

## **PLANNING COMMITTEE**

Minutes of a meeting of the Planning Committee of the Bolsover District Council held in the Council Chamber on Wednesday, 17<sup>th</sup> July 2024 at 10:00 hours.

### **PRESENT:-**

Members:-

Councillor Tom Munro in the Chair

Councillors Rob Hiney-Saunders, Duncan McGregor, Phil Smith, Janet Tait, Deborah Watson, and Jen Wilson.

Officers:- Jenny Owen (Chartered Legal Executive), Chris Whitmore (Development Management and Land Charges Manager), Neil Oxby (Principal Planning Policy Officer) and Matthew Kerry (Governance and Civic Officer).

### **PL84-24/25 APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of Councillors Chris Kane, John Ritchie, and Carol Wood.

### **PL85-24/25 URGENT ITEMS OF BUSINESS**

There was no urgent business to be considered.

### **PL86-24/25 DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **PL87-24/25 MINUTES – 19<sup>TH</sup> JUNE 2024**

Committee was advised that the minutes of the last meeting held on 19<sup>th</sup> June 2024 would be presented to the next meeting.

**RESOLVED** that the minutes of a meeting of the Planning Committee held on 19<sup>th</sup> June 2024 be presented to the next meeting for approval.

### **PL88-24/25 SIX MONTHLY ENFORCEMENT REPORT - JANUARY 2024 TO JUNE 2024**

The Development Management and Land Charges Manager presented the six monthly Enforcement Report.

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During the period 1<sup>st</sup> January 2024 – 30<sup>th</sup> June 2024, 140 unauthorised activity enquiries were received; up 27% on the previous six months review period. 85% of cases began investigation within the target time. This slight downturn in performance was reflective of a reduction in staffing within the Planning Enforcement Team over the review period. It was noted that all cases were still investigated by the Team.

Following the resignation of the Principal Planning Enforcement Officer on 18<sup>th</sup> April 2024, and with difficulties recruiting, a decision was taken to recruit an additional Principal Planner who, with the other Principal Planners within the Development Management Team, would be able to take a lead on planning enforcement cases requiring formal action be taken. This would ensure greater resilience and provide a renewed focus on planning enforcement work and service delivery going forward.

To manage workflow, the Team had invested and would commit to developing its case management software to manage workflow; this would be maintained over the next review period.

Overall, despite the service operating at 50% capacity in terms of staffing for the majority of the review period, the Team were satisfied with the work achieved.

The development management service reported in the last monthly enforcement report that the oldest enforcement case dated back to 2015: case ref. E15/232 – Stables at Barlborough. This case was closed on the 16<sup>th</sup> May 2024 following the demolition of the unauthorised building and compliance with the Enforcement Notice dated 27<sup>th</sup> January 2017. Images of the site were shown to the Committee.

All new Enforcement Notices Served over the review period were presented in Table 1 of the report.

The Development Management and Land Charges Manager reiterated a transformation of the service would provide greater resilience moving forward.

A Member noted there had been lots of improvement. With cases taking multiple staff working hours to handle/resolve, and 140 unauthorised activity enquiries being received, the work undertaken was impressive.

The Development Management and Land Charges Manager explained while Planning Enforcement was discretionary, the Council had to be conscious of the UK Government's role, which would take steps if enforcement of serious breaches were not being addressed. The UK Government required correct assessments of breaches being taken, but with the recent hire and the Team having considerable experience, the issuing of appropriate notices would be ensured. The Member stated they were confident of current staffing levels.

A Member noted how quickly and effectively the Team had managed the casework over this review period. They wished to thank one of the officers for their professionalism and courtesy. The Chair echoed these comments, adding with regards the Stables at Barlborough, during the Committee's site visit the development had appeared highly questionable.

Moved by Councillor Duncan McGregor and seconded by Councillor Phil Smith  
**RESOLVED** that the report be noted.

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### **PL89-24/25          SIX MONTHLY PLANNING AND ENFORCEMENT APPEAL REPORT - JANUARY 2024 TO JUNE 2024**

The Development Management and Land Charges Manager presented the six Monthly Planning and Enforcement Appeal Report to the Committee.

The UK Government set performance of Planning decisions and Quality of Planning Decisions. It was tracked when Planning Committees decided against officer recommendations and noted the type of rejections.

Attached at Appendix 1 to the report was the list of Planning Appeal Decisions from January 2024 to June 2024.

For the Granary, Stony Houghton (ref: APP/R1010/D/23/3327757), the application had been overly domestic and deemed offensive to the conservation area. The appeal was dismissed.

For 30 Church Street, South Normanton (ref: APP/R1010/D/24/3340677), the application had been for vehicular parking but effected highway safety due to the lack of manoeuvrability at low speed. The appeal was dismissed.

For 67 Chatsworth Road, Creswell (ref: APP/R1010/W/24/3338461), the application was retrospective for the change of use of land from communal to domestic and the enclosure of that land with a fence which compromised the public footpath, the character and appearance of the area, and biodiversity. The appeal was dismissed.

The threshold for an authority's total number of decisions overturned at appeal was 10%. For the Council, only 1% of appeals had been successful.

A Member noted it was good that the decisions overturned were low, and sought clarity on the timeline of the enforcement process for 67 Chatsworth Road, Creswell. The Development Management and Land Charges Manager explained the owners had eight weeks remaining at the time of the Committee to uphold the decision.

A Member credited the Team for their good work despite not having a full complement of staff.

Moved by Councillor Tom Munro and seconded by Councillor Phil Smith  
**RESOLVED** that the report be noted.

### **PL90-24/25          NON-STATUTORY STAGE 1 CONSULTATION FROM NATIONAL GRID FOR THE CHESTERFIELD TO WILLINGTON PROJECT.**

The Principal Planning Policy Officer presented a detailed report and presentation slides on the National Grid's proposal 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) with part of the proposal to come through Bolsover District.

The report set out a summary of the proposals, a summary of the potential longer term implications for the Council once a Development Consent Order (DCO) was

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submitted to the Planning Inspectorate and a potential response to National Grid's non-statutory stage 1 consultation.

Due to the General Election 2024, the timetable for the consultation had been temporarily postponed and would now end on 17<sup>th</sup> September 2024. There was still opportunity to attend consultations in person and one was scheduled to take place in Glapwell on 18<sup>th</sup> July from 2pm to 7pm where representatives from National Grid would be present to answer questions. Consultation documents were also available in Bolsover and South Normanton libraries.

Taking a strategic approach, National Grid had looked at various different options and had decided that the most effective route was Chesterfield to Willington as set out below; The Chesterfield to Stretton route would cross into the Bolsover District.

- Section 1 - Chesterfield to Stretton;
- Section 2 - Stretton to Ripley;
- Section 3 - Ripley to Morley;
- Section 4 - Morley to Ockbrook;
- Section 5 - Ockbrook to Aston-on-Trent; and,
- Section 6 - Aston-on-Trent to Willington.

The presentation slides set out maps of the heritage and environmental constraints and it was noted there would be a negative impact on heritage assets including Hardwick Hall, Hardwick Old Hall, Hardwick Hall Register Park and Gardens, Bolsover Castle, the scheduled monument at Stainsby defended manorial complex and the conservation areas located at Hardwick and Rowthorne, Stainsby, Astwith and Hardstoft. A meeting had been held between officers and representatives of the National Trust to review the implication of the proposal for Hardwick Hall. It was noted, however, that impacts on local natural wildlife sites were not considered in the proposal by National Grid.

The consultation was an online feedback form with a series of questions divided into six sections plus a number of general questions. Appendix 2 to the report set out the Council's proposed response to the questions in relation to the Chesterfield to Stretton route to follow a potential alternative route between Holmewood and North Wingfield and also the negative impact on heritage and the lack of investigation into the impact on local wildlife sites. It was noted that the pylons would be 50 metre high lattice structures, and examples of alternate pylons were included in the report. It was also anticipated that the new UK Government's proposals may have an implication for the timetable of the project.

In response to a Member's query, the Principal Planning Policy Officer advised the meeting that as this was stage 1 consultation and the route was not yet definitive, Members should refer any queries they received from the public back to this report and its appendices. It was possible that amendments may be made to the Council's consultation response further to discussion with National Trust and English Heritage, however, it was anticipated that these would only be minor changes. The Chair added that if any major changes were made to the consultation response, these would be reported back to Committee.

A Member agreed with the recommendation in the report and stated that while progress was necessary, there was a need to protect residents as well as heritage sites like Hardwick Hall. It would be preferable to have underground cables, though this was not financially viable. If there was a choice, the 'T-pylon' would be preferable.

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The Chair queried why local wildlife sites were not considered by National Grid in the consultation exercise. The Principal Planning Policy Officer advised that local wildlife sites were not necessarily taken into account as they had less statutory protection.

Moved by Councillor Duncan McGregor and seconded by Councillor Deborah Watson  
**RESOLVED** that 1) the proposal for a new overhead electricity line from Chesterfield to Willington, which was located in part of the Bolsover District, be noted,

2) the potential implications for the Council if an application for a Development Consent Order was submitted and subsequently granted, be noted,

3) the Council responds to the consultation questions considered to relate to Bolsover District (set out in Appendix 2 to the report),

4) delegated authority be given to the Assistant Director of Planning & Planning Policy, in consultation with the Chair of Planning Committee, to amend the proposed responses set out in Appendix 2 to the report, reflecting any additional information that becomes available.

The meeting concluded at 10:40 hours.