

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee of the Bolsover District Council held as a hybrid meeting both virtually and in the Council Chamber, The Arc, Clowne on Wednesday 21st April 2021 at 1000 hours.

PRESENT:-

Members:-

Councillor Tom Munro in the Chair

Councillors Derek Adams, Allan Bailey, Anne Clarke, Nick Clarke, Jim Clifton, Paul Cooper, Maxine Dixon, Natalie Hoy, Chris Kane, Duncan McGregor, Graham Parkin, Liz Smyth, Janet Tait, Deborah Watson and Jen Wilson.

Officers:- Sarah Kay (Planning Manager), Chris Fridlington (Assistant Director of Development), Jenny Owen (Legal Executive), Nicci Calver (Governance Manager), Amy Bryan (Senior Governance Officer), Alison Bluff (Governance Officer), Martin Derbyshire (Members ICT & Training Officer) and Scott Chambers (Communications Manager).

On behalf of Bolsover District Council and its residents, the Chair wished Her Majesty, Queen Elizabeth II, a very happy 95th Birthday in which were extremely trying circumstances for herself and her family.

PL29-20/21. APOLOGIES

There were no apologies for absence.

PL30-20/21. URGENT ITEMS OF BUSINESS

There were no urgent items of business.

PL31-20/21. DECLARATIONS OF INTEREST

There were no declarations of interest.

PL32-20/21. MINUTES – 10th MARCH 2021

Moved by Councillor Duncan McGregor and seconded by Councillor Chris Kane
RESOLVED that the Minutes of a Planning Committee held on 10th March 2021 be approved as a correct record.

PLANNING COMMITTEE

PL33-20/21. APPLICATIONS TO BE DETERMINED UNDER THE TOWN AND COUNTRY PLANNING ACTS

- (i) 20/00166/FUL - Primrose Residential development: 16 units (Use Class C3) – Amberleigh Manor, Primrose Hill Blackwell DE55 5JF.

Committee considered a detailed report presented by the Planning Manager in relation to the above application.

Members would recall that an application for Phase 1 had been deferred from 10th March Planning Committee to enable planning officers to enter into discussions with the applicant about the possibility of bringing forward an application for Phase 2 (the possible conversion of Amberleigh Manor into a number of flats). This was to enable Committee to make an informed assessment on issues such as viability, S106 contribution requirements, and gain more certainty that the former nursing home would be brought back into use and also enable the developer an opportunity to comply with Local Plan policy SC4.

The Applicant / Developer subsequently undertook some initial feasibility work to understand the scope of converting the existing building on site which could potentially form part of the Phase 2 of development, and this indicated that the former Nursing Home building could be converted into 10 residential units alongside a small element of new build comprising 2 units. However, in addition to the conclusion previously reported that Phase 1 was already unable to make any S106 contributions as a standalone development, the conclusions reached in the latest appraisal were that the scheme of development for Phase 2 alone or both Phases 1 and 2 combined were also so finely balanced in terms of viability that they too would be unable to afford to make any S106 contributions as applications together or individually.

Despite the development proposals not being able to meet S106 contributions required by policy ITCR5, ITCR7 and II1 of the Local Plan (open space / play provision and education), officers considered that it was in the public interest to approve the application proposals. The former nursing home building remained vacant and it was clear from the application submission and through subsequent discussions with the applicant / developer that the site owner was not in a position to re-open the nursing home business without substantial investment. Therefore, the site posed a risk of falling into disrepair and attracting anti-social behaviour if a new use or redevelopment was not secured.

The Applicant's Agent, Mr Ranjit Sagoo spoke for the application.

Mr Charles Grant, Developer, spoke for the application.

Committee was advised that Mr Satinder Kelley, the Applicant, was no longer able to attend this meeting to speak on the application, therefore, his Agent, Mr Charles Grant, read out Mr Kelley's statement on his behalf.

Moved by Councillor Tom Munro and seconded by Councillor Duncan McGregor
RESOLVED that the current application be **APPROVED** subject to the conditions as set out in Appendix A of the original officer report, and the addition of condition 20 also detailed in the report.

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:
 - 1445-11 – Location Plan*
 - 1445-04 – 3 Bed Type (Elevations and Floor Plans)*
 - 1445-02 Rev N – Site Layout*
 - 1445-04 Rev A – Streetscene / Car Ports / Sections*
 - 1445-18 - 3 Bed Type – Detached (Elevations and Floor Plans)*
 - Arboricultural Method Statement & Tree Protection Plan (2020-08-02 Project No. 200)*

Drainage

3. No development shall take place, other than site clearance works, until a detailed design and associated management and maintenance plan of the surface water drainage for the site have been submitted to and approved in writing by the Local Planning Authority.
4. No development, other than site clearance works, shall take place until a detailed assessment has been provided to and approved in writing by the Local Planning Authority, to demonstrate that the proposed destination for surface water accords with the drainage hierarchy as set out in paragraph 80 reference ID: 7-080-20150323 of the planning practice guidance.
5. Prior to commencement of the development, other than site clearance works, 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.
6. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

Coal Authority

7. No development shall commence until intrusive site investigations have been carried out on site to establish the exact situation in respect of coal mining legacy features. The findings of the intrusive site investigations shall be submitted to the Local Planning Authority for consideration and approval in writing. The intrusive site investigations shall be carried out in accordance with authoritative UK guidance.

PLANNING COMMITTEE

Where the findings of the intrusive site investigations (required by the condition above) identify that coal mining legacy on the site poses a risk to surface stability, no development shall commence until a detailed remediation scheme to protect the development from the effects of such land instability has been submitted to the Local Planning Authority for consideration and approval in writing. Following approval, the remedial works shall be implemented on site in complete accordance with the approved details.

Contamination

8. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions A to D have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition D has been complied with in relation to that contamination.

A. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*'.

B. Submission of Remediation Scheme

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 prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme

PLANNING COMMITTEE

must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works 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.

C. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition B, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition C.

E. Importation of soil

In the event that it is proposed to import soil onto site in connection with the development, the proposed soil shall be sampled at source and analysed in a laboratory that is accredited under the MCERTS Chemical testing of Soil Scheme for all parameters requested (where this is available), the results of which shall be submitted to the LPA for consideration. Only the soil approved in writing by the LPA shall be used on site.

This memorandum in no way indicates that this site is currently considered to be contaminated, merely that the potential for contamination exists on this site. We do not currently have any entries on our register of contaminated land as we are presently at the stage of inspecting the District and identifying potentially contaminated sites. If any of these sites warrants regulatory action, an entry will be made on the public register.

As the whole of Bolsover district is considered to be a radon affected area we would advise the applicant obtains a Radon Risk report for the site. A report may be obtained from Public Health England <http://www.ukradon.org/>

PLANNING COMMITTEE

Ecology

9. No removal of vegetation or work to buildings will take place between 1st February and 31st September inclusive, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period, and details of measures to protect the nesting bird interest on the site, have first been submitted to and approved in writing by the local planning authority and then implemented as approved.
10. No development shall take place (including demolition, ground works, vegetation clearance) 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 following:
 - a) Risk assessment of potentially damaging construction activities.
 - b) Identification and demarcation of “biodiversity protection zones” (to include hedgerows and trees).
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements and should include a badger working method statement).
 - 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 (as necessary).
 - h) Use of protective fences, exclusion barriers and warning signs.
11. A landscape and biodiversity enhancement and management plan (LBEMP) must be submitted to, and be approved in writing by, the Local Planning Authority prior to the commencement of the development. The LBEMP must combine both the ecology and landscape disciplines and ensure that there is no net loss of biodiversity and ideally providing a measurable net gain. It should include the following:-
 - a) Description and location of habitat and species features to be created, planted, enhanced and managed including type and locations of bird boxes (c.25 integrated swift boxes), integrated measures for swallow, Barn Owl mitigation (based on section 4 of the Barn Owl Report prepared by TEP July 2020), hedgehog access gaps in gardens and details of habitat creation.
 - b) Aims and objectives of management for species and habitat.
 - c) Appropriate management methods and practices to achieve aims and objectives.
 - d) Prescriptions for management actions.
 - e) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a ten-year period).
 - f) Details of the body or organization responsible for implementation of the plan.
 - g) Ongoing monitoring visits, targets and remedial measures when conservation aims and objectives of the plan are not being met.

PLANNING COMMITTEE

The LBEMP will also include details of the legal and funding mechanism(s) by which the long-term (25 years) 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.

12. Prior to the occupation of any dwelling, a bat friendly lighting scheme for the access road / driveway shall have been submitted to and approved in writing by the Local Planning Authority; that scheme shall include details of implementation timescales and the approved scheme shall be implemented as approved.

Highways

13. Before any other operations are commenced the site access shall be modified, laid out and constructed in accordance with a detailed design first submitted to, and approved in writing by the Local Planning Authority. The access shall include proposed passing places as detailed in the application submission, be constructed to base level and be provided with visibility sightlines of 2.4m x 43m in both directions. Prior to the first occupation of any dwelling on site, the permanent new access shall be laid out as approved and the land in advance of the visibility sightlines shall be retained throughout the life of the development free of any object greater than 1m in height relative to the adjoining nearside carriageway channel level.
14. At the commencement of operations on site, space shall be provided within the site curtilage for storage of plant and materials, site accommodation, loading and unloading of goods vehicles, parking and manoeuvring of site operatives and visitors vehicles, laid out and constructed in accordance with detailed designs to be submitted in advance to the Local Planning Authority for written approval and maintained throughout the contract period in accordance with the approved designs free from any impediment to its designated use.
15. No development consisting of highway construction shall take place until either confirmation has been provided that a Section 38 adoption agreement with the Highway Authority will be completed; or details of the construction and future maintenance of the residential access driveway(s) and footway(s) (including layout, levels, gradients, construction, surfacing, means of surface water drainage and street lighting) have been submitted to and approved in writing by the Local Planning Authority. Any such details approved shall be implemented before the first occupation of any dwelling on site and the driveway shall thereafter be maintained in accordance with the approved details.
16. No dwelling shall be occupied until space has been provided within the site curtilage/ plot for the parking of residents and visitors vehicles associated with that dwelling, all to be laid out and constructed in accordance with the approved drawings. The facilities shall be retained throughout the life of the development free from any impediment to their designated use, for the parking of motor vehicles at all times.
17. No dwelling shall be occupied until further details for the arrangements of waste collection from the new dwellings have been submitted to and approved in writing by the Local Planning Authority. Details required shall demonstrate that a Refuse Collection Vehicle with a GVW of 32 tonnes is capable of accessing and

PLANNING COMMITTEE

turning within the site; or alternatively the design of a presentation / collection point positioned at the site entrance. Details shall be implemented as approved prior to occupation of any dwelling and shall be retained throughout the life of the development free from any impediment to their designated use.

Trees

18. No development shall commence until the Arboricultural Method Statement and Tree Protection Plan (Crawshaw Arborcare Ltd, August 2020) have been revised to reflect drawing no. 1445-02 Site Layout Rev P and submitted to the Local Planning Authority for written approval. Thereafter development shall only be implemented in accordance with the measures set out in the approved Arboricultural Method Statement and Tree Protection Plan.

Materials

19. Before construction commences on the erection of any building or wall, specifications or 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.
20. An electric vehicle recharging point shall be provided within the garage or on the exterior of each dwelling before the dwelling to which the recharging point relates is first occupied. All recharging points shall thereafter be retained. Cable and circuitry ratings shall be of adequate size to ensure a minimum continuous current demand of 16 Amps.

(Planning Manager)

- (ii) 20/00586/FUL - Creation of a vehicular access - 81 Alfreton Road Westhouses Alfreton DE55 5AJ.

Committee considered a detailed report presented by the Planning Manager in relation to the above application.

In accordance with the Highway Authority comments and officer recommendation, it was considered that the proposed vehicular access failed to meet minimum standards for off road parking spaces and would present manoeuvring and visibility problems when entering and leaving the site, causing potential risks to highway safety. As such, the application was recommended for refusal.

Councillor Clive Moesby (Blackwell Parish Council) spoke for the application.

In response to a Member's query, the Assistant Director of Development clarified that the Council owned garage site referred to by Councillor Moesby and currently used by the applicant, was not being considered for any development by the Council. Thus, the applicant would not lose his use of a parking space on that garage site.

Moved by Councillor Duncan McGregor and seconded by Councillor Chris Kane
RESOLVED that the application be **REFUSED**.

PLANNING COMMITTEE

Reasons for refusal:

1. The application does not include sufficient detail to demonstrate that an access provided with adequate visibility splays to the Highway Authority's minimum standards can be created to Alfreton Road (B6025) without the use of land which, as far as can be ascertained from available information, lies outside the applicant's control. The development therefore fails to provide a safe access and egress and is contrary to policy ITCR 10 of the adopted Local Plan for Bolsover District (March 2020).
2. The application details do not demonstrate adequate provision for the parking of resident's vehicles clear of the public highway. Any under provision would likely to result in parked vehicles obstructing the fronting footway, a situation against the best interests of highway safety. The development therefore fails to provide appropriate off-road parking provision and is therefore contrary to policy ITCR11 and Appendix 8.2 of the adopted Local Plan for Bolsover District (March 2020).

(Planning Manager)

- (iii) 20/00465/OUT - Outline application (all matters reserved) for the erection of 5 detached dwellings - Land On The North Side Of 28 Church Road, Stanfree.

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

The application had been referred to the Planning Committee because the development proposed did not strictly comply with the provisions of policy SS9 of the Local Plan for Bolsover District and was therefore a departure to the Local Plan. Notwithstanding this, the application was recommended for approval. This was because the proposals were considered on balance of all other material considerations (including a fall-back position of the site already benefiting from an extant planning permission) to be acceptable. The report presented a balanced planning argument why it was considered that the benefits of the proposals outweighed non-compliance with policy SS9 of the Local Plan.

Wendy Irving spoke against the application.

Stephen Haslam (Agent) spoke for the application.

In response to a Member's comment, the Planning Manager clarified that the Oxcroft Estate was not designated a conservation area, and therefore the proposed development would not harm the setting of a conservation area as had been suggested by a representation made against the application.

Moved by Councillor Tom Munro and seconded by Councillor Duncan McGregor
RESOLVED that the application be **APPROVED** subject to the following conditions:

Conditions

01. Approval of the details of the layout, scale, appearance, landscaping and those remaining access details beyond the main entry point into the site off Church Road (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

PLANNING COMMITTEE

02. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development to which this permission relates shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
03. 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:
 - 21/825/1 – Site Layout
 - 21/825/2A – Sections
 - 21/825/3 – Topographical Survey
 - 21/825/4 – Block Plan and Levels
 - Design & Access Statement
 - Coal Mining Risk Assessment

Drainage

04. No development shall take place, other than site clearance works, until a detailed design and associated management and maintenance plan of the surface water drainage for the site have been submitted to and approved in writing by the Local Planning Authority.
05. No development, other than site clearance works, shall take place until a detailed assessment has been provided to and approved in writing by the Local Planning Authority, to demonstrate that the proposed destination for surface water accords with the drainage hierarchy as set out in paragraph 80 reference ID: 7-080-20150323 of the planning practice guidance.
06. Prior to commencement of the development, other than site clearance works, 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.
07. Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

Coal Authority

08. No development shall commence (excluding the demolition of existing structures) until;

PLANNING COMMITTEE

a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and
b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

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

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

Contamination

10. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions A to D have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition D has been complied with in relation to that contamination.

A. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

PLANNING COMMITTEE

This must be conducted in accordance with DEFRA and the Environment Agency's *'Model Procedures for the Management of Land Contamination, CLR 11'*.

B. Submission of Remediation Scheme

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 prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works 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.

C. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

D. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition A, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition B, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition C.

E. Importation of soil

In the event that it is proposed to import soil onto site in connection with the development, the proposed soil shall be sampled at source and analysed in a laboratory that is accredited under the MCERTS Chemical testing of Soil Scheme for all parameters requested (where this is available), the results of which shall be submitted to the LPA for consideration. Only the soil approved in writing by the LPA shall be used on site.

PLANNING COMMITTEE

This memorandum in no way indicates that this site is currently considered to be contaminated, merely that the potential for contamination exists on this site. We do not currently have any entries on our register of contaminated land as we are presently at the stage of inspecting the District and identifying potentially contaminated sites. If any of these sites warrants regulatory action, an entry will be made on the public register.

As the whole of Bolsover district is considered to be a radon affected area we would advise the applicant obtains a Radon Risk report for the site. A report may be obtained from Public Health England <http://www.ukradon.org/>

Ecology

11. No removal of vegetation or work to buildings will take place between 1st February and 31st September inclusive, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period, and details of measures to protect the nesting bird interest on the site, have first been submitted to and approved in writing by the local planning authority and then implemented as approved.
12. A landscape and biodiversity enhancement and management plan (LBEMP) must be submitted to, and be approved in writing by, the Local Planning Authority prior to the commencement of the development. The LBEMP must combine both the ecology and landscape disciplines and ensure that there is no net loss of biodiversity and ideally providing a measurable net gain. It should include the following:-
 - a) Description and location of habitat and species features to be created, planted, enhanced and managed including type and locations of bird boxes, bat boxes / bricks, hedgehog access gaps in gardens and details of habitat creation.
 - b) Aims and objectives of management for species and habitat.
 - c) Appropriate management methods and practices to achieve aims and objectives.
 - d) Prescriptions for management actions.
 - e) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a ten-year period).
 - f) Details of the body or organization responsible for implementation of the plan.
 - g) Ongoing monitoring visits, targets and remedial measures when conservation aims and objectives of the plan are not being met.

The LBEMP will also include details of the legal and funding mechanism(s) by which the long-term (25 years) 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.

Highways

13. Before any other operations are commenced the site access shall be modified, laid out and constructed in accordance with a detailed design first submitted to, and approved in writing by the Local Planning Authority. The access shall be

PLANNING COMMITTEE

constructed to base level and be provided with visibility sightlines of 2.4m x 43m in both directions. Prior to the first occupation of any dwelling on site, the permanent new access shall be laid out as approved and the land in advance of the visibility sightlines shall be retained throughout the life of the development free of any object greater than 1m in height relative to the adjoining nearside carriageway channel level.

14. At the commencement of operations on site, space shall be provided within the site curtilage for storage of plant and materials, site accommodation, loading and unloading of goods vehicles, parking and manoeuvring of site operatives and visitors vehicles, laid out and constructed in accordance with detailed designs to be submitted in advance to the Local Planning Authority for written approval and maintained throughout the contract period in accordance with the approved designs free from any impediment to its designated use.
15. No development consisting of highway construction shall take place until either confirmation has been provided that a Section 38 adoption agreement with the Highway Authority will be completed; or details of the construction and future maintenance of the residential access driveway(s) and footway(s) (including layout, levels, gradients, construction, surfacing, means of surface water drainage and street lighting) have been submitted to and approved in writing by the Local Planning Authority. Any such details approved shall be implemented before the first occupation of any dwelling on site and the driveway shall thereafter be maintained in accordance with the approved details.
16. No dwelling shall be occupied until space has been provided within the site curtilage/ plot for the parking of residents and visitors vehicles associated with that dwelling, all to be laid out and constructed in accordance with the approved drawings. The facilities shall be retained throughout the life of the development free from any impediment to their designated use, for the parking of motor vehicles at all times.
17. No dwelling shall be occupied until further details for the arrangements of waste collection from the new dwellings have been submitted to and approved in writing by the Local Planning Authority. Details required shall demonstrate that a Refuse Collection Vehicle with a GVW of 32 tonnes is capable of accessing and turning within the site; or alternatively the design of a presentation / collection point positioned at the site entrance. Details shall be implemented as approved prior to occupation of any dwelling and shall be retained throughout the life of the development free from any impediment to their designated use.
18. An electric vehicle recharging point shall be provided within the garage or on the exterior of each dwelling before the dwelling to which the recharging point relates is first occupied. All recharging points shall thereafter be retained. Cable and circuitry ratings shall be of adequate size to ensure a minimum continuous current demand of 16 Amps.

(Planning Manager)

The meeting concluded at 1130 hours.