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To: Chair & Members of the Planning
Committee

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Tuesday, 17 September 2019

Dear Councillor

PLANNING COMMITTEE – WEDNESDAY, 25TH SEPTEMBER, 2019 AT 10:00

Please find enclosed a copy of the supplementary report for the above meeting.

Yours faithfully



Joint Head of Corporate Governance & Monitoring Officer



We speak your language
Polish **Mówimy Twoim językiem**
Slovak **Rozprávame Vaším jazykom**
Chinese **我们会说你的语言**

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PLANNING COMMITTEE

Wednesday, 25th September, 2019 at 10:00 in the Council Chamber, The Arc, Clowne

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COMMITTEE UPDATE SHEET

SUPPLEMENTARY REPORT OF THE PLANNING MANAGER

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

Agenda Item No: 5

Planning Site Visits held on 20 September 2019 commencing at 10:00hours.

PRESENT:-

Councillors A Bailey, N Clarke, P Cooper, N Hoy, C Kane, G Parkin, L Smyth, D Watson, and J Wilson.

Officers: Chris Fridlington and Kay Gregory

APOLOGIES

Apologies were received from Councillors A Clarke, J Clifton, D McGregor, T Munro, and J Tait.

SITES VISITED

- 1) **18/00481/REM: Blind Lane, Bolsover**
- 2) **18/00452/OUT: Whitwell Tip**

The meeting concluded at 11:20 hours

Agenda Item No.6: Planning Applications to be determined

Updates:

Agenda Item 6(i): Whitwell Tip (18/00452/OUT)

Outline planning application (all matters reserved except access) for the mixed-use redevelopment of the former Whitwell Colliery site, comprising circa 450 dwellings, circa 6 hectares of employment, public open space, convenience retail store and offices, means of access and parking including drop off area for Whitwell railway station, drainage and structural landscaping - Whitwell Tip and Surrounding Land Southfield Lane, Whitwell

No updates to report

Agenda Item 6(ii): Bolsover North (19/00005/REM)

Approval of Reserved Matters application for details of appearance, landscaping, layout and scale in relation to the development of 238 homes, open space and associated infrastructure, along with discharge of conditions 6 (Phasing Programme), 8 (Framework Travel Plan), 11 (Highway Surface Water Disposal), 15 (Maintenance/Management of public areas), 16 (hedgerow retention/creation) and 19 (Noise Assessment) of the outline planning permission ref. 14/00080/OUTEA in respect of the areas of the site included in this application.

The agent provided responses on 23rd September 2019 to the comments of the Force Designing Out Crime Officer (DOC) and the Urban Design Officer (UD): -

- Working to update the landscape plan and request that this matter can be dealt with under delegated powers after the planning committee with a view to avoiding any condition (*N.B. This would also deal with comments or the Derbyshire Wildlife Trust and an associated recommended condition*).
- Do not wish to provide for trees in private garden areas due to issues with sales and customer care due to differing requirements of individual purchasers.
- Don't agree the UD Officers comments on the suggested use of additional stone walling, but are happy to look to deliver this in key locations and provide native species planting in other areas, subject to agreement over any final details.
- Looking to amend footpath links around the village green to address comments of both the DOC and UD officers and again seek for this matter to be deferred for delegated approval.
- Consider boundary treatments to be as previously agreed, but note a condition is recommended in any event [*N.B. on this issue it is not considered that any details have been previously agreed and that a number of the amendments are a re-iteration of earlier requests.*]
- Consider corner turning plots as proposed are acceptable and proposes no changes (to address the comments of both the DOC and UD officers). [*It is considered unlikely that this will satisfy in particular the DOC officer who has raised concerns in respect of designing out crime and amendments – in particular in respect of the access road and adjoining dwellings between plots 14, 15, 34 and 35 – are still likely to be needed before crime prevention considerations can be appropriately resolved.*]
- Proposing to amend layout to improve rear access design and layout to individual plots; happy for an appropriately worded condition to deal with the design of locks on gates (DOC comments).
- Seeking to provide final details for pumping station prior to final decision being issued to avoid any condition.
- Where electricity sub-station potentially impedes pedestrian access to a proposed green corridor, the later phase is also proposing a similar green corridor alongside

(as included in the approved masterplan) that will provide for such access in any event. Agree to final details of the sub-station being subject to a condition.

- Agree to the inclusion of a condition regarding further details of materials.
- Agree further discussion needed over the design of porch canopies and prefer for this to be deferred for delegated approval, but a condition could be included and suggested wording has been made by the agent.

The agent also commented on the 23rd September 2019 on the draft conditions as follows: -

1. List of approved plans - Need to review any final list of documents.
2. Hard and soft landscaping - Prefer to rely on original condition or to defer for delegated approval, alternatively a suggested alternative wording for the drafted condition is made.
3. External walling and roofing materials - Again, prefer to defer for delegated approval, but also suggest alternative wording for the draft condition.
4. Protective fencing for retained landscaping - Minor wording amendment suggested.
5. Location and colour of meter boxes - No issue in principle as long as the meter boxes can match windows.
6. Details of pumping station and electricity sub-stations - No comments.
7. Noise mitigation details - Wish for the condition to be removed so that the original outline condition would still stand.
8. Validation of any approved noise mitigation once installed - Wish for the condition to be removed so that the original outline condition would stand.
9. Crime prevention requirements - Refer to separate comments on Force Designing Out Crime Officer comments and consider a condition would be needed to address outstanding issues.
10. Highways requirements - Need to see highways conditions (NB at the time of preparing this update suggested conditions had only just been received from the Highway Authority and had not been shared with the agent).

The Highway Authority has provided further consultation responses on the 23rd and 24th September 2019: -

- Confirmed that the revised site wide phasing programme is acceptable in accordance with the requirements of condition 6 of the outline planning permission – an advisory note advising that the requirements of condition 6 have been satisfied can be included on any planning permission document.

- Confirmed that the revised highway surface water details are acceptable in accordance with the requirements of condition 11 of the outline planning permission – as above this can be confirmed in an advisory note.
- Seek to identify suitable locations for bus stops on the approved layout drawings as the site is built out; until such time that buses are likely/ feasibly to enter the site, infrastructure would consist of raised kerbs, blacktop standing area and ducting for lighting of any shelters/signs.
- Confirmed that the revised refuse vehicle tracking details are acceptable to that Authority.
- In respect of condition 8 (Framework Travel Plan) of the outline planning permission: -
 - a. Confirmed that the original highway design comments in respect of this condition [*whilst themselves only submitted recently*] were in fact made to the original layout drawings and had not considered the revised layout that had been sent to that Authority. Consider though that remaining detailed design issues can be addressed directly with that Authority under any S38 agreement that the developer will have to enter into with Derbyshire County Council so no further consideration of this point needed.
 - b. The Highway Authority is aware that the Travel Plan document is being updated by the developer to reflect its suggested amendments. On this basis, a condition requiring the revisions to be submitted and approved will be needed.
- Have recommended several conditions for inclusion should planning permission be granted.

CONSIDERATIONS

It is unfortunate that the comments of both the agent and the Highway Authority were received very close to the date of the Planning Committee meeting and this has meant that there has been insufficient time to go through this information in sufficient detail. Therefore, further dialogue with consultees (in respect of the agent's comments) and the applicant's (in respect of the Highway Authority's comments, in particular their suggested conditions) is now necessary.

In summary, there a number of detailed issues that still need to be resolved that will need continuing dialogue with the agent, the Force Designing Out Crime Officer, the Urban

Design Officer, the Derbyshire Wildlife Trust and the Highway Authority and it will not be possible for all issues to be fully resolved by the meeting of the Planning Committee.

Nevertheless, these are all matters resolvable through minor amendments to the submission and/or the use of suitable conditions. It is not considered that any of the above issues will result in material changes to the overall layout of the scheme, nor will any amendments impact on the amenities of existing neighbouring residents.

On this basis the suggestion that these final design and condition wording details be delegated to officers is considered to be appropriate in this instance. On this basis the recommendation is amended as follows: -

RECOMMENDATION: To resolve to grant planning permission, but to defer the final decision to the Head of Planning in consultation with the Chair and Vice Chair of the Planning Committee, subject to conditions to generally follow the recommended conditions in the earlier report, or otherwise considered necessary to resolve any outstanding issues where these cannot be satisfactorily resolved through amended details.

Agenda Item 6(iii): Barlborough (19/00256/VAR)

Variation of Condition 8 (Flood Attenuation Pond), 9 (Surface water drainage details), 20 (new access junction replacing roundabout) of Planning Permission 17/00298/VAR - Rear of 16 to 124 and South West of 124 and Between Brickyard Farm and Barlborough Links Chesterfield Road Barlborough

No updates to report

Agenda Item 6(iv): Barlborough (19/00257/VAR)

Variation of Condition 2 (Approved Plans), Condition 15 (Access Junction replacing roundabout), Condition 16 (Provision of footway to revised junction) of Planning Permission 17/00539/FUL - Land Adjacent Brick Yard Farm Slayley Lane Barlborough.

No updates to report