

## **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, 13 March 2024 at 10:00 hours.

### **PRESENT:-**

Members:-

Councillor Tom Munro in the Chair

Councillors Justin Gilbody, Chris Kane, Duncan McGregor, John Ritchie, Phil Smith and Carol Wood.

Officers:- Sarah Kay (Assistant Director of Planning and Planning Policy), Jenny Owen (Chartered Legal Executive), Steve Phillipson (Principal Planner), Julie-Anne Middleditch (Principle Planning Policy Officer), Matt Connley (Special Projects Officer) (for item PL67-23/24 only), Amy Bryan (Governance and Civic Manager) and Matthew Kerry (Governance and Civic Officer).

### **PL61-23/24 APOLOGIES FOR ABSENCE**

Apologies for absence had been received on behalf of Councillors Robert Hiney-Saunders and Janet Tait.

### **PL62-23/24 URGENT ITEMS OF BUSINESS**

There were no urgent items of business to consider.

### **PL63-23/24 DECLARATIONS OF INTEREST**

Members were requested to declare the existence and nature of any disclosable pecuniary interests and/or other interests, not already on their register of interests, in any item on the agenda and withdraw from the meeting at the appropriate time.

There were no declarations of interest made.

### **PL64-23/24 MINUTES**

Moved by Councillor Duncan McGregor and seconded by Councillor John Ritchie  
**RESOLVED** that the Minutes of a Planning Committee held on 14<sup>th</sup> February 2024 be approved as a correct record.

**PL65-23/24 22/00402/FUL - FULL PLANNING APPLICATION COMPRISING PROPOSED LINK ROAD BETWEEN SHUTTLEWOOD ROAD AND OXCROFT LANE, INCLUDING DEMOLITION OF BOLEAPPLETON FARM AND ASSOCIATED OUTBUILDINGS, GROUND LEVEL CHANGES, AND CONSTRUCTION OF 161 DWELLINGS WITH PUBLIC OPEN SPACES, ACCESS ROUTES, LANDSCAPING AND ASSOCIATED WORKS - LAND SOUTH WEST OF BROCKLEY**

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### **WOOD OXCROFT LANE BOLSOVER**

Committee considered a detailed report in relation to the above application.

The application site was partially outside the settlement framework and so the proposal was contrary to the countryside protection policy SS9 of the local plan. However, the application was recommended for approval. Therefore, the decision had to be made by Planning Committee.

The application had also been referred to Planning Committee by Councillor Donna Hales.

The proposed application offered a means to deliver a distributor road to link Shuttlewood Road through the site to connect to Oxcroft Lane in accordance with the requirement of local plan policy LC1. A goal which otherwise was unlikely to be delivered for the foreseeable future. The key issue to consider was whether this benefit, together with the other benefits of the development, outweighed the harm caused by approving the application contrary to SS9 and any other harms with consideration given to issues including:

- the principle of the development and link road
- highway safety and the local road network
- the landscape and visual impact of the proposed development
- biodiversity
- design and housing layout
- local infrastructure capacity
- other technical issues: stability; archaeology; drainage; telecom mast; noise.

The application was a full planning application comprising proposed link road between Shuttlewood Road and Oxcroft Lane, including the demolition of Boleappleton Farm and associated outbuildings, ground level changes, and construction of 161 dwellings with public open space, access routes, landscaping and associated works. An extract of the proposed layout plan was set out in the report.

The application was recommended for approval subject to prior entry into a s.106 legal agreement and subject to conditions.

36 objections had been received (plus an additional 6 representations following re-consultation, from people who had already objected following initial consultation). The majority of objections had been received from residents of Shuttlewood Road. 1 resident had said that they would support the new link road. Details of the objections were set out in the report.

The Supplementary Update Report provided comments from the Leisure Services Officer, further information on the timing of the link road provision and affordable housing. The report also set out updated recommendations (A, G and an additional recommendation H) and amended wording for conditions 20 and 21.

Councillor Cathy Jeffery, on behalf of Councillor Donna Hales, attended the meeting and

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spoke against the application.

Nick Clarke attended the meeting and spoke against the application.

Raymond Ford attended the meeting and spoke against the application.

Darren Abbott (Applicant) attended the meeting and spoke for the application.

Members of the Committee asked the applicant a number of questions regarding the construction of the link road, training for local labour, removal of hedgerows and the feasibility of the scheme.

Moved by Councillor Duncan McGregor and seconded by Councillor Phil Smith

**RESOLVED** that the application be APPROVED subject to prior entry into a s.106 legal agreement containing the following planning obligations (listed in precis form only):-

Provision and maintenance of off-site biodiversity compensation including a requirement for the submission and approval of a Habitat Management and Monitoring Plan (HMMP) prior to commencement of development, along with sufficient funding for management and monitoring for a period of at least 30 years.

A. Affordable Housing 10% on site – (tenure mix of 7.5% Affordable rent, 2.5% First Homes).

B. Education:

- Infant: £39,454.10 for 2 infant places.
- Secondary: £59,449.94 for 2 secondary places.
- SEND: £119,316.42 for 1.41 SEND places of arising from a development (Special Schools as well as Enhanced Resources within mainstream schools).

C. Library - Stock contribution of £11,400.

D. Travel Plan - Monitoring contribution sum of £1,265 per annum for 5 years (£6,325).

E. Health £146,880 Local GP practices.

F. S.106 Monitoring Fee of £77 per S.106 payment trigger.

G. Leisure

- Playing Pitch Contribution- £208,656

(The onsite aspects including amenity green space, semi-natural green space and equipped play area being required in a scheme to be approved by conditions).

H. Provision of the proposed link road between Oxcroft Lane and Shuttlewood Road to at least base course level (in accordance with drawing 600512-HEX-XX-XX-DR-TP-0111 Rev PO7) before 40 dwellings have been occupied or

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within 2.5 years (30 months) of commencement, whichever is sooner.

AND subject to the following planning conditions (in precis form only with final wording and list of conditions delegated to the Assistant Director of Planning and Planning Policy):

### Conditions

1. The development shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved drawings and documents unless specifically stated otherwise in the conditions below:-

\*Final list of approved plans to be inserted\*

3. Nesting Birds

No stripping, demolition works or vegetation clearance shall take place between 1<sup>st</sup> March and 31<sup>st</sup> August inclusive, unless preceded by a nesting bird survey undertaken by a competent ecologist no more than 48 hours prior to clearance. If nesting birds were present, an appropriate exclusion zone must be implemented and monitored until the chicks have fledged. No works shall be undertaken within exclusion zones whilst nesting birds are present.

4. Construction Environmental Management Plan (CEMP: Biodiversity)

No development shall take place (including demolition, ground works, vegetation clearance and movement of plant, machinery and materials) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall reflect the measures set out in Section 4 the Preliminary Ecological Appraisal (FPCR, March 2023) and include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the

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construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

### 5. Archaeology

- a) "No development shall take place until a Written Scheme of Investigation for archaeological work has been submitted to and approved by the local planning authority in writing, and until any pre-start element of the approved scheme has been completed to the written satisfaction of the local planning authority. The scheme shall include an assessment of significance and research questions; and
  - 1) The programme and methodology of site investigation and recording;
  - 2) The programme for post investigation assessment;
  - 3) Provision to be made for analysis of the site investigation and recording;
  - 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation;
  - 5) Provision to be made for archive deposition of the analysis and records of the site investigation;
  - 6) Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation".
- b) "No development shall take place other than in accordance with the archaeological Written Scheme of Investigation approved under condition (a)."
- c) "The development shall not be occupied until the site investigation and post investigation reporting has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under condition (a) and the provision to be made for publication and dissemination of results and archive deposition has been secured."

### 6. Slope Stabilisation Measures

Prior to the commencement of development, detailed engineering drawings and information showing the provision of appropriate slope stability measures for the site shall have been submitted to and approved in writing by the Local Planning Authority. The slope stability measures shall accord with the following requirements and shall be implemented as approved:-

- 1) No reduction in ground levels shall be permitted at the bottom of the valley.
- 2) No increase in ground levels shall be permitted at the crest of the slope.
- 3) The slope of any part of the site shall not be steeper than 1 in 6 unless

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appropriate slope stabilisation measures are incorporated.

- 4) The slope of parts of the site to be occupied by houses shall not exceed 1 in 10 (or 1 in 8 if appropriate land drainage is used) unless other suitable slope stabilisation measures are incorporated.
- 5) Should there be a need for retaining walls where the ground slopes at more than 1 in 10, the maximum retaining wall height shall be 3.0m and there shall be a slope of no steeper than 1 in 40 for a zone 3.5 times the retained height in front of and behind the retaining wall. This zone should not overlap a similar zone from another retaining wall. (That is the width of level ground between two retaining walls should be no less than seven times the average of their retained heights. This gives an overall slope of 1 in 6.)
- 6) Land drainage running perpendicular to the site contours shall be provided where ground with a gradient of between 1 in 8 and 1 in 10 is to be developed with housing or roads or where any springs are encountered.
- 7) Soakaways shall not be used for this development.
- 8) No trench more than 1m deep and 10m long shall be dug approximately parallel to the site contours in the steeper sections.
- 9) No spoil heaps over 1.5m high shall be placed on any part of the slope where the gradient measured over a width extending 20m from the stockpile, or each side of it, is steeper than 1 in 10.

### 7. Surface Water Drainage Details

“No development shall take place until a detailed design and associated management and maintenance plan of the surface water drainage for the site, in accordance with the principles outlined within:

- a) Flood Risk Assessment and Drainage Strategy prepared by Hexa Consulting Engineers, Ref: 600152, Dated 21<sup>st</sup> March 2023, Revision V06 and “including any No objections in principle Conditions Recommended X Objection Recommended PUBLIC subsequent amendments or updates to those documents as approved by the Flood Risk Management Team”;
- b) And DEFRA’s Non-statutory technical standards for sustainable drainage systems (March 2015), have been submitted to and approved in writing by the Local Planning Authority.”

### 8. Surface Water Management During Construction

“Prior to commencement of the development, the applicant shall submit for approval to the LPA details indicating how additional surface water run-off from the site will be avoided during the construction phase. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved system shall be operating to the satisfaction of the LPA, before the commencement of any works, which would lead to increased

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surface water run-off from site during the construction phase.”

### 9. Surface Water Drainage System Verification Report

“Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

### 10. Foul Drainage Details

No development shall take place until details of the proposed means of disposal of foul water drainage for the whole site, including details of any balancing works, off-site works and phasing of the necessary infrastructure, have been submitted to and approved by the local planning authority. If sewage pumping is required from any part of the site, the peak pumped foul water discharge must not exceed 6.7 (six point seven) litres per second.

Furthermore, unless otherwise approved in writing by the local planning authority, no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works that would service that building.

The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems shall extend to the points of discharge to be agreed.

11. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.

### 12. Ground Contamination

1) Before the commencement of the development hereby approved:

Works identified in the Remediation Strategy submitted with the application Report ref KE/GCB/JRH/47129-003 shall be undertaken in accordance with the scheme in that report. The Remediation works shall ensure that the [site] [development] will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

The developer shall give at least 14 days notice to the Local Planning Authority (Environmental Health Division) prior to commencing works in connection with the remediation scheme.

2) No [dwellings/buildings] hereby approved shall be occupied until:

a) The approved remediation works required by 1 above have been carried out in full in compliance with the approved methodology and best practice.

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- b) If during the construction and/or demolition works associated with the development hereby approved any suspected areas of contamination are discovered, then all works shall be suspended until the nature and extent of the contamination is assessed and a report submitted and approved in writing by the Local Planning Authority and the Local Planning Authority shall be notified as soon as is reasonably practicable of the discovery of any suspected areas of contamination. The suspect material shall be re-evaluated through the process described in the Phase I contaminated land assessment (desk-study) ref [ ] submitted with the application and through the process described in 1 above and;
- c) Upon completion of the remediation works required by 1 above a validation report prepared by a competent person shall be submitted to and approved in writing by the Local Planning Authority. The validation report shall include details of the remediation works and Quality Assurance/Quality Control results to show that the works have been carried out in full and in accordance with the approved methodology. Details of any validation sampling and analysis to show the site has achieved the approved remediation standard, together with the necessary waste management documentation shall be included.

### 13. Habitat Management and Monitoring Plan (HMMP)

A Habitat Management and Monitoring Plan (HMMP) shall be submitted to, and be approved in writing by, the LPA prior to the commencement of the development. This shall identify the habitats to be retained, created and / or enhanced on the site and specify the appropriate management prescriptions and responsibilities for 30 years from the date of this permission, to secure the predicted condition targets, as per the approved biodiversity metric for the application. The HMMP shall also set out a monitoring schedule to ensure targets are met and remedial actions to take if not.

### 14. Species Enhancement Plan

Prior to building works commencing above foundation level, a Species Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority. Approved measures shall be implemented in full and maintained thereafter. The Plan shall clearly show positions, specifications and numbers of features, which will include (but are not limited to) the following:

- universal nest boxes at ratio of 1:1, in line with British Standard 42021:2022
- owl box(es) in suitable location close to Brockley Wood
- integrated bat boxes in 30% of dwellings
- insect bricks in 30% dwellings and / or towers in public open space.
- fencing gaps 130 mm x 130 mm to maintain connectivity for hedgehogs in all gardens.



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### 15. Lighting

Prior to the installation of lighting fixtures, a detailed lighting strategy shall be submitted to and approved in writing by the LPA to safeguard bats and other nocturnal wildlife. This should provide details of the chosen luminaires, their locations and any mitigating features such as dimmers, PIR sensors and timers. Dependent on the scale of proposed lighting, a lux contour plan may be required to demonstrate acceptable levels of light spill to any sensitive ecological zones/features. Guidelines can be found in Guidance Note 08/23 - Bats and Artificial Lighting at Night (BCT and ILP, 2023). Such approved measures will be implemented in full.

### 16. Street Trees

Street trees shall be provided and maintained in accordance with a scheme to be submitted to and approved in writing by the local planning authority.

All proposed street trees must be suitable for transport corridors as defined by Trees and Design Action Group (TDAG). Details must be provided of what management systems are to be included, this includes root protections, watering and ongoing management responsibilities and contact details.

17. Landscaping Scheme to be submitted for approval and implemented.

18. Maintenance of landscaping scheme.

### 19. Noise Mitigation

Prior to the first occupation of plots 1-4, 161, 44-46, 135-141 and 96-102 of the dwellings hereby approved a scheme of sound insulation shall be submitted to and approved in writing by the Local Planning Authority in respect of these plots. The scheme shall be designed following the completion of a sound survey undertaken by a competent person. The scheme shall take account of the need to provide adequate ventilation, which will be by mechanical means where an open window would not achieve the following criteria. Unless agreed with the local planning authority the scheme shall be designed to achieve the following criteria with the ventilation operating:

Bedrooms	30 dB LAeq (15 Minutes) (2300 hrs – 0700 hrs).
Living/Bedrooms	35 dB LAeq (15 Minutes) (0700 hrs – 2300 hrs).
All Other Habitable Rooms	40 dB LAeq (15 Minutes) (0700 hrs – 2300 hrs).
All Habitable Rooms	45 dB L <sub>Amax</sub> to occur no more than 6 times per night (2300 hrs – 0700 hrs).
Any outdoor amenity areas	55 dB LAeq (1 hour) (0700 hrs – 2300 hrs).

The scheme as approved shall be validated by a competent person and a

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validation report submitted to and approved in writing by the local planning authority prior to occupation of the relevant plots. The approved scheme shall be implemented in full and retained thereafter.

### Highway Safety

20. Before the proposed Shuttlewood Road junction can be used during construction phase of development, Shuttlewood Road shall be realigned and the new junction shall be provided in accordance with drawing 600152 HEX XX XX DR TP 0106 Rev P04.
21. Before any dwelling is occupied the access junction, estate roads, turning and parking facilities necessary to serve that dwelling shall have been provided to at least base course level in accordance with the following drawings:
  - Oxcroft Lane Access 600152 HEX XX XX DR TP 0105 rev P03
  - Shuttlewood Road Access 600152 HEX XX XX DR TP 0106 Rev P04
  - Highways Layout 600512 HEX XX XX DR TP 1111 Rev PO7
  - Planning Layout N2023 008N
22. The Development hereby approved shall not be occupied until the highway improvements works comprising:
  - Works A as shown on drawing DR-0105-P03.
  - Works B as shown on drawing DR-0106-P04.
  - Have been constructed and completed.
23. No individual dwelling in the Development hereby approved shall not be occupied until sheltered, secure and accessible bicycle parking has been provided in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority. The storage area shall be maintained for this purpose thereafter.
24. The Development hereby approved shall not be brought into use until an updated Travel Plan has been submitted to and approved in writing by the Local Planning Authority that promotes sustainable forms of travel to/from the development site. The submitted details shall use Modeshift STARS Business (or an alternative that has been agreed by the LPA) to carry out this process and shall include mechanisms for monitoring and review over the life of the development and timescales for implementation. The approved Travel Plan shall be implemented, monitored and reviewed in accordance with the approved details.
25. Prior to commencement of the development hereby permitted details of a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the demolition/construction period. The plan/statement shall include but not be restricted to:
  - Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers

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of neighbouring properties during construction);

- Advisory routes for construction traffic;
- Any temporary access to the site;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud being carried onto the highway;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Highway Condition survey;
- Working hours/days for noise generating activities;
- Methods of dust suppression during demolition and construction;
- Methods to prevent damage from surface water run-off during construction;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.
- Complaint recording and contact details of persons responsible for implementing the Construction Management Plan.

26. Prior to the occupation of any dwelling a detailed play space scheme shall have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented before any more than 75% of market dwellings have been occupied. The scheme shall include:-

- 1) Access – all paths leading to the play area shall be tarmac and at least 1.5m wide with a gradient of no steeper than 1:12 (ideally 1:20).
- 2) There shall be at least 5 pieces of equipment suitable for children up to the age of 12 years, which should be predominantly metal in construction.
- 3) The play area shall be fenced with 2 self-closing gates to restrict access by dogs, with sufficient benches and bins (including dog bins) within the play area and surrounding open space.
- 4) The play area must be located such that it benefits from informal surveillance from nearby dwellings and / or pathways, with an adequate buffer zone of at least 20m to the nearest dwelling.
- 5) Planting should be arranged so that it allows open views into and out of the play area.

27. Notwithstanding the submitted planting/landscape drawings, where the existing hedgerow fronting Oxcroft Lane is to be removed at, and to the south of the proposed access point, it shall be replaced in the first available planting season, behind the proposed footway by a native mix hedgerow planted in a

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double staggered row at 30 cm centres. Thereafter it shall be retained and maintained.

28. External Building materials to be submitted for approval and implemented as approved.

Notes to Applicant including:

### Bat Licence

The demolition of Buildings 1, 4 and 5 must not take place until all necessary update surveys have been completed and an appropriate bat licence has been obtained. Confirmation of this should be submitted to the LPA. Upon receipt of a licence from Natural England / site registration, works shall proceed strictly in accordance with the approved mitigation. Such approved mitigation must be implemented in full in accordance with a timetable of works included within the licence and followed thereafter.

### Right of Way

Bolsover Public Footpath No. 45 is directly affected by these proposals and so a footpath diversion order must be completed before its legal alignment can be affected.

- The footpath must remain open, unobstructed and on its legal alignment, as shown on the attached plan, or on its currently used alignment on the ground.
- There should be no disturbance to the path surface without prior authorisation from the County Council's Rights of Way Section.
- Consideration should be given to the safety of members of the public using the path during any works. A temporary closure of paths will be permitted on application to DCC where the path(s) remain unaffected on completion of the development.
- There should be no encroachment of the path, and no fencing should be installed without consulting the Rights of Way Section.

### Working Hours

Further to the above condition requiring a construction management plan to be approved which, in turn, requires working hours to be agreed, the Council's Environmental Health Officer has advised that construction works on the site and deliveries to the site must be undertaken only between the hours of 07.30am to 6pm Monday to Friday and 7.30am to 1pm on Saturday. There shall be no work undertaken on site or deliveries to the site on Sundays or public holidays.

### Other Advisory Responses to Note

DCC Flood Risk Group 10/08/2023.

DCC Rights of Way 21/04/2023.

Eastwoods Consulting Engineers 21/07/2023

Yorkshire Water 21/04/2023

BDC Drainage Eng 13/09/2022.

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### Equalities Statement

Section 149 of the Equality Act 2010 places a statutory duty on public authorities in the exercise of their functions to have due regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it (i.e., “the Public Sector Equality Duty”).

In this case, there is no evidence to suggest that the development proposals would have any direct or indirect negative impacts on any person with a protected characteristic or any group of people with a shared protected characteristic.

### Human Rights Statement

The specific Articles of the European Commission on Human Rights (‘the ECHR’) relevant to planning include Article 6 (Right to a fair and public trial within a reasonable time), Article 8 (Right to respect for private and family life, home and correspondence), Article 14 (Prohibition of discrimination) and Article 1 of Protocol 1 (Right to peaceful enjoyment of possessions and protection of property).

It is considered that assessing the effects that a proposal will have on individuals and weighing these against the wider public interest in determining whether development should be allowed to proceed is an inherent part of the decision-making process. In carrying out this ‘balancing exercise’ in the above report, officers are satisfied that the potential for these proposals to affect any individual’s (or any group of individuals’) human rights has been addressed proportionately and in accordance with the requirements of the ECHR.

## **PL66-23/24            APPEAL DECISIONS: JULY 2023 - DECEMBER 2023**

The Assistant Director of Planning and Planning Policy presented a report, which set out the Planning Service’s performance against the Government’s quality of decision-making targets.

From July to December 2023 the Council had had no appeals on major planning applications and three appeal decisions on non-major applications. Two of these appeals had been dismissed and one had been allowed. The appeal that had been allowed had been refused by Planning Committee, contrary to the officer recommendation. However, this only equated to 0.57% of the number of non-major applications determined within that period. Details of the three appeals were attached to the report at Appendices 1, 2 and 3.

The Council had had no appeal decisions against the issue of an enforcement notice.

Moved by Councillor Tom Munro and seconded by Councillor Duncan McGregor

**RESOLVED** that (1) the six-monthly report be noted;

(2) the Planning Service continue to report appeal decisions to Planning Committee every six months.

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### PL67-23/24 QUARTERLY UPDATE ON S106 AGREEMENT MONITORING

Committee considered a report which provided progress in respect of the monitoring of Section 106 Agreements in order to give Members the opportunity to assess the effectiveness of the Council's monitoring procedures.

The Principal Planning Policy Officer provided a further update to the report. As of the Section 106 Monitoring Group meeting held on 18<sup>th</sup> January 2024, there were seven sums within their 24-month deadline and details of these had been provided in the report. With respect to the sums within a 12-month deadline, there was an additional item which was the Outdoor Sport allocation for Mansfield Road, Tibshelf.

The Open Space allocation at Station Road, Langwith Junction was now completely spent and had been removed from the Action Plan.

The latest information for those sums that fell within the 24-month spend threshold included the following:

#### Rosewood Lodge Farm – Outdoor Sport

On the 15<sup>th</sup> February 2024, the contribution had been paid in full to the Parish Council.

#### Rosewood Lodge Farm – Health

There was around two months left until the money needed to be spent. The Integrated Care Board had confirmed that the potential for improvements at the surgery at Pinxton was not possible at this time and the internal reconfiguration of the Limes Medical Centre, to provide additional capacity would need to proceed. The Integrated Care Board had confirmed that residents of both South Normanton and Pinxton were patients of the Medical Centre.

#### Mansfield Road, Tibshelf – Outdoor Sport

The Parish Council had extended the works that they wished to be undertaken but expected it to be completed in July 2024. With progress to date, it was anticipated that the spending of the allocation sum would fall within the spending deadline.

#### Oxcroft Lane – Outdoor Sport

This allocation would contribute to a new skatepark in Hornscroft Park and construction was due to start in March 2024 and completion of works was expected in July 2024.

#### High Ash Farm, Clowne – Open Space

The Parish Council wished to improve the grassed area in from of Dominoes/the Ashgate Café and would be running a public consultation and request for design ideas. This was planned to take place in the next few months, with works being completed in early Autumn.

#### Station Road, Langwith Junction – Health

The Integrated Care Board had advised that they were in discussions with Langwith

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Medical Centre to agree a suitable scheme and had agreed that they would be able to spend the monies before the January 2025 deadline.

In relation of agreement monies held for years three, four and five, there were two new contributions that were now included in year five, with the allocation received from the development at Glapwell Nurseries for Outdoor Sport and the allocation for Open Space received from the development at Mooracre Lane, Bolsover. In terms of Health, Highways and Biodiversity the spend profiles remained the same as for the previous financial quarter.

Moved by Councillor Duncan McGregor and seconded by Councillor Justin Gilbody  
**RESOLVED** that the report be noted.

The Chair, on behalf of the Committee, wished to place on record its thanks for Steve Phillipson, Principal Planner, who was retiring. The Chair expressed his thanks for Steve's excellent technical advice and professionalism. The Committee wished Steve a long and happy retirement.

The meeting concluded at 11:34 hours.