

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee of the Bolsover District Council held in the Council Chamber on Wednesday, 3rd September 2025 at 10:00 hours.

PRESENT:-

Members:-

Councillor Catherine Tite in the Chair

Councillors Steve Fritchley, Rob Hiney-Saunders, Chris Kane, Tom Munro, Sally Renshaw, Phil Smith, Janet Tait and Deborah Watson.

Officers:- Sarah Kay (Interim Director of Planning, Devolution & Corporate Policy), Chris Whitmore (Development Management and Land Charges Manager), Jim Fieldsend (Director of Governance and Legal Services & Monitoring Officer), Chris McKinney (Senior Devolution Lead for Planning Policy, Strategic Growth and Housing), Julie-Anne Middleditch (Principal Planning Policy Officer), Mary McGuire (Senior Urban Design Officer), Matt Connley (Leisure Facilities Planning & Development Manager) (from minute no. PL27-25/26), Dan Oakley (Community Arts Development Officer) (from minute no. PL27-25/26) and Matthew Kerry (Governance and Civic Officer).

Also in attendance at the meeting, observing, were Councillor David Bennett, Mark Penford (Planner) and Yousaf Chaudhary (Trainee Planning Policy Officer).

PL21-25/26 APOLOGIES FOR ABSENCE

An apology for absence was received on behalf of Councillor John Ritchie.

PL22-25/26 URGENT ITEMS OF BUSINESS

There was no urgent business to be considered at the meeting.

PL23-25/26 DECLARATIONS OF INTEREST

Minute No.	Member	Level of Interest
PL26-25/26	Councillor Tom Munro	As a Member of the Planning Committee, Councillor Tom Munro declared an interest in Item 6 being the local Ward Member and intending to speak against the application.

PL24-25/26 MINUTES

Moved by Councillor Catherine Tite and seconded by Councillor Sally Renshaw

RESOLVED that the minutes of a meeting of the Planning Committee held on 9th July 2025 be approved as a true and correct record.

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PL25-25/26

APPLICATION NO. 24/00503/FUL - THE STABLES, FEATHERBED LANE, BOLSOVER, CHESTERFIELD

Committee considered a 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 sought approval from the Committee for retrospective planning permission to change the use of the land and to carry out associated operations to provide parking and manoeuvring space associated with the adjacent traveller site and include a new vehicular access onto Featherbed Lane, Bolsover.

The application had been presented at the Committee's previous meeting on 9th July 2025. Concerns had been raised on the surface condition and speed of some road traffic users on the private road and its impact on the Public Right of Way that it carried. A decision had been deferred to allow officers to seek confirmation from the Rights of Way Team at Derbyshire County Council (DCC) that they had no concerns with the use of a longer section of the private lane, which carried a Public Right of Way, for vehicles and equipment associated with the 7 pitch Gypsy and Traveller site and that the surface of the lane was suitable for multi-use without the need for any modifications or improvements.

The DCC Public Rights of Way Officer has been re-consulted and had not objected to the proposed application. Their comments were detailed in the report.

9 in favour

0 against

Moved by Councillor Tom Munro and seconded by Councillor Phil Smith

RESOLVED that application no. 24/00503/FUL be **APPROVED** subject to the following conditions:

1. The development hereby approved shall be used for parking and manoeuvring of vehicles and equipment associated with the occupation of the adjacent traveller pitches identified in blue on the location plan submitted with the application only. There shall be no trade or business carried out from the site and it shall not be used as a separate traveller pitch.
2. Before the parking/manoeuvring area hereby approved is first brought into use full details of a hedge to be planted around the edge of the site, must be submitted to and approved in writing by the Local Planning Authority. The hedge must be planted in accordance with the approved details in the first available planting season after the details are approved and must be maintained as such thereafter.
3. Notwithstanding the provisions of Classes A and B of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no new accesses or boundary treatments must be installed on site unless authorised by an express grant of planning permission.
4. Notwithstanding the provisions of Article 3(1) of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking and re-enacting that Order) no development otherwise permitted by Part 5 Class B of the Order must be erected/constructed/undertaken without first obtaining planning

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permission.

5. There must be no external lighting installed on the site without the prior submission of a detailed lighting strategy for the site having been first submitted to and approved in writing by the Local Planning Authority.

Advisory Notes

1. Public Right of Way, Bolsover Footpath No.44, as shown on the Derbyshire Definitive Map, must remain open, unobstructed and on its legal alignment at all times. There should be no disturbance to the surface of the route without prior authorisation from the Rights of Way Inspector for the area. Consideration should be given to members of the public using the route at all times. A temporary closure of the route may be granted to facilitate public safety subject to certain conditions. Further information may be obtained by contacting the Rights of Way Section – ETE.PROW@derbyshire.gov.uk. If a structure is to be erected adjacent to the right of way, it should be installed within the site boundary so that the width of the right of way is not encroached upon.
2. The applicant is advised that the site lies within a coal mining area which may contain unrecorded coal mining related hazards and if any coal mining feature is encountered during development it should be reported immediately to the Coal Authority.

Statement of Decision Process

Officers have worked positively and pro-actively with the applicant to address issues raised during the consideration of the application. The proposal has been considered against the policies and guidelines adopted by the Council and the decision has been taken in accordance with the guidelines of the Framework.

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.

However, if these protected characteristics were not taken into account and adequate standard of accommodation wasn't required in accordance with Policy LC5 of the Local Plan for Bolsover District then it may be considered that such regard had not been exercised.

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).

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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.

Having declared an interest in the following item, Councillor Tom Munro left the meeting at 10:09 hours.

PL26-25/26 APPLICATION NO. 25/00179/FUL - NEW MIDDLE CLUB, WELBECK STREET, WHITWELL

Committee considered a 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 sought approval from the Committee for the material change of use of the vacant New Middle Club, Welbeck Street, Whitwell to 9 no. residential flats. The application included 10 off-road car parking spaces utilising the existing vehicular access from Coronation Street, Whitwell. 2 of the flats were two-bedroomed and the remaining 7 flats were one-bedroomed / bedsit units.

As the Supplementary Agenda informed, a site visit had taken place.

Under background information in the report, a typographical error was noted – '18th November 2025' should have read '18th November 2015'.

Questions on the 'defensible space' of the site were asked.

Councillor Tom Munro spoke against the proposal.

Parish Councillor Karl Austin spoke against the proposal.

Dee Devine spoke against the proposal.

To a question on parking options after 18:00 hours, Dee Devine answered in one instance a resident had parked their vehicle in the middle of the street, blocking all access.

It was stated that the allocated disabled spaces were also used by none Blue Badge holders – no enforcement action took place.

The Committee was informed Dee Devine had been offered an Electric Vehicle as a Mobility Vehicle – this had to be refused due to the lack of available parking outside the residence for charging. It was stated in 9 of 10 instances, residents could not park outside their properties.

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To a question on the availability of off-street parking (behind properties), Dee Devine answered applicable residents always did whenever possible, but this did little to alleviate current parking restraints on the highway.

Mandy Price spoke against the application.

Amat Patil, the applicant, spoke in favour of the application.

To a question on the number of parking spaces provided, Amat Patil informed consultants had stated the maximum achievable was 10 – if more could be sought, this would be pursued.

A brief discussion was held on the number of allocated parking spaces (10).

It was felt that an investigation should take place to explore the removal of the defensible space (for 3 of the dwellings) to provide additional parking for the entire site (if possible) and to clarify arrangements for the allocation of spaces and the management of the car park.

8 in favour.

0 against.

Moved by Councillor Steve Fritchley and seconded by Councillor Rob Hiney-Saunders
RESOLVED that application no. 25/00179/FUL be **DEFERRED** to allow the applicant to explore the possibility of increasing the number of car parking spaces on site following the removal of the defensible space and to provide details of car parking space allocation and management.

To allow the speakers to clear the Chamber and for a brief comfort break, the Committee was adjourned at 11:14 hours.

The Committee reconvened at 11:21 hours. Councillor Tom Munro returned to the meeting.

PL27-25/26 LOCAL ENFORCEMENT PLAN UPDATE

The Development Management and Land Charges Manager presented the report to the Committee.

In May 2022, a review of the Local Enforcement Plan (Planning) (the 'Plan') was undertaken. At that time, it was considered there had been little reason to amend or change the targets. There had also been no changes to legislation to report. Members had resolved that the same targets and priorities were maintained, alongside the 6 monthly report of performance to the Committee.

However, it was agreed that the Plan's appearance be refreshed to reflect the Council's branding and that it was prepared in an accessible format.

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Since the 2022 update, there had been legislative changes, along with changes to staffing and practices, that had procedural implications and impact on the implementation of the Plan. These were considered, in addition to service performance data, in the report.

Reporting had demonstrated that (with the exception of a few cases) all high priority cases had been visited within the target set in the Plan and more than 95% of low and medium priority cases had been visited within existing target periods.

It was not considered that the timeframes set for investigating breaches of planning control should be reduced as the department's resources were limited, with the Council's only dedicated Planning Enforcement Officer visiting the vast majority of sites. If timeframes were to be reduced, greater resilience and investment in the service would be required.

No ombudsman complaints had been received since the adoption of the original Local Enforcement Plan (Planning) in 2019. Having clearly defined service standards was considered to be a contributory factor in this indicator of customer satisfaction.

Following the resignation of the Principal Planning Enforcement Officer on the 18th April 2024 (and difficulties recruiting into this position), a decision was taken to recycle this post and recruit an additional Principal Planner who, with the other Principal Planners within the Development Management Team and the Council's Enforcement Officer, lead on planning enforcement cases requiring formal action to be taken.

This mini restructure had yielded high performance in terms of the amount of formal enforcement action taken post this decision, provided a renewed focus on service delivery and had introduced greater resilience.

The Assistant Director of Planning, Development Management and Land Charges Manager and the Principal Planners would decide what action should be taken when an investigation into a suspected breach of planning control had been completed.

It was not necessary to consult the Council's Solicitors on all cases where formal planning enforcement action was to be commenced – as such decisions relied on planning judgement.

The 4-year time limit for bringing enforcement action against building or engineering operations and changes of use to a single dwelling-house was removed.

The Plan had been amended to cover the new enforcement immunity periods.

Other legislative changes that effected the Plan included the extension to the expiration of a temporary stop notice. Such notices now expired 56 days after the display of the notice on site (or any shorter period specified). Where a temporary stop notice was issued before 25th April 2024, the expiry time limit was 28 days.

The changes were reflected in the tracked changes to the Plan attached at Appendix 1.

Other changes of note included how Members would be involved. The Plan currently advised that Ward Councillors would normally be informed before officers took formal action in respect of any suspected breach of planning control in their local area where the

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case was sensitive / contentious. This usually involved the lead case officer circulating a copy of the delegated enforcement report to the relevant Ward Councillors for information / comment.

There were, however, instances where immediate action was required to prevent irreversible harm to the environment or to deal with high priority cases. In such instances efforts would be made to contact Ward Councillors by telephone to inform them of intended action before it was taken.

In addition to the monitoring of performance in respect of visiting sites, it was also considered that providing details of the registerable formal notices served and sharing the outcome of any enforcement appeal decisions received over the 6-month reporting period was incorporated into the Plan (to allow Committee Members to monitor the effectiveness of the service).

To a question on enforcement action, the Development Management and Land Charges Manager informed staffing issues were detailed in the report and that there was greater resilience in the Planning Team with an increase in notices being despatched. It was noted that the Council's enforcement performance was comparable to other Derbyshire local authorities.

To a question on the future of enforcement with regards Local Government Reorganisation and the role of the East Midlands Combined County Authority, the Development Management and Land Charges Manager informed all local authorities handled enforcement differently and the Interim Director of Planning, Devolution & Corporate Policy added all existing enforcement policies from all absorbed local authorities would continue for a time under any proposed unitary authority (until that new authority consolidated them into a single policy).

9 in favour
0 against

Moved by Councillor Tom Munro and seconded by Councillor Sally Renshaw

RESOLVED that Planning Committee resolve to adopt a September 2025 update of the Local Enforcement Plan (Planning), which incorporates the track changes set out at Appendix 1.

PL28-25/26 SUCCESSFUL HEALTHY PLACES SUPPLEMENTARY PLANNING DOCUMENT - CONSULTATION DRAFT

The Principal Planning Policy Officer presented the report to the Committee.

The "Bolsover District: The Future" plan aimed to drive economic growth through better housing and placemaking.

The Local Plan supported this by promoting sustainable, well-designed development through Policy SC2 (Sustainable Design) and Policy SC3 (High Quality Development).

The current Supplementary Planning Document that advised on residential design, Successful Places SPD (2013), was now being updated and retitled Successful Healthy Places to reflect:

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- National policy updates:
 - Building for a Healthy Life (2023);
 - National Design Guide (2019); and,
 - National Model Design Code (2021).
- A greater focus on health, wellbeing, and sustainable placemaking; and,
- The need for higher design standards in response to increased housing targets.

The guidance had been revised to improve readability, incorporate current images, and focus specifically on local context.

Unlike the previous joint local authority document, the revised SPD was specific to the District to better reflect local character and needs. Extensive consultation with stakeholders – across councils, design professionals, and community groups – had shaped the new guidance.

Overall, the SPD aimed to ensure that housing growth contributed positively to the quality, health, and sustainability of the District.

The Senior Urban Design Officer informed images had been provided in the proposed consultation draft version of the SPD, attached at Appendix 1, to emphasize the desired design.

It was reiterated that sustainability was at the heart of the document, with a holistic approach to care for all aspects of design, as well as a new emphasis on health and wellbeing, climate change, biodiversity, and modern technology (e.g. EV charging and heat pumps).

New sections in the document focused on local character, streets and trees, heritage and retrofit, residential extensions, and design criteria cross-referenced to the National Model Design Code.

The proposed consultation on the Successful Healthy Places SPD was to be carried out in line with the requirements of the Regulations and the principles of the Council adopted Statement of Community Involvement.

The complete coding document would be brought before Committee in a future meeting.

The Principal Planning Policy Officer informed those that had registered an interest on the Council's planning policy consultation database that had stated a wish to be notified of forthcoming Policy documents would be contacted directly by email and letter. Parish Councils would be notified so that their pages could link to the consultation.

The consultation document would be made available for at least 4 weeks in the following ways:

- a digital copy of the Successful Healthy Places SPD and consultation questionnaire would be available to read and print off on the Council's Supplementary Planning Documents webpage;
- a link on the webpage would direct people to a digital version of the consultation questionnaire that could be completed online;

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- the same questionnaire would also be on the Ask Derbyshire webpage as many residents used it as their 'go to' when finding out what consultations were live across the District; and,
- paper copies of the Successful Healthy Places SPD and consultation questionnaire would be made available at the District's libraries and Contact Centres throughout the 8-week consultation period.

Two drop-in events had been arranged: one at the Assembly Rooms, Bolsover on 16th September 2025; the other at the Shirebrook Leisure Centre on 18th September 2025. The dates and times of these would be advertised in the local press and included in any direct mailing to interested parties.

The detailed arrangements for the final content of consultation material would be agreed by the Interim Director of Planning, Devolution & Corporate Policy, in consultation with the Chair and Vice Chair of the Committee.

The outcome of the consultation exercise would be considered and reported, together with an updated SPD in light of the consultation feedback, to the Committee later in 2025.

The Chair thanked the Principal Planning Policy Officer and Senior Urban Design Officer for their work. A Member added it was wonderful.

To a question on developers currently struggling to sell units, and how likely there might be additional costs for the improved designs both architecturally and in sustainability terms, the Senior Devolution Lead for Planning Policy, Strategic Growth and Housing informed the Council was aware of the complex demands on developers. It was stressed, however, that good design and good quality were always desirable, even if delivering both might prove challenging.

While the UK Government wanted more completed units and developers sought to maximise profits where available, good design always remained desirable – it was possible for developments to get the right balance between profit and quality.

A Member informed that for the 18th September 2025 drop in session at the Shirebrook Leisure Centre, members of the public should note that this would be for the design consultation for the District and not the Shirebrook Growth Plan. The Senior Devolution Lead for Planning Policy, Strategic Growth and Housing agreed – while not a consultation on the Shirebrook Growth Plan, it was just as important for members of the public to provide their thoughts on the Successful Healthy Places SPD consultation.

The Chair reiterated the two drop-in events that had been arranged: one at the Assembly Rooms, Bolsover on 16th September 2025; the other at Shirebrook Leisure Centre on 18th September 2025.

A Member echoed previous sentiments and thanked officers for their work. As the Portfolio Holder for Growth, the officers' work on the consultation was appreciated.

9 in favour
0 against

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Moved by Councillor Tom Munro and seconded by Councillor Phil Smith

RESOLVED that the Planning Committee: 1) approve the contents of the proposed draft Successful Healthy Places Supplementary Planning Document as discussed in the report and attached as Appendix 1;

- 2) gives delegated authority to the Assistant Director of Planning and Planning Policy, in consultation with the Chair and Vice Chair of Planning Committee, to agree the final arrangements of the proposed consultation exercise on the Successful Healthy Places Supplementary Planning Document.

PL29-25/26 QUARTERLY UPDATE ON S106 AGREEMENT MONITORING

The Principal Planning Policy Officer presented the Quarter 1 2025/26 report to update Members on the progress of the spending of Section 106 contributions and to review the effectiveness of the Council's monitoring procedures.

The Community Arts Development Officer and the Leisure Facilities Planning & Development Manager were also present to provide updates and respond to questions on specific projects.

The report followed the Council's approved S.106 Monitoring Procedure, which required a quarterly update highlighting contributions at risk of clawback (within 24 months of expiry) and summarising those held in years 3, 4, and 5 by infrastructure type.

Since the Committee's meeting June 2025, the number of contributions within the 24-month threshold had increased from 6 to 11, with full details provided in the report.

Notable changes included: spend recorded against the Spa Croft, Tibshelf (Arts) contribution, four contributions from Thornhill Drive, South Normanton were now within the 12-month spend period, and 5 new contributions had entered the 2-year window, covering infrastructure in Clowne, Bolsover, and Pinxton.

Key highlights included the Clowne Skate Park project, now under construction; the Spa Croft public art application, due to be submitted; and the Thornhill Drive pump track,= and open space projects, now approaching tender stage with an increased budget of over £68,000 (for the Pump Track since the Committee's previous meeting).

In terms of health contributions, discussions with the Integrated Care Board (ICB) on spending the South Normanton health sum were ongoing, with a site visit planned by the ICB (awaiting feedback).

Elsewhere, feasibility and project planning were advancing for contributions in Clowne, Tibshelf, and Bolsover, including art at The Edge amphitheatre, new tennis courts, and open space improvements at the Castle Estate (which was now in community consultation).

A new £71,000 Outdoor Sport contribution had been received from Glapwell Nurseries.

Councillor Tom Munro left the meeting at 11:58 hours.

Councillor Janet Tait left the meeting at 12:09 hours.

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Member requests and actions received included:

- Contact to be made with Clowne Parish Council Liaison Function regarding:
 - Item 18 – High Ash Farm (Art); and,
 - Item 21 – Land West of Homelea and Tamarisk (Outdoor Sport)
- Request for information on S.106 contributions without time limits to be included in a future report.

7 in favour

0 against

Moved by Councillor Phil Smith and seconded by Councillor Rob Hiney-Saunders

RESOLVED that the Planning Committee note the contents of the report and highlight any concerns about the implementation of the Section 106 Agreements listed.

The Chair thanked all those for their attendance.

The meeting concluded at 12:15 hours.