

29th OCTOBER 2025 PLANNING COMMITTEE UPDATE SHEET

SUPPLEMENTARY REPORT OF THE DEVELOPMENT MANAGEMENT AND LAND CHARGES MANAGER

This sheet is to be read in conjunction with the main report.

Applications to be determined under the Town & Country Planning Acts

Planning Site Visits held on 24th October 2025 commencing at 10:00 hours

PRESENT: -

- Cllr. C. Tite
- Cllr. T. Munro
- Cllr. J Tait
- Cllr. S. Renshaw (Item 5 only)

Officers: Chris Whitmore and Mitchel Smith

SITE VISITED

Item 5 - Application no. 25/00184/FUL - Garage Site to The West Of 283 Alfreton Road, Blackwell

Item 6 - Application no. 25/00258/OUT - Land to The Rear Of 17 Appletree Road, Stanfree

The site visit concluded at 11:10am

Agenda Item 5 – Application 25/00184/FUL - Garage Site to The West Of 283 Alfreton Road, Blackwell

Officers have updates in respect of the below matters:

- Late representations / objections
- Health and Safety Executive Consultation
- Planning Conditions

Late representations / objections

Since the publication of the officer report, two late representations have been received. A number of the comments duplicate those that have already been received and considered in the officer report. Additional comments are made in respect of the following:

- Reviewed the revised plans using AI-assisted comparison tools, appears that the hedge was incorrectly drawn. Unclear why such a minimal alteration would necessitate a new consultation. It does appear that this

may allow the planning department to state only two objections, despite the fact none of the original concerns have been addressed.

Officer comment: The applicant amended the red line boundary and therefore, as per planning legislation, a public re-consultation should be undertaken (site notice posted 30/09/2025, neighbour notification letters posted 24/09/2025). The concerns raised by the surrounding neighbours have been discussed in the initial officer report. This update report refers to the two, late representations received.

- Plans indicate the inclusion of solar PV panels, however no provision for water storage cylinders or battery storage systems. What type of space heating is proposed? Note that there is no provision of electric vehicle charging.

Officer comment: The provision of water storage cylinders, battery storage systems and space heating are not planning considerations for this application. The installation of EV charging is not a requirement but the Local Planning Authority (LPA) would welcome this, it is however noted that this could be completed by exercising permitted development rights.

- Picture (from Site & Surroundings section) is not a true representation of the plot. It seems to have been taken in a way for the site to appear much larger than it actually is.

Officer comment: The image used in the report is taken from the start of the application site (red line) and has in no way been taken to make the site appear larger in scale. Notwithstanding this, Members were able to visit the site during the Committee Site Visits on Friday 24th of October.

- This development does not conform to the existing building line.

Officer comment: The officer report states that there is not a uniform building line as seen in the in the image below whereby a red line has been annotated, outlining the building line of nos.283 and 281. The below map clearly shows an inconsistent building line.



- Horse riders known to use the existing footpath, has this been factored into the development design?

Officer comment: The access to the rear of the site measures 3.2m while the connecting footpath measures 1.3m in width. It is not noted to have been a consideration but the access to the rear of the site is significantly wider than the public footpath and therefore will not present an issue.

- Difficult to see where the shrubs, trees and hedgerows are to be placed.

Officer comment: The siting of the landscaping are clearly outlined on the proposed site plan and are accommodated by an 'external works legend' detailing the types of landscaping proposed.

- 'Should these checks be made before planning is approved?' – referring to the land stability section.

Officer comment: As set out in the Officer report, relevant consultations with The Coal Authority and Environmental Health have been undertaken. The responses each recommended conditions relating to intrusive site investigations, contaminated land, and potential mitigation. It is standard practice for these pre-commencement conditions to be included on planning permission ensuring the development cannot commence until the site has been made safe for the intended use.

- The developer did not advertise a site notice, this was done by the local community... this is not going above required planning legislation.

Officer comment: As set out in the officer report, the applicant is not required to undertake any form of consultation. The site notice was

erected by the Local Planning Authority and the properties surrounding the application site were notified of the application by letter. Planning legislation requires one of these provisions (the 'bare minimum' suggested by the objector) to be undertaken to ensure the application is advertised appropriately. Bolsover District Council undertake both measures and therefore exceed the requirements of planning legislation.

- It has been admitted in the report that the development fails to meet the guidelines of several standards. The report should be an impartial view, but it seems to be biased in favour of the development. No alternative designs or amendments resolving any of the issues raised were proposed. Instead, any issue is deemed 'acceptable', any adverse impact called 'slight' and failure to meet guidelines seems to be excused.

Officer comments:

The report provides an assessment of the proposed development against the necessary local and national planning policies and adopted guidance, it has by no way been written in a way which is biased towards any outcome.

The report acknowledges that proposal falls short of the recommended parking standards of the Local Plan and the amenity space provisions of the Successful Places guidance. The report also states that both these documents acknowledge that deviations from the stated provisions can be considered acceptable.

In terms of parking provisions, Paragraph 116 of the National Planning Policy Framework states that *"development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios"*. Derbyshire County Council's Local Highway Authority were consulted on the application and raised no concerns with the proposed parking provisions, noting it was compliant with their Parking Guidance for New Developments. As such, it is considered to be illogical and unjustified to refuse planning permission on this basis.

With regard to amenity spaces, as previously stated the officer report acknowledges the shortfall of the amenity space but realises additional space would be at the detriment of the proposed parking spaces. The Successful Places guidance states that deviations to the provisions can be considered acceptable on more constrained sites. It is also noted that this is a guidance document and does not hold the same influence of planning application decisions as local and national planning policies.

Health and Safety Executive Consultation

As set out in the officer report, the consultation with the Health and Safety Executive (HSE) has been undertaken. A response was received on the 23rd October 2025 which stated that the proposed development lies between Class D/Class 2 and Class E/Class 3 separation distances of the licensed site i.e. beyond the Class D/Class 2 distance expected for this type of development.

Provided that the proposed development does not constitute as 'vulnerable' buildings, HSE has no comment to make.

The definition of a vulnerable building provided by HSE, is one that is to say-

- a) A building of more than three storeys above ground or 12m in height constructed with continuous non-load bearing curtain walling with individual glazed or frangible panels larger than 1.5m and extending over more than 50% of 120m² of the surface of any elevation.
- b) A building of more than three storeys above ground or 12m in height with solid walls and individual glass panes or frangible panels larger than 1.5m² and extending over at least 50% of any elevation.
- c) A building of more than 400m² plan area with continuous or individual glazing panes larger than 1.5m² extending over at least 50% or 120m² of plan area; or
- d) Any other structure that, in consequence of an event such as an explosion, may be susceptible to disproportionate damage such as progressive collapse.

The proposed building does accord with the provisions of the above stated definition for a vulnerable building and therefore confirms there are no concerns raised by HSE.

Planning Conditions

Officers are required to agree any pre-commencement conditions with developers prior to their imposition. The applicant was provided with the draft conditions and on the 23rd October 2025, confirmed they were happy to agree the conditions outlined in the officer report.

Recommendation

Given there have been no objections received from Health and Safety Executive, officers recommend that:

Planning permission be GRANTED subject to the planning conditions and informative notes set out in the officer report.