

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee of the Bolsover District Council held in the Council Chamber on Wednesday, 1st October 2025 at 10:00 hours.

PRESENT:-

Members:-

Councillor Catherine Tite in the Chair

Councillors Steve Fritchley, Rob Hiney-Saunders, Tom Munro and Phil Smith.

Officers:- 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), Jonathan Gaynor (Principal Planner), Victoria Dawson (Assistant Director of Housing Management & Enforcement) (for Minute No. PL38-25/26), Angelika Kaufhold (Governance and Civic Manager) and Matthew Kerry (Governance and Civic Officer).

PL30-25/26 APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors Sally Renshaw, John Ritchie, Janet Tait and Deborah Watson, and Sarah Kay (Interim Director of Planning, Devolution and Corporate Policy).

PL31-25/26 URGENT ITEMS OF BUSINESS

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

PL32-25/26 DECLARATIONS OF INTEREST

Minute No.	Member	Level of Interest
PL36-25/26	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 having a predetermined position.

PL33-25/26 MINUTES

Moved by Councillor Tom Munro and seconded by Councillor Rob Hiney-Saunders
RESOLVED that the minutes of a meeting of the Planning Committee held on 3rd September 2025 be approved as a true and correct record.

PL34-25/26 APPLICATION NO. 22/00478/FUL - LAND BETWEEN ST. LAWRENCE AVENUE AND ROTHERHAM ROAD, NORTH OF LANGWITH ROAD, BOLSOVER

PLANNING COMMITTEE

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 a residential development of 217 dwellings on an approximately 8 hectare site to the east of Bolsover Town, accessed from Langwith Road, Foxglove Drive and Buckthorn Drive. The site formed part of a housing allocation in the adopted Local Plan, along with the recently completed scheme to the north and Crossways Garage and Dunedin House that had not been included within the application.

Amendments have been made to reduce the number of dwellings, increase the size of the attenuation basin and increase the amount of public open space within the site.

The Supplementary Agenda informed of 2 additional neighbour representations made.

Updates to the conditions list had been made.

Derbyshire County Council (DCC) had provided a late submission the day before the meeting. This has been emailed to Members upon receipt.

A further submission from DCC was received a few minutes before the meeting.

The meeting was adjourned at 10:11 hours for the Planning Team to provide paper copies of the second of DCC's submissions.

The meeting was reconvened at 10:16 hours.

The Development Management and Land Charges Manager read out the second of DCC's submissions.

Councillor Donna Hales spoke against the application on behalf of Councillor Paul Goodwin.

Paul Butler, the agent, spoke in favour of the application.

To a question on the concerns raised on the disposal of foul water, Paul Butler could not comment on the issues raised by the Keepmoat development, but the proposal would benefit from the resolutions made by Keepmoat and stated that if the water authority was not content to claim responsibility of the system after the development was progressed, they had every right to refuse the adoption.

It was reiterated that the attenuation basin had been substantially enlarged for surface runoff which would reduce impacts on the system.

To a question on the provision of the play area, Paul Butler informed this would be maintained by the developer in perpetuity.

Adrian Kerrison, the consultant, spoke in favour of the application.

A Member stated it would be difficult for the developer to meet the 10% affordable housing target if DCC's request for additional educational contributions was accepted – no development of this size would be capable of fulfilling DCC's request.

PLANNING COMMITTEE

The Chair noted there was a substantial change in market conditions since the original application.

A Member shared the Council pursued growth as a policy and the District needed housing – the application had to be considered with all seriousness.

To a question on the development's expected profit once completed, the Development Management and Land Charges Manager explained that a 17.78% profit margin had been accepted as part of the viability appraisal work - this fell within the 15-20% range that was required for a development to present a viable proposition to a developer.

To a question on the existing capacity of Bolsover Town's schools, the Development Management and Land Charges Manager noted DCC had reviewed / assessed the normal area catchment school only and that a case could be made that there was an additional primary school within a 2 mile walking distance, which would additionally support existing capacity.

A Member noted the priority was for primary school capacity – was SEND contributions considered? The Development Management and Land Charges Manager explained, in terms of recommendations, officers had prioritised highway and travel improvements and education in accordance with the Council's Infrastructure and Delivery Plan (2025) and that DCC would ultimately be able to decide on where any available education contributions would be directed.

Members briefly discussed DCC's request, and the time taken to bring the application to Committee.

4 in favour

1 against

Moved by Councillor Steve Fritchley and seconded by Councillor Phil Smith

RESOLVED that for application no. 22/00478/FUL delegated authority be given to the Development Management and Land Charges Manager or Principal Planners to **GRANT** planning permission subject to prior entry into a S.106 legal agreement containing the following planning obligations:

- A. The provision of 10% affordable housing (14 affordable houses for rent and 8 shared ownership homes).
- B. £850,000 commuted sum to be split £193,564 to highways contributions and the remaining £656,436 towards education contributions.
- C. An obligation seeking confirmation of purchase of habitat credits required to demonstrate no net loss of biodiversity on site.
- D. Provisions relating to the future management of all public open space.
- E. The provision of a viability review mechanism to provide for further infrastructure contributions in accordance with the Council's Infrastructure Study and Delivery Plan or any relevant superseding information.

AND subject to the following conditions:

PLANNING COMMITTEE

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:
 - Noise Impact Assessment (Hepworth Acoustics) P22-278-R01v10 Received 05th June 2025;
 - Biodiversity Impact Assessment (root3) R3-536-03-EC-04 Received 15th May 2025;
 - Biodiversity Metric R3-536-03-EC-04_BIA Report Rev_ D Received 15th May 2025;
 - Location Plan 2213.02 Rev A Received 24th August 2022;
 - Planning Layout 2213.01 Rev N Received 17th September 2025;
 - Materials Layout 2213.03 Rev G Received 09th July 2025;
 - Street Scenes 2213.04 Rev C Received 20th November 2024;
 - Detailed Landscape Plan 1 of 3 R3-536-03-LA-02-01 Rev B Received 07th March 2025;
 - Detailed Landscape Plan 2 of 3 R3-536-03-LA-02-02 Rev A Received 07th March 2025;
 - Detailed Landscape Plan 3 of 3 R3-536-03-LA-02-03 30 Rev B Received 23rd September 2025;
 - Landscape General Arrangement Plan R3-536-03-LA-01 Rev D Received 07th March 2025;
 - Play Area Detail R3-536-03-LA-03 Rev A Received 17th December 2024;
 - Figure 1 – Phase 1 Habitat Plan R3-536-03-EC-03 Plan reference 02 Received 07th March 2025;
 - Drainage Strategy 22029 100 Rev P18 Received 07th March 2025;
 - Drainage Strategy 22029 Sheet No. I DRA01 (G) Received 06th March 2025;
 - Flood Risk Assessment 22029 REP01(C) Received 02nd December 2024;
 - Flood Exceedance Routing Plan 22029-DCE-XX-XX-D-C-102 Rev P02 Received 05 March 2025;
 - Impermeable Area 22029-DCE-XX-XX-D-C-103 Rev P02 Received 05th March 2025;
 - Updated Ecological Walkover R3-536-03-EC-03 Received 07th March 2025;
 - Arboricultural Survey and Impact Assessment R3-536-03-AR-01 Received 17th December 2024;
 - Refuse Vehicle Swept Path Analysis 22029-DCE-XX-XX-D-C-160 Rev P01 Received 02nd December 2024;
 - Visibility Splays 22029-DCE-XX-XX-D-C-161 Rev P02 Received 11th December 2024;
 - Bus Swept Path Analysis 22029-DCE-XX-XX-D-C-162 Rev P01 Received 02nd December 2024;
 - Cross Section 2213.05.01 Rev A Received 20th November 2024;
 - Cross Section 2213.05.02 Rev A 20th Received November 2024;
 - Boundary Treatment Plan 2213.06 Rev C Received 05th December 2024;
 - Refuse Plan 2213.07 Rev C Received 05th December 2024;
 - Tenure Plan 2213.08 Rev D Received 05th December 2025;

PLANNING COMMITTEE

- Parking Plan 2213.09 Rev C Received 05th December 2024;
 - Planning Drawings Various Boundaries 2213.B.01 Received 13th December 2024;
 - Planning Drawings Single Garage 2213.G.01 Received 13th December 2024;
 - Planning Drawings Twin Garage 2213.G.02 25th July 2022 Received 13th December 2024;
 - Planning Drawings Type 1209 End/Mid Elevations 2455.1209.01 Received 08th November 2024;
 - Planning Drawings Type 932 End/Mid 2455.932.01 Received 08th November 2024;
 - Planning Drawings Fairhaven End/Mid 2455.FAI.01 Received 08th November 2024;
 - Planning Drawings Type 764 End/Mid 2455.GOV.01 Received 08th November 2024;
 - Planning Drawings Lansdown End/Mid 2455.LAN.01 Received 08th November 2024;
 - Planning Drawings Newbury Detached 2455.NEW.01 Received 08th November 2024;
 - Planning Drawings Osbourne Pair 2455.OSB.02 Received 08th November 2024;
 - Planning Drawings Ramsey Detached 2455.RAM.01 Received 08th November 2024;
 - Planning Drawings Tilsworth 2455.TIL.01 Received 08th November 2024;
 - Transport Assessment (AMA) 21541-001 Received 25th April 2023;
 - Interim Travel Plan (AMA) 21541-002 Received 14th September 2022;
 - Highways Technical Note (AMA) 21541 Received 13th December 2024;
 - Revised Design and Access Statement (Issue 2) Received 13th December 2024;
 - Archaeological Evaluation (Written Scheme of Investigation) (CFA Archaeology) Received 23rd November 2022;
 - Planning Statement (PB Planning) Received 12th October 2022;
 - Project Management Plan (PMP) 00.1a Issue 48 Received 07th October 2022;
 - Tree Constraints Plan (root3) R3-536-03-AR-02 Received 14th September 2022;
 - Tree Protection Plan (root3) R3-536-03-AR-03 25 Received 14th September 2022;
 - Bat Report (root3) R3-536-02-EC-05 Received 18th July 2025;
 - Ecological Impact Assessment (root3) R3-536-02-EC-01 Rev A Received 14th September 2022;
 - Geoenviromental Appraisal (Lithos) 4350/1 Received 14th September 2022; and,
 - Geophysical Survey Report (Magnitude Surveys) MSSK1317 Received July 2022.
3. No development shall take place other than in accordance with the approved Archaeological Evaluation (Written Scheme of Investigation) (CFA Archaeology) Received 23rd November 2022, including until any pre-start element of the approved scheme has been completed to the written satisfaction of the local

PLANNING COMMITTEE

planning authority.

4. No 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 and the provision to be made for publication and dissemination of results and archive deposition has been secured.
5. Subject to acceptance of the SuDS design by Derbyshire County Council (Lead Local Flood Authority), an Operation and Maintenance Plan (in accordance with section 32 of the SuDS Manual) shall be submitted to the Local Planning Authority, which provides details of the arrangements for the lifetime management and maintenance of the SuDS features together with contact details. The SuDS shall be implemented and managed / maintained in accordance with the approved detail.
6. The development shall be carried out in accordance with the details shown on the submitted plan, "Flood Risk Assessment' 22029 (rev C) prepared by Dudleys, dated 02/12/24", unless otherwise agreed in writing with the Local Planning Authority.
7. 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 design outlined within:
 - a. Dudleys. (06/03/2025). Drainage Strategy. DRA01 (G), including any 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. 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 that have first been submitted to and approved by the Local Planning Authority.
9. Prior to commencement of the development, the applicant shall submit for approval to the Local Planning Authority 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 Local Planning Authority, before the commencement of any works, which would lead to increased surface water run-off from site during the construction phase.
10. 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 that have first been submitted to and approved by the Local Planning Authority.
11. 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-

PLANNING COMMITTEE

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.

12. No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The lighting approved shall be installed and shall be maintained in accordance with the approved details.
13. No dwelling hereby approved shall be occupied until the access, parking and turning facilities required for that dwelling have been provided as shown on Planning Layout 2213.01 Rev N Received 17th September 2025.
14. 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.
15. The Residential Travel Plan hereby approved shall be implemented and monitored in accordance with the regime contained within the Plan. In the event of failing to meet the targets within the Plan a revised Plan shall be submitted to and approved in writing by the Local Planning Authority to address any shortfalls, and where necessary make provision for and promote improved sustainable forms of access to and from the site. The Plan thereafter shall be implemented and updated in agreement with the Local Planning Authority and thereafter implemented as amended.
16. No works or development shall take place until full details of all proposed street tree planting, root protection systems, future management plan, and the proposed times of planting, have been approved in writing by the Local Planning Authority. All tree planting shall be carried out in accordance with the approved details.
17. Before the commencement of development, a Landscape and Biodiversity Enhancement and Management Plan (LBEMP) shall be submitted to the Local Planning Authority detailing how not net loss of biodiversity will be achieved and a timetable for implementing the measures. The development will be implemented in accordance with the approved details.
18. Before construction progresses above foundation level on any building or wall, representative samples of the materials to be used in all external wall and roof areas shall first have been submitted to and approved in writing by the Local Planning Authority.
19. If within a period of five years from the date of the planting of any tree or shrub (or their planned retention in accordance with the landscaping scheme) 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,

PLANNING COMMITTEE

unless a variation of the landscaping scheme is approved in writing with the Local Planning Authority.

20. The approved Project Management Plan (PMP) 00.1a Issue 48 Received 07th October 2022 shall be adhered to at all times during the construction phases of the development.
21. Prior to the demolition of any existing buildings on site, the submission of update bat surveys and a mitigation strategy shall be submitted to and approved by the Local Planning Authority. The phasing of demolition and build out of the development shall be ordered to ensure that any mitigation that could be required (worst case scenario) can be accommodated within the new buildings (bat boxes or bat lofts, for example). Compensatory roost(s) should be in situ, prior to demolition of any buildings with confirmed roosts.
22. Notwithstanding the approved plans, details of bin storage areas will be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any dwellings. The bin storage areas shall be provided in accordance with the approved details and retained for their designated use thereafter.
23. The development hereby permitted shall be constructed in full accordance with the mitigation measures recommended in Noise Impact Assessment (Hepworth Acoustics) P22-278-R01v10 Received 05th June 2025.
24. Prior to the occupation of any dwelling hereby permitted, the applicant must demonstrate, to the satisfaction of the Local Planning Authority, that the noise mitigation measures relevant to that dwelling have been properly installed.
25. Before the commencement of construction works including any demolition in connection with the development hereby approved, a programme of measures to minimise the spread of airborne dust from the site during construction and demolition periods, shall be submitted to and approved in writing by the Local Planning Authority and include a dust risk assessment. The development shall be undertaken in accordance with the approved scheme.
26. Construction works on the site and deliveries to the site shall 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.
27. Prior to the first occupation of the dwellings hereby approved, unless otherwise agreed in writing with the Local Planning Authority, any made ground on the site shall be removed or a contamination investigation and risk assessment of that part of the site shall be carried out by a competent person in accordance with current guidance and in accordance with a scheme which has been approved by the Local Planning Authority, to demonstrate that the site is suitable for the use hereby approved. Where the site investigation and risk assessment shows that contamination remediation is required, a remediation scheme shall be prepared and submitted to the Local Planning Authority for written approval; the approved remediation scheme shall be implemented as approved and a verification report shall be submitted to and approved in writing demonstrating that the remediation has been carried out successfully prior to the first occupation of the dwellings

PLANNING COMMITTEE

hereby approved.

28. Where any suspected areas of contamination are discovered during the development of the site, the process of site investigation and risk assessment as identified in condition 28 above shall be carried out by a competent person in accordance with current guidance and in accordance with a scheme which has been approved by the Local Planning Authority, to demonstrate that that part of the site is suitable for the use hereby approved.
29. In the event that it is proposed to import soil onto site in connection with the development, the soil to be imported shall be sampled at source and analysed in a laboratory that is accredited under the MCERTS Chemical Testing of Soil Scheme for all parameters previously agreed in writing with the Local Planning Authority, the results of which shall be submitted to and shall be approved in writing with the Local Planning Authority.
30. Details of the legal and funding mechanism for maintenance of all public open spaces including the LEAP and any open drainage features shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any dwellings. The open space shall thereafter maintained and managed in accordance with the approved details.
31. A timetable for the delivery of all public open space and the LEAP shall be submitted and approved in writing by the Local Planning Authority. The public open space and LEAP shall be provided in full in accordance with the approved details.

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.

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

PLANNING COMMITTEE

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.

PL35-25/26 APPLICATION NO. 23/00180/OUT - BOLSOVER BUSINESS PARK, WOODHOUSE LANE, BOLSOVER

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. It had been resolved by the Committee on 14th May 2025 that subject to the prior entry into a Section 106 agreement to secure a requested travel plan contribution that the application be approved subject to conditions.

Progress had been made on preparing a legal agreement to secure the payment of the travel plan contribution prior to occupation of any part of the development.

The Council had a long leasehold interest on site and the agreement only needed to secure one financial contribution payable to Derbyshire County Council (DCC). It had been agreed that it would be more appropriate for a Section 106 unilateral undertaking to be made in favour of both the Council and DCC.

The applicant had also sought a longer period to submit the reserved matters to allow for phasing that would be more responsive to market demand as the development progressed.

More detail was provided in the report.

From the Supplementary Agneda provided, the Committee was informed the applicant had pointed out an inconsistency with the wording of the recommended Condition 29, which did not link to the phasing of the development as per the other conditions. It had been requested that the condition be worded as follows:

'An Employment Scheme, to enhance and maximise employment and training opportunities during the construction phase of the project, for each approved phase of development shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the commencement of development in that phase. Any such approved Scheme shall then be implemented in full unless in accordance with any such subsequent variations as shall have been formally submitted to and approved in writing by the Local Planning Authority.'

Councillor Donna Hales spoke on the application.

To a question on any specific heritage assets raised, Councillor Donna Hales informed of the railway workshop and Portland House (the latter was not a listed building, though it was argued it remained a significant historical asset) – both would be demolished along with the expected rail buildings and bathhouse.

PLANNING COMMITTEE

A Member noted Shirebrook encountered the same situation of local heritage assets – while personal feelings should be acknowledged it was natural for the District to move forwards.

The Development Management and Land Charges Manager addressed concerns on the historical assets – it was noted the former Headquarters building would be retained but the loss of all other buildings to develop the site was acceptable, having regard to the public benefits to be derived.

5 in favour
0 against

Moved by Councillor Tom Munro and seconded by Councillor Phil Smith

RESOLVED that application no. 23/00180/OUT be **APPROVED** following completion of a legal agreement to secure the travel plan contribution and with the conditions set out in the officer report, with the exception of Condition 29 which shall be amended as set out above and with delegated authority being given to the Interim Director of Planning, Devolution & Corporate Policy or the Development Management and Land Charges Manager to make any further minor amendments to condition wording relating to phasing where necessary in consultation with the Planning Committee Chair and Vice Chair.

Having declared an interest in the following item, Councillor Tom Munro left the meeting at 11:22 hours.

PL36-25/26 APPLICATION NO. 25/00179/FUL - NEW MIDDLE CLUB, WELBECK STREET, WHITWELL, WORKSOP

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 was for the material change of use of the New Middle Club to provide 9 residential flats. The original application had included 10 off-road car parking spaces with vehicular access from Coronation Street, Whitwell. 2 of the flats were 2-bedroomed and 7 of the flats were 1-bedroomed units.

The application had been deferred by the Committee 3rd September 2025. Members had debated the appropriateness of the number of car parking spaces to be allocated (10). A revised parking layout had been received, which would provide 3 additional car parking spaces (13 in total).

Additional representations had been received and detailed in the Supplementary Agenda.

Dee Devine spoke against the proposal.

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

To a question on the provision of EV charging points, Amat Patil informed that while not part of the original application, the car park would have the electrical cables prepared further into the development for the individual installation of charging points.

PLANNING COMMITTEE

Amat Patil confirmed that the provision of the bin storage area would remain onsite despite the additional 3 parking spots in the revised plan.

4 in favour

0 against

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

RESOLVED that application no. 25/00179/FUL be **APPROVED** subject to the following 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:

Revised Site Layout and Proposed Floor Plans - drawing number AP/02 revision d dated 04/09/2025.

Revised Site Location Plan and Proposed Block Plan - drawing number AP/04 dated 24/07/2025.

Proposed Elevations and Roof Plan - drawing number AP/04 dated 09/05/2025.

3. 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.
4. 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 is submitted and approved in writing by the Local Planning Authority which addresses the risk identified. The Local Planning Authority shall be notified as soon as is reasonably practicable of the discovery of any suspected areas of contamination.

Any investigation required shall be undertaken in accordance with a scheme submitted to and approved in writing by the Local Planning Authority and shall comply with current Government Guidance to achieve the appropriate standard at completion.

Upon completion of the remediation works 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.

PLANNING COMMITTEE

5. Prior to the first occupation of the hereby approved development, a biodiversity enhancement plan must be submitted to and approved in writing by the Local Planning Authority. The Plan must clearly show positions, specifications and numbers of the following features:

- 10 No. swift bricks or boxes;
- 2 No. bat bricks or boxes; and,
- Summary of any ecologically beneficial landscaping.

A statement of good practice including photographs of the provided features must be submitted to the local planning authority to fully discharge this condition, demonstrating that the enhancements have been selected and installed in accordance with the approved Plan.

6. No dwelling shall be occupied until the access, parking and turning facilities have been provided in full, as shown on drawing number AP/02 dated 16/07/2025. Once provided the car parking and turning spaces shall be retained for the life of the development free from any impediment to their parking and turning purposes.
7. Prior to the first occupation of the hereby approved development, a detailed scheme of boundary treatment must be installed fully in accordance with a scheme which has first been submitted to and approved in writing by the Local Planning Authority. The agreed boundary treatment scheme shall then be maintained in perpetuity for the lifetime of the development.
8. Prior to any works taking place to the external elevations and roof of the development, the precise external materials to be used in the construction of the external elevations and roof shall be first submitted to and approved in writing by the Local Planning Authority. The development shall then proceed fully in accordance with the agreed external materials and be maintained thereafter.

Reasons for Conditions

1. To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and in order to define the planning permission.
3. In the interests of protecting residential amenity throughout the construction phase in accordance with Policy SC11 of the Adopted 2020 Local Plan for Bolsover District.
4. To protect future occupiers of the development from unacceptable levels of land contamination in accordance with Policy SC14 of the Adopted 2020 Local Plan for Bolsover District.
5. To provide a form of biodiversity enhancement in accordance with Policy SC9 of the Adopted Local Plan 2020 for Bolsover District.
6. In the interests of ensuring off-road parking is provided and retained for the development in the best interests of highway safety in accordance with Policy SC3 (e) of the Adopted 2020 Local Plan for Bolsover District.

PLANNING COMMITTEE

7. In the interests of protecting the visual amenity of the locality and residential amenity of adjacent residents in accordance with Policy SC3 of the Adopted Local Plan 2020 for Bolsover District.
8. In the interests of protecting the visual amenity of the locality in accordance with Policy SC3 of the Adopted Local Plan 2020 for Bolsover District.

Statement of Decision Process

1. 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.

Note

1. This application is considered to be one which will not require the approval of a biodiversity gain plan before development is begun, because one or more of the statutory exemptions or transitional arrangements are considered to apply. However, you are still required to observe the statutory requirements of the Biodiversity Net Gain Plan Advice Note provided below.

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.

Councillor Tom Munro returned to the meeting at 11:37 hours.

PLANNING COMMITTEE

PL37-25/26

APPLICATION NO. 25/00293/FUL - ST. HELENS CHURCH HALL, CHURCH STREET, EAST PINXTON, NOTTINGHAM

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 the demolition and erection of a replacement Church Hall. The site was currently occupied by a church hall which previously provided a number of community facilities.

The main issues for consideration were whether the proposed development would result in harm to the character and appearance of the area, harm to residential amenity and raised any unacceptable impacts on highway safety and the local road network.

The decision was referred to the Committee in the interests of openness and transparency, given that the application site was owned by the Council.

Councillor Mary Dooley spoke in favour of the application.

To a question on the building's future use, Councillor Mary Dooley informed it would be for any / all local community events as well as for externally hired events (e.g. weddings) – it would be a fabulous design and a valuable new asset for Pinxton.

The Chair noted parking would take place on the highway but that residents supported this decision. Councillor Mary Dooley informed parking was also available nearby on Victoria Road, Pinxton.

A Member brought to light that funding for the proposal was largely being delivered through the UK Shared Prosperity Fund. A new build, rather than a refurbishment, would also maximise the potential and positive economic impact of the development.

Members praised the work and design of the proposal. The exclusion of any parking onsite was due to the provision of a tree to improve the visual aspect of the proposal / area and provide a welcoming aspect to the site.

Questions were asked on the non-requirement of disabled parking bays – the development had remained acceptable without.

The work of the Senior Economic Development Officer was noted.

5 in favour
0 against

Moved by Councillor Tom Munro and seconded by Councillor Phil Smith

RESOLVED that application no. 25/00239/FUL be **APPROVED** with final, precise wording of conditions relating to biodiversity (current Conditions 7, 8, and 9) delegated to the Development Management and Land Charges Manager or Principal Planners:

AND subject to the following conditions:

PLANNING COMMITTEE

1. The development must be begun before the expiration of three years from the date of this permission.
2. The development must be carried out in accordance with the following plans/details submitted with the application:
 - 'PROPOSED ELEVATIONS SHEET 1' (24101-CO-XX-XX-DR-A-41001) received on the 3rd July 2025;
 - 'PROPOSED ELEVATIONS SHEET 2' (24101-CO-XX-XX-DR-A-41002) received on the 3rd July 2025;
 - 'PROPOSED PLAN' (24101-CO-XX-XX-DR-A-21001) received on the 3rd July 2025.
 - 'PROPOSED SITE PLAN' (24101-CO-XX-XX-DR-A-16002) received on the 3rd July 2025; and,
 - 'PROPOSED LANDSCAPING' (24101-CO-XX-XX-DR-A-16003) received on the 30th July 2025.
3. The development hereby approved must be constructed and finished in the material details that are outlined in the elevation plans: 'PROPOSED ELEVATIONS SHEET 1' & '2', both received on the 3rd July 2025.
4. Unless otherwise amended by details submitted to and approved in writing under the terms of the deemed biodiversity gain plan condition, the soft landscaping plan (24101-CO-XX-XX-DR-A-16003) received on the 30th July 2025 must be implemented as approved, no later than the first available planting season following the occupation of the development hereby approved. Any of the trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased must be replaced in the next planting season with others of a similar size and species.
5. Prior to the occupation of the building hereby approved, details of the proposed boundary treatments must be submitted to and approved in writing by the Local Planning Authority and installed in accordance with the approved details.
6. Prior to the occupation of the building hereby approved, the proposed bicycle stands outlined in the 'PROPOSED SITE PLAN' (24101-CO-XX-XX-DR-A-16002) received on the 3rd of July 2025, must be provided and maintained for use thereafter.
7. A Habitat Management and Monitoring Plan (HMMP) must be submitted to and approved in writing by the Local Planning Authority, prior to the commencement of the development. If the standard HMMP template is not used, the HMMP checklist must be consulted to ensure all appropriate information is included. The HMMP must identify the habitats to be retained, created and / or enhanced on the site and specify the appropriate management prescriptions to secure the predicted condition targets, as per the approved biodiversity metric for the application. The HMMP must also set out a monitoring schedule to ensure targets are met and remedial actions to take if not.
8. Site clearance must be undertaken in a manner by which to safeguard hedgehogs as well as other wildlife. All rubble piles, leaf piles, compost heaps, dense vegetation and other general debris that could be used for shelter must be

PLANNING COMMITTEE

carefully cleared by hand to a location such as a skip, other container or raised pallets. This must be undertaken prior to machinery entering site and avoiding the core hibernation period (November-February). If a hedgehog is discovered during clearance, it must be moved immediately and carefully with gloved hands to an area of shelter as beneath adjacent hedgerow/bushes. A short statement of compliance must be submitted to the Local Planning Authority upon completion of clearance works to discharge this condition.

9. Prior to the commencement of works above ground level, a Biodiversity Enhancement Plan must be submitted to and approved in writing by the Local Planning Authority. The approved measures must be implemented in full and maintained as such thereafter. The plan must clearly show positions, specifications and quantities of features, which will include (but are not limited to) the following:

- 1x woodcrete / woodstone swift box must be installed at eaves level, avoiding southern elevations;
- 1x integrated bat box;
- 1x insect brick / tower in public open space;
- Fencing gaps 130mm x 130mm to maintain connectivity for hedgehogs if required.

A statement of good practice including photographs, demonstrating that the enhancements have been selected and installed in accordance with the approved plan must be submitted to and approved in writing by the Local Planning Authority.

10. Prior to the commencement of any construction works, including any demolition in connection with the development hereby approved, a programme of measures to minimise the spread of airborne dust from the site including construction and demolition periods must be submitted to and approved in writing by the Local Planning Authority. The construction must be undertaken in accordance with the approved scheme.

11. Prior to the commencement of the development hereby approved:

The site investigation strategy as identified in the Desk Study report (ref.102058) submitted with the application, must be undertaken by a competent person in accordance with the current UK requirements for sampling and analysis.

Where the site investigation identifies unacceptable levels of contamination, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment, must be submitted to and approved in writing by the Local Planning Authority. The submitted scheme must have regard to relevant current guidance. The approved scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria and site management procedures. The scheme must ensure that the site 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 must give at least 14 day's notice to the Local Planning Authority prior to commencing works in connection with the remediation scheme.

PLANNING COMMITTEE

12. No buildings hereby approved shall be occupied until:

- a) The approved remediation works required by condition 11 above, have been carried out in full in compliance with the approved methodology and best practice.
- 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 must be suspended until the nature and extent of the contamination is assessed and a report is submitted to and approved in writing by the Local Planning Authority, who must be notified as soon as is reasonably practicable of the discovery of any suspected areas of contamination. The suspect material must be re-evaluated through the process described in the Phase I contaminated land assessment (desk-study) ref.102058, submitted with the application and through the process described in condition 15 above.
- c) Upon completion of the remediation works required by condition 11 above, a validation report prepared by a competent person must be submitted to and approved in writing by the Local Planning Authority. The validation report must 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 must be included.

13. Construction works on the site and deliveries to the site will be undertaken only between the hours of 07.30am to 6pm to Friday and 07.30am to 1pm on Saturday. There must be no work undertaken on site or deliveries to the site on Sundays or public holidays.

Statement of Decision Process

1. The proposal is compliant with the policies and guidelines adopted by the Council and the decision has been taken in accordance with the guidelines of the National Planning Policy 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.

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),

PLANNING COMMITTEE

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.

PL38-25/26 APPLICATION NO. 25/00307/FREG3 - GARAGE SITE TO THE REAR OF 1 - 5 WORKSOP ROAD, WHITWELL COMMON

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 permission to demolish 6 existing prefabricated garages, re-surface the existing parking area and extend it by 9.5 sqm, marking out the resulting parking area with 14 spaces, including one disabled parking space. The proposal also included repairs to an existing low retaining wall and installation of a 12.6m long crash barrier at a height of 900mm along the front of one of the rows of parking spaces created.

A submission from Sarah Hyde was brought to the attention of the Committee.

The Assistant Director of Housing Management & Enforcement was present to help address listed concerns.

It was noted the provision of EV charging points would be a commercial one and not for the Council to include in the proposal.

5 in favour
0 against

Moved by Councillor Phil Smith and seconded by Councillor Steve Fritchley

RESOLVED that application no. 25/00307/FREG3 be **APPROVED** subject to the following conditions:

1. The development shall be begun before the expiration of three years from the date of this permission.
2. The development must be carried out in accordance with plan number: BDC-WCG-03A Proposed block plan.

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.

PLANNING COMMITTEE

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.

The Chair thanked all Members and officers for their attendance.

The meeting concluded at 12:02 hours.