

PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee of the Bolsover District Council held in the Council Chamber on Wednesday, 29th October 2025 at 10:00 hours.

PRESENT:-

Members:-

Councillor John Ritchie in the Chair

Councillors Catherine Tite (Vice-Chair), Steve Fritchley, Tom Munro, Sally Renshaw, Janet Tait and Deborah Watson.

Officers:- Sarah Kay (Interim Director of Planning, Devolution and Corporate Policy), Jim Fieldsend (Director of Governance and Legal Services & Monitoring Officer), Chris Whitmore (Development Management and Land Charges Manager), Chris McKinney (Senior Devolution Lead for Planning Policy, Strategic Growth and Housing), Julie-Anne Middleditch (Principal Planning Policy Officer) and Matthew Kerry (Governance and Civic Officer).

PL39-25/26 APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors Rob Hiney-Saunders and Phil Smith.

PL40-25/26 URGENT ITEMS OF BUSINESS

There was no urgent business to be considered at the meeting.

PL41-25/26 DECLARATIONS OF INTEREST

Minute No.	Member	Level of Interest
PL43-25/26	Councillor Sally Renshaw	As a Member of the Planning Committee, Councillor Sally Renshaw declared an interest in Item 5 being the local Ward Member and having likely a predetermined position.

PL42-25/26 MINUTES

Moved by Councillor Steve Fritchley and seconded by Councillor Tom Munro
RESOLVED that the minutes of a meeting of the Planning Committee held on 1st October 2025 be approved as a true and correct record.

Having declared an interest in the following item, Councillor Sally Renshaw left the meeting at 10:02 hours.

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PL43-25/26

APPLICATION NO. 25/00184/FUL - GARAGE SITE TO THE WEST OF 283 ALFRETON ROAD, BLACKWELL

Committee considered a report in relation to the above application presented by the Development Management and Land Charges Manager, who gave details of the application and highlighted the location and features of the site and key issues. The application sought approval from the Committee for the demolition of 6 prefabricated, concrete panel garages to allow for the erection of 4 apartments with associated parking and amenity spaces. Each apartment would contain a bedroom, bathroom, living room and kitchen. Amenity spaces were proposed to the front and rear of the building, along with 4 parking spaces which would be accessed by a private driveway leading from Alfreton Road, Blackwell.

The application had been referred to the Committee given more than 20 separate households had objected to the proposal.

Late representations were received and included in the Supplementary Agenda.

Councillor Tony Gascoyne spoke against the application.

David McPhee, representing the agent, spoke in favour of the application.

Questions were asked on the provision of parking and the ability of the drainage network to accommodate additional flows. Members also sought clarification on the management of the parking spaces to be provided and raised the possibility of the parking spaces being served by electric charging points.

Member concerns included the availability of public transport and lack of available parking on site.

Moved by Councillor Steve Fritchley and seconded by Councillor Tom Munro

RESOLVED that that application no. 25/00184/FUL be **DEFERRED** to give the applicant an opportunity to address concerns that the proposals would result in the overdevelopment of the site and to consider increasing the number of car parking spaces.

Councillor Sally Renshaw returned to the meeting at 10:29 hours.

PL44-25/26

APPLICATION NO. 25/00258/OUT - LAND TO THE REAR OF 17 APPLETREE ROAD, STANFREE

Committee considered a report in relation to the above application presented by the Development Management and Land Charges Manager, who gave details of the application and highlighted the location and features of the site and key issues. The application was outside the development envelope within an area of open countryside. The proposed use was not compliant with Policy SS9 (Development in the Countryside) but would meet the requirements of other relevant policies in the adopted local plan. A judgement was therefore necessary on the planning balance having regard to the issues relating to the development. The application was recommended for approval subject to conditions.

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To a question on the ownership of the access, the Development Management and Land Charges Manager advised that it was quite common for historic, shared accesses to not be registered and that the existing dwellings served off it would have established rights of access which would likely be contained in the title deeds for the properties. The enforcement of such rights would be a civil matter.

Moved by Councillor Deborah Watson and seconded by Councillor Janet Tait

RESOLVED that application no. 25/00258/OUT be **APPROVED** subject to the following conditions:

1. 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.
2. Approval of the details of the layout, scale, appearance, access and landscaping (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
3. The dwellings hereby approved must be single storey only.
4. Before any dwelling on the site is first occupied, a 2.4m x 43m visibility splay must be provided from the access in the southeastern direction. The splay must be maintained free from obstruction over 1m in height thereafter.
5. Before development first commences on site, a landscaping scheme including a programme of implementation and details of the maintenance and management of the landscaping (including any on site habitat creation) for a 30-year period must be submitted to the Local Planning Authority for approval. The landscaping scheme must be provided and maintained on site in accordance with the approved scheme.
6. Prior to building works commencing above foundation level on any dwelling, a Species Enhancement Plan must be submitted to and approved in writing by the Local Planning Authority. The approved measures must be implemented in full and maintained as such thereafter. The Plan must clearly show positions, specifications and numbers of features, which will include (but are not limited to) the following:
 - universal nest boxes at ratio of 1:1, in line with British Standard 42021:2022;
 - integrated bat boxes each of the dwellings;
 - insect bricks in dwellings and / or towers in public open space;
 - fencing gaps 130 mm x 130 mm to maintain connectivity for hedgehogs in all gardens

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

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7. Development other than that required to be carried out as part of an approved scheme of remediation must not commence until:

- a) A Phase I contaminated land assessment (desk-study) shall be undertaken and approved in writing by the local planning authority.
- b) The contaminated land assessment shall include a desk-study with details of the history of the site use including:
 - the likely presence of potentially hazardous materials and substances;
 - their likely nature, extent and scale;
 - whether or not they originated from the site;
 - a conceptual model of pollutant-receptor linkages;
 - 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, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments;
 - details of a site investigation strategy (if potential contamination is identified) to effectively characterise the site based on the relevant information discovered by the desk study and justification for the use or not of appropriate guidance. The site investigation strategy shall, where necessary, include relevant soil, ground gas, surface and groundwater sampling/monitoring as identified by the desk-study strategy

The site investigation shall be carried out by a competent person in accordance with the current U.K. requirements for sampling and analysis. A report of the site investigation shall be submitted to the local planning authority for approval.

8. Before the commencement of the development hereby approved, where the site investigation identifies unacceptable levels of contamination, 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 shall be submitted to and approved in writing by the local planning authority. The submitted scheme shall have regard to relevant current guidance. The approved scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria and site management procedures. The scheme shall 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.

The developer shall give at least 14 days notice to the Local Planning Authority (Environmental Health Division) prior to commencing works in connection with the remediation scheme.

9. No dwelling hereby approved shall be occupied until:

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- a) The approved remediation works required by 8 above have been carried out in full in compliance with the approved methodology and best practice.
- b) If during the construction and/or demolition works associated with the development hereby approved any suspected areas of contamination are discovered, which have not previously been identified, then all works shall be suspended until the nature and extent of the contamination is assessed and a report submitted and approved in writing by the local planning authority and the local planning authority shall be notified as soon as is reasonably practicable of the discovery of any suspected areas of contamination. The suspect material shall be re-evaluated through the process described in condition 7b to 8 above and satisfy 9a above.
- c) Upon completion of the remediation works required by conditions 8 and 9a, 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.

Statement of Decision Process

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.

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).

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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.

PL45-25/26 SUCCESSFUL HEALTH PLACES SUPPLEMENTARY PLANNING DOCUMENT

The Principal Planning Policy Officer presented the report to the Committee.

The Successful Places SPD had been updated and renamed Successful Healthy Places to reflect current national guidance and legislation, including Building for a Healthy Life and the Environment Act.

It supported Policy SC3 by promoting high-quality, health-focused residential design tailored to the District.

The draft of the revised Successful Healthy Places SPD was first discussed by the Local Plan Implementation Advisory Group on 25th June 2025 before it was presented to the Committee on 3rd September 2025. This was before it was subject to consultation in line with the Town and Country Planning Regulations (2012) and the Council's Statement of Community Involvement (SCI).

A 4-week targeted consultation was held with statutory consultees, developers, agents, and others on the Local Plan for Bolsover District (March 2020) database. Documents were also made available at libraries and the Council's contact centres. Two drop-in events were held in Bolsover Town and Shirebrook. The consultation ran from 8th September 2025 to 6th October 2025.

The Council had received 4 submissions during the consultation period: Coal Authority; Natural England; Stancliffe Homes; and Historic England.

The main points from each submission were summarised in the report. Some were considered to merit revisions to the approved consultation draft Successful Healthy Places SPD. The full schedule of responses and the Council's proposed response to the points was attached at Appendix 1.

Alongside the main channel for representations regarding the consultation draft document, the Council had made the same questionnaire survey available on the Ask Derbyshire website. 5 responses were received and made anonymously. The feedback received was summarised in the report with key comments highlighted.

A final version of the SPD with revisions was attached at Appendix 2.

A Member noted the document (and the previous presentation / training on the SPD provided to Members) had been accomplished to a very high standard.

The Chair thanked the team for their work.

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Moved by Councillor Catherine Tite and seconded by Councillor John Ritchie

RESOLVED that the Committee: 1) note the outcome of the consultation exercise as set out in the report and set out in Appendix 1;

- 2) approve the proposed responses to the main points and the consequential revisions to the proposed SPD as set out in the report and set out in Appendix 2;
- 3) recommends to Council that the Successful Healthy Places Supplementary Planning Document is adopted as a material consideration in planning decisions.

PL46-25/26

ANNUAL INFRASTRUCTURE FUNDING STATEMENT

The Principal Planning Policy Officer presented the report to the Committee.

Since the introduction of the Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019, local authorities had been required to prepare and publish an Annual Infrastructure Funding Statement each year from 2019/20 onwards.

The Council had taken the decision not to pursue a Community Infrastructure Levy as part of the preparation of the Local Plan and instead relied upon Section 106 Agreements. This decision was due to the Community Infrastructure Levy not being necessary nor the best method of delivering infrastructure in the District.

In light of the decision to not to pursue a Community Infrastructure Levy, the Council's Annual Infrastructure Funding Statements report a 'nil return' for parts 1 and 2. However, part 3, the Section 106 report, set out additional information that was detailed in the report.

In essence, the Annual Infrastructure Funding Statement and the categories detailed in the report were intended to show clearly and in a transparent manner the progression from the signing of a Section 106 Agreement through the Council's receipt of the money to the spend of the money and the delivery of the required infrastructure on the ground.

The 2024/25 Annual Infrastructure Funding Statement highlighted 4 new Section 106 Agreements securing funding for affordable housing, infrastructure, and travel plans.

Notable contributions had included: £600,000 in Bolsover; £38,000 in South Normanton; and over £200,000 in Barlborough.

2 Deeds of Variation were agreed, adjusting contributions while maintaining infrastructure delivery.

Section 106 income had exceeded the previous two years combined, with nearly £2.5 million held.

Spending also rose, totalling £444,000. The closing balance reached nearly £2 million.

Most funds held were for highways, outdoor sport, and open space, with smaller amounts for housing, art, health, and biodiversity

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The 2024/25 Annual Infrastructure Statement was attached at Appendix 1. The key headlines for the 2024/25 financial year were detailed in the report.

The Chair congratulated the team for their work and the report.

A Member recalled the previous loss of £180,000 Section 106 funds in Pinxton and the work achieved since then to prevent any sort of repeated loss from reoccurring.

The Senior Devolution Lead for Planning Policy, Strategic Growth and Housing informed good work was taking place between the Council and Derbyshire County Council on highways.

Moved by Councillor Catherine Tite and seconded by Councillor John Ritchie

RESOLVED that Planning Committee: 1) note the requirements of the Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019 in relation to Annual Infrastructure Funding Statements;

- 2) approve the Annual Infrastructure Funding Statement 2024/25 and endorse the decision to publish it to comply with the regulations.

PL47-25/26 UPDATE ON APPLICATION NO. 17/00640/OUT

The Monitoring Officer provided an update on the legal challenge to application no. 17/00640/OUT.

The Chair thanked the Monitoring Officer for the update and for all Members and officers present for attending.

The meeting concluded at 11:04 hours.