

## **PLANNING COMMITTEE**

Minutes of a meeting of the Planning Committee of the Bolsover District Council held in the Council Chamber, The Arc, Clowne on Wednesday 30<sup>th</sup> June 2021 at 1000 hours.

### **PRESENT:-**

Members:-

Councillor Chris Kane in the Chair

Councillors Derek Adams, Allan Bailey, Jim Clifton, Paul Cooper and Duncan McGregor.

Officers:- Sarah Kay (Planning Manager), Chris McKinney (Principal Planning Officer), Jenny Owen (Legal Executive), Alison Bluff (Governance Officer).

### **. APOLOGIES**

Apologies for absence were received on behalf of Councillors Tom Munro and Natalie Hoy.

### **. URGENT ITEMS OF BUSINESS**

There were no urgent items of business.

### **. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **. MINUTES – 21<sup>st</sup> APRIL 2021**

Moved by Councillor Duncan McGregor and seconded by Councillor Derek Adams **RESOLVED** that the Minutes of a Planning Committee held on 21<sup>st</sup> April 2021 be approved as a correct record.

### **. APPLICATIONS TO BE DETERMINED UNDER THE TOWN AND COUNTRY PLANNING ACTS**

21/00098/FUL – 47 Main Street, Scarcliffe, Chesterfield, S44 6TD

Committee considered a detailed report presented by the Planning Manager in relation to an application to replace 5 top floor and 5 ground floor rotten wooden single pane sash windows with UPVC sash windows at the above property.

The application had been referred to Planning Committee for a decision because the

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applicant was a Bolsover District Councillor.

The Old Post Office was a substantial red brick property dating from the late 19<sup>th</sup>C which occupied a prominent position in the Scarcliffe Conservation Area. The property had been identified as an unlisted building of merit in the conservation area.

Given the prominence of the building there would normally be an expectation that the windows would be replaced with traditional timber windows. However, the original sash windows were replaced with like for like timber sometime around 2004 and they were starting to decay.

The proposal was to replace the existing timber windows with a sliding sash window to the same design but constructed in UPVC. The proposed upvc sash windows were a quality timber alternative and details had been submitted and a sample window provided which showed how the windows replicated closely the appearance of timber sash windows. These windows were considered to preserve the character and appearance of the building and the conservation area in accordance with policy SC16 of the Local Plan for Bolsover District and the application was recommended for approval.

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

### **Condition(s)**

1. The development shall be begun before the expiration of three years from the date of this permission.
2. The proposed replacement windows must be the same type, texture and colour as those hereby approved by the Local Planning Authority (Quick Slide - Off Set Three Light Style in White Grain).

### **Reasons for Condition(s)**

1. To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure a satisfactory standard of external appearance and in compliance with Policies SC16 and SC21 of the Local Plan for Bolsover District.

(Planning Manager)

## **REPORTS OF THE ASSISTANT DIRECTOR OF DEVELOPMENT AND PLANNING**

### **Update on Section 106 Agreement Monitoring**

Committee considered a report, presented by the Principal Planning Officer, which provided progress in respect of the monitoring of Section 106 Agreements.

S106 agreements were a type of legal agreement between the Council and landowners / developers, often completed alongside applications for planning permission for major

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developments. They were needed to deal with the additional pressures on infrastructure that resulted from the new development. They were only required where the effects of the development would otherwise be unacceptable in planning terms and where they could not be dealt with by conditions of the planning permission.

If the Council failed to spend monies provided through the Section 106 Agreement within a set period, there was a risk to the Council that the developer would be entitled to request the money back and this could be with interest.

To manage and mitigate this risk, the Council had approved a procedure for recording and monitoring Section 106 Agreements, which governed the work of the Council's cross-departmental Section 106 Monitoring Group.

The report was the quarterly progress report following the meeting of the Section 106 Monitoring Group held on 27<sup>th</sup> April 2021 and highlighted sums at risk of clawback that needed spending within 12 months. The report also gave Members the opportunity to assess the effectiveness of the Council's monitoring procedures.

Members' attention was drawn to three sums which remained unspent and their details were set out in the report. Actions had been progressed with regard to these and the Principal Planning Officer provided these updates to the meeting.

A Member noted that it was important that the Section 106 monies were monitored in this way.

Moved by Councillor Duncan McGregor and seconded by Councillor Derek Adams  
**RESOLVED** that the report be noted.

### Local Enforcement Plan Update

Committee considered a report which provided an update on enforcement enquiries that were received and progressed to the period ending December 2020.

The Local Enforcement Plan set out service standards that Planning Enforcement Officers considered were specific, measurable, achievable and realistic. The service standards had been designed to facilitate prompt investigation of suspected breaches of planning control and encouraged making timely decisions on how to progress individual cases.

The report also provided information regarding the number of enquires received by the planning department in the previous 5 calendar years, the number of historic cases that had been closed over the last 5 years, as well as the number of cases that officers continued to process.

329 enquires were received in 2020 with the enforcement team making 100% of visits. Eight cases were of high priority and 27 cases were of medium priority. However, of the 243 low priority cases, 14 were not inspected within the 42 day target. The implication of the Coronavirus Pandemic was a factor in the failure of this target as officers continued to progress High and Medium cases from 2019/2020.

Members were reminded that a review of the Local Enforcement Plan was due to take place before March 2022.

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Members welcomed the report and were pleased at the achieved number of cases closed and commended the enforcement officers involved.

Moved by Councillor Duncan McGregor and seconded by Councillor Derek Adams  
**RESOLVED** that the report be noted.

The meeting concluded at 1025 hours.