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To: Chair & Members of the Planning  
Committee

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Wednesday, 29<sup>th</sup> April 2026

Dear Councillor,

**PLANNING COMMITTEE**

You are hereby summoned to attend a meeting of the Planning Committee of the Bolsover District Council to be held in the Council Chamber on Wednesday, 13<sup>th</sup> May, 2026 at 10:00 hours.

Register of Members' Interests - Members are reminded that a Member must within 28 days of becoming aware of any changes to their Disclosable Pecuniary Interests provide written notification to the Authority's Monitoring Officer.

You will find the contents of the agenda itemised on page 3 onwards.

Yours faithfully,



Solicitor to the Council & Monitoring Officer

## **Equalities Statement**

Bolsover District Council is committed to equalities as an employer and when delivering the services it provides to all sections of the community.

The Council believes that no person should be treated unfairly and is committed to eliminating all forms of discrimination, advancing equality and fostering good relations between all groups in society.

### **Access for All statement**

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**PLANNING COMMITTEE  
AGENDA**

**Wednesday, 13<sup>th</sup> May, 2026 at 10:00 hours taking place in the Council Chamber, The Arc,  
Clowne**

<b>Item No.</b>		<b>Page No.(s)</b>
1.	<b>Apologies For Absence</b>	
2.	<b>Urgent Items of Business</b>	
	To note any urgent items of business which the Chairman has consented to being considered under the provisions of Section 100(B) 4(b) of the Local Government Act 1972.	
3.	<b>Declarations of Interest</b>	
	Members should declare the existence and nature of any Disclosable Pecuniary Interest and Non Statutory Interest as defined by the Members' Code of Conduct in respect of:	
	a) any business on the agenda	
	b) any urgent additional items to be considered	
	c) any matters arising out of those items	
	and if appropriate, withdraw from the meeting at the relevant time.	
4.	<b>Minutes</b>	4 - 16
	To consider the minutes of the last meeting held on 15 <sup>th</sup> April 2026.	
	<b><u>APPLICATIONS TO BE DETERMINED UNDER THE TOWN &amp; COUNTRY PLANNING ACTS</u></b>	
5.	<b>Application no. 26/00038/FUL - Land Adjacent 123 Charlesworth Street, Carr Vale, Bolsover</b>	17 - 27
	<b><u>REPORTS OF THE INTERIM STRATEGIC DIRECTOR OF ECONOMIC GROWTH</u></b>	
6.	<b>Quarterly Update On Section 106 Agreement Monitoring</b>	28 - 40

## PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee of the Bolsover District Council held in the Council Chamber on Wednesday, 15<sup>th</sup> April 2026 at 10:00 hours.

### **PRESENT:-**

Members:-

Councillor John Ritchie in the Chair

Councillors Catherine Tite (Vice-Chair), Steve Fritchley, Tom Munro, Sally Renshaw, Phil Smith and Janet Tait.

Officers:- Jim Fieldsend (Director of Governance and Legal Services & Monitoring Officer), Sarah Kay (Interim Strategic Director of Economic Growth), 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), Mary McGuire (Senior Urban Design Officer) and Matthew Kerry (Governance and Civic Officer).

Also in attendance at the meeting, observing, was Councillor Justin Gilbody.

### **PL84-25/26 APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of Councillors Rob Hiney-Saunders, Chris Kane and Deborah Watson.

### **PL85-25/26 URGENT ITEMS OF BUSINESS**

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

### **PL86-25/26 DECLARATIONS OF INTEREST**

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

There were no declarations made at the meeting.

### **PL87-25/26 MINUTES**

Moved by Councillor Steve Fritchley and seconded by Councillor Tom Munro  
**RESOLVED** that the minutes of a meeting of the Planning Committee held on 18<sup>th</sup> March 2026 be approved as a true and correct record.

*Councillor Tom Munro left the meeting at 10:01 hours.*

## PLANNING COMMITTEE

**PL88-25/26      APPLICATION NO. 24/00067/FUL - LAND NORTH OF  
SOOKHOLME ROAD JUNCTION, PORTLAND DRIVE,  
SHIREBROOK**

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 for the erection of 2 industrial units with service yard, 24 parking spaces, a cycle store, bin store and sustainable drainage system. The proposal also included alterations to the existing access, changes to existing ground levels and extensive landscaping.

The application was originally reported to the Committee January 2025.

Moved by Councillor Steve Fritchley and seconded by Councillor Janet Tait

**RESOLVED** that application no. 24/00067/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 must be carried out in accordance with the approved plan numbers:  
  
12941-WMS-ZZ-XX-D-C-39201-S8-Rev P2: Revised proposed drainage layout  
12941-WMS-ZZ-XX-D-A-10001-S3-Rev P4: Revised proposed site plan  
12941-WMS-ZZ-XX-D-A-10400-S3-Rev P3: Revised proposed ground floor plan  
12941-WMS-ZZ-XX-D-A-10401-S3-Rev P2: Revised proposed roof plan  
12941-WMS-ZZ-XX-D-A-10500-S3-Rev P2: Revised proposed sections  
12941-WMS-ZZ-XX-D-A-10600-S3-Rev P2: Revised proposed elevations
3. The external walls of the building must be constructed using Before the construction of the external walls of the building commences on site, samples of the materials to be used on the external walls and roof must be submitted to and approved in writing by the Local Planning Authority. The building must be constructed using the approved materials and must be maintained as such thereafter.
4. Before development starts on site, a Landscape and Biodiversity Enhancement and Management Plan (LBEMP) to provide details for the creation, enhancement and management of habitats and species post development, in accordance with the proposals set out in the submitted Biodiversity Metric, combining both the ecology and landscape disciplines must be submitted to, and approved in writing by, the Local Planning Authority. The approved plan must be implemented in full in accordance with the approved details.
5. No development shall take place (including demolition, ground works, vegetation clearance and movement of plant, machinery and materials) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the measures detailed in the Ecological Impact Assessment (Futures Ecology, July 2022.). The approved CEMP must be implemented in full in

## PLANNING COMMITTEE

accordance with the approved details.

6. Before the development hereby approved is first occupied, the access, parking and turning shown on the approved plan must be provided on site in accordance with that plan and must be maintained as such thereafter.
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 principles outlined within:
  - a. William Saunders. (Nov 2025). *Flood Flow Routes*. 12941–WMS–ZZ-XX-D-C-39203-S8-P1.
  - b. William Saunders. (Nov 2025). *Drainage Strategy*. 12941-WMS-ZZ-XX-T-C-39201-S8-P2. “including any subsequent amendments or updates to those documents as approved by the Flood Risk Management Team”
  - c. And DEFRA’s National standards for sustainable drainage systems (2025),

have been submitted to and approved in writing by the Local Planning Authority. The approved scheme must be implemented on site before the development hereby approved is first occupied and must be maintained as such thereafter.

8. 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.
9. If during the works hereby approved being carried out on site, contamination is encountered which has not previously been identified, then the additional contamination shall be fully assessed, and an appropriate remediation scheme submitted to and approved in writing by the Local Planning Authority. The approved remediation scheme must be implemented on site in full before the development hereby approved is first occupied.

### Reasons

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 the interest of visual amenity, highway safety and biodiversity enhancement in accordance with Policies, SC2, SC3, and SC9 of the Local Plan for Bolsover District.
3. In the interest of visual amenity in accordance with policies SC2 and SC3 of the Local Plan for Bolsover District.

## PLANNING COMMITTEE

4. To protect and enhance biodiversity interest on the site and to result in no net loss for biodiversity in accordance with Policy SC9 of the local Plan for Bolsover District.
5. To protect and enhance biodiversity interest on the site and to result in no net loss for biodiversity in accordance with Policy SC9 of the local Plan for Bolsover District.
6. In the interest of Highway Safety in accordance with Policy SC3 of the Local Plan for Bolsover District.
7. To ensure that the proposed development does not increase flood risk and that the principles of sustainable drainage are incorporated into this proposal, and sufficient detail of the construction, operation and maintenance/management of the sustainable drainage systems are provided in accordance with policy SC7 of the Local Plan for Bolsover District
8. To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development in accordance with policy SC7 of the Local Plan for Bolsover District.
9. To protect the health of future occupiers of the site from any possible effects of contaminated land, in accordance with Policy SC14 of the Local plan for Bolsover District.

### Notes

1. BNG2
2. The LBEMP submitted under condition 4 above shall include the following:-
  - a) Description and location of features to be retained, created, enhanced and managed, as per the approved biodiversity metric.
  - b) Aims and objectives of management, in line with desired habitat conditions detailed in the metric.
  - c) Appropriate management methods and practices to achieve aims and objectives.
  - d) Prescriptions for management actions.
  - e) Preparation of a work schedule (including a 30-year work plan capable of being rolled forward in perpetuity).
  - f) Details of the body or organization responsible for implementation of the plan.
  - g) A monitoring schedule to assess the success of the habitat creation and enhancement measures at intervals of 1, 3, 5, 10, 20 and 30 years.
  - h) Monitoring reports to be sent to the Council at each of the intervals above
  - i) A set of remedial measures to be applied if conservation aims and objectives of the plan are not being met.
  - j) Detailed habitat enhancements for wildlife, in line with British Standard BS 42021:2022 and the recommendations in the Ecological Impact Assessment (Futures Ecology, July 2022).
  - k) Requirement for a statement of compliance upon completion of planting and enhancement works.

## PLANNING COMMITTEE

The LBEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The approved plan will be implemented in accordance with the approved details.

3. The CEMP submitted under condition 5 above shall be produced by an ecologist and include the following:-
  - a) Risk assessment of potentially damaging construction activities.
  - b) Identification of "biodiversity protection zones".
  - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction.
  - d) The location and timing of sensitive works to avoid harm to biodiversity features.
  - e) The times during construction when specialist ecologists need to be present on site to oversee works.
  - f) Responsible persons and lines of communication.
  - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
  - h) Use of protective fences, exclusion barriers and warning signs.
4. The sewer records do not show any public sewers within the curtilage of the site. However, the applicant should be made aware of the possibility of unmapped public sewers which are not shown on the records but may cross the site of the proposed works. If any part of the proposed works involves connection to / diversion of / building over / building near to any public sewer the applicant will need to contact Severn Trent Water in order to determine their responsibilities under the relevant legislation. There is however a private sewer marked on Severn Trent Water's records which the applicant should be aware of.

All proposals regarding drainage will need to comply with Part H of the Building Regulations 2010. In addition, any connections or alterations to a watercourse will need prior approval from the Derbyshire County Council Flood Team, who are the Lead Local Flood Authority.

It is essential that any work carried out does not detrimentally alter the structure or surface of the ground and increase or alter the natural flow of water to cause flooding to neighbouring properties. The developer must also ensure any temporary drainage arrangements during construction gives due consideration to the prevention of surface water runoff onto the public highway and neighbouring properties.

5. Advisory notes provided by LLFA.

### **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.*

*Councillor Tom Munro returned to the meeting at 10:08 hours.*

### **PL89-25/26          APPLICATION NO. 26/00033/FUL - 49 PATTISON STREET, SHUTTLEWOOD, CHESTERFIELD, S44 6QZ**

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 for the change of use of the existing dwelling to a children’s home for 1 child between the age of 6 - 17. The home was intended to operate with 2 members of staff on site 24hrs a day with a manager also on site during the day. No external changes were proposed to the dwelling.

The application was referred to the Committee for determination due to a call-in request from Councillor Donna Hales.

Balbier Dhillon (the Agent) spoke in favour of the application.

In answer to a question, Balbier Dhillon informed the Committee that social services would be responsible for placing a child and that they may not currently live within the District.

## PLANNING COMMITTEE

In answer to questions on parking, Balbier Dhillon stated 2 vehicles would be parked on the driveway at night and if 3 vehicles were present during handover (with 1 temporarily parked on the highway) this would not be out of the norm for a residential property – some dwellings with 4 adults had the potential for 4 vehicles.

A Member informed of a previous career in Children and Family Services at Derbyshire County Council and enquired about asked on the level of care the child might require. Balbier Dhillon informed it would depend on the request by the local authority.

A statement on the application was read out on behalf of Councillor Donna Hales.

A Member noted Ofsted would be responsible for ensuring the property was suitable to house a child. A Member agreed, reiterating responsibility would lie with Ofsted and that Derbyshire County Council had made clear of the need for the provision of such proposals.

6 in favour

1 against

Moved by Councillor Phil Smith and seconded by Councillor Steve Fritchley

**RESOLVED** that application no. 26/00033/FUL be **APPROVED** subject to the following conditions:

1. The development must be begun before the expiration of three years from the date of this permission.
2. Before the use hereby approved is first implemented, a noise management plan must be submitted to and approved in writing by the Local Planning Authority. The approved noise management plan must be implemented in full concurrent with the first occupation of the site and must continue to be implemented in accordance with the approved scheme thereafter.
3. Notwithstanding the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that order with or without modification) the premises must be used only as a children's care home for 1 child and for no other purpose (including any other use falling within Class C2 of the Order).
4. There must be no more than three members of staff on shift at the premises at any time unless otherwise agreed in writing by the Local Planning Authority.

### Reasons

1. To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In the interest of residential amenity in accordance with policies SC3 and SC11 of the Local Plan for Bolsover District.
3. In the interest of residential amenity and highway safety in accordance with policies SC3 and SC11 of the Local Plan for Bolsover District.

## PLANNING COMMITTEE

4. In the interest of highway safety in accordance with policy SC3 of the Local Plan for Bolsover District.

### Notes

1. BNG 2
2. The three members of staff on shift must include the manager and carers on site.

### 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 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.*

**PL90-25/26                      APPLICATION NO. 26/00034/FUL - 48 PATTISON STREET,  
SHUTTLEWOOD, CHESTERFIELD, S44 6QZ**

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 for the change of use of the existing dwelling to a children's

## PLANNING COMMITTEE

home for 1 child between the age of 6 - 17. The home was intended to operate with 2 members of staff on site 24hrs a day with a manager also on site during the day. No external changes were proposed to the dwelling.

The application was referred to the Committee for determination due to a call-in request from Councillor Donna Hales.

Balbier Dhillon (the Agent), having addressed the Committee in the previous item chose not to provide any further address.

The Committee was referred to the previous item's statement on the application submitted by Councillor Donna Hales.

A Member reiterated a previous career in Children and Family Services at Derbyshire County Council and shared continued objection to the proposal having encountered issues raised by other organisations in the same speciality as the applicant, issues which had proven highly complex and time consuming to manage / resolve.

A Member sought clarity on the ability, with the proposal adjacent to the previous item's application, to amalgamate both residences in future.

A Member requested it be stipulated that such an amalgamation of the residences of application nos. 26/00033/FUL and 26/00034/FUL be prevented.

The Development Management and Land Charges Manager informed this could not be addressed within the conditions of the application, but the request could be recorded within the minutes of the meeting.

6 in favour  
1 against

Moved by Councillor Phil Smith and seconded by Councillor John Ritchie

**RESOLVED** that application no. 26/00033/FUL be **APPROVED** subject to the following conditions:

1. The development must be begun before the expiration of three years from the date of this permission.
2. Before the use hereby approved is first implemented, a noise management plan must be submitted to and approved in writing by the Local Planning Authority. The approved noise management plan must be implemented in full concurrent with the first occupation of the site and must continue to be implemented in accordance with the approved scheme thereafter.
3. Notwithstanding the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that order with or without modification) the premises must be used only as a children's care home for 1 child and for no other purpose (including any other use falling within Class C2 of the Order).
4. There must be no more than three members of staff on shift at the premises at any time unless otherwise agreed in writing by the Local Planning Authority.

## PLANNING COMMITTEE

### Reasons

1. To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In the interest of residential amenity in accordance with policies SC3 and SC11 of the Local Plan for Bolsover District.
3. In the interest of residential amenity and highway safety in accordance with policies SC3 and SC11 of the Local Plan for Bolsover District.
4. In the interest of highway safety in accordance with policy SC3 of the Local Plan for Bolsover District.

### Notes

1. BNG 2
2. The three members of staff on shift must include the manager and carers on site.

### **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 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*

## PLANNING COMMITTEE

*(or any group of individuals') human rights has been addressed proportionately and in accordance with the requirements of the ECHR.*

### **PL91-25/26          HISTORIC      ENVIRONMENT      SUPPLEMENTARY      PLANNING DOCUMENT**

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

The Historic Environment SPD (2006) was a guidance document for all involved in making decisions on planning matters as they related to the historic built environment as well as the general public / developers who might want to submit a formal enquiry or application.

Since 2006, there had been significant changes in national heritage policy and guidance and changes in local plan policy with the adoption of the Council's Local Plan.

To remain effective and relevant, the Historic Environment SPD must reflect these changes to ensure it continued to support the development management process.

The draft revised Historic Environment SPD, attached at Appendix 1, was presented to the Committee 18<sup>th</sup> February 2026, before it was subject to a 4-week targeted consultation with statutory consultees, developers, agents and others on the Council's Local Plan database between 23<sup>rd</sup> February 2026 to 23<sup>rd</sup> March 2026.

Barlborough Hospital Trust, the Coal Authority, Derbyshire County Council Highways Authority, Derbyshire County Council Conservation Officer, Historic England and Natural England made submissions comprising of 39 representations – the main points were summarised in the report and set out in full in Appendix 1.

The final version of the Historic Environment SPD, following the amendments made from the representations received, was attached at Appendix 2.

The changes made strengthened the document.

Members expressed thanks to the officers for the phenomenal amount of work accomplished.

Moved by Councillor John Ritchie and seconded by Councillor Catherine Tite

**RESOLVED** that the Planning Committee; 1) note the outcome of the consultation exercise as set out in the report and set out in Appendix 1;

- 2) approve the proposed responses to the main points and the consequential revisions to the proposed SPD as set out in the report and set out in Appendix 2;
- 3) recommends to Council that the Historic Environment Supplementary Planning Document is adopted as a material consideration in planning decisions.

## PLANNING COMMITTEE

### PL92-25/26 NATIONAL GRID 400 KILOVOLT (KV) OVERHEAD ELECTRICITY LINE FROM CHESTERFIELD TO WILLINGTON (SOUTH DERBYSHIRE) - STAGE 2 CONSULTATION

The Principal Planning Policy Officer presented the report to the Committee with the addition of an in-depth presentation that provided visual representations of the proposed options.

The National Grid Electricity Transmission (National Grid) was proposing to enhance the East Midlands electricity network by building and operating approximately 60 kilometres (km) of new 400 kilovolt (kV) overhead electricity line from Chesterfield to Willington (South Derbyshire).

The report set out extensive details of the following:

- A summary of National Grid's Chesterfield to Willington Stage 2 Consultation (Statutory Consultation) which would close on Tuesday, 28<sup>th</sup> April 2026;
- The proposed revised route of the overhead line through the District;
- To provide information on the potential "Community Benefits" as set out by UK Government guidance in relation to overhead lines; and,
- To reference the possibility of entering into a Planning Performance Agreement in respect of the Project.

Members raised concerns on some of the proposal's options regarding height, location, encroachment of settlements, nearness of a school and the impact on the local environment (e.g., the District's heritage assets).

A Member shared concern that the residents of Blackwell Ward had not been consulted despite being as nearly as impacted as other neighbouring wards.

The Principal Planning Policy Officer informed the consultation closed on 28<sup>th</sup> April 2026 – there remained some time to submit objections and it was encouraged all persons able respond to the consultation.

The Committee took a sceptical view on the availability of compensation from the National Grid's Community Benefits after it had been shared with all other impacted areas (63), with questions additionally raised on how such a scheme would work.

Members were unanimous in sharing concern on the potential impact on Tibshelf Ward.

A Member asked if research had taken place on the potential health implications of the proposal near a school.

An observing Councillor shared Tibshelf Parish Council had formed a working party to investigate and raise awareness on the proposal's impact on Tibshelf Ward and thanked the Development Management and Land Charges Manager for attending a recent meeting at Tibshelf to answer questions.

The Committee was further informed the health implications from the proposal, while within the minimum standard as established by the National Grid, were in contravention to the recommendations and findings of the World Health Organisation.

## PLANNING COMMITTEE

Regarding the school, while the 263 metre distance covered the distance between the proposal and the school facilities, it did not take into account the surrounding areas including the sports field.

The observing Councillor stated not all residents of Tibshelf Ward had been contacted directly via letter by the National Grid and finally, when in consultation with the National Grid adequate answers on the provision / cost of underground cabling had proven questionable.

For the answers provided on why the pylons were the only viable option within the proposal, it was noted it had been identified that the land by the River Amber would prove highly unsuitable for the structures – this argument could therefore apply to Tibshelf Ward with 4 previous underground mines being present in the area.

It was noted the consultation in the District had also only been 7 weeks, and not the 8 weeks as supposedly intended. The Committee was additionally informed the consultation in 2024 covering the option through the Amber Valley had taken place over 18 weeks in comparison.

The Committee was informed the Council could declare a position on the proposal and recommend all impacted wards and residents across all impacted local authority areas submit objections to the proposal.

Moved by Councillor Steve Fritchley and seconded by Councillor Phil Smith

**RESOLVED** that Planning Committee: 1) Notes the proposal for a revised route of the new overhead electricity line from Chesterfield to Willington, which is located in part in the District;

- 2) Agrees the basis of the proposed response to the Consultation that the Council should object to the Stage 2 proposed route due to its harmful impact on the District's heritage assets, local communities and landscape and of the four options identified by National Grid that Alternative Routeing Option 3 - North-west of Astwith, pass between Lower Pilsley and North Wingfield was supported instead;
- 3) Agrees that the Council respond positively to all benefit areas listed in the National Grid's Community Benefits Survey and that details for this benefit scheme are requested and provided at the National Grid's earliest opportunity;
- 4) Agrees in principle to entering into a Planning Performance Agreement in respect of the Project should this be necessary or advantageous to the Council;
- 5) Gives delegated authority to the Interim Strategic Director Economic Growth, in consultation with the Chair and Vice Chair of the Planning Committee, to finalise and submit a detailed response to the National Grid Stage 2 Consultation on the basis outlined in the report.

The meeting concluded at 11:23 hours.

**PARISH** Old Bolsover Parish

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**APPLICATION** Stationing of static caravan for residential use and associated building and engineering operations  
**LOCATION** Land Adjacent 123 Charlesworth Street Carr Vale Bolsover  
**APPLICANT** Mr James Parsons 123 Charlesworth Street, Carr Vale Bolsover S44 6JQ  
**APPLICATION NO.** 26/00038/FUL **FILE NO.**  
**CASE OFFICER** Mrs Karen Wake  
**DATE RECEIVED** 29th January 2026

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## SUMMARY

The application is referred to Planning Committee for determination due to a call-in request from Cllr Cathy Jeffery to explore the claim that the site was previously developed land and could therefore be considered appropriate for development.

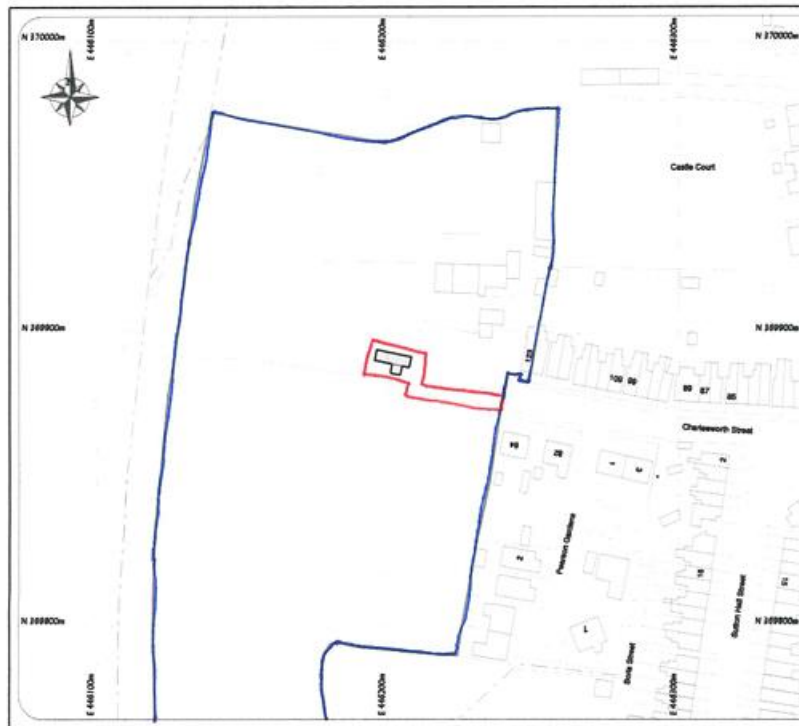
The application is for the retention of the use of land for the siting of a caravan which is occupied as a self-contained dwelling by the son of the occupier of the dwelling at 123 Charlesworth Street.

The application has previously been refused under delegated powers and enforcement notices have been served to secure the following:

- Permanently cease the use of the land for siting of a caravan for residential use and to cease the use of the land to the north for the storage of material, equipment and machinery for purposes unconnected to the agricultural use of the land.
- Permanently remove the caravan, associated infrastructure and retaining structures from the land and reinstate the land to its former condition and levels.

The applicant did not appeal the decision to refuse planning permission under s78 of the Planning Act and the time limit to do so has lapsed. The applicant has therefore re-submitted the application with additional information to try to show the site qualified as previously developed land. This information has been considered but it does not demonstrate that the land is previously developed. The proposal therefore remains contrary to the requirements of Policy SS9 of the adopted Local Plan. The application is recommended for refusal on this basis.

## Site Location Plan



### **OFFICER REPORT ON APPLICATION NO. 26/00038/FUL**

#### **SITE & SURROUNDINGS**

The application site comprises part of field, upon which a caravan has been stationed to the west of 123 Charlesworth Street. A garden area around the caravan has been fenced off and grassed with a post and rail fence and a vegetable patch planted adjacent to the caravan. To the southern boundary is a mature hedge. There is an existing access through the field to serve the adjacent outbuildings and an area of surfaced parking and turning. The land upon which the caravan has been stationed has been partially excavated and retained on its northern side to create a level surface.

The dwelling to which the caravan is an annex is to the east of the site, separated by a driveway, garden and boundary treatments. To the west and south of the site are fields and to the north are a range of outbuildings and large areas of open storage.

A sewage treatment plant has been installed on land to the west, however, this does not form part of this application.

#### **BACKGROUND**

The application has previously been refused under delegated powers and enforcement notices have been served to secure the following:

- Permanently cease the use of the land for siting of a caravan for residential use and to cease the use of the land to the north for the storage of material, equipment and machinery for purposes unconnected to the agricultural use of the land.
- Permanently remove the caravan, associated infrastructure and retaining structures

from the land and reinstate the land to its former condition and levels.

The applicant did not appeal the decision to refuse planning permission under s78 of the Planning Act and the time limit to do so has lapsed. The applicant has therefore re-submitted the application with additional information to try to show the site qualified as previously developed land and as such could be considered to meet the requirements of policy SS9 of the adopted local plan.

## **PROPOSAL**

The application seeks permission for the stationing of a static caravan on the land for residential use and associated building and engineering operations. The caravan provides self-contained accommodation, but the occupant is personally connected to the occupants of 123 Charlesworth Street, hence why it is described as an annex to the adjacent dwelling on the application form.

## **AMENDMENTS**

None.

Additional information provided about the sewage treatment plant which serves the caravan, together with details about the make, model and age of the caravan as requested by the Environmental Health officers.

## **EIA SCREENING OPINION**

The proposals that are the subject of this application are not EIA development.

## **HISTORY**

22/00420/FUL          Refused          Siting of static caravan as annex to existing dwelling

## **CONSULTATIONS**

Parish Council:  
No comments received

DCC Highways:  
Standing advice

DCC Archaeologist:  
No archaeological impact

Environmental Health Officer (pollution):  
No objections.

Environmental Health Officer (Housing and Public Health Team)

It is likely that this caravan was built to EN1647 which is a European safety and quality standard for static caravans and holiday homes, designed primarily for seasonal or temporary use. BS3632 defines the standard for caravans or park homes which are intended for year-round permanent habitation.

Unless confirmation can be provided that the static caravan is built to BS3632 it is recommended that planning permission is refused to protect future occupants on the grounds that the static caravan is not designed for permanent, year-round habitation, specifically regarding its thermal efficiency and structural durability.

Environment Agency:

No objections. Suggest an advisory note that The Building Regulations 2010 and Government Guidance contained within the PPG for Water Supply, Wastewater and Water Quality (paragraph 020 ID: 34-020-20140306) sets out a hierarchy of drainage options that must be considered and discounted in the following order:

1. Connection to the public sewer
2. Connection to a private sewer that drains to a public sewer
3. Package sewage treatment plant or septic tank
4. Cesspool

Foul drainage should be connected to the main sewer whenever it is feasible to do so. Where this is not possible, under the Environmental Permitting (England and Wales) Regulations 2016 any discharge of sewage or trade effluent made to either surface water or groundwater will need to either comply with General Binding Rules for Small Sewage Discharges or comply with a permit issued by the Environment Agency, additional to any planning permission that may be required. This applies to any discharge to ground, inland freshwaters, coastal waters or relevant territorial waters. Further information about the permitting process can be found at [Septic tanks and sewage treatment plants: what you need to do](#).

Further advice is available at: [Septic tanks and treatment plants: permits and general binding rules](#)

## **PUBLICITY**

Site notice and 6 neighbours notified. No comments received.

## **POLICY**

### Local Plan for Bolsover District (“the adopted Local Plan”)

Planning law requires that applications for planning permission be determined in accordance with policies in the adopted Local Plan, unless material considerations indicate otherwise. In this case, the most relevant Local Plan policies include:

- SS1: Sustainable Development
- SS3: Spatial Strategy and Distribution of Development
- SS9: Development in the Countryside
- LC7: Agricultural, Forestry and Other Occupational Dwellings in the Countryside
- SC2: Sustainable Design and Construction
- SC3: High Quality Development
- SC5: Change of Use and Conversions in the Countryside
- SC11: Environmental Quality (Amenity)
- ITCR11: Parking provision

### National Planning Policy Framework (“the Framework”)

The National Planning Policy Framework sets out the Government’s planning policies for England and how these should be applied. The Framework is therefore a material consideration in the determination of this application and policies in the Framework most relevant to this application include:

- Chapter 2 (paras. 7 – 14): - Achieving sustainable development.
- Paragraphs 48 - 51: Determining applications.
- Paragraphs 56 - 59: Planning conditions and obligations.
- Paragraphs 82-84: Rural Housing
- Paragraphs 124 - 128: Making effective use of land.
- Paragraphs 131 – 141: Achieving well-designed places.
- Paragraphs 187, 193 and 195: Conserving and enhancing the natural environment.
- Paragraphs 196 - 201: Ground conditions and pollution.

### Supplementary Planning Documents

**Successful Healthy Places: A Guide to Sustainable and Healthy Housing Layout and Design:**  
To provide a guide to those promoting developments on how they can create sustainable places that deliver a good quality of life for the people that live there and preventing poor design that comes at a cost to the environment. This requires that our neighbourhoods are designed around the linked concepts of good place making and sustainability.

### **Local Parking Standards:**

This document relates to Policy ITCR11 of the Local Plan by advising how the parking standards contained in appendix 8.2 of the local plan should be designed and implemented with development proposals. This SPD does not revise the standards contained in the Local Plan but does provide suggested new standards for parking matters not set out in the Local Plan, such as cycle parking.

### Biodiversity Net Gain Design Note:

In light of the requirement for mandatory 10% biodiversity net gain, the Council has prepared a planning advice note to provide advice on the background to the introduction of mandatory 10% Biodiversity Net Gain, how this statutory provision relates to policy SC9: Biodiversity and Geodiversity in the Local Plan for Bolsover District, and how we will expect those preparing applications to approach this new legal requirement.

### **ASSESSMENT**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for the purposes of the Act is the Local Plan for Bolsover (2020) and the supplementary planning documents outlined above. The National Planning Policy Framework (2024) is a material consideration in respect of this application.

The District Council is able to demonstrate a five-year housing land supply at this time. The policies for the delivery of housing in the Local Plan for Bolsover (2020) are not therefore considered to be out of date. There is no basis for policies within the development plan for the area to be set aside or for the tilted balance in favour of the development to be deemed to be engaged.

Having regard to the relevant provisions of the development plan and other material considerations, consultation and public comments received the main issues for consideration are:

- the principle of the development in the countryside
- the visual impact on the countryside
- the impact on residential amenity
- whether the development would be provided with a safe and suitable access

These issues are addressed in turn in the following sections of this report.

#### Principle of the development in the countryside and the visual impact on the countryside

Policy SS1 of the Local Plan for Bolsover (2020) sets the criteria against which the Council will consider the sustainability of a proposal. The policy does not require any proposal to achieve a benefit against every criterion, but it seeks to provide a basis on which to recognise the various sustainability costs and benefits of a proposal, which will then be considered by the Council in the overall 'Planning Balance'. The policy is supportive of development proposals, which create well designed places that are accessible, durable, adaptable and enhance local distinctiveness, protect and enhance the character, quality and settings of towns and villages and heritage assets through an appropriate mix of good quality, well-designed development and protect, create and / or enhance the character, quality and diversity of the District's green infrastructure and local landscapes, the wider countryside and ecological and biodiversity assets amongst other considerations.

The site is outside the development envelope for Bolsover/Carr Vale within an area of open countryside where new development is restricted by the requirements of Policy SS9 of the Local Plan for Bolsover District.

Policy SS9: Development in the Countryside is the adopted Local Plan's strategic policy that seeks to restrict urban forms of development in the countryside where these would not be appropriate or sustainable and not in accordance with the Local Plan's Spatial Strategy. This policy states that development proposals within the countryside will only be granted planning permission where it can be demonstrated that they fall within one or more of the following criteria:

- a) Involve a change of use or the re-use of previously developed land, provided the proposed use is sustainable and appropriate to the location.
- b) Are necessary for the efficient or viable operation of agriculture, horticulture, forestry or other appropriate land-based businesses, including the diversification of activities on an existing farm unit.
- c) Are small scale employment uses related to local farming, forestry, recreation or tourism.
- d) Secure the retention and/or enhancement of a community facility.
- e) Secure the retention and / or enhancement of a vacant or redundant building that makes a positive contribution to the character or appearance of the area and can be converted without complete or substantial reconstruction.
- f) Are in accordance with a made Neighbourhood Development Plan.
- g) The building is of exceptional quality or innovative design.

In all cases, where development is considered acceptable it will be required to respect the form, scale and character of the landscape, through careful location, design and use of materials.

Whilst it is acknowledged that the caravan is occupied by the son of the residents of 123 Charlesworth Street, it is outside the curtilage of that dwelling and is divorced and separated from this dwelling by the access roadway. Notwithstanding the personal connection between the occupants of the main dwelling and the caravan, both units function independently of one another.

The applicant has suggested that the land on which the caravan was sited constitutes previously developed land and therefore could meet the requirements of policy SS9. The applicant has submitted photographs to show what the site looked like in 2022 before the caravan being put on site. There was a small building adjacent to the caravan site and there were also some materials and machinery stored on part of the land but the land was not hard-surfaced.

Aerial imagery indicates the building had been there for more than 10 years, but the building was materially smaller than the caravan and not in the same position.

Aerial imagery also indicates that the storage on this part of the site only started between 2020 and 2022 and as such the storage was unauthorised and cannot claim 10years immunity from enforcement.

The definition of previously developed land as set out in the adopted Local Plan is:

“Land which is or was occupied by a permanent structure. This excludes land that is or has been occupied by agricultural or forestry buildings, land that has been developed

for minerals extraction or waste disposal where provision has been made for restoration.”

The definition of previously developed land as set out in the National Planning Policy Framework is:

“Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). It also includes land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed. Previously developed land excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.”

The building on site is smaller than the caravan and in a different position and the storage on the land did not amount to fixed infrastructure and was unauthorised. As such, the site does not meet either definition of previously developed land such that the proposal does not involve the change of use of previously developed land, nor does it meet any of the other criteria set out in Policy SS9.

Even if the site was considered to be previously developed land, policy SS9 requires development to respect the form, scale and character of the landscape, through careful location, design and use of materials. The siting of a caravan for residential purposes, together with the curtilage created around it is not considered to respect the form scale and character of the landscape and has an urbanising impact which is not in keeping with its countryside location contrary to the requirements of policy SS9.

Policy SC5 of the Local Plan for Bolsover (2020) recognises that changes of use (including changes of use to garden) can affect the character and appearance of an area, especially in the countryside. The policy seeks to ensure that new uses assimilate with their surroundings. The policy requires that all such development is in-keeping with the character of the land and enhances the fabric and character of the landscape type generally and that utilities and roadways can be provided which are not incompatible with the area. In this instance, the siting of a caravan for residential purposes, together with the curtilage created around it is considered to have an urbanising impact which is not in keeping with its countryside location such that the proposal is not considered to meet the requirements of policy SC5 of the adopted local plan.

Notwithstanding the personal connection between the occupants of the main dwelling and the caravan, both units function independently of one another. Used as a separate residential planning unit within the countryside the proposal could be considered against the requirements of Policy LC7 of the adopted Local Plan. Policy LC7 makes allowance for new dwelling units in the countryside based on the essential needs of agriculture, forestry or other rural business provided the proposal meets a number of criteria. In this instance, no

information has been submitted with the application to suggest that there is a functional need for a separate residential unit to be created to help sustain a trade or business being carried out on the site and this does not form the applicant's case. The proposal therefore fails to meet the requirements of this policy.

The land upon which the static caravan has been stationed encroaches into countryside to the west of the existing housing development along Charlesworth Street. The siting of the caravan, in addition to the unauthorised outside storage of equipment and vehicles on land to the north constitutes unwarranted and harmful encroachment beyond the development envelope into the countryside, that fails to protect and enhance the setting of the settlement or the character and quality of the local landscape contrary to the requirements of Policies SS9, SC2 and SC5 of the Local Plan for Bolsover District (2020). There are no benefits that would outweigh this significant environmental harm in the overall planning balance to constitute sustainable development in the round when considered against the provisions of Policy SS1.

Residential Amenity

The caravan and its garden are set well away from the dwelling to which it is proposed to be an annex and well away from other dwellings such that it is not considered to harm the amenity of residents of adjacent dwellings. However, this is not considered to overcome the non-compliance with the Local Plan policies set out above.

The Environmental Health Officer has recommended that unless confirmation can be provided that the static caravan is built to BS3632 it is recommended that planning permission is refused to protect future occupants on the grounds that the static caravan is not designed for permanent, year-round habitation, specifically regarding its thermal efficiency and structural durability. However, the application is for the use of the land rather than the particular caravan on site and fact that the caravan on site may not be thermally efficient is not a material planning consideration which could be taken into account in this instance.

Access/Highways

There is an existing access and driveway which serves the adjacent outbuildings. The caravan utilises this access and it provides a parking and turning area for the caravan. The proposed caravan is not considered to result in a material intensification of the use of the access over and above the existing situation and there is room on site for vehicles visiting the caravan to enter and leave the site in a forward direction and park on the site. On this basis the proposal is not considered to be detrimental to highway safety and is considered to meet the requirements of Policies SC3 and ITCR11 of the Local Plan for Bolsover District.

Ecology and Biodiversity Considerations

Key Biodiversity Information	
Reason if exempt from the biodiversity gain plan condition	Application was submitted prior to the mandatory requirement for Biodiversity net gain and is a retrospective application.

The application meets the exemption criteria for the mandatory 10% biodiversity net gain provision as it was submitted prior to this requirement coming into force.

The site is a former grazed field which, is considered to be of little ecological value such that

the application is considered to have a very low impact on biodiversity. However, given the requirement of Policy SC9 of the Local Plan to achieve no net loss for biodiversity, a biodiversity enhancement plan could be conditioned to secure measures such as bat and bird boxes, new planting etc. to achieve no net loss for biodiversity in order to meet the requirements of Policy SC9 of the Local Plan.

### **CONCLUSION / PLANNING BALANCE**

For the reasons set out above, the development is considered to be contrary to policies SS1, SS9, LC7, SC2 and SC5 of the Local Plan for Bolsover District (2020). The law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. There are no material considerations which justify making a decision which is contrary to the requirements of the policies set out in the adopted Local Plan.

### **RECOMMENDATION**

**The current application be REFUSED for the following reasons:**

1. The land upon which the caravan is stationed is divorced from the dwelling at 123 Charlesworth Street and served by its own facilities. Its use for residential purposes is such that it amounts to the creation of a separate residential unit. Such use, that does not meet the essential needs of agriculture, forestry or any other rural business is contrary to the requirements of Policy LC7 of the Local Plan for Bolsover (2020) and policy contained within the National Planning Policy Framework (2024).
2. The development, by reason of its siting and appearance, constitutes unwarranted and unsustainable development in the countryside that is harmful to character and quality of the local landscape and the character and setting of the adjacent settlement. Without any overriding benefits, the development is contrary to the requirements of Policies SS1, SS9, SC2 and SC5 of the Local Plan for Bolsover District (2020) and policy contained within the National Planning Policy Framework (2024).

### **Statement of Decision Process**

The proposal does not comply with the development plan policies adopted by the Council and the decision has been taken in accordance with these policies and the guidelines of the National Planning Policy Framework. The Council has not entered into any negotiation on the application as there are no minor amendments which could be undertaken that would overcome the fundamental planning concerns with it.

### **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.

**Bolsover District Council**

**Meeting of the Planning Committee on 13<sup>th</sup> May 2026**

**QUARTERLY UPDATE ON SECTION 106 AGREEMENT MONITORING**

**Report of the Assistant Director: Planning & Planning Policy**

<b>Classification</b>	This report is Public
<b>Report By</b>	Julie-Anne Middleditch Principal Planning Policy Officer

**PURPOSE / SUMMARY OF REPORT**

- To provide a progress report on the spending of S106 contributions.

**REPORT DETAILS**

**1. Background**

- 1.1 Section 106 agreements are legal agreements between the Council and landowners / developers that are often completed alongside applications for planning permission for major developments. They are needed to deal with the additional pressures on infrastructure that result from the new development. They are only required where the effects of the development would otherwise be unacceptable in planning terms and where they cannot be dealt with by conditions of the planning permission.
- 1.2 Implementation of Section 106 Agreements in a timely manner alongside the build-out of the approved developments is important as failure to achieve this will mean important infrastructure improvements lag behind the impact of the development.
- 1.3 Furthermore, if the Council fails to spend monies provided through the Section 106 Agreement within a set period, often within 5-years of entering into the agreement, there is a risk to the Council that the developer would be entitled to request the money back. Although the risk is relatively low, it is one that the Council must take seriously due to both the negative impact on the affected local community and the consequential reputational impact on the Council.
- 1.4 To manage and mitigate this serious risk the Council has an approved procedure for recording and monitoring Section 106 Agreements. The S106 Monitoring Procedure governs the work of the Council's cross-departmental Section 106 Monitoring Group.

- 1.5 Following the quarterly Section 106 Monitoring Group meetings, officers provide a progress report to the Planning Committee in respect of the monitoring of Section 106 Agreements. In line with the approved Procedure the progress report is required to highlight any sums at risk of clawback that need spending within 24 months, as well as a summary of the sums being held by infrastructure type that are in years three, four and five.
- 1.6 Accordingly, this report is the quarterly progress report following the meeting of the Section 106 Monitoring Group held on 22<sup>nd</sup> April 2026.

## **2. Details of Proposal or Information**

- 2.1 The Council's Section 106 Agreement Monitoring Procedure requires sums within 24 months of their deadline to be highlighted for Member's attention.
- 2.2 Members will recall that in the report provided to Planning Committee in February, nine sums were identified as being within their 24-month deadline as of the January Monitoring Group meeting.
- 2.3 As reported to the Monitoring Group meeting on 22<sup>nd</sup> April 2026 there are now eight remaining sums within their 24-month deadlines (details below).

### **Spend Date within 12 months (by 31<sup>st</sup> March 2026)**

<b>Action Plan</b>	<b>Finance Spreadsheet</b>	<b>Site</b>	<b>Infrastructure and Project amount</b>	<b>Amount remaining</b>	<b>Date</b>
	Line 84	Spa Croft, Tibshelf	Artwork: Gateway Sculpture £10,176.20	£6.20  <b>Project completed.</b>	31.3.26
Item 6	Line 96	Land at Thornhill Drive, South Normanton	Artwork: Murals £10,757	£10,874.71  <b>No change</b>	24.6.26
Item 7	Line 98	Land at Thornhill Drive, South Normanton	Open Space: Pump Track £30,400	£30,400.07  <b>No change</b>	24.6.26
Item 8	Line 97	Land at Thornhill Drive, South Normanton	Outdoor Sport: Pump Track £22,843	£12,941.69  <b>Increased by £9,674.05</b>	24.6.26

Item 9	Line 99	Land at Thornhill Drive, South Normanton	Health: increasing surgery capacity £11,784.56	£11,784.56 <b>No change</b>	24.6.26
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- 2.4 Since last reported to Planning Committee The Gateway Sculpture Project at Tibshelf has been completed with £3,232.50 spent in Q4 leaving a residual sum to be reallocated. This item is thereby removed from the Action Plan.
- 2.5 There has been an increase in the last quarter against the sum held from the Land at Thornhill Drive development for Outdoor Sport (item 8). This is due to a £10,000 refund for repair works following an insurance claim for the cost of weather-related repairs to the pavilion at Broadmeadows. There has also been further minor spend of £325.95 against this contribution for repairs. The additional funds will be used towards the pump track.
- 2.6 Regarding the other 3 contributions, there has been no change against the amounts remaining to be spent. No further contributions have come within the 12 months spend threshold.

#### **Spend Date within 2 years (by 31<sup>st</sup> March 2027)**

<b>Action Plan</b>	<b>Finance Spreadsheet</b>	<b>Site</b>	<b>Infrastructure and amount</b>	<b>Amount remaining</b>	<b>Date</b>
Item 12	Line 101	High Ash Farm, Clowne	Artwork: to be agreed £12,695.12	£12,695.12 <b>No Change</b>	30.5.27
Item 13	Line 102	Land West of Homelea and Tamarisk	Outdoor Sport: Tennis Courts £19,026.71	£19,026.71 <b>No change</b>	30.6.27
Item 14	Line 105	Land West of Homelea and Tamarisk	Open Space: Footpath link £15,973	£15,973.50 <b>No change</b>	30.6.27
Item 15	Line 106	Blind Lane, Bolsover	Open Space: MUGA and associated improvements £100,821	£100,821 <b>No change</b>	10.6.27

- 2.7 Since the last Planning Committee, there has been no change against the amounts remaining to be spent within 12-24 months. No further contributions have come within the 2 years spend threshold.
- 2.8 The updates for the above items as discussed at the Section 106 Monitoring Group are set out below for Member's information.

**Acronyms:** DMLCM = Development Management and Land Charges Manager; CADO = Community Arts Development Officer; = Leisure Facilities Planning & Development Manager; PPPO = Principal Planning Policy Officer; CLE = Chartered Legal Executive; SDLPPSG&H = Senior Devolution Lead for Planning Policy, Strategic Growth and Housing; PPDM = Principal Planner Development Management; PA= Principal Accountant; HOL = Head of Leisure; DMCO = Development Management Case Officer; P&SM = Partnership and Strategy Manager

Item	Development site, relevant S106 sum and spend by date	Responsible officer
6	<p><b>Land at Thornhill Drive, South Normanton – Art Planning Ref: 17/00148/OUT £10,757 (24.6.26)</b></p> <p><b>Project: Murals South Street Recreation Ground</b></p> <p><u>Previous Action</u> Report to next meeting</p> <p><u>Update between meetings</u> Version 2 of the community proposal is complete, with the project scheduled to begin in March 2026. It will run for three months across three phases: community development, creation of a co-produced mural, and professional installation, supported by a wider programme of parish events celebrating existing public art and the area's strong community arts heritage. The project will deliver a collaboratively designed mural at South Street Recreation Ground, chosen through consultation, helping to create a more vibrant and welcoming public space.</p> <p><u>April meeting update</u> Junction Arts have continued with consultation and development work. The building upon which the mural was to be painted is owned by Derbyshire County Council (Education) who are</p>	<p>CADO</p> <p>CADO</p> <p>CADO</p> <p>CADO</p>

	<p>not responding to emails. CADO stated that a new site may have to be found for the mural and will be exploring this and a possible extension to the spend deadline.</p> <p>PPPO confirmed that project development work undertaken by Junction Arts would not be considered eligible in terms of the S106 contribution as it does not constitute a physical artwork.</p> <p><u>Agreed Action</u> To consult with DMCO (PS) regarding an extension of time and re-siting the artwork</p>	CADO
<b>7</b>	<p><b>Land at Thornhill Drive, South Normanton – Open Space Planning Ref: 17/00148/OUT £30,400 (24.6.26)</b></p> <p><b>Project: Pump Track</b></p> <p><u>Previous Action</u> Report to next meeting</p> <p><u>Update between meetings</u> The preferred contractor 414 Ltd has been selected. They have confirmed they can meet the end-June spend deadline. A consultation event took place in early March with positive feedback and some suggested design tweaks. Contractors have indicated an April or early May start on site, with the exact date to be confirmed.</p> <p><u>April meeting update</u> JCT contract to be completed.</p> <p><u>Agreed Action</u> Project to be completed before next meeting</p>	<p>LFPDM</p> <p>LFPDM</p> <p>LFPDM</p> <p>LFPDM</p> <p>LFPDM</p>
<b>8</b>	<p><b>Land at Thornhill Drive, South Normanton – Outdoor Sport Planning Ref: 17/00148/OUT £12,941.69 remaining (24.6.26)</b></p> <p><b>Project: Pump Track</b></p> <p><u>Previous Action</u> Report to next meeting.</p> <p><u>Update between meetings</u> As item 7</p> <p><u>April meeting update</u></p>	<p>LFPDM</p> <p>LFPDM</p> <p>LFPDM</p>

	<p>As item 7. There has been an increase against the sum held from the Land at Thornhill Drive development for Outdoor Sport due to an insurance payment of £10,000 for the cost of weather-related repairs to the pavilion at Broadmeadows. There has also been spend of £325.95 against this sum for minor repairs.</p> <p><u>Agreed Action</u> Project to be completed before next meeting</p>	<p>LFPDM</p> <p>LFPDM</p>
<b>9</b>	<p><b>Land at Thornhill Drive, South Normanton – Health Planning Ref: 17/00148/OUT £11,784.56 (24.6.26)</b></p> <p><b>Project: Not confirmed</b></p> <p><u>Previous Action</u> Follow up with SDLPPSG&amp;H following outcome of escalation</p> <p><u>Update between meetings</u> Repeated attempts by PPPO and SDLPPSG&amp;H to obtain an update from the ICB. On 10 February 2026, PPPO emailed the ICB requesting progress before committee and asking for written confirmation if no further movement was likely. With no response, SDLPPSG&amp;H emailed again on 30 March 2026 seeking an urgent reply for a May Members update, requesting a Teams meeting within the next two weeks, and warning that the Council may have to return £11,784.56 due to the ICB's failure to propose a viable scheme. On 14 March 2026, SDLPPSG&amp;H informed PPPO that, given the continued silence, another email would be sent to the ICB that day. By 21 April 2026, response yet to be received from the ICB.</p> <p><u>April meeting update</u> No further progress to report.</p> <p><u>Agreed Action</u> Contribution to be considered for return to the developer.</p>	<p>PPPO</p> <p>PPPO</p> <p>PPPO/SDLPPSG &amp;H</p> <p>PPPO</p> <p>PPPO/SDLPPSG &amp;H</p>
<b>12</b>	<p><b>High Ash Farm, Clowne – Art Planning Ref: 14/00057/OUTMAJ £12,695.12 (30.5.27)</b></p> <p><b>Project: Not confirmed</b></p>	<p>CADO</p>

	<p><u>Previous Action</u> To contact the DMCO as a priority (PS) to discuss initial ideas</p> <p><u>Update between meetings</u> Following a review with DMCO (PS), the proposed “painted containers” idea put forward at the January meeting (by note) is not considered suitable, as it would not support placemaking and would be an inappropriate use of the contribution.</p> <p>CADO reported to planning committee in February that work had progressed on the public art brief for High Ash Farm and Edge which will go out to tender in July 2026. Three artists or organisations have expressed interest, and the Community Arts Development Officer is supporting those new to the tendering process. Early discussions are exploring ideas for linking the two development sites supported by the new amphitheatre at the Edge, through sculpture trails and connections into the wider village.</p> <p><u>April meeting Update</u> No further updates on progress.</p> <p><u>Agreed Action</u> To contact the DMCO (PS) as a priority to discuss initial ideas</p>	<p>CADO</p> <p>CADO</p> <p>CADO</p> <p>CADO</p>
<b>13</b>	<p><b>Land West of Homelea and Tamarisk – Outdoor Sport Planning Ref: 20/00209/FUL £19,026.71 (30.6.27)</b></p> <p><b>Project: Tennis Courts</b></p> <p><u>Previous Action</u> Report to next meeting.</p> <p><u>Update between meetings</u> As of mid-February, the Legal Agreement with the Tennis Club trustees was being finalised, with the contract for the works to be let Spring/Summer.</p> <p><u>April meeting update</u> Decision from Leisure Services to now also include padel courts on the site. This may require reorientation of the tennis courts in an east/west direction in order to accommodate the padel courts, although the exact orientation is yet to be agreed. Subject to there being sufficient space</p>	<p>LFPDM</p> <p>LFPDM</p> <p>LFPDM</p> <p>LFPDM</p>

	<p>available, the final project will comprises 3 tennis courts and 2 padel courts. Due to the passage of time and now the change in the project, updated quotes required. LFPDM and Assistant Director Leisure, Health &amp; Wellbeing held a meeting with Pulse Design and Build on 24 April. Pulse could offer an alternative delivery mechanism. The Legal Agreement is currently with the Clowne Town Tennis Club Trustees, who are part funding the works.</p> <p><u>Agreed Action</u> Report to next meeting</p>	LFPDM
<b>14</b>	<p><b>Land West of Homelea and Tamarisk – Open Space Planning Ref: 20/00209/FUL £15,973 (30.6.27)</b></p> <p><b>Project: Cycle link</b></p> <p><u>Previous Action</u> Report to next meeting</p> <p><u>Update between meetings</u> Progress on this awaiting land transfer at The Edge</p> <p><u>April meeting Update</u> A lease has been sent by DCC for the land behind the Edge with a charge of approximately £700/annum for renting the land with full maintenance liability for the land, boundaries and trees. As such, creating a right of way across the land may not be possible.</p> <p>An alternative, shorter link could be created to connect the existing path within the ‘town park’ land at The Edge to Harvester Way.</p> <p><u>Agreed Action</u> Awaiting land transfer at the Edge to be completed. Report to next meeting</p>	<p>LFPDM</p> <p>LFPDM</p> <p>LFPDM</p> <p>LFPDM</p> <p>LFPDM</p>
<b>15</b>	<p><b>Blind Lane, Bolsover – Open Space Planning Ref: 16/00463/OUT and 18/00481/REM £100,821</b></p> <p><b>Project: Upgrade to Houfton Road Recreation Ground</b></p> <p><u>Previous Action</u> Report to next meeting</p>	<p>LFPDM</p> <p>LFPDM</p>

	<p><u>Update between meetings</u> A package of works is being prepared for a late spring/summer start, beginning with footpath resurfacing followed by MUGA improvements. The scheme will be procured through an RFQ process.</p>	LFPDM
	<p><u>Update at April Meeting</u> Site visit 21<sup>st</sup> April LFPDM with contractors tendering for the works. Prices to be submitted by 24<sup>th</sup> April.</p>	LFPDM
	<p><u>Agreed Action</u> Report to next meeting</p>	LFPDM

- 2.9 These updates demonstrate the monitoring carried out by Planning Officers and the progress being made by Spending Officers to ensure that S106 monies are spent in a timely manner alongside the build-out of the approved developments. However, in line with the Council's S106 Agreement Monitoring Procedure the relevant Spending Officers will attend the Committee to answer any questions to Members on the above Action Plan items.
- 2.10 In addition to these time sensitive items, the Procedure requires that Members are provided with summary information in relation to Section 106 Agreement monies held with deadlines beyond the 24-month period. Based on the position at the end of Quarter 4 (31<sup>st</sup> March 2026), the 'summary of sums' against each Parish and Infrastructure Type can be found as an Appendix to this report.
- 2.11 Two of the sums have reduced since the last financial quarter, both are in relation to Outdoor Sport contributions. The sum from 'land south of 69 Oxcroft Lane, Bolsover' has been reduced by £16,340.51 with spending on roof repairs to football and cricket pavilions at Castle Leisure Park and the installation of concrete base for container at bowling green, Castle Leisure Park. A total of £4,22.15 remains of this contribution.
- 2.12 The sum from the Glapwell Nurseries development has been reduced by £20,922.71 with spending on various works to football pitch and ancillary facilities at Hall Corner, Glapwell. Glapwell Parish Council are the lead organisation. A total of £21,065.48 remains of this contribution.
- 2.13 The sum shown against Shirebrook is reduced from the previous report to committee with the removal of the added interest since the sum was received. The interest calculated will not actually be added to it as *income* until the sum is drawn down, as interest will be added right up to the point of use. The added interest at the end of Q4 2025/26 is £81,482.18 and is shown at the bottom of the S106 Finance Spreadsheet.
- 2.14 A contribution of £4,099.82 for Biodiversity has been received from the Oxcroft Lane / Shuttlewood Road site at Bolsover.

### **3. Reasons for Recommendation**

- 3.1 The implementation of Section 106 Agreements in a timely manner is essential to achieving sustainable growth across the district and protecting the quality of life for the district's residents and businesses.
- 3.2 As a result, it is important that Members receive information about the progress being made by the various Council departments to deliver Section 106 Agreements and to give Members the opportunity to assess the effectiveness of the monitoring procedures.
- 3.3 It is recommended that Members note the contents of the latest monitoring report and highlight any concerns about the implementation of the Section 106 Agreements listed.

### **4 Alternative Options and Reasons for Rejection**

- 4.1 Providing a progress report in respect of the monitoring of Section 106 Agreements to Planning Committee addresses recommendations made in recent Audit reports and recommendations of Members of the Planning Committee as set out in the Council's procedure for recording and monitoring Section 106 Agreements. Therefore, officers have not considered alternative options.

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### **RECOMMENDATION(S)**

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

**Approved by Cllr Tom Munro, Portfolio Holder – Growth**

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### **IMPLICATIONS:**

<b><u>Finance and Risk</u></b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <b>Details:</b> If obligations required to make a development acceptable in planning terms aren't properly discharged then there is a risk of harm to the Council's reputation and public confidence in the Council's decision taking. If financial contributions are not spent within a defined period, then the money has to be returned to the developer and normally returned with interest. Therefore, there are finance and risk implications if procedures for recording and monitoring Section 106 Agreements are not sufficiently robust. <p style="text-align: right;">On behalf of the Section 151 Officer</p>
<b><u>Legal (including Data Protection)</u></b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <b>Details:</b> There are no data protection implications insofar as Section 106 Agreements are part of the statutory planning register and are therefore public documents. Section 106 of the Town and Country Planning Act 1990 provides the legal framework for the

acceptance and discharge of the Section 106 Agreements and the Council's approved procedure addresses the key legislative provisions of this section of the 1990 Act.

On behalf of the Solicitor to the Council

**Staffing**      Yes       No

**Details:** There are no human resources implications arising from this report.

On behalf of the Head of Paid Service

**Equality and Diversity, and Consultation**      Yes       No

**Details:** There are no specific direct or indirect negative impacts on any person with a protected characteristic or any group of people with a shared protected characteristic arising from this report.

**Environment**      Yes       No

**Details:** Section 106 Agreements cover a range of policy and infrastructure requirements, albeit they do not specifically contribute to this subject.

**DECISION INFORMATION:**

**Please indicate which threshold applies:**

**Is the decision a Key Decision?**

A Key Decision is an Executive decision which has a significant impact on two or more wards in the District or which results in income or expenditure to the Council above the following thresholds:

Yes       No

**Revenue (a)** Results in the Council making Revenue Savings of £75,000 or more or **(b)** Results in the Council incurring Revenue Expenditure of £75,000 or more.

(a)       (b)

**Capital (a)** Results in the Council making Capital Income of £150,000 or more or **(b)** Results in the Council incurring Capital Expenditure of £150,000 or more.

(a)       (b)

**District Wards Significantly Affected:**

*(to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the District)*

Please state below which wards are affected or tick **All** if all wards are affected:

All

<b>Is the decision subject to Call-In?</b> <i>(Only Key Decisions are subject to Call-In)</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If No, is the call-in period to be waived in respect of the decision(s) proposed within this report? <i>(decisions may only be classified as exempt from call-in with the agreement of the Monitoring Officer)</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Consultation carried out:</b> <i>(this is any consultation carried out prior to the report being presented for approval)</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Leader</b> <input type="checkbox"/> <b>Deputy Leader</b> <input type="checkbox"/> <b>Executive</b> <input type="checkbox"/> <b>SLT</b> <input type="checkbox"/> <b>Relevant Service Manager</b> <input type="checkbox"/> <b>Members</b> <input type="checkbox"/> <b>Public</b> <input type="checkbox"/> <b>Other</b> <input checked="" type="checkbox"/>	Portfolio Member for Growth

<b>Links to Council Ambition: Customers, Economy, Environment, Housing</b>
<u>Environment</u> <ul style="list-style-type: none"> <li>Ensuring all area, neighbourhoods and streets in the district, irrespective of housing tenure or type, are places where people want to live, feel safe, and are proud to live.</li> </ul>
<u>Housing</u> <ul style="list-style-type: none"> <li>Enabling housing growth by increasing the supply, quality, and range of housing to meet the needs of the growing population.</li> </ul>

**DOCUMENT INFORMATION:**

Appendix No	Title
A	Infrastructure Contribution Sums 3-5 years Spending Deadline

<b>Background Papers</b> <i>(These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Executive, you must provide copies of the background papers).</i>

DECEMBER 2024

Infrastructure Contribution Sums 3-5 years Spending Deadline (Q4 2025-26)								
Parish	Affordable Housing	Art	Outdoor Sport	Informal Open Space	Health	Highways	Biodiversity	PARISH TOTALS
<b>Barlborough</b>	£108,000.48		£189,101.72					£297,102.20
Clowne								
Whitwell								
<b>Hodthorpe and Belph</b>	£195,418.36	£99,328.11	£139,011.98					£433,758.45
<b>Old Bolsover</b>			£165,273.12 (£4,211.15) (£161,061.97)	£109,359.00 (36,916.00) (72,443.00)	£12,277.20		£4,099.82	£291,009.04
<b>Elmton with Creswell</b>					£48,039.70		£8,029.96	£56,069.66
Langwith								
Scarcliffe								
<b>Glapwell</b>			£21,065.48					£21,065.48
<b>Shirebrook</b>			£15,674			£569,000		£584,674
Pleasley								
<b>Ault Hucknall</b>			£17,193.71					£17,193
Tibshelf								
Blackwell								
<b>South Normanton</b>			£65,774.96	£55,220.07	£30,892.35			£151,887.38
<b>Pinxton</b>			£64,239.34		£33,580.30			£97,819.64
<b>INFRASTRUCTURE TOTALS</b>	£303,418.84	£99,328.11	£677,334.31	£164,579.07	£124,789.55	£569,000	£12,129.78	<b>£1,934,905.75</b>