

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee of the Bolsover District Council held in the Council Chamber on Wednesday, 27 November 2024 at 10:00 hours.

PRESENT:-

Members:-

Councillor Tom Munro in the Chair

Councillors Chris Kane (Vice-Chair), Rob Hiney-Saunders, Duncan McGregor, John Ritchie, Phil Smith, Janet Tait, Deborah Watson, Jen Wilson and Carol Wood.

Officers:- Sarah Kay (Assistant Director of Planning and Planning Policy), Jim Fieldsend (Monitoring Officer), Chris Whitmore (Development Management and Land Charges Manager), Chris McKinney (Senior Devolution Lead for Planning Policy, Strategic Growth and Housing), Julie-Anne Middleditch (Principal Planning Policy Officer), Neil Oxby (Principal Planning Policy Officer), John Hendy (Senior Planning Policy Officer), Matthew Conley (Leisure Facilities Planning & Development Manager) (from minute number PL126-24/25), Dan Oakley (Community Arts Development Officer (from minute number PL126-24/25)) and Angelika Kaufhold (Governance and Civic Manager)

PL116-24/25 APOLOGIES FOR ABSENCE

There were no apologies for absence.

PL117-24/25 URGENT ITEMS OF BUSINESS - COMMENTS TO BE MADE ON THE SCOPE OF AN ENVIRONMENTAL STATEMENT (SCOPING OPINION) IN RESPECT OF AN APPLICATION BY NATIONAL GRID ELECTRICITY TRANSMISSION (THE APPLICANT) FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE CHESTERFIELD TO WILLINGTON OVERHEAD LINE

Under the provisions of Section 100(B) 4(b) of the Local Government Act 1972, the Chair consented to this report being added to the agenda as an urgent item of business due to the deadline for submissions to the consultation being 29 November 2024.

Committee considered a detailed report presented by the Assistant Director Planning and Planning Policy which related to the scoping consultation received from the Planning Inspectorate for the Chesterfield to Willington overhead line development by National Grid Electricity Transmission (the Applicant). This proposed development was a Nationally Significant Infrastructure Project (NSIP) as defined in the Planning Act 2008 (as amended).

The Council was being consulted as to the scope and level of detail of the information to be provided by the Applicant in the Environmental Statement in its scoping report in support of the application for the overhead electricity line from Chesterfield to Willington.

A Non-Statutory Consultation was carried out by National Grid from 14th May 2024 to 17th September 2024 which was considered by the Planning Committee at its meeting on 17th July 2024. A summary of the Committee's concerns regarding aspects of the potential route and impact on various heritage aspects (such as Hardwick Hall) from the

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transmission lines was included in paragraph 1.4 of the report.

Members' attention was drawn to officers' draft comments/responses as detailed in the table in paragraph 2.5 of the report to be included as the Council's response to the consultation.

Moved by Councillor Tom Munro and seconded by Councillor Duncan McGregor and following a vote

For the motion: unanimous

RESOLVED that approval be given to submit the comments included in paragraph 2 of the report on the information that should be provided in an Environmental Statement accompanying an application to be made to the Secretary of State for the Chesterfield to Willington overhead line (under the NSIP scheme).

PL118-24/25 DECLARATIONS OF INTEREST

Minute No.	Member	Level of Interest
PL120-24/25	Councillor Janet Tait	As a Member on the Planning Committee, Councillor Tait declared an interest in agenda item 5 as a Dragonfly Board Member and left the meeting during discussion of the item.
PL120-24/25	Councillor Deborah Watson	As a Member on the Planning Committee, Councillor Watson declared an interest in agenda item 5 as a Dragonfly Board Member and left the meeting during discussion of the item.
PL120-24/25	Councillor Carol Wood	As a Member on the Planning Committee, Councillor Wood declared an interest in agenda item 5 as a Dragonfly Board Member and left the meeting during discussion of the item.
PL121-24/25	Councillor John Ritchie	As a Member of the Planning Committee, Councillor Ritchie declared a possible pre-determination in agenda item 6 as he knew the applicant and moved to the public gallery and did not take part in the discussion or vote on the item.

PL119-24/25 MINUTES 30TH OCTOBER 2024

Moved by Councillor Duncan McGregor and seconded by Councillor Rob Hiney-Saunders and following a vote

For the motion: unanimous

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RESOLVED that the minutes of a meeting of the Planning Committee held on 30th October 2024 be approved as a true and correct record subject to the following amendments:

PL107-24/25 Declarations of Interest

Minute No.	Member	Level of Interest
PL112-24/25	Councillor Watson	As a Member on the Planning Committee, Councillor Watson declared an interest as Dragonfly Board Member as a member of Tibshelf Parish Council and left the meeting during discussion of the item.
PL114-24/25	Councillor Rob Hiney-Saunders	As a Member of the Planning Committee, Councillor Rob Hiney-Saunders would sit in the public gallery and left the meeting after speaking. not take part in the discussion or vote on the item.

Councillors Janet Tait, Deborah Watson and Carol Wood left the meeting having previously declared interests in the following item.

PL120-24/25 APPLICATION NO. 24/00355/VAR - VARIATION OF CONDITION 2 (REVISED PLANS) - WOBURN CLOSE, BLACKWELL

Committee considered a detailed report in relation to the above application presented by the Development Management and Land Charges Manager who gave details of the application and highlighted the location and features of the site and key issues.

The application proposed material amendments to the residential development approved under planning reference 22/00380/FUL which included:

- revisions to the elevations of the assisted living unit and certain plot numbers;
- changes to window sizes and styles;
- enlargement of car park,
- new electricity substation;
- an enclosure to the rear independent living building to house air source heat pumps and a sprinkler taken; and
- removal of additional trees.

Concern was expressed by Councillor Duncan McGregor that the proposed amendments related solely to reducing costs of the development following receipt of the initial planning approval. The Committee was advised that it was not unusual for changes such as window sizes to be proposed once more detailed plans were drawn up and building regulations were also taken into account.

Moved by Councillor Rob Hiney-Saunders and seconded by Councillor John Ritchie and

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following a vote

For the motion: 7

Against the motion: 0

Abstentions: 0

RESOLVED that application be approved subject to the following conditions:

1. 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:

Site Plans:

- 12213-WMS-30-ZZ-DR-A-13001-S8-P01- Site Location Plan
- 12213-WMS-30-ZZ-DR-A-13002-S2-P03 - Proposed Block Plan
- 12213 - WMS - 30 - XX - D - A - 10002 - A - C08 – Proposed Site Plan

Dwellings:

- 12213-WMS-30-00-DR-A-13020-S8-P02 - Proposed 1B2P Detached Floor Plans
- 12213-WMS-30-00-DR-A-13040-S8-P02 - Proposed 1B2P Detached Elevations
- 12213-WMS-30-00-DR-A-13021-S8-P02 - Proposed 1B2P Semi-Detached Floor Plans
- 12213-WMS-30-00-DR-A-13041-S8-P02 - Proposed 1B2P Semi-Detached Elevations
- 12213-WMS-30-00-DR-A-13022-S8-P02 - Proposed 2B3P Semi-Detached Bungalow Floor Plans
- 12213-WMS-30-00-DR-A-13042-S8-P02 - Proposed 2B3P Semi-Detached Elevations
- 12213-WMS-30-00-DR-A-13023-S8-P02 - Proposed 2B3P Semi-Detached Bungalow with Bay Window - Floor Plans
- 12213-WMS-30-00-DR-A-13043-S8-P02 - Proposed 2B3P Semi-Detached Bungalow with Bay Window - Elevations
- 12213-WMS-30-00-DR-A-13024-S8-P02 - Proposed 2B3P L-Shape Semi-Detached Bungalow - Floor Plans
- 12213-WMS-30-00-DR-A-13044-S8-P02 - Proposed 2B3P L-Shape Semi-Detached Bungalow - Elevations
- 12213-WMS-30-00-DR-A-13026-S8-P02 - Proposed 2B3P Narrow Front Semi-Detached Bungalow - Floor Plans
- 12213-WMS-30-00-DR-A-13046-S8-P02 - Proposed 2B3P Narrow Front Semi-Detached Bungalow - Elevations
- 12213-WMS-30-ZZ-D-A-10420-A-C04_3B5P_House_Semi Detached _ GA _ Plans _ Plots_9,10,13,14
- 12213-WMS-30-ZZ-D-A-10620-A-C05_3B5P_House_Semi-Detached _ Elevations _ Plots_9,10
- 12213-WMS-30-ZZ-D-A-10625-A-C04_3B5P_House_Semi-Detached _ Elevations _ Plots _ 13,14
- 12213-WMS-30-00-DR-A-13028-S8-P02 - Proposed 3B5P Detached House - Floor Plans
- 12213-WMS-30-00-DR-A-13048-S8-P02 - Proposed 3B5P Detached House -

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Elevations

- 12213-WMS-30-00-DR-A-13029-S8-P01 - Proposed 4B7P Detached House - Floor Plans
- 12213-WMS-30-00-DR-A-13049-S8-P01 - Proposed 4B7P Detached House - Elevations

Independent Living Scheme:

- 12213-WMS-30-00-D-A-10400-A-C08_Proposed_ILS_Ground_Floor_Plan
- 12213-WMS-30-01-D-A-10401-A-C07_Proposed_ILS_First_Floor_Plan
- 12213-WMS-30-XX-DR-A-13034-S8-P01 - Proposed ILS - 1B2P Flat Types
- 12213-WMS-30-XX-DR-A-13035-S8-P01 - Proposed ILS - 2B3P Flat Types
- 12213-WMS-30-XX-D-A-10600-A-C07_Proposed_ILS_Elevations

Engineering:

- 12213-WMS-30-XX-DR-C-39201-S3-P2 DRAINAGE_TO_BE_ABANDONED -
- 12213-WMS-30-XX-DR-C-39202-S3-P3 - DRAINAGE_LAYOUT
- 12213-WMS-30-XX-DR-C-39203-S3-P2 EXISTING_IMPERMEABLE_AREAS- 22.12.20 -
- 12213-WMS-30-XX-DR-C-39204-S3-P2 PROPOSED_IMPERMEABLE_AREAS -
- 12213-WMS-30-XX-DR-C-39205-S3-P2 - FLOOD_FLOW_ROUTES
- 12213-WMS-30-XX-DR-C-39001-S3-P2 - LEVELS_LAYOUT
- 12213-WMS-30-XX-DR-C-39501-S3-P3 - STOPPING_UP
- 12213-WMS-30-XX-DR-C-39502-S3-P4 - VISIBILITY_SPLAYS
- 12213-WMS-30-XX-T-C-32101-S8-P3 - DRAINAGE_STATEMENT

Other plans:

- NC1V-004 1.0 – Ground mounted transformer – Foundation layout and details. Option 4
- 12213-WMS-30-XX-D-A-17700-A-C2 – Proposed ILS External Enclosure Details.

2 The development hereby approved shall be carried out in accordance with the Phase 2 Site Investigation (Solmek Ltd – S231119), received on the 2 January 2024 in respect of 24/00003/DISCON.

Following demolition of the existing structures on site, further testing on site shall be carried out in accordance with Section 4.8 of the document ‘Remediation Strategy and Validation Requirements’ – 1223-WMZ-30XX-T-C39001-S8-P1, received on the 2 January 2024 for 24/00003/DISCON.

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.

3 No dwellings or buildings hereby approved shall be occupied until:

a) The approved remediation works required by condition 2 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 to the satisfaction of the LPA and through the process described in condition 4 above.

c) Upon completion of the remediation works required by condition 3 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.

4 The development hereby approved shall be carried out in accordance with the Ground Investigation Report (Sub Surface Northeast Ltd – Jan 2023), received on the 2 January 2024 in respect of 24/00003/DISCON.

Any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, shall be submitted to and approved in writing prior to their implementation on site, in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

5. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

6. The Method Statement detailed in Section 5.2.2 of the Ecology Survey and Code for Sustainable Homes report (CGC Ecology, February 2022) shall be implemented in full during demolition of Bungalows 13 and 14. A short statement of compliance shall be submitted to the LPA upon completion of works to discharge this condition.

7. 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. Lightspill to trees, hedgerows, bat boxes and adjacent offsite habitats shall be avoided. The Strategy shall provide details of the chosen luminaires, their locations and any mitigating features such as dimmers, PIR sensors and timers. Guidelines can be found in Guidance Note 08/18 - Bats and Artificial Lighting in the UK (BCT and ILP, 2018). Such approved measures will be implemented in full.

8. Prior to any landscaping being implemented on site, an Ecological Enhancement Plan shall be submitted to the LPA for approval. This shall expand upon the

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recommendations in Section 5.5.2 of Ecology Survey and Code for Sustainable Homes report (CGC Ecology, February 2022) and provide sufficient information to ensure these enhancements are implemented during construction. The approved Plan shall be implemented in full and features maintained in perpetuity.

9. The development hereby permitted shall be carried out in accordance with the following plans and documents, approved under 24/00003/DISCON:

- Preliminary Drainage Layout, Drawing No: 12213-WMS-30-XX-DR-C-39202-S3-P3, Version P3, dated 20/03/2023.
- Flood Flow Routes, Drawing No: 12213-WMS-30-XX-DR-C-39205-S3-P2, Version P2, dated 20/03/2023.
- Drainage Construction Details, Drawing No: 12213-WMS-30-XX-DR-C-39231-A-C1, Revision C1, dated 17/10/2024.

In addition, other supplementary documents and drawings support the application and complement those above. Construction of the sustainable drainage scheme will begin as soon as is practicably possible mitigating the risk of flooding to adjacent property and pollution of surrounding watercourses during construction, including the installation of flow limitation devices to ensure adherence to the agreed greenfield discharge rates off site as per documents:

- Drainage Statement, Document Ref: 12213-WMS-30-XX-T-C-32101-S8-P3, Revision P3 dated 20/03/2023.

Construction activities should be managed in line with the CIRIA Guidance on the Construction of SuDS Manual C768, to ensure that the effectiveness of the sustainable drainage features is not compromised.

10. Additional surface water run-off from the site during development will be carried out in accordance with the following plan, approved under 24/00003/DISCON:

- Surface Water Management Plan during construction prepared by DRAGONFLY DEVELOPMENT.

In addition, other supplementary documents and drawings support the application and complement those above. Construction of the sustainable drainage scheme will begin as soon as is practicably possible mitigating the risk of flooding to adjacent property and pollution of surrounding watercourses during construction.

Construction activities should be managed in line with the CIRIA Guidance on the Construction of SuDS Manual C768, to ensure that the effectiveness of the sustainable drainage features is not compromised.

11. 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 approved 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).

12. Notwithstanding the submitted details, no building will be occupied until full details of both hard and soft landscape works, to include details of all proposed means of enclosure, along with a programme for implementation, has been submitted to and

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approved in writing by the Local Planning Authority and the works and implementation programme must be carried out as approved. The details of means of enclosure must include brick walls to garden boundaries facing Primrose Hill and the rear boundaries of plots 12-15.

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. The development hereby approved shall adhere to the recommendations contained within the Construction Management Plan, received on the 2 January 2024, and approved under 24/00003/DISCON.

14. Prior to occupation of any dwelling or building deriving access to or from Woburn Close, the permanent access arrangements shall be laid out (in accordance with the application drawing no. 12213 - WMS - 30 - XX - D - A - 10002 - A - C08 – Proposed Site Plan), fully constructed within highway limits (which may require relevant Stopping up Orders and S38 agreements to be in place), drained, lit, provided with white lining and tactile paving (where appropriate), and provided with visibility splays of 2.4m x 43m in each direction, both measured to the nearside edge of the carriageway. The area in advance of the sightlines being laid out as an extension of the existing footway and constructed in a solid bound material and not forming part of any adjoining plot, or other sub-division of the site.

15. Prior to the first occupation of each dwelling, space shall be provided for the parking of vehicles associated with that dwelling, in accordance with the approved plans (in accordance with the application drawing no. 12213 - WMS - 30 - XX - D - A - 10002 - A - C08 – Proposed Site Plan), and such space shall be maintained thereafter free of any impediment to its designated use.

16. The construction of the residential estate streets and footways (including layout, levels, gradients, surfacing and means of surface water drainage via a positive gravity-fed system discharging to a public sewer, highway drain or watercourse) shall be carried out in accordance with the documents submitted and approved under 24/00003/DISCON. For the avoidance of doubt the applicant is advised that the approval of these details does not grant approval of any submission to the highway authority for S278/S38 agreements and separate technical approval will be required.

17. Prior to the first occupation of each dwelling hereby permitted, the new street between each respective plot and the existing public highway shall be laid out in accordance with the plans approved under the above condition, constructed to at least base level, drained and lit. Until final surfacing is completed, the footway base course shall be provided in a manner to avoid any upstands to gullies, covers, kerbs or other such obstructions within or abutting the footway. The carriageway and footways in front of each respective plot shall be completed with the final surface course within 12 months (or 3 months in the case of a shared surface road) from the first occupation of that plot.

18. No gates, including any part of their opening arc, shall be permitted to open outwards over the adjoining footway areas / highway. Any gates shall be set-back into the site an appropriate distance or shall open inwards only.

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19. No dwelling shall be occupied until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details or until such time as an agreement has been entered into under Section 38 of the Highways Act (1980).

20. An electric vehicle charging point shall be provided on the exterior of each dwelling hereby approved, before the dwelling is first occupied.

21. The development hereby permitted shall be carried out in accordance with the following materials and finishes, as approved by 24/00003/DISCON:

- Red brickwork - Wienerberger Abbeydale Red Multi
- Stone - Goldholme Stone - Ancaster Copper Hill Limestone
- Roof tiles - Grey Calderdale roof tile
- Cladding – Cedral Fibre Cement Cladding in Slate Grey
- Grey brick - Marshall's concrete brick in Grey Lake

22. No stripping, demolition works, or vegetation clearance shall take place between 1st March and 31st 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 are present, an appropriate exclusion zone will be implemented and monitored until the chicks have fledged. No works shall be undertaken within exclusion zones whilst nesting birds are present.

23. Prior to any occupation of the dwellings hereby approved, individual meter boxes shall be installed to each new dwelling in accordance with the details submitted and approved under 24/00003/DISCON.

Councillors Janet Tait, Deborah Watson and Carol Wood returned to the meeting and as Councillor John Ritchie had previously declared an interest he moved to the public gallery prior to the next item of business.

PL121-24/25 APPLICATION NO. 24/00264/FUL - ERECTION OF 5 DWELLINGS AND CONSTRUCTION OF ACCESS ROAD - GREENACRES BUDGET LANE, SCARCLIFFE, CHESTERFIELD

Committee considered a detailed report and update sheet which included a late submission from the Derbyshire Wildlife Trust in relation to the above application. The Development Management and Land Charges Manager presented the report and provided details of the application and highlighted the location and features of the site and key issues which included:

- Application code 18/00411/OUT had previously been approved by Planning Committee in March 2019, contrary to officer recommendation but this approval had lapsed as the development had not taken place.
- This application 24/00264/FUL was recommended for refusal and was considered

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contrary to the requirements of Policies SS1 and SS9 of the Local Plan for Bolsover (2020) and policy contained within the National Planning Policy Framework (2023).

Mr A Dodds attended the meeting and spoke against the application.

Mr M Worrall attended the meeting and spoke against the application.

Mr J Church on behalf of the applicant attended the meeting and spoke in support of the application.

During discussion Members made the following comments and additional information was provided in response to their questions:

- The previous planning permission had lapsed and since the original approval was given there had been legislative and planning changes including the approval of the Local Plan for Bolsover in 2020 and policy changes in the National Planning Policy Framework (2023).
- Councillor Carol Wood acknowledged that notwithstanding the Council's current planning policies the proposed application would not have detrimental impact on parking and overlooking etc. It was questioned whether a S106 agreement could include the gifting of the land to existing property owners. This was confirmed to be a private matter and not a planning issue.
- It was confirmed that the reasons for refusal were defensible in the event of an appeal being made by the applicant. There would be a negative impact on the character of the village. It would introduce a suburban form of development and be harmful to the setting of the existing settlement and pattern of development.
- The boundary for the village was set in the Local Plan to define where urban areas ended and countryside began. The feedback on the public consultation during the development of the Local Plan for Bolsover was that the countryside should be retained with development focusing on urban areas.
- Approval of the application would mean the character of the settlement and its landscape setting would change and may set a precedent for future planning applications.

Moved by Councillor Duncan McGregor and seconded by Councillor Phil Smith and following a vote

For the motion: 6

Against the motion: 3

It was therefore **RESOLVED** that application be refused for the following reasons:

1. The site lies outside of the development envelope for Scarcliffe, within an area of open countryside. The proposal does not meet the spatial strategy for the distribution of housing development and results in unwarranted encroachment and unsustainable development in the countryside that is contrary to the requirements of Policies SS1 and SS9 of the Local Plan for Bolsover (2020) and policy contained within the National

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Planning Policy Framework (2023).

2. The siting of the development, beyond the settlement limits and its layout and appearance would have an urbanising impact on the rural character of the landscape and would not respect the character, setting and distinctiveness of the settlement contrary to Policies SS1, SC2 and SC3 of the Local Plan for Bolsover (2020) and policy contained within the National Planning Policy Framework (2023).

3. The proposed development will introduce an urban/suburban character to the edge of the settlement and entrance to the rural village, which will be visible from several locations throughout and surrounding the conservation area resulting in less than substantial harm to this designated heritage asset. This harm would not be outweighed by the modest public benefits to be derived from the delivery of five dwellinghouses, contrary the requirements of Policies SC16 and SC21 of the Local Plan for Bolsover District and paragraph 208 of the National Planning Policy Framework (2023).

4. The proposal results in a net loss for biodiversity, the extent of which has not been accurately calculated, nor has it been demonstrated that such loss can be appropriately compensated for to satisfy the requirements of Policy SC9 of the Local Plan for Bolsover District (2020) and the requirements of the Environment Act 2021.

Statement of Decision Process

The proposal does not comply with the policies and guidelines adopted by the Council and the decision has been taken in accord with these Policies and the guidelines of the National Planning Policy Framework.

There are not considered to be any minor amendments that could be made which would make this proposal acceptable in this location. It may be possible to address one of the reasons for refusal by the submission of further information in relation to biodiversity which could then be conditioned. However, such information and conditions would not overcome the fundamental reasons for refusal in terms of unsustainable location and impact on the countryside and historic assets. It was therefore considered unreasonable to insist the applicant go to the expense of additional reports and plans to potentially address one of the issues given that such reports would not overcome the fundamental issues relating to the location of the development.

Councillor John Ritchie returned to the meeting for consideration of the following items of business.

PL122-24/25 PREPARATION OF A DRAFT AND CONSULTATION ON A LOCAL VALIDATION CHECKLIST (LOCAL LIST) FOR PLANNING APPLICATIONS

Consideration was given to a report of the Assistant Director of Planning and Planning Policy relating to the preparation of a draft consultation on a local validation checklist (Local List) for planning applications. The report was presented by the Development Management and Land Charges Manager who confirmed that:

- One key driver for a Local List for Bolsover was that it would enable planning applications to be considered in a timely manner in line with key performance indicators by ensuring applicants provided all the necessary information at the

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validation stage. By having a Local List this could avoid delays by officers having to request additional or supporting information.

- A Local List would set out all the information that would be required when submitting planning applications. Under paragraph 44 of the National Planning Policy Framework authorities were required to publish their list of information requirements for applications for planning applications but these should be kept to a minimum, must be relevant and material to the application to make decisions. The Local List should be reviewed at least every two years.
- Proposals to adopt a Local List would be presented to a future planning committee and include the outcome of the consultation exercise, Equality Impact Assessments and final adoption draft of the document.

During discussion Members suggested that further research be undertaken which could provide additional guidance to applicants in relation to the increasing number of applications for change of use from residential dwellings to children's homes and the conversion of family homes to Houses of Multiple Occupation.

Moved by Councillor Duncan McGregor and seconded by Councillor John Ritchie and following a vote

For the motion: unanimous

Against the motion: 0

RESOLVED that (1) approval be given for the preparation of the draft Validation Checklist (Local List) for planning applications for the purposes of the consultation exercise as outlined in the report; and

(2) delegated authority be given to the Assistant Director of Planning and Planning Policy in consultation with the Chair and Vice-Chair of Planning Committee to finalise the text of the consultation draft Validation Checklist prior to commencing the planned consultation exercise.

An adjournment took place from 11.23 am to 11.40 am and Councillor Chris Kane left the meeting at this point.

PL123-24/25 FIVE-YEAR HOUSING LAND SUPPLY - ANNUAL POSITION STATEMENT 2024

The committee considered a report of the Assistant Director Planning and Planning Policy presented by the Principal Planning Policy Officer. The report provided an update to members on the housing land supply and sought approval for the publication of the Council's Annual Position Statement on the Five-Year Housing Land Supply. The Annual Statement had been prepared covering the position for the period from 1st April 2024 to 31st March 2029.

The Local Plan for Bolsover District set out a 272 new homes figure per year for the period from 1st April 2014 to 31st March 2024. The number of dwellings 'ready for occupation' had exceeded the annual requirement over that period by 959 dwellings.

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The Five-Year Housing Supply from 1st April 2024 identified a supply of 2,272 dwellings so that the Council could show 8.35 years of deliverable housing land supply for the period 2024/25 to 2028/29. Appendix A set out the Council's annual position statement of its Five-Year Housing Land Supply. Appendix B set out a full list of major development sites and their contribution to the Council's Five-Year Housing Land Supply.

A series of changes to the National Planning Policy Framework (NPPF) proposed by Government may mean that the local housing need under standard method is amended to 404 dwellings per annum plus a buffer of at least 5%. The new target equated to 424 proposed for Bolsover District which would result in a reduction of deliverable Bolsover housing supply reducing from 8.35 years (272 dwellings) to 5.35 year (424 dwellings).

During discussion concern was expressed on the increased targets from government and factors over which the Council had no control including uncertainty in the housing market, mortgage interest rates or developments stalling and failing. Officers confirmed that at present the Council was in a strong position, the situation would be monitored and many of the major development sites had already commenced.

Moved by Councillor John Ritchie and seconded by Councillor Duncan McGregor and following a vote

For the motion: unanimous

RESOLVED that (1) the detailed issues set out in the report be noted;

(2) the assessment of the Council's Annual Position Statement of Five-Year Housing Land Supply 2024 as set out in Appendix A to the report be approved;

(3) authority be given for the publication to the Council's website of the Annual Position Statement of Five-Year Housing Land Supply (Appendix A) and List of Major Development Sites and their contribution to the Council's Five-Year Housing Land Supply (Appendix B); and

(4) delegated authority be given to the Assistant Director of Planning and Planning Policy in consultation with the Chair and Vice-Chair of Planning Committee to make any minor changes to the text or information referred to in resolution 3 prior to publication.

PL124-24/25 SHIREBROOK GROWTH PLAN UPDATE

The Committee considered a report of the Assistant Director Planning and Planning Policy presented by the Senior Planning Policy Officer which provided Members with an update on the preparation of the Shirebrook Growth Plan: Preferred Option briefing note and sought approval for the next stage of the preparation process.

It was confirmed that at its meeting in July, Members of the Local Plan Implementation and Advisory Group had provided a steer that their preferred growth option for Shirebrook was option C: High Growth, with the proviso that any growth met and was accompanied by the necessary increase in infrastructure capacity and delivered increased levels of affordable housing, ie greater than the Local Plan for Bolsover District policy requirement of 10% affordable housing provision. Appendix 1 to the report included the briefing note for engagement with infrastructure providers and site promoters which would be

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undertaken. Then a final Shirebrook Growth Plan would be submitted to the March meeting of the Planning Committee for approval.

Moved by Councillor John Ritchie and seconded by Councillor McGregor

RESOLVED that the Shirebrook Growth Option: Preferred Growth Option be approved and that engagement with infrastructure providers and site promoters commence to inform the preparation of the final Growth Plan.

The Community Arts Development Officer and Leisure Facilities Planning & Development Manager entered the meeting.

PL125-24/25 SECTION 106 AUDIT REPORT (OCTOBER 2024)

The Committee considered a report of the Assistant Director of Planning and Planning Policy which provided an update on the Internal Audit of the Council's Section 106 Agreement Procedure and resulting proposed revisions to the Procedure.

An Internal Audit review of the Council's S106 Agreement monitoring procedure was undertaken between June and October 2024 with the Audit Report and recommendations attached as Appendix 1 to the report. Whilst the reliability of the controls or managing risk were assessed as reasonable with the majority of controls considered to be in place working effectively, some improvements had been identified.

The Principal Planning Policy Officer highlighted the progress made against the recommendations as detailed in the report and confirmed that the redaction of signatures in the planning database had been completed. Members were asked to approve the proposed revisions to the monitoring procedure at Appendix 2.

Moved by Councillor Duncan McGregor and seconded by Councillor Tom Munro

RESOLVED that (1) the Section 106 Audit Report (October 2024) be noted;

(2) that the Section 106 Agreement Monitoring Procedure (as attached at Appendix 2 to the report) be approved.

PL126-24/25 SECTION 106 AGREEMENT MONITORING - QUARTERLY UPDATE

The Committee considered a report of the Assistant Director of Planning and Planning Policy presented by the Principal Planning Policy Officer, which provided Members with an update on Section 106 (S106) Agreements and progress made in spending the allocated sums.

In addition to the information provided in the report the following updates were provided at the meeting by the Principal Planning Policy Officer, the Community Arts Development Officer and Leisure Facilities Planning & Development Manager:

- Item 8 - Mansfield Road, Tibshelf – provision of outdoor sports infrastructure focused on youth recreation and installation of a multi-use games area (MUGA). The project was complete with the official opening on Saturday 12 October 2024. Members were advised that there was a residual sum of £2,500 and not £5,112 as stated in the report which was to be used for repair of play equipment at another site in Tibshelf.

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- Item 11 - Station Road, Langwith Junction – it was confirmed that Gleesons had responded positively to the following proposals and that the Langwith Practice were seeking the quotes to convert a meeting room into a clinical room and an administration room to be converted into a clinical support room. This would increase patient capacity and fulfil the requirements of the S106 agreement and leave approximately £9,000 unspent which could be used as a contribution towards the new health centre at Cresswell which would also increase capacity at the Langwith Practice.
- Item 4 - Spa Croft, Tibshelf – it was confirmed that seven artists had shown an interest in considering the commission for an artwork based on a stone pillar. The Artists Contract and Request for Quote have been completed and the quotation open date was 2nd December 2024 with the closing date being 14th January 2025. The project start date will be week commencing 20th January 2025 and completion date 30th September 2025.
- Item 16 - Creswell Road, Clowne – the Parish Council was out for public consultation as to whether the community wanted a skatepark with the deadline being 2 January 2025. It was confirmed that if the skatepark was not to proceed then the alternative scheme for additional play equipment would be progressed. However, if the decision was to progress with the skatepark a preferred contractor had already been identified.
- Item 17 – Land at Thornhill Drive, South Normanton – Art – S106 requires that the art should be related to the site and there was no space for this. This will now focus on a pilot project in that area which will last for one year April 2025 to March 2026 with targeted marketing and information for the residents of this development and the wider South Normanton Area to develop several initiatives such as youth arts and technology sessions, a feasibility study for the connectivity to cultural corridors in the district and an artist in residence for a part of that year. In response to a question relating to future S106 arts contribution then further checks would be undertaken at the planning stage to ensure the viability and location prior to the S106 being imposed.
- Item 18 – Land at Thornhill Drive, South Normanton – Open Space – this funding was yet to be committed. It was confirmed that anticipated that the preferred option would be the BMX track. Now that clarification has been provided as to what the funding could be spent on further discussions will be held with the Parish Council as to their preferred option namely the BMX track or Skate Park. It was confirmed that the S106 funding would be spent within the deadline and that expectations had to be managed.
- Item 19 – Land at Thornhill Drive, South Normanton – Outdoor Sport – discussions were still taking place with the Parish Council as to where the remaining S106 funding could be spent.
- Item 20 – Land at Thornhill Drive, South Normanton – Health – no updates were received from the Integrated Health Board except to confirm that they were aware of the funding and would be discussing this with the practice in due course. It was suggested by Councillor Phil Smith that discussion take place with the practice at

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Pinxton for this funding.

Moved by Councillor Duncan McGregor and seconded by Councillor Phil Smith **RESOLVED** that the report and additional information provided at the meeting be noted.

Councillor Deborah Watson left the meeting at this point.

PL127-24/25 ANNUAL INFRASTRUCTURE FUNDING STATEMENT 2023/24

Members considered a detailed report of the Assistant Director Planning and Planning Policy presented by the Principal Planning Policy Officer relating to the Annual Infrastructure Funding Statement 2023/24.

The publishing of the Annual Infrastructure Funding Statement ensure that the developer contributions towards infrastructure were more transparent and accountable. Infrastructure in this context defines all the requirements needed to make places function efficiently and create sustainable communities.

The Annual Infrastructure Statement was appended to the report and included detailed information relating to receipts and spend of S106 monies.

The summary key headlines for the 2023/24 financial year were as follows:

Newly secured money – total amount of S106 monies signed up in new legal agreements during 2023/24	£0.00
Money held by the Council – total amount of S106 monies received from developers during 2023/24	£194,088
Total amount of S106 monies held from previous years	£1,540,527.53
Money Spent by the Council – total amount of S106 monies spent (or transferred to another organisation to spend) during 2023/24 including annual maintenance	£123,834.84

It was confirmed that the balance held by the Council demonstrated the need to have effective delivery and monitoring systems in place to ensure that the planned local infrastructure was delivered and that the full benefits of new development were achieved. The S106 Monitoring Procedure as amended by the recent Audit underpinned this aim.

Moved by Councillor Duncan McGregor and seconded by Councillor Rob Hiney-Saunders

RESOLVED (1) that the requirements of the Community Infrastructure Levy (Amendment) (England) (No 2) Regulations 2019 in relation to Annual Infrastructure Funding Statements be noted; and

(2) that the Annual Infrastructure Funding Statement 2023/24 be approved and published to comply with regulations.

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The Chair expressed his thanks to officers for their support and members and the public for their attendance during the long meeting.

The meeting concluded at 12:50 hours.