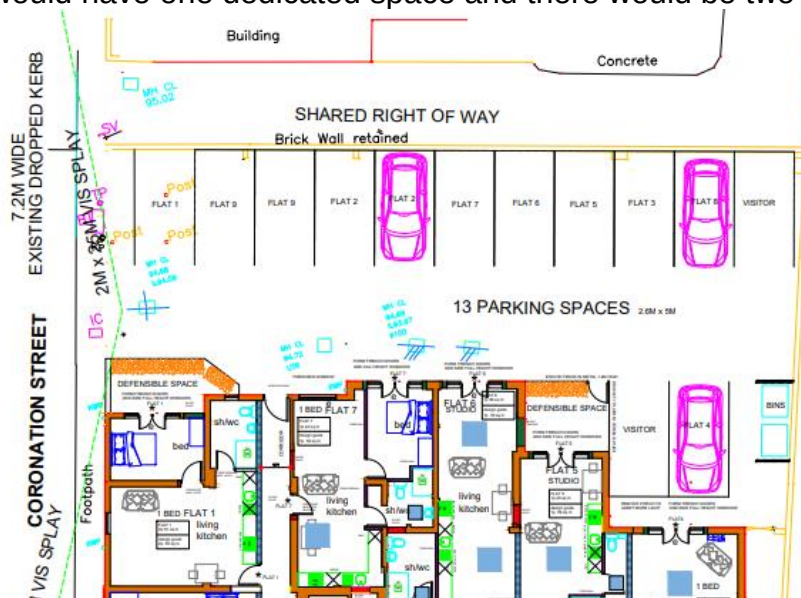


APPLICATION	Conversion of former club to 9 residential flats	
LOCATION	New Middle Club Welbeck Street Whitwell Worksop	
APPLICANT	Simpatico Properties Ltd New Middle Club Welbeck Street Whitwell Derbyshire S80 4TQ	
APPLICATION NO.	25/00179/FUL	FILE NO. PP-13935129
CASE OFFICER	Mr Mark Penford	
DATE RECEIVED	11th April 2025	

This application was reported to Planning Committee on 3rd September 2025. The application is for the material change of use of the New Middle Club to provide 9 residential flats. The application included 10 off road car parking spaces with vehicular access from Coronation Street. Two of the flats were two-bedroomed and seven of the flats were one-bedroomed units. Committee considered a report in relation to the application presented by the Development Management and Land Charges Manager, who provided details of the application, highlighted the location of the site, its key characteristics and the main planning considerations.

Members debated the appropriateness of the number of car parking spaces to be allocated (10). It was felt that an investigation should take place to explore the remove of any defensible space to facilitate additional car parking for the entire site (if possible) and to clarify arrangements for the allocation of the spaces and management of the car park. Subsequently the application was deferred. Since that time a revised parking layout has been received (drawing AP/02 Rev D dated 04/09/2025) which provides three additional car parking spaces (13 in total). This has been achieved by removing the defensible space forward of flat 4 and by relocating the bin storage area to the eastern boundary of the site.

The revised car parking plan now clarifies the exact spaces that would be allocated to each flat. The two no. two bed units would each have two dedicated spaces. The one bed units would have one dedicated space and there would be two visitor spaces.



Revised parking layout with 13 car park spaces

Whitwell Parish Council, the Highway Authority, the District Council's Waste & Recycling Manager and local residents have been re-consulted for a 14-day period. Comments received are as follows:

Bolsover District Council – Waste and Recycling Manager –

Confirms that the refuse department does not have a problem with the new bin store but residents would need to present their bins on Coronation Street on the day of collection. Bins will not be collected from the bin store.

Derbyshire County Council – Local Highway Authority – The space in between parking and the building measures at 5m, 1m below the recommended 6m. This may make manoeuvrability slightly more onerous, but as the width of the spaces is wider than the minimum 2.4m, this would assist in allowing vehicles to access the spaces. If vehicles reverse onto Coronation Street this would not provide an unacceptable impact on highway safety such that an objection would be warranted. Clarifies that vehicles may not need to reverse onto Coronation Street, but some may choose to. Entering and exiting the spaces may require more than a single manoeuvre but the available space does not prevent access to or from the car parking spaces. A delivery vehicle would be highly likely to reverse in or out, but these would not be expected to be regular.

Whitwell Parish Council – Objects on the same grounds as previous, being too few spaces. Fifteen are the requirement and the latest proposal does not work towards resolving the issues the Parish Council previously raised.

The development in its revised form is now short of two visitor spaces to be fully compliant with the Adopted Local Plan's minimum parking standards set out under Appendix 8.2 to Policy ITCR11. However, it is not possible to increase parking any further as to do so would prevent adequate turning within the site and render the spaces unusable.

RECOMMENDATION

The Local Highways Authority maintains no objection on the grounds of highway safety. In the absence of any highway objection, and given that 3 additional car parking spaces have been provided, it is recommended that should members consider the additional parking spaces to be preferable over the original parking arrangement, that the application be **GRANTED** subject to the conditions recommended in the original officer report at Appendix 1, except for amendments to the following conditions:

To clarify the approved plans:

Condition 2

The development hereby permitted shall be carried out in accordance with the following approved drawings and documents unless specifically stated otherwise in the conditions below:

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

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

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

To ensure parking is provided prior to occupation, to clarify what car parking is to be provided For each unit and for that parking to be retained thereafter:

Condition 6

No dwelling shall be occupied until the access, turning and dedicated parking space(s) for that dwelling have been provided in full, and the spaces shall be delineated and numbered as shown on drawing number AP/02 revision d dated 04/09/2025. Once provided the car parking and turning spaces shall be retained for the sole use of each residential unit for the life of the development, free from any impediment to their parking and turning purposes.

APPENDIX 1 – Report to Planning Committee 3rd September 2025

PARISH Whitwell Parish

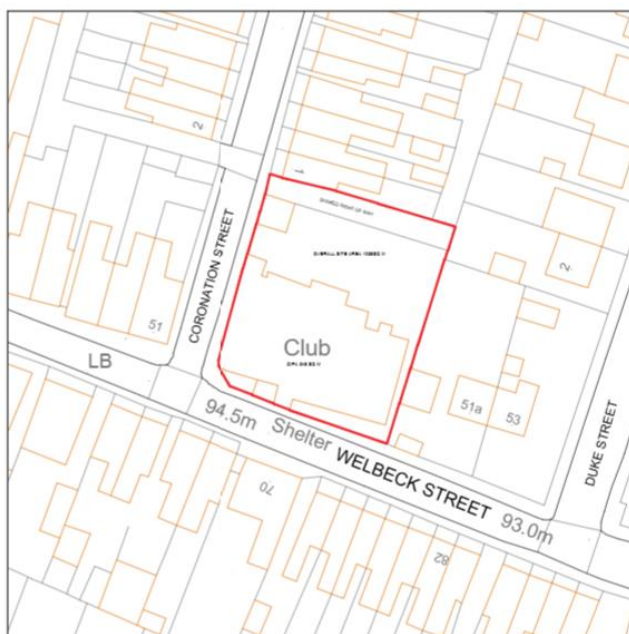
APPLICATION Conversion of former club to 9 residential flats
LOCATION New Middle Club Welbeck Street Whitwell Worksop
APPLICANT Simpatico Properties Ltd New Middle Club Welbeck Street Whitwell
Derbyshire S80 4TQ
APPLICATION NO. 25/00179/FUL **FILE NO.** PP-13935129
CASE OFFICER Mr Mark Penford
DATE RECEIVED 11th April 2025

SUMMARY

This is a full planning application for the material change of use of the vacant New Middle Club, Welbeck Street, Whitwell to 9 no residential flats. The application includes 10 off-road car parking spaces utilising the existing vehicular access from Coronation Street. Two of the flats are two-bed and the remaining seven flats are one bed/bedsit units.

Initially the application proposed to remove a brick wall on the northern boundary, beyond which is a shared drive. Amended drawings have been received during the course of processing the application to retain the brick wall as existing. The application has been called into Planning Committee for determination by Councillor Tom Munro due to concerns in respect of land ownership and the application site area, insufficient parking and inadequate public transport facilities. The application is recommended to be granted conditionally.

Site Location Plan



SITE & SURROUNDINGS

The former New Middle Club is a part two-storey, part single storey building located on Welbeck Street in Whitwell at its junction with Coronation Street. The club is presently closed but operated as a public house/social club with a function room for many years. To the first floor is a 3-bedroom apartment. The site covers approximately 0.09 hectares with associated hardstanding to the rear that forms the car parking and servicing areas for the club.

The building features a traditional brick facade with a pitched slate roof and chimneys. Extensions to the original structure include sections with flat roofs. The primary access to the site's established parking facilities is from Coronation Street, leading to the car park. The surrounding area consists largely of traditional red brick and slate terraced houses, though some properties have been re-roofed with concrete tiles or rendered.

Additionally, there are examples of modern infill developments, and to the east, more recent semi-detached dwellings feature rendered walls and concrete tiled roofs, contributing to the varied architectural character of the area. Brick walls form the site's eastern, northern, and part of its western boundary, with the remaining elevations open to the surrounding street network.



The New Middle Club



BACKGROUND

On 18th November 2025 outline planning permission was granted for the demolition of the New Middle Club and the erection of six dwellings under office code 15/00495/OUT. However, an application for approval of Reserved Matters was not submitted and the application time expired.

AMENDMENTS

The following amended drawings were received to retain the existing brick wall along the northern boundary and to agree a revised car park layout.

Site Location and Block Plan – drg no AP/04 Rev cd dated 24/07/25.

Floor Plans as Proposed – drg no AP/02 Rev abc dated 16/07/25.

Floor Plans as Existing – drg no AP/01 Rev ab dated 16/07/25.

PLANNING HISTORY

15/00495/OUT

Granted

Outline planning application for the erection of 6 units with associated car parking [As revised by indicative proposed site plan ref. 1930.PL02B and Visibility Splays plan ref. 1930.PL03B]

CONSULTATIONS

Bolsover District Council – Environmental Health

No objection raised. Planning conditions recommended to control construction work hours within the site and to ensure any encountered contamination is assessed and a report submitted to the Local Planning Authority for approval which assesses the risks identified.

Bolsover District Council - Waste and Recycling Manager

1st comments

Confirms the revised plans are acceptable from a refuse collection perspective. Residents must present their bins on the pavement on Coronation Street. The bins will not be collected from the bin storage area.

2nd comments

Confirms there are problems occasionally collecting bins on Coronation Street but nothing out of the ordinary and that this is not considered to be a problem.

Derbyshire District Council - Highway Authority

1st response

Requests the application is deferred following submission of additional information for the following reasons:

- a) The site boundary includes the private access road to the north which also served a number of dwellings on Coronation Street.
- b) The site has its own access onto Coronation Street however it appears this access would be incorporated with the private access to the north to create a much wider access to continue to serve the existing dwelling and the proposed residential units.
- c) Does the applicant have the vehicular access rights over the private access to the north?
- d) The combined access would be 11m wide, but it is not clear why the residential units proposed need to be served by such a wide access.
- e) If the accesses are to be combined, there is a street sign and telegraph pole in the footway which would require relocating and a BT cover and water company stop tap in the footway would need reinforcing. The costs associated with this work would be at the applicant's expense and potentially prohibitively expensive.

2nd response

The District Council's own parking standards require slightly more parking provision than DCC's parking guidance, but it is assumed the application will be assessed parking against BDC's standards. There are extensive waiting restrictions on Coronation Street and Welbeck Street and also a TRO restricting motorised traffic, except for access, on Coronation Street. The existing waiting restrictions control parking where it has been considered to be safe and maintains the passage of movements on the road. If there is an increase in the demand for roadside parking generated by the development, those requiring somewhere to park will need to park at a location on the network where it is appropriate and safe to do so.

From comments, it seems that there are existing on street parking issues, which may be exacerbated by a lack of parking within the development site, according to BDC's parking standards, but it is considered unlikely that a small shortfall in the on-site parking provision would have a significant impact on the existing situation such that an objection on highway safety grounds i.e. the development would have an unacceptable impact on highway safety could be maintained.

The extant use of the application site should also be taken into consideration, which may have generated vehicle movements and parking requirements which, depending on the popularity of the club and if and when functions were, or could have been, laid on may also have resulted in overspill parking on surrounding roads. In addition, the application site has good access to bus stops and the train station as well as to local amenities e.g. shops and a school which may be a consideration of future occupiers who may not have access to a private vehicle. A reduction in parking provision in areas which have good access to public transport and services/facilities may lead to lower car ownership or usage and as such the site would be considered to be in a sustainable location. As with all on street parking, all motorists must park considerately and lawfully and where this does not occur, the police have the sole responsibility to take appropriate action.

3rd comments

Comments are provided based on the revised plans with retention of the wall and the existing vehicular access to remain unchanged and not widened as per the previous plans. The layout now indicates 10 car park spaces which replicate the existing car parking layout. It is assumed the parking will be assessed against the District Council's own parking standards; however, the parking provision does accord with DCCs parking guidance for the scale of development proposed. Based on the analysis of the information submitted and a review of local and national policy the Highway Authority concludes there would not be an unacceptable impact on highway safety or a severe impact on congestion. There are no justifiable grounds on which an objection could be maintained. A condition is recommended to ensure the parking and turning facilities are provided prior to occupation.

Derbyshire Wildlife Trust

Requests confirmation of whether any works will be required to the eaves, in which case a preliminary bat roost assessment/swift survey will be required. If not there will be no requirement for the survey. The development is exempt from 10% Biodiversity Net Gain as no habitat is affected. A planning condition is recommended to secure a biodiversity enhancement plan.

Whitwell Parish Council

Objects to the application due to inadequate parking provision and the impact on surrounding residents. The Parish Council strongly disagrees with the planners view on the number of vehicles for single occupancy residences. The stated access runs to the existing properties on Coronation Street, not to the former Middle Club. Requests that the application is called in for consideration by the Planning Committee.

All consultation responses are available to view in full on the Council's website.

PUBLICITY

Site Notice posted 20.05.2025. Comments required by 10.06.2025.

Residents notified 15.05.2025. Comments required by 05.06.2025.

Residents notified of amended plans 28.07.2025. Comments required by 11.08.2025.

REPRESENTATIONS

Cllr Tom Munro

Cllr Munro has called in this application to the Planning Committee for determination on the following grounds:

1. Land ownership – there appears a discrepancy between the site map in the application and the Derbyshire Portal Map. It is believed the area of land adjacent 1 Coronation Street is part of the vehicular access to 1, 3, 5, 7, & 9 so why is it included as part of the development site?
2. Parking provision - The application is for 5 x 1-bedroom flats, 2 x 2-bedroom flats and 2 x studios which as a minimum will accommodate 11 adults. The allocation of 9 parking spaces is not compliant with the policy in the local Plan at Appendix 8.2 which would require a minimum of 15 parking spaces. In addition, there is no parking permitted on Welbeck Street or on Coronation Street where there is clear signage indicating that only resident's parking is permitted. There is already a parking shortage within the village in particular around Welbeck Street and the roads off that street.
3. Public Transport. The applicant's accompanying statement claims that the site is served by good public transport services. The 77-bus route is one per half hour in both directions, which is hardly adequate bus provision. The Robin Hood railway service currently operates an hourly service with many of the trains not stopping at Whitwell Station.

Twelve letters of resident objection have been received which are primarily parking/highway related. The comments are summarised as follows:

- Everyone parks on Coronation Street it should be Coronation Street residents only.
- Only once in a blue moon can I park on Coronation Street
- The village of Whitwell was constructed before personal vehicles were common and many of the existing housing do not have private parking.
- Even existing properties with one vehicle find it a challenge to park
- The road at the front of the property has double yellow lines, as does the lower part of Coronation Street, the rest is restricted to access rights.
- Coronation Street is relatively narrow.
- Parking close to the junction poses a safety hazard to road users and pedestrians.
- Difficulty for larger vehicles to access Coronation Street.
- Where does the developer expect the inevitable cars to park safely and legally?
- Disagrees with the developer's comments that Whitwell offers public transport options.
- Due to the nature of the bus route travelling takes much longer than by car
- Very few places of work are within reach without having to change buses.
- The train service only stops every two hours in the village.
- Any residents able to drive will do so and require personal transport such as a car.
- There has been a large increase in the number of works vehicles parked in the village caused by workplaces not providing adequate facilities.

- How many residents living in the flats will need to park vans as well as their cars?
- Does not meet parking planning requirements for residential properties.
- An unrealistic proposal for this location.
- A single extra parking space far from mitigates the car parking concerns raised by multiple residents.
- It is common knowledge most households own two cars
- Public transport within Whitwell is not sufficient to be able to reliably travel out of the village for work.
- We already struggle due to residents of Welbeck Street parking on the road due to parking restrictions and no parking for their properties.
- The revised plans retain the access road to the back of properties on Coronation Street which is where residents access properties and our gardens.
- Why is the applicant trying to adopt the private access road. They don't need this within their boundary
- The Council's waste manager has stated refuse collection will take place from Coronation Street encouraging 8-18 bins to be left.
- Regularly bin lorry's cannot get up Coronation Street due to parking and our bins are not collected.
- Strongly advises those in charge of the decision on this application comes out to visit to experience the issues -not during the day when residents are at work.
- This is consciously choosing to worsen the lives of the residents of Coronation Street.
- The traffic situation will be intolerable for local residents.
- One car parking space per flat is not reasonable, taking into account deliveries.
- Flats would destroy the quietness of the area
- Parking issues are affecting my mental health.
- The New Middle Club should be demolished and the site turned into a car park for residents.
- 9 flats so 18 cars.
- Coronation Street residents would have a parking nightmare if the development proceeds.
- It would be very unfair for visitors to Coronation Street would face the parking nightmare.
- When I have lived here for so long, I should not have to consider relocating
- Our community would be in turmoil with the noise pollution and chaos caused by building.
- Our street is so small it could not cope with large vehicles.
- Objects to a development taking over Coronation Street and removing the wall.
- Impacts on disabled residents.
- We don't want the wall taking down – loss of privacy
- Residents don't want their vehicles to be blocked in.
- What is Coronation Street residents need access for emergency service vehicles?
- There is a sign on Coronation Street stating no unauthorised vehicles past this point.
- Loss of privacy
- Increase in noise
- An absolutely ridiculous idea.
- Object to the loss of another commercial building
- We are a village with few commercial buildings where local people can find

employment or run a business from.

- The change of use would remove opportunities.
- The developer acknowledges they should provide 15 spaces but only propose 9 because they consider people living in flats won't have a car.
- We know from experience people living in flats do have cars.
- A single bedroom flat doesn't guarantee single person living.
- Whitwell already has a shortage of parking
- On any day you will find cars parked on junctions, double yellow lines, or wholly on pavements.
- Refuse lorries and emergency services cannot access properties.
- The developers are living in a fantasy land if they think some form of private transport is not a necessity to live in Whitwell without significant time and financial penalties of using public transport.
- There are very few jobs in Whitwell.
- This is an idea dreamt up by someone who has not visited the area for any period of time.
- The previous development of six dwellings was far more suited, though not without its own problems.
- The nearest supermarket is 3 miles away which is a 40-minute bus journey.
- We only have 26 houses on Coronation Street but more cars than residents.
- I'm a disabled driver and if I don't get home by 5pm there's no chance of me parking on my street.
- I have approached the Council to turn Coronation Street into residents only, but it fell on deaf ears.
- The building needs repurposing but 9 flats raise concerns for logistics of parking.

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 – Sustainability
- SS3 – Spatial Strategy and Distribution of Development
- SC1 – Development within the Development Envelope
- SC2 – Sustainable Design and Construction
- SC3 – High Quality Development
- SC9 – Biodiversity and Geodiversity
- SC11 – Environmental Quality (Amenity)
- SC14 – Contamination and Land Stability
- ITCR4 – Local Shops and Community Facilities
- 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.
- Paragraphs 96 - 108: Promoting healthy and safe communities.
- Paragraphs 109 - 118: Promoting sustainable transport.
- 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 and Advice Notes

Successful Places: A Guide to Sustainable Housing Layout and Design, Adopted 2013:

The purpose of the Successful Places guide is to promote and achieve high quality residential development within the District by providing practical advice to all those involved in the design, planning and development of housing schemes. The guide is applicable to all new proposals for residential development, including mixed-use schemes that include an element of housing.

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. The design supersedes the parking design section included within the existing Successful Places SPD (2013).

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

Key issues

It is considered that the key issues in the determination of this application are:

- The Principle of Development
- Design and Character
- Residential Amenity
- Land Contamination
- Biodiversity
- Highway Safety, Parking Provision and Refuse Collection
- Other Matters
- Conclusion and Planning Balance

These considerations are taken in turn, as follows:

Principle of Development

The application site is located within the development envelope of Whitwell defined under Policy SC1 of the Adopted Local Plan where new housing is acceptable. The Adopted Local Plan sets out a Spatial Strategy to guide the distribution of new housing according to a settlement hierarchy based on principles of sustainability. Firstly, development is referred to the four main towns of the district followed by the defined larger villages. Whitwell is defined under Policy SS3 as a larger village in recognition of its amenities and services that make it a sustainable settlement and capable of accommodating additional development, subject to all material planning considerations. This residential development is therefore in accordance with the adopted Spatial Strategy.

The public house/social club is a community facility and Policy ITCR4 of the Adopted Local Plan is engaged. This policy states that planning permission for development that involves the loss of local convenience shops which serve the daily needs of the local community, or community facilities including community / village halls, post offices, schools, nurseries, places of worship, health services, care homes, libraries, leisure centres, youth centres, cultural facilities and public houses will be granted only where it can be demonstrated that one of the following criteria are met:

- a) The loss of the specific facility would not create, or add to, a shortfall in the provision or quality of such facilities within the locality*
- b) Appropriate replacement facilities are provided in a suitable alternative location
- c) The facility is no longer viable and this can be proven through adequate marketing of the premises for its current use which has failed to produce a viable offer**
- d) The facility can be enhanced or reinstated as part of any redevelopment of the building or site

*400m radius around the proposal - based on an approximate ten minute walking time

** Marketing should be through an appropriate agent as well as through the council's regeneration service facility. The applicant should agree the marketing strategy, including any marketing period (with a rent or sale price for the existing use of the facility), with the Local Planning Authority in advance. Evidence of the results of the sustained marketing strategy will need to be submitted with any planning application. Marketing should not be restricted to the buildings last use but also other potential community uses.

The planning statement states that the loss of the former New Middle Club will not create or add to a shortfall in social and community facilities within Whitwell, as alternative facilities, including the Holmefield Arms, Whitwell Social Club, Whitwell Community Centre and Half Moon remain available within the locality for community use. It is noted by the agent in particular that the Holmefield Arms has a large function room and advertises a variety of regular events. The signboard on the premises advertises a large function room, stage and dance floor and a licensed bar, demonstrating that the premises have been marketed.

Consideration has been given to the alternative public houses/social venues within Whitwell,

as follows:

The Holmefield Arms is approximately 235m away.

Whitwell Social Club is approximately 298m away.

Whitwell Community Centre is approximately 402m away.

There are therefore presently open alternative public houses/social clubs within a 400m radius of the site providing alternative social venues for the local community and as such the development is in accordance with Policy ITCR4 criteria (a). The loss of the social club is justified in planning terms without the need for any marketing or viability assessment.

The principle of development for the proposed residential use is therefore acceptable subject to application of all relevant planning policy, the National Planning Policy Framework and any other material planning considerations.

Design and Character

Parts of the building are of an attractive traditional design character, particularly the two-storey element at the junction of Welbeck Street and Coronation Street. No changes are proposed to the south and west facing elevations that face the public highways and the impacts on the character of the street scene will be minimal.

To the rear new French doors are to be inserted at ground floor level to serve the ground floor flats, which are set back behind proposed 10 no. off-road car parking spaces. New skylight windows are being proposed to the subservient part of the building to provide additional sunlight to some flats.



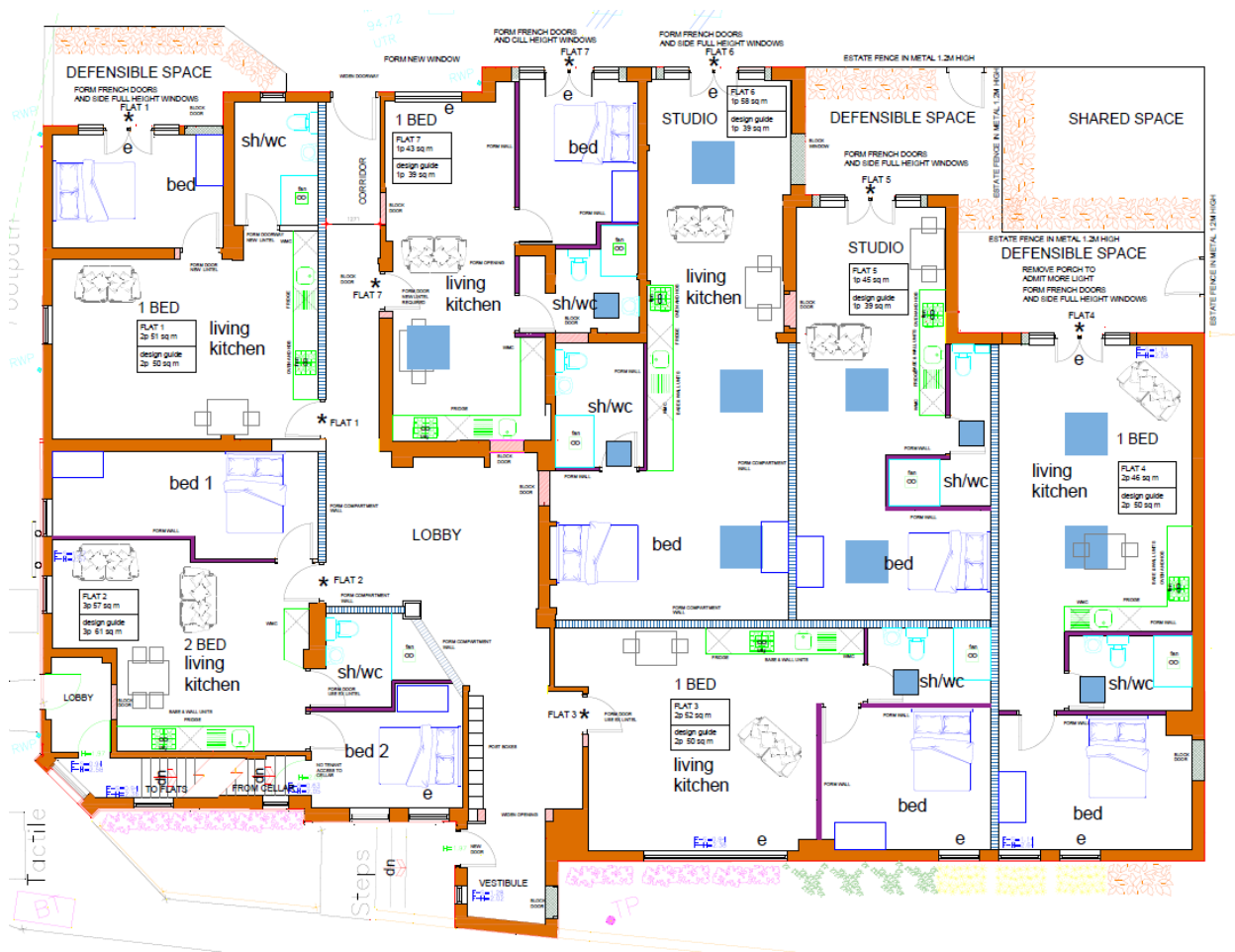
Proposed Elevations

To the rear of the building is a red brick stone wall which divides the rear curtilage of the club from what is described as a shared right of way. This leads from Coronation Street to provide rear access to dwellings on Coronation Street. The application initially proposed to reconfigure the access arrangements by removing the red brick wall. However, amended drawings proposed to retain the brick wall, retaining access rights of existing residents and creating an enclosed car parking space for future occupants.

Overall, the design character of the building and its curtilage is unharmed, and the development is considered in accordance with Policy SC3 of the Local Plan, which requires developments to create good quality, attractive places which respond positively to local context; and with Paragraph 135 of the framework, which seeks to ensure developments are attractive as a result of good architecture.

Residential Amenity

The application is proposing 2 no. 2 bed flats and 7 no. 1 bed flats. Two of the 1 bed flats are open plan studios. All of the habitable rooms (kitchens, bedrooms and living rooms) are served by fenestration that provides a good level of natural light and outlook. The studios are provided with additional skylight windows to provide additional natural light to areas of the accommodation set back further into the building, which is considered acceptable for future occupants.



Proposed ground floor layout

The adopted SPD Successful Places advises 25sqm of amenity space is provided per flat, which may be on a shared basis. The development does not provide any outdoor private amenity space for future occupants. However, the SPD is clear that the guidance does not need to be rigidly applied, and planning applications should take into account individual circumstances. In this case the application is for the conversion of the existing building and must therefore work with the site's constraints and deliver a viable scheme based on the number of units proposed. Flats 1, 4 and 5 benefit from some defensible space to the ground

floor for use by those occupants.

Twenty square metres of shared outdoor space is provided, which would be sufficient for use during periods of pleasant weather and to dry clothes, when necessary. The ER11 recreation ground is a short walk away for future occupant use and the site also within walking distance to open countryside for outdoor recreational purposes. As such, whilst it is regrettable that the applicant has not provided more outdoor amenity space, it is not considered that there are any planning grounds on which to recommend refusal of the application on this basis.

For the most part the existing window openings would be utilised to serve the flats. The ground floor windows overlook the highways of Coronation Street/Welbeck Street or onto the rear car parking area. This does not raise any issues in relation to loss of privacy/overlooking. The new French doors to the rear are at ground floor level only. The three no. 1st floor rear residential windows are already in situ and as such outlook would not be materially any different towards the north – the upper floor is already authorised for residential occupancy. In any case 1 Coronation Street has a blank side elevation and future occupiers would not compromise the privacy of occupants of the adjacent dwelling to the north.



Proposed first floor layout – flats 8 and 9

The application does not raise any residential amenity concerns through massing, overshadowing or overlooking and is considered in accordance with Policy SC3 (n) of the Adopted Local Plan and Paragraph 135 (f) of the framework, both of which seek to protect the residential amenity of existing and future occupants of land and buildings.

In respect of noise, the District Council's Environmental Health Officer raises no objection to the development subject to a condition to control construction works and deliveries to between the hours of 7.30am to 6pm Monday to Friday and 7.30am to 1pm on Saturday. The condition is attached to this recommendation and on this basis is in accordance with Policy SC11 of the Adopted Local Plan, which seeks to protect residential amenity from adverse noise impacts.

Land Contamination

The District Council's Environmental Health Officer has been consulted in respect of land contamination and pollution matters. Further information has been requested regarding any posed soft landscape provision within the site. The agent confirms the applicant's intention is to plant up the areas between the front of the building and the road. In response the Environmental Health Officer has recommended a condition which requires any encountered contamination to be assessed, and a report provided to the District Council which addresses any risk identified. If unacceptable risk is identified, remediation will be necessary to make the site safe for future occupants. The planning agent confirms no objection to the condition, which is attached to this recommendation. The development is considered in accordance with Policy SC14 of the Local Plan, as the application will appropriately address any potentially identified contaminated land and ensure the site is suitable for its proposed use.

Biodiversity

The application is exempt from 10% biodiversity net gain because due to the prominence of hard standing the development meets the de minimis exemption. Derbyshire Wildlife Trust has been consulted in respect of impacts on protected species. Clarification has been sought on whether any works are necessary to the eaves, as this would require a Preliminary Bat Roost Assessment and a Swift Survey to be submitted before determination. In response the planning agent confirms no works to the eaves will be required. There is as such no concern regarding impacts on protected species and surveys in relation to bats and swifts are not required. If any roof alterations become a necessity at a later date, the applicant would be required to comply with separate legislation relating to protected species.

In line with Policy SC9 of the Adopted Local Plan and Paragraph 187 (d) of the framework, biodiversity enhancements should still be provided, wherever possible. Derbyshire Wildlife Trust recommends a condition to secure enhancements in the form of a swift box, 2 bat boxes and any ecologically beneficial landscaping, which may be provided in front landscaping to the building's frontage and within the defensible areas to the rear. The condition is attached to this recommendation, which complies with Policy SC9 and Paragraph 187 (d) of the framework.

Key Biodiversity Information	
Reason if exempt from the biodiversity gain plan condition	Subject to the de minimis exemption

Highway Safety, Parking Provision and Refuse Collection

The application is proposing 10 no off-road car park spaces each measuring 2.6m x 5m. Whilst the measurements of each space are fully in accordance with Appendix 8.2 to Policy ITCR11 of the Adopted Local Plan, the number of spaces are sub-standard.

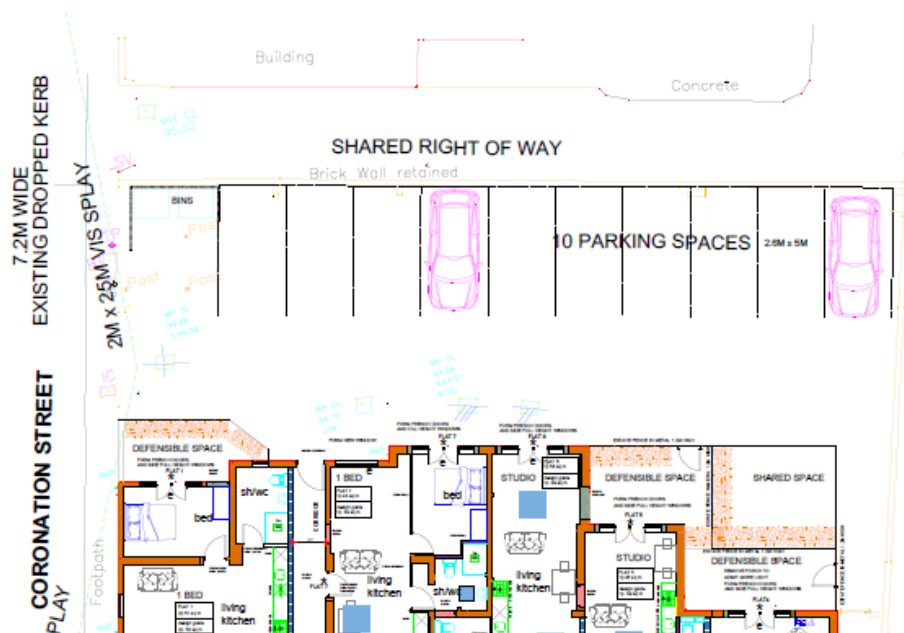
Appendix 8.2 advises that 1 bed residences are provided with 1 space per unit plus 1 space

per 2 units for visitors. Two bed residences are advised to be provided with 2 spaces per unit. Therefore, to comply with Adopted Local Plan standards the development should provide 15 spaces (11 spaces plus 4 spaces for visitors). Appendix 8.2 to ITCR11 acknowledges there may be a number of exceptional circumstances where a departure from the parking standards may be acceptable, however the departure must be fully justified and not lead to negative impacts on health and safety or unacceptably impact upon amenity.



View looking up Coronation Street, a no through road, from Welbeck Street

As set out above the application has generated resident objection with concerns over a distinct lack of parking, congestion, and poor means of access on Coronation Street. The majority of dwellings on Coronation Street do not benefit from off-road parking and there are parking restrictions in the area. Residents have stated vehicles become blocked and that there is poor access for refuse and emergency vehicles in the area.



Proposed vehicular access from Coronation Street, a bin storage area and 10 car park spaces measuring 2.6m x 5m.

The Highway Authority has commented on this application on three occasions, including the revised plans which increase the number of parking spaces from 9 to 10 and consistently confirms no objection finding that there are no highway safety issues to the development using the existing established vehicular access from Coronation Street; to the level of parking provided and turning, or the impacts of the development on the local highway network in safety terms. It is acknowledged the parking provision is sub-standard by 5 spaces. However, each apartment would be provided with a dedicated car parking space.

The parking situation that existing local residents find themselves in is understood. The nature of Coronation Street is such that it is a 'dead end' and due to parking restrictions, which extend up to the proposed vehicular access to the site, and a lack of off-road parking, there is a high demand for on-road parking that causes residents to find a space to park. The existing waiting restrictions control parking on Coronation Street, where it has been considered by the local Highway Authority to be safe and to maintain the passage of movements on the road.

It is understood that there is an on-road parking shortage in the area and that some residents likely have to park elsewhere and walk back to their homes. If any motorists park unlawfully or dangerously, it would be a matter for the police. In highways terms there is a difference between inconvenience and safety and no safety issue has been identified in this instance.

Coming and goings of vehicles associated with the building operating as a social club would be removed, which could have a significant impact on local on-road parking provision if the building was to be brought back into use for this purpose. This is a material planning consideration in the overall planning balance.

In terms of refuse collection, the application proposes a bin storage area adjacent to Coronation Street, just by the vehicular access to the site. The District Council's Waste and Recycling Manager confirms no objection to the development and that future occupants bins would be collected. Future occupants would place their bins on Coronation Street for collection and then return them to the bin storage area after collection. The Waste and Recycling Manager has been made aware of resident comments in relation to bins not being emptied on Coronation Street and it has been clarified that this has not been a particular problem for the refuse team.

Local residents disagree that the settlement is sustainable due its good access to public transport, local amenities and services. Residents also disagree that the one bed units would attract occupants without or with fewer vehicles. However, this is not the view of the local Highway Authority, which considers the site location to be sustainable.



Proposed parking area utilising current car park layout



Vehicular access to the site to remain unchanged



View from Coronation Street towards Welbeck Street



Shared drive. Bbrick wall to the right to be retained.

Whitwell Train Station is approximately 432m from the site, meaning it is within walking distance. A bus service operates along Welbeck Street, with a bus stop directly outside the New Middle Club. In addition, Whitwell benefits from a local primary school, community centre, convenience stores, public houses, hot food takeaways, local church and a tea room amongst others, which make a contribution towards the sustainability of this settlement. Future occupants would not have to rely on the use of a private motor vehicle to leave the settlement for employment purposes.

Based on the level of parking provision provided, the means of alternative transport and the absence of objection from the Highway Authority, there are no highways/parking grounds on which to recommend refusal of this application because exceptional circumstances are demonstrated (and permitted by Policy ITCR11) where a departure from the parking standards is acceptable. These circumstances are evidenced because no health, safety or amenity issues are identified by the absence of 5 car parking spaces necessary to fully meet the parking standards.

The application is acceptable in highways and parking terms in accordance with Policy SC3 (e) of the Adopted Local Plan, which requires proposals to provide safe forms of

development; and with paragraph 115 of the NPPF, which requires developments to not have unacceptable impacts on highway safety.

Other Matters

The application site red line includes the shared driveway which leads to residential property and provides access to rear gardens on Coronation Street. Councillor Munro and local residents question why this land is included within the application site. The applicant Simpatico Properties Ltd has completed Certificate A to confirm the company owns the private drive. During the course of processing the application the planning agent has reconfirmed the applicant owns the entirety of the application site red line. Although no development is proposed on the private drive, and the brick wall is to remain in situ, there is no requirement for the applicant to remove the shared drive from the planning application site red line.

Conclusion and Planning Balance.

The application site is inside the development envelope of Whitwell defined under Policy SC1 of the Adopted Local Plan where new development is supported. This development is in line with the Adopted Local Plan's Spatial Strategy which defines Whitwell as a larger village capable of accommodating further development within its development envelope. The loss of the community facility is justified in accordance with Policy ITCR4(a) of the Adopted Local Plan through existing alternative facilities within a 400m radius of the site.

The application raises no visual amenity/design concerns and has acceptable impacts on residential amenity. Although the application provides limited outdoor amenity space for future occupants; and has a shortfall of 5 off-road car parking spaces, in the overall planning balance this application will bring an empty and redundant building back into use to provide much needed housing and using a previously developed vacant site. If the building were to be left in its empty form, it could become derelict, detract from the visual amenity of the residential neighbourhood and attract anti-social behaviour. The lack of current on-road parking available for existing residents, and this development's impact upon that provision, has been confirmed by the Highway Authority to not be of detriment to highway safety.

RECOMMENDATION

The application be APPROVED subject to the following conditions:

Conditions

1. The development shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved drawings and documents unless specifically stated otherwise in the conditions below:

Revised Site Layout and Proposed Floor Plans - drawing number AP/02 dated 16/07/2025.

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

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

3. Construction works on the site and deliveries to the site must be undertaken only between the hours of 07.30am to 6pm Monday to Friday and 7.30am to 1pm on Saturday. There shall be no work undertaken on site or deliveries to the site on Sundays or public holidays.

4. If during the construction and/or demolition works associated with the development hereby approved, any suspected areas of contamination are discovered, then all works shall be suspended until the nature and extent of the contamination is assessed and a report is submitted and approved in writing by the Local Planning Authority which addresses the risk identified. The Local Planning Authority shall be notified as soon as is reasonably practicable of the discovery of any suspected areas of contamination.

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

Upon completion of the remediation works a validation report prepared by a competent person shall be submitted to and approved in writing by the Local Planning Authority. The validation report shall include details of the remediation works and Quality Assurance/Quality Control results to show that the works have been carried out in full and in accordance with the approved methodology. Details of any validation sampling and analysis to show the site has achieved the approved remediation standard, together with the necessary waste management documentation shall be included.

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

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

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

6. No dwelling shall be occupied until the access, parking and turning facilities have been provided in full, as shown on drawing number AP/02 dated 16/07/2025. Once provided the car parking and turning spaces shall be retained for the life of the development free from any impediment to their parking and turning purposes.

7. Prior to the first occupation of the hereby approved development, a detailed scheme of boundary treatment must be installed fully in accordance with a scheme which has first been submitted to and approved in writing by the Local Planning Authority. The agreed boundary treatment scheme shall then be maintained in perpetuity for the lifetime of the development.

8. Prior to any works taking place to the external elevations and roof of the development,

the precise external materials to be used in the construction of the external elevations and roof shall be first submitted to and approved in writing by the Local Planning Authority. The development shall then proceed fully in accordance with the agreed external materials and be maintained thereafter.

Reasons for Conditions

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

Statement of Decision Process

1. Officers have worked positively and pro-actively with the applicant to address issues raised during the consideration of the application. The proposal has been considered against the policies and guidelines adopted by the Council and the decision has been taken in accordance with the guidelines of the Framework.

Note

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

Equalities Statement

Section 149 of the Equality Act 2010 places a statutory duty on public authorities in the exercise of their functions to have due regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it (i.e., “the Public Sector Equality Duty”).

In this case, there is no evidence to suggest that the development proposals would have any direct or indirect negative impacts on any person with a protected characteristic or any group of people with a shared protected characteristic.

Human Rights Statement

The specific Articles of the European Commission on Human Rights (‘the ECHR’) relevant to planning include Article 6 (Right to a fair and public trial within a reasonable time), Article 8 (Right to respect for private and family life, home and correspondence), Article 14 (Prohibition of discrimination) and Article 1 of Protocol 1 (Right to peaceful enjoyment of possessions and protection of property).

It is considered that assessing the effects that a proposal will have on individuals and weighing these against the wider public interest in determining whether development should be allowed to proceed is an inherent part of the decision-making process. In carrying out this ‘balancing exercise’ in the above report, officers are satisfied that the potential for these proposals to affect any individual’s (or any group of individuals’) human rights has been addressed proportionately and in accordance with the requirements of the ECHR.