Local Plan.

COMMITTEE UPDATE SHEET

SUPPLEMENTARY REPORT OF THE PLANNING MANAGER

This sheet is to be read in conjunction with the main report.

Agenda Item No: 6 Planning Applications to be determined

Planning Site Visits held on 31 May 2019 commencing at 10:00hours.

PRESENT:-

Members: Councillors A Bailey, A Clarke, N Clarke, J Clifton, P Cooper, C Kane, E Smith, J Tait, J Wilson.

Officers: Chris Fridlington and Kay Gregory

APOLOGIES

Apologies were received from Councillors D Adams, D McGregor, T Munro and D Watson.

SITES VISITED

- 1) 18/00393/FUL: Coleman's Garage, 190 Carter Lane East, South Normanton
- 2) 19/00055/FUL: The Old School Rooms, 88 Main St, Newton
- 3) 19/00070/FUL: Erewash Garage, Kirkby Lane, Pinxton

The meeting concluded at 11:50 hours

Updates:

Agenda Item 6.1: Coleman's Garage, 190 Carter Lane East, South Normanton (18/00393/FUL)

No updates to report but members may wish to note Coleman's Garage employs 12 full time staff according to the submitted application form.

Agenda Item 6.2: The Old School Rooms, 88 Main St, Newton (19/00055/FUL)

As set out in the officer report, there are two key issues in the determination of this application namely the absence of a nocturnal bat survey and the suitability of the proposed vehicular access.

Firstly, since publication of the officer report, the applicant has confirmed that they would be prepared to commission this bat survey and agree appropriate mitigation measures prior to the commencement of any development on site to deal with the objections to the current application on ecological grounds. On this point, it is acknowledged that the building was considered to display low potential to support roosting bats and the applicant's willingness to

accept a condition requiring this work to be done prior to any development commencing on site could offer a compromise.

However, a single nocturnal bat survey should still be undertaken prior to issuing any permission for this application to properly ascertain whether there are any protected species constraints to development of the building and to ensure any necessary ecological enhancements are incorporated within proposals to achieve a net biodiversity gain. So, imposing a condition requiring a survey to address the ecological issues set out in the officer report is far less than ideal.

In light of this advice, the applicant is now also willing to commission the nocturnal survey if members resolved to approve this application subject to completion of this survey prior to the permission being granted.

Therefore, the Planning Committee may consider it is more appropriate to defer a final decision or delegate this application back to officers pending the outcome of that survey work - if - members were minded to approve this application despite the concerns that have been raised about the new vehicular access and the proposals for off-street parking.

The issue concerning the new access relates to the difference between visibility up and down Main Street when emerging from the new access at points 2m and 2.4m rear of the nearside edge of the road. At 2m back from the road, adequate visibility can be achieved and a 2m set back distance may be considered to be appropriate in some slow speed and lightly trafficked situations particularly where drivers and cyclists have the ability of see an overhanging or encroaching vehicle and to manoeuvre around it without undue difficulty.

Unfortunately, Main Street is not considered by the local highway authority to be a slow speed and lightly trafficked situation and as such the proposed access should be provided with visibility splays from a setback distance of 2.4m. In this case, at 2.4m back from the road, visibility becomes severely sub-standard hence the reason for refusing planning permission for this application on highway safety grounds.

Following the publication of the officer report, Cllr Watson has also made further comments on this application with regard to these issues. In short, Cllr Watson sincerely hopes that if the applicant agrees to undertake the required nocturnal bat survey, her colleagues will see fit to grant approval of this application with the much needed on-site parking, and allow this derelict building to be brought back into use as a family home.

Although Cllr Watson recognises this site is not in her ward, she knows the site well and is aware that there is support from local residents for this application saying that people in Newton and the wider local area are overwhelmingly in favour of the Old School Room being developed, as it is clear that this would greatly enhance the visual appearance of Main St by removing a longstanding eyesore.

Cllr Watson also notes that Main Street is a road which is generally very congested with parked cars, meaning that traffic necessarily travels quite slowly. Providing parking on site would therefore be much preferable. Furthermore, with turning space provided to enable all vehicles to both enter and exit the site forwards, Cllr Watson cannot see that this should create a hazard onto the highway.

On this last point, the applicant's transport assessment also confirms that there have been no recorded accidents along Main Street in the vicinity of the site frontage, including the pedestrian crossing location during the study period. The applicant goes on to say there appears to be no on-going problems, which could be exacerbated by the additional traffic generation by the proposed development.

Therefore, members may prefer to rely on local knowledge and the applicant's evidence rather than the local highway authority's advice and accept adequate visibility can be achieved at 2m back from the road. This would mean that the new access could be deemed to be safe and suitable and as such; planning permission could be granted for this application by the Planning Committee.

However, if the Planning Committee were minded to take this approach, officers would advise members to provide (and minute) the specific grounds on which they consider the 2m setback to be appropriate to ensure that any future challenge can be robustly defended.

RECOMMENDATION

In light of the applicant's revised position on the nocturnal bat survey, officers would be able to withdraw their objections to their proposals on ecological grounds pending the outcome of that survey and subject to the imposition of a condition requiring appropriate mitigation measures to be incorporated into the proposed development.

However, the local highway authority have maintained their objections to these proposals on highway safety grounds and cannot support the creation of an access where visibility is substandard. Therefore, officers would continue to recommend refusal of planning permission for the following reasons:

The proposed development would involve the creation of a new vehicular access onto the B6026 Main Street, and an area within the site frontage for the parking and manoeuvring of residents' vehicles.

This, if permitted, would introduce traffic movements to and from the public highway at a point where emerging visibility is severely restricted, due to the narrow footway and proximity of neighbouring buildings/property, thereby leading to danger and inconvenience to other highway users and interference with the safe and efficient movement of traffic, all to the detriment of highway safety.

The proposed development is therefore contrary to Saved Policies GEN1 and GEN2 of the Bolsover District Local Plan, Emerging Policy ITCR11 of the Bolsover District Local Plan Publication, and paragraph 127 of the National Planning Policy Framework 2019.

If members were to take a different view of the access arrangements and were in fact minded to approve this application: officers would again recommend that members minute their specific grounds for accepting the new access. If members were then satisfied these grounds were sufficiently robust to address the local highway authority's objections to the proposals then the Planning Committee could resolve to approve the application and delegate the grant

of planning permission for this application back to officers subject to the results of the nocturnal survey and subject to the following conditions:

1. The development shall be begun before the expiration of three years from the date of this permission.
2. Subject to the following conditions or modifications, the development shall be carried out in complete accordance with the following approved plans:
 - revised cross-sections (reference PR/S-CR-SEC/SCHOOL ROOM) received on 23 April 2019;
 - submitted Site Layout Plan (reference SITE-PLAN/SCHOOL ROOMS);
 - submitted elevational drawings (reference EX/PR/ELV/SCHOOL ROOMS/SIDE; EX/PR/ELV/SCHOOL ROOM; EX/PR/ELV/SCHOOL ROOMS/SIDE); and
 - submitted floor plans (reference OLD/SC-RM/F-PLANS).
3. The development shall be carried out in complete accordance with any working practices, mitigation measures and/or enhancement measures recommended by a suitably qualified ecologist following the completion of a nocturnal bat survey and any mitigation measures or enhancement measures shall be completed prior to the first occupation of the dwelling hereby permitted.
4. Prior to the installation of any new doors or windows, precise details of the windows or doors shall be submitted to and agreed in writing by the local planning authority. Thereafter, any new windows or doors shall be installed as approved prior to the first occupation of the dwelling hereby permitted.
5. Prior to the first occupation of the dwelling hereby permitted, obscured glazing shall be installed in the west facing window opening the details of which having first being agreed with the local planning authority in accordance with Condition 4 (above).
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revising, revoking and re-enacting that Order with or without modification), there shall be no alterations to or extension of the dwelling hereby permitted without the prior written approval of the local planning authority.
7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revising, revoking and re-enacting that Order with or without modification), no new building or enclosure shall be constructed within the application site without the prior written approval of the Local Planning Authority.

Agenda Item 6.3: Erewash Garage, Kirkby Lane, Pinxton (19/00070/FUL)

Since the publication of the officer report, the applicant has confirmed that there are normally 10 or 11 articulated vehicles operating from the site; most of these will leave Monday and come back Friday and then remained parked on site over the weekend.

There are also two concrete mixers that come in and out of the site around three times a day, up to a maximum of five times a day if the mixers are delivering locally deliveries. Sometimes these vehicles might leave and enter the site once a day if the delivery is further afield.

The applicant has also reiterated that there are no plans for expansion of the existing business or any plans to create a lorry park. The extended yard area is simply required to make manoeuvring easier and for lorries to be parked along the rear boundary of the site that runs parallel and adjacent to the M1.

If members were minded to approve this application but were concerned that the extended yard area could be put to other uses then they may consider an additional condition restricting the use of the yard area to vehicles associated with the approved use of the site for the handling, packing, and distribution of cement.

Notably, an Environmental Permit for the approved uses of the site already controls dust from the site and a noise assessment has previously been undertaken by the applicant. This noise assessment found that from 5am until 9pm other than on a Sunday, the M1 creates more noise at the boundary of the nearest residential properties than operations on site, which is why operational hours are restricted to 5am – 9pm Mondays to Saturday. The applicant has confirmed that the business does not operate from the site on Sundays.

The applicant has also now offered to plant some additional screening to better safeguard the amenities of the two northern-most properties on the western boundary of the site whose outlook has been most affected by the loss of trees within the application site. Therefore, members may wish to consider securing this planting by way of a planning condition if they were minded to approve this application.

RECOMMENDATION

The officer recommendation of approval remains unchanged because the above information clarifies the nature of the current proposals and does not give rise to any new planning issues not already covered in the officer report. However, members may wish to consider imposition of the additional two conditions mentioned above, which may be worded as follows:

- i. The extended yard area hereby permitted shall be used solely for the purposes of the parking and manoeuvring of vehicles in association with the approved use of the site for cement handling, packing and distribution and for no other purposes.
- ii. Within 3 months of the date of this permission, a landscaping scheme, including details of ecological mitigation for the loss of the trees cleared from the site, shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, any approved scheme of planting and ecological mitigation measures shall be carried out no later than the end of the next Planting Season (October 2019 – March 2020).