

## RESOLUTION TO BE MADE ON APPLICATION CODE REF. 25/00433/OTHER BEFORE THE CONSIDERATION OF THIS ITEM

**PARISH** Old Bolsover Parish

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**APPLICATION** Application for approval of reserved matters for residential development (547 dwellings), public open space (including a town park), landscaping, spine road (including required demolition of Nos. 34-40 Longlands & No. 42 Welbeck Road) and associated infrastructure (An Environment Impact Assessment was submitted alongside the original outline planning application). The application also proposes the discharge of conditions 21 and 22 of planning permission 14/00080/OUTEA in relation to the phases/development included within this reserved matters application.

**LOCATION** Land Between Welbeck Road and Oxcroft Lane Bolsover

**APPLICANT** Strata Homes, Persimmon Homes, and Stancliffe Homes

**APPLICATION NO.** 25/00069/REM **FILE NO.** PP-13757417

**CASE OFFICER** Mr Peter Sawdon

**DATE RECEIVED** 11th February 2025

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### BACKGROUND AND SUMMARY

This item has been referred to planning committee due to the strategic importance of the Bolsover North Development site and due to issues surrounding site viability being considered under a separate application (application reference 25/00433/OTHER) that is seeking to amend the requirements of the original S106 Planning Obligation associated with the original outline planning permission, that if approved would amend the land for key elements of the design, that this application is directly affected by.

The application is recommended for the approval of the submitted reserved matters, subject to conditions.

The re-consideration of the S106 planning obligation seeks to reduce financial contributions, but also the size of the proposed town park and extra care and/or affordable housing land to that which was defined in the original grant of outline planning permission and the layout subject of this application incorporates those reduced land areas.

The associated application for a variation to the S106 planning obligation is subject of a separate report to planning committee and is supported by an associated viability assessment; this concludes that the site is unviable with the original S106 planning obligation requirements retained and recommends acceptance of a variation to the S106.

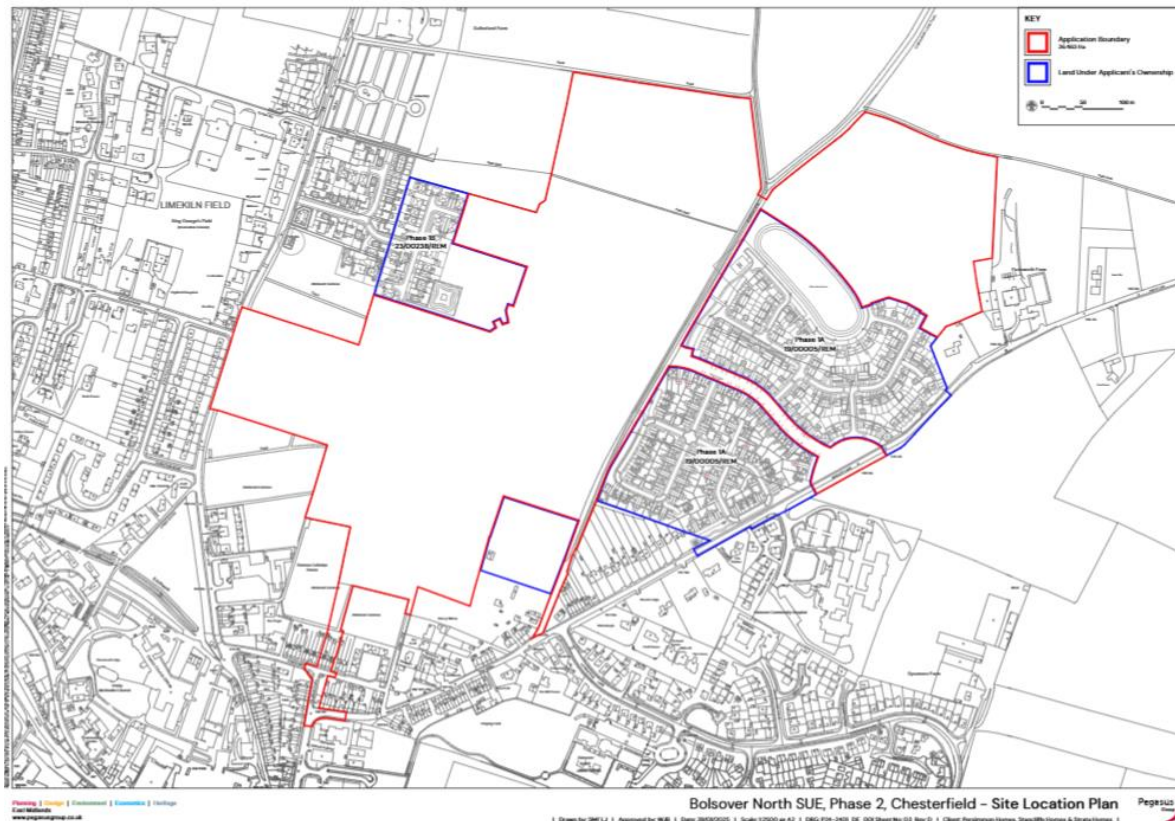
This report has therefore been prepared on a without prejudice basis, assuming the acceptance of the recommendation to support the S106 variation.

Outline planning permission for residential and associated development of this land was granted in October 2017 (ref. 14/00080/OUTEA), with two previous reserved matters planning permissions consented in April 2021 (ref. 19/00005/REM – Phase 1 for 238 dwellings), and December 2023 (ref. 23/00238/REM – Phase 1a for 21 dwellings).

At the end of September 2025 delivery of dwellings from these consents was as follows: -

| Application ref. | Completed | Under construction | Not commenced |
|------------------|-----------|--------------------|---------------|
| 19/00005/REM     | 204       | 34                 | 0             |
| 23/00238/REM     | 16        | 5                  | 0             |
| Totals           | 220       | 39                 | 0             |

## **Site Location Plan**



## **OFFICER REPORT ON APPLICATION NO. 25/00069/REM**

### **SITE & SURROUNDINGS**

The application site is an irregular shape of land, extending to an area of approximately 26.45 hectares. The site was primarily used as fields for agricultural use with areas of unused rough pastureland. In the southern area, the site is predominantly small rectilinear fields and allotments bounded by maintained field hedgerows of varying quality. To the north, the site is increasingly open, incorporating larger gently undulating arable fields enclosed by hedges.

There are several Public Rights of Way across the site; most notable is Elmtun Lane, a rural lane bounded by field hedges running north-south, connecting to Welbeck Road in the south and to open countryside in the north.

There are existing residential areas generally to the south, east and west of the site, with some areas of retained allotments alongside the western flank of the site fronting Oxcroft

Lane. Earlier approved phases of the Bolsover North strategic site are currently under construction along parts of the east and west side of the current reserved matters site. Open fields bound the site to the north and northwest.

There are several trees within small fields in the southern-most area, and some located within hedgerows dividing the field areas.

The site is gently sloping with undulating areas containing valleys and ridges. The land to the north and the east generally falls to the north whilst land to the south-west falls to a valley within the site.

The site is within the settlement envelope and forms part of the Bolsover North Strategic Site Allocation contained in the adopted Local Plan for Bolsover District (Policy SS4).

## **PROPOSAL**

This application is seeking:

- Reserved matters approval for Phase 2 (all remaining areas intended for housing development) of the Bolsover North strategic housing site in respect of details of appearance, landscaping, layout and scale in relation to the development of 547 homes (total of 806 dwellings with the existing reserved matters approvals under construction), open space and associated infrastructure. Details show the delivery of the main means of access into the site that were established by the outline planning permission); and
- Approval for the discharge of the following conditions of the outline permission ref. 14/00080/OUTEA [in respect of the areas of the site included in the parts of Phase 2 that are the subject of this reserved matters application]: -
  - Condition 5 – Design & Access Statement
  - Condition 6 – Updated Phasing Plan
  - Condition 8 – Travel Plan
  - Condition 10 – Bin Store Details
  - Condition 11 – Disposal of Highway Surface Water
  - Condition 14 – Written Scheme of Investigation for Archaeology
  - Condition 15 – Landscape & Landscape Management Plan
  - Condition 16 – Hedgerow Plan
  - Condition 19 – Noise Impact Assessment
  - Condition 21 & 22 – Submitted Drainage Plans

The reserved matters application site excludes land intended for the Extra Care Facility and Primary School land that were also subject to the outline planning permission; these developments would have to be subject to later reserved matters planning applications prior to their construction. It is stated that the development will however facilitate the delivery of the necessary access points and services to enable their delivery.

Aligned with the above, the submitted layout drawings show a proposed reduction in the proposed areas for the extra care facility and town park from those of the original outline planning permission as follows: -

|                 | Original requirement | Proposed amendment |
|-----------------|----------------------|--------------------|
| Town Park       | Approximately 4.2 ha | 3.6 ha             |
| Extra Care Land | Approximately 1 ha   | 0.8 ha             |

The reduction in these areas is sought to address issues of site viability that themselves have been impacted by a reduction in the areas of developable land on the site generally; primarily these have resulted from changes to the requirements for the provision of increased areas for Sustainable Drainage Systems (SuDS) that have derived from more detailed testing of ground conditions, which are not as permeable as envisaged at the time of initial testing. Additional demands on available space to develop for houses has also arisen from an increased emphasis in national guidance in respect of the provision of street trees that results in wider roads, and the provision of a dedicated cycle path along large parts of the spine road to address greater emphasis on sustainable transport, that were not included as part of the initial masterplan documents, that were based on normal requirements at that time. The overall number of deliverable dwellings has therefore been reduced to around 85% of the initially envisaged 950 dwellings.

This application, along with the parallel application seeking amendments to the S106 planning obligation, therefore seek to make reductions in the areas for the Town Park, ancillary open space and extra care requirements to seek to strike a balance between the competing objectives of the infrastructure needs of the development, whilst seeking to ensure a deliverable development, having regard to site viability in that the scheme is not considered to be viable with all the original requirements in place. Notwithstanding the outcome of any viability considerations, it is stated that the reduction in the areas to that suggested is reflective of the equivalent reduction in the quantum of deliverable housing, and fairly and reasonably relates to this.

Of note is that the proposal retains the requisite 1ha of land for the future school provision and reflects discussions with the Education Authority that have identified that 1ha is the minimum amount of land needed to deliver a new school, and that such provision would not be possible with any reduction.

In accordance with the S106 agreement obligations attached to the original outline planning approval, the land identified on the approved masterplan for the extra care facility and primary school would be transferred to the District and County Councils to facilitate the final delivery of these features.

The initial development of the town park would be undertaken by the developers and, following an initial 12-month maintenance period, is proposed to be put forwards for adoption by Bolsover District Council.

## Proposed Layout Plan



The development is proposed to be delivered by three developers as follows: -

- Strata Homes - 230 Residential Dwellings – Town's Edge & the West Village (southern area)
- Persimmon Homes – 212 Residential Dwellings – the East Village & the West Village (central and northeastern areas)
- Stancliffe Homes – 105 Residential Dwellings - the West Village (central & northwestern area)

The density would be 20 dwellings per hectare (dph) gross, 30dph net. The application states that this allows for the formation of different densities across the development including a higher density in the south of the scheme, adjacent to existing residential areas and lower density areas towards the northern Countryside Edge, delivering a range of household types from larger detached properties with larger plots through to smaller terraced forms creating variety in the proposed streetscape. 55% of the dwellings would be 2 and 3 bedrooms, with the remaining 45% being 4 and 5 bedrooms in size.

The height and massing of the proposed development varies across the site according to the nature of the public realm to be created. Most of the dwellings will be 2-storeys, reflecting the surrounding built form. Some bungalows and 2.5 and 3 storey dwellings are also proposed.

Taller dwellings would be consistently used around the perimeter of the Town Park to respond



At the Countryside Edge the dwellings are limited to 2-storeys in height to aid the transition from rural to the urban area.

[illegible]

The proposed areas of greenspace have also been designed around the retention and

enhancement of other areas of the site's existing biodiversity features. These areas will be delivered and managed in accordance with the requirements of the outline planning approval.

Wetland features are also proposed to be located within the proposed areas of greenspace to maximise the delivery of biodiversity across the site as part of the development's sustainable drainage infrastructure.

The proposal includes for the extension of the existing main spine road that is currently accessed from Welbeck Road to the east, to link that road to Longlands to the south of the site, as required by the outline planning permission; this includes the demolition of 5 dwellings (4 on Longlands and 1 on Welbeck Road).

Most of the new housing would be accessed either directly from the spine road, or new highways that would be accessed via that road, except for a small part of the site to the west that would be accessed from Oxcroft Lane to the west. Traffic control features are proposed to preclude through access for vehicles for most of the development to Oxcroft Lane to the west, in accords with the requirements of the original outline planning permission; access for pedestrians and cyclists would be available. Additional links to facilitate pedestrian and cycle access to the existing footpath and bridleway network for future residents of the development are also proposed.

The existing segregated footway that has been provided along the first section of the spine road within the first phase of development would be extended through the site, in part running through the town park, linking to Longlands to the south.

It is stated that all plots will be provided with electrical vehicle charging points, either integrated within garages, mounted on side elevations, or charging pedestals, along with cycle storage to be accommodated within rear gardens and/or garages where provided.

### Supporting Documents

Documents submitted with initial application: -

#### *Site Wide Documents*

- DESIGN AND ACCESS STATEMENT (replaced by amended document submitted 03/03/2025) [Parts 1 – 4]
- PLANNING STATEMENT
- P24-1323-EN-001B - TOWN PARK LANDSCAPE MASTERPLAN
- P24-1323-EN-002A - TOWN PARK DETAILED HARD & SOFT LANDSCAPE PROPOSALS
- P24-1323-EN-003A - WIDER SITE LANDSCAPE MASTERPLAN
- P24-1323-EN-004A - HEDGEROW PLAN
- P24-2401-DE-001-D-03 - LOCATION PLAN
- P24-2401-DE-003-G - MASTERPLAN
- BOL2-WR278-BTP-001 REV A - WELBECK ROAD S278 - BOUNDARY TREATMENT PLAN
- 48920-ECE-XX-XX-DR-D-0001 REV P06 - S278 WELBECK ROAD GENERAL ARRANGEMENT & SIGNING & LINING
- 48920-ECE-XX-XX-DR-D-0011 REV P02 - S278 OXCROFT LANE GENERAL

#### ARRANGEMENT & SIGNING & LINING

- 48920-ECE-XX-XX-DR-D-0021 REV P02 - S278 DEED OF VARIATION - MARLPIT LANE GENERAL ARRANGEMENT
- BOL2-ELCD-001 - ELMTON LAN CROSSING/KERBING DETAIL
- P24-2401-DE-009-01 - INDICATIVE STREET SCENES (1 OF 3)
- P24-2401-DE-009-02 - INDICATIVE STREET SCENES (2 OF 3)
- P24-2401-DE-009-03 - INDICATIVE STREET SCENES (3 OF 3)
- VIEW 1 - TOWN'S EDGE
- VIEW 2 - WEST VILLAGE (COUNTRYSIDE EDGE)
- VIEW 3 - EAST VILLAGE
- STREET SCENES – ARTISTIC IMPRESSIONS
- STREET SCENES – ARTISTIC IMPRESSIONS
- P24-2401-DE-028-C - COMPOSITE MATERIALS PLAN
- P24-2401-DE-029-B - COMPOSITE BOUNDARY TREATMENTS PLAN
- P24-2401-DE-030 SHEET NO.1 REV B - PHASING PLAN
- P24-2401-DE-031 SHEET NO.1 REV B - CONNECTIVITY PLAN
- P24-2401-DE-032-B – MANGEMENT PLAN
- P24-2401-DE-033-C - HIGHWAYS ADOPTION PLAN
- P24-2401-DE-034-A - TOPOGRAPHICAL SURVEY
- P24-2401-DE-035-B - KEY DIMENSIONS
- P2162 - HIGHWAY DESIGN OVERVIEW CHECKLIST
- P2612 - D -1001 - ROAD HIERARCHY PLAN
- P2612 - D -1002 - ROAD HIERARCHY PLAN
- P2612 - V -1001 REV A - VISIBILITY SPLAYS & FORWARD VISIBILITY IN LINE WITH 20MPH SPEED LIMIT
- P2612 - V -1002 REV A - VISIBILITY SPLAYS & FORWARD VISIBILITY IN LINE WITH 20MPH SPEED LIMIT
- P2612 - T -1001 REV A - SWEPT PATH ANALYSIS 11.6M REFUSE VEHICLE
- P2162 - 20241206 - BOLSOVER NORTH, PHASE 2 - TRAVEL PLAN
- P7884-R1-V1 - NOISE IMPACT ASSESSMENT REPORT
- STATEMENT OF COMMUNITY INVOLVEMENT
- WRITTEN SCHEME OF INVESTIGATION FOR ARCHAEOLOGY TRIAL TRENCHING

#### *Persimmon Documents*

- PERSIMMON - HOUSE TYPE PACK
- P24-2401-DE-025-01-J - PERSIMMON - PLANNING LAYOUT
- P24-2401-DE-026-D - PERSIMMON - MATERIALS PLAN
- P24-201-DE-027-C - PERSIMMON - BOUNDARY TREATMENTS PLAN
- PERSIMMON - GARDEN SIZE SCHEDULE
- PERSIMMON - BIN DETAILS
- BNS-DCE-XX-XX-DR-C-5000-P01 - PERSIMMON - DRAINAGE STRATEGY SHEET 1 OF 3
- BNS-DCE-XX-XX-DR-C-5001-P01 - PERSIMMON - DRAINAGE STRATEGY SHEET 2 OF 3
- BNS-DCE-XX-XX-DR-C-5002-P01 - PERSIMMON - DRAINAGE STRATEGY SHEET 3 OF 3



- BNS-DCE-XX-XX-RP-C-0001 - PERSIMMON - DRAINAGE MAINTENANCE MANAGEMENT PLAN

#### *Stancliffe Documents*

- STANCLIFFE - HOUSE TYPE PACK
- P24-2401-DE-015-01-L - STANCLIFFE - PLANNING LAYOUT
- P24-2401-DE-016-E - STANCLIFFE - MATERIALS PLAN
- P24-2401-DE-017-D - STANCLIFFE - BOUNDARY TREATMENTS PLAN
- SH-BOLN-0001 - STANCLIFFE - STANCLIFFE - GARDEN AREAS PLAN
- SH-BOLN-0002 - STANCLIFFE - STANCLIFFE - SALES AREA PLAN
- SH-BOLN-0003 - STANCLIFFE - SURFACE WATER DRAINAGE LAYOUT
- SH-BOLN-0004 - STANCLIFFE - SURFACE WATER DRAINAGE LAYOUT
- SH-BOLN-0005 - STANCLIFFE - BIN COLLECTION POINT DETAILS

#### *Strata Documents*

- STRATA - HOUSE TYPE PACK
- P24-2401-DE-005-01-J - STRATA - PLANNING LAYOUT
- P24-2401-DE-006-C - STRATA - MATERIALS PLAN
- P24-2401-DE-007-C - STRATA - BOUNDARY TREATMENTS PLAN
- 21-CL5-SEGB-WRB-02 - STRATA - PHASING PLAN
- 49441-ECE-XX-XX-DR-C-0005 REV P01 - STRATA - DRAINAGE LAYOUT - SHEET 1 OF 2
- 49441-ECE-XX-XX-DR-C-0006 REV P01 - STRATA - DRAINAGE LAYOUT - SHEET 2 OF 2
- SD10.EX.113 - STRATA - BIN COLLECTION POINTS
- GTC-E-SS-0012-R2 1 OF 1 - STRATA - CLOSE COUPLED SUBSTATION PYRAMID ROOF DETAIL GENERAL ARRANGEMENT

## **AMENDMENTS**

*Please note that any documentation relating to site viability are not listed here and are referred to in the separate report in respect of application considering the proposal to amend the S106 planning obligation associated with the original outline planning permission relating to this site (outline planning permission ref. 14/00080/OUTEA)*

03/03/2025 – amended Design and Access Statement submitted.

13/03/2025 – Further Drainage information (submitted in response to comment from Yorkshire Water): -

- 6667\_024-03S - S104 AGREEMENT PLAN - COMBINED
- WRB-DCE-XX-XX-DR-C-5001 - DRAINAGE STRATEGY SHEET 1
- WRB-DCE-XX-XX-DR-C-5002 - DRAINAGE STRATEGY SHEET 2
- WRB-DCE-XX-XX-DR-C-5003 - DRAINAGE STRATEGY SHEET 3

21/05/2025 - Technical Response To Environmental Health Officer's Comments Re Noise Report

22/05/2025 – Removal of the discharge of condition 23 from the application, along with the following document: -

- Revised drainage strategy plan ref. BNS-DCE-XX-XX-DR-C-5001 Rev. P02

08/08/2025 – Revisions submitted as follows: -

- P24-1323\_EN\_001D - TOWN PARK LANDSCAPE MASTERPLAN
- P24-1323\_EN\_002C - TOWN PARK DETAILED HARD AND SOFT LANDSCAPE PROPOSALS
- P24-1323\_EN\_003D - WIDER SITE LANDSCAPE MASTERPLAN
- P24-1323\_EN\_004D - HEDGEROW PLAN
- P24-2401\_DE\_003\_K - COMPOSITE MASTERPLAN (B&W)
- P24-2401\_DE\_003\_K - COMPOSITE MASTERPLAN (COLOUR)
- P24-2401\_DE\_005\_S - PLANNING LAYOUT (STRATA)
- P24-2401\_DE\_006\_D - MATERIALS PLAN (STRATA)
- P24-2401\_DE\_007\_D - BOUNDARY TREATMENTS PLAN (STRATA)
- P24-2401\_DE\_015\_R - PLANNING LAYOUT (STANCLIFFE)
- P24-2401\_DE\_016\_F - MATERIALS PLAN (STANCLIFFE)
- P24-2401\_DE\_017\_E - BOUNDARY TREATMENTS PLAN (STANCLIFFE)
- P24-2401\_DE\_025\_N - PLANNING LAYOUT (PERSIMMON)
- P24-2401\_DE\_026\_E - MATERIALS PLAN (PERSIMMON)
- P24-2401\_DE\_027\_D - BOUNDARY TREATMENTS PLAN (PERSIMMON)
- P24-2401\_DE\_028\_D - COMPOSITE MATERIALS PLAN
- P24-2401\_DE\_029\_C - COMPOSITE BOUNDARY TREATMENTS
- P24-2401\_DE\_032\_C - MANAGEMENT PLAN
- P24-2401\_DE\_033\_D - HIGHWAYS ADOPTION PLAN
- P24-2401\_DE\_035\_D - KEY DIMENSIONS
- P24-2401\_DE\_041 - HIGHWAYS MATERIALS PLAN
- P24-2401\_DE\_042 - BUS STOP LOCATION PLAN
- P24-2401\_DE\_G003\_B - DESIGN STATEMENT
- BOSOLVER NORTH - TOWN PARK VIEWS 1+2\_LR
- BOLSOVER NORTH - HOUSE TYPE PACK (STANCLIFFE HOMES)

16/09/2025 – Revised Travel Plan

26/09/2025 – Response to issues raised by Lead Local Flood Authority, including

- Drainage Statement dated December 2013
- Drawing no: BNS-DCE-XX-XX-DR-C-5002 – Proposed drainage strategy sheet 3 of 3
- Drawing no: E18/6667/024-03C - SECTION 104 AGREEMENT PLAN - Combined agreement
- Technical data sheet by Causeway dated 10/09/2025
- Surface Water Calculations by Causeway dated April 2025

08/10/2025 –

- Bolsover combined build route and spine road delivery plan
- Combined Build Route delivery schedule Spreadsheet
- P2612 - V - 1001 REV B - Visibility Splays and Forward Visibility In Line With 20mph Speed Limit

- P2612 - V - 1002 REV B - Visibility Splays and Forward Visibility In Line With 20mph Speed Limit
- P2162 - T - 1001 REV D - Swept Path Analysis 11.6m Refuse Vehicle
- P2612 - T – 1002 - Swept Path Analysis 11.6m Refuse Vehicle
- P2612 - T – 1003 - Swept Path Analysis 11.6m Refuse Vehicle
- P2612 - T – 1004 - Swept Path Analysis 11.6m Refuse Vehicle

16/10/2025

- P24-1323\_EN\_001H - TOWN PARK LANDSCAPE MASTERPLAN
- P24-1323\_EN\_002G - TOWN PARK DETAILED HARD AND SOFT LANDSCAPE PROPOSALS
- P24-1323\_EN\_003F - WIDER SITE LANDSCAPE MASTERPLAN
- P24-1323\_EN\_004F - HEDGEROW PLAN
- P24-1323\_EN\_005B - LONGLANDS WELLBECK RD LANDSCAPE PROPOSALS
- P24-2401\_DE\_003\_M - COMPOSITE MASTERPLAN (B&W)
- P24-2401\_DE\_003\_M - COMPOSITE MASTERPLAN (COLOUR)
- P24-2401\_DE\_005\_V - PLANNING LAYOUT (STRATA)
- P24-2401\_DE\_006\_E - MATERIALS PLAN (STRATA)
- P24-2401\_DE\_007\_E - BOUNDARY TREATMENTS PLAN (STRATA)
- P24-2401\_DE\_015\_S - PLANNING LAYOUT (STANCLIFFE)
- P24-2401\_DE\_016\_G - MATERIALS PLAN (STANCLIFFE)
- P24-2401\_DE\_017\_F - BOUNDARY TREATMENTS PLAN (STANCLIFFE)
- P24-2401\_DE\_025\_R - PLANNING LAYOUT (PERSIMMON)
- P24-2401\_DE\_026\_F - MATERIALS PLAN (PERSIMMON)
- P24-2401\_DE\_027\_E - BOUNDARY TREATMENTS PLAN (PERSIMMON)
- P24-2401\_DE\_028\_E - COMPOSITE MATERIALS PLAN
- P24-2401\_DE\_029\_D - COMPOSITE BOUNDARY TREATMENTS
- P24-2401\_DE\_032\_D - MANAGEMENT PLAN
- P24-2401\_DE\_033\_E - HIGHWAYS ADOPTION PLAN
- P24-2401\_DE\_035\_E - KEY DIMENSIONS
- P24-2401\_DE\_041\_A - HIGHWAYS MATERIALS PLAN
- P24-2401\_DE\_042\_A - BUS STOP LOCATION PLAN
- HTP-V01 - STRATA UPDATED HOUSE TYPE PACK JULY 2025

30/10/2025

- P24-2401\_DE\_003\_N - Composite Masterplan (B&W)
- P24-2401\_DE\_003\_N - Composite Masterplan (Colour)
- P24-2401\_DE\_005\_W - Planning Layout (Strata)
- P24-2401\_DE\_006\_F - Materials Plan (Strata)
- P24-2401\_DE\_007\_F - Boundary Treatments Plan (Strata)
- P24-2401\_DE\_027\_F - Boundary Treatments Plan (Persimmon)
- P24-2401\_DE\_028\_F - Composite Materials Plan
- P24-2401\_DE\_029\_E - Composite Boundary Treatments
- P24-2401\_DE\_032\_E - Management Plan
- P24-2401\_DE\_033\_F - Highways Adoption Plan
- P24-2401\_DE\_041\_B - Highways Materials Plan

03/11/2025

- P7884-R1-V3 - NOISE IMPACT ASSESSMENT REPORT V.3

03/11/2025

- P7884-R1-V4 - NOISE IMPACT ASSESSMENT REPORT V.4

04/11/2025

- BOL2-ELCD-001 Rev. A - Elmtan Lane Crossing Detail

07/11/2025

- Geo-environmental appraisal

13/11/2025

- WRB-DCE-XX-XX-RP-C-0001 - Sustainable drainage statement
- WRB-DCE-XX-XX-DR-C-6105-P05 - General Arrangement & S104 Adoptable Drainage Layout
- WRB-DCE-XX-XX-DR-C-6107-P06 - General Arrangement & S104 Adoptable Drainage Layout
- Soakaway Testing (1)
- Surface Water Calculations (3)

20/11/2025 – response to Highway Authority request for amendments to Travel Plan and: -

- Revised spine road delivery plan.
- Revised spine road delivery programme.

**KEY HISTORY (there are multiple applications for discharges of various conditions relating to the various planning permissions that are excluded from the following list)**

|                |                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------------|-------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 14/00080/OUTEA | Granted with conditions | Outline planning application (with all matters except access reserved for later consideration) for residential development in the region of 950 dwellings, provision of an extra care facility (approx. 70 units) and an Infant School together with vehicular access points from Marlpit Lane, Oxcroft Lane and Longlands (with associated demolition of dwellings on Longlands and Welbeck Road), cycle and pedestrian access, associated car parking spaces and open space provision |
| 19/00005/REM   | Granted with conditions | Approval of Reserved Matters application for details of appearance, landscaping, layout and scale in relation to the development of 238 homes, open space and associated infrastructure, along with discharge of conditions 6, 8, 11, 15 and 16 of the outline planning permission ref. 14/00080/OUTEA in respect of the areas of the site included in this application.                                                                                                                |
| 21/00471/REM   | Granted with            | Approval for reserved matters for attenuation basin serving residential phase 1a and discharge of Conditions                                                                                                                                                                                                                                                                                                                                                                            |

|                |                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------------|-------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                | conditions              | 5, 7, 14b, 18 and 20 of outline approval (14/00080/OUTEA), insofar as these conditions relate to the attenuation basin area that is subject of this application.                                                                                                                                                                                                                                                                                                                                                                                                |
| 21/00492/ADV   | Granted with conditions | Proposed advertisements comprising 2 free standing signs, 10 flags & one lightbox (to be attached to side of proposed dwelling)                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 21/00562/MINAM | Granted with conditions | Application for a non-material amendment following a grant of planning permission to amend condition 24 of planning permission 14/00080/OUTEA to say: No development shall be commenced within any phase (or sub phase as may be agreed with the local planning authority in writing) unless and until a S106 planning obligation has been completed (signed by all relevant parties, including all parties with an interest in the land to be developed in that phase or sub phase) to address the details included as Appendix A to this planning permission. |
| 21/00594/ADV   | Granted with conditions | Advertisements for the sale of new homes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 21/00745/MINAM | Granted with conditions | Minor amendment to application 19/00005/REM - Changing the following house types: Greyfriar to be replaced by Ashdown, Clayton Corner to be replaced by Barnwood, Hatfield to be replaced by Sherwood (for certain plots), Roseberry to be replaced by Rivington, Leicester to be replaced by Whinfell, Winster to be replaced by Selwood                                                                                                                                                                                                                       |
| 22/00238/MINAM | Granted with conditions | Minor amendment of application 19/00005/REM, insofar as it relates to the Strata parcel (only), for: relocation of bin collection points to plots 11-13, 60 -63, 64-81; identification of dry stone wall to the front of plots 31 - 34; identification of timber post and rail fence boundary treatments to front of Plot 34; and identification of bus stop and addition of associated dropped pedestrian crossings to Marlpit Lane.                                                                                                                           |
| 22/00292/MINAM | Granted with conditions | Minor amendment to planning application 19/00005/REM - Substitution of house types                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 22/00632/ADV   | Granted with conditions | Strata Light Box fixed on Plot 34 show home gable. Two 3m x 3m Signage boards. 10 Flag poles.                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 23/00166/MINAM | Granted with conditions | Minor amendment to Planning Application 19/00005/REM - installation of temporary post & rail fence/amendment to plot 33's garage/minor amendment of footpath on southern boundary/amendment to location of bus stop/addition of rear footpath to plot 1's                                                                                                                                                                                                                                                                                                       |



|                |                                  |                                                                                                                                                                                                                                                                                                                                                       |
|----------------|----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                |                                  | garage/addition of rear access door to plot 1's garage                                                                                                                                                                                                                                                                                                |
| 23/00238/REM   | Granted with conditions          | Reserved matters application for the approval of details relating to access, appearance, landscaping, layout and scale in relation to the development of 21 dwellings (Phase 1B) on land to the east of Oxcroft Lane, Bolsover and discharge of Conditions 5, 7, 8, 10, 11, 14, 15, 18, 21 and 23 of Outline Planning Permission Ref. 14/00080/OUTEA. |
| 23/00487/MINAM | Granted with conditions          | Minor amendment of application 19/00005/REM (Addition of PV Solar Panels to plots 87-144)                                                                                                                                                                                                                                                             |
| 25/00433/OTHER | Current undetermined application | S106A application to modify obligations contained within a legal agreement relating to planning permission code ref. 14/00080/OUTEA dated 22nd September 2021, which proposes a reduction to financial contributions, along with reductions to the Extra Care Land/Affordable Housing Land and Public Open Space/Town Park areas                      |

## **DEVELOPER PUBLICITY AND CONSULTATION**

The application includes details of consultation undertaken with local stakeholders, which is detailed in the submitted Statement of Community Involvement, including engagement with local residents and elected members prior to the submission of the application.

Public consultation with local residents was launched on the 28th October 2024 and included a leaflet providing information about the plans and a freepost feedback survey. The leaflet was delivered to approximately 662 of the nearest neighbours to the site. The public consultation materials also included an email address and freephone for residents to contact with any queries or feedback

The public consultation material was also sent via email to Elected Members of the Council and Bolsover Town Council on the 25th October 2024.

It is stated that 48 responses were received to the public consultation, including via freepost forms, online replies, emails, and phone conversations. Key areas of discussion in the feedback included: -

- Impact on existing roads
- Principle of development
- Provision of community infrastructure (doctors, schools, dentists etc)
- Impact on wildlife/hedgerows/trees
- Environmental measures
- Impact of construction

The submitted Statement of Community Involvement provides the applicants feedback on each of these matters. The preceding sections of this statement also provide further information.

It is also stated that supportive comments were received about the need for new homes, and comments from people interested in moving into the development once it is complete.

## **BOLSOVER DISTRICT COUNCIL CONSULTATIONS**

### Active Travel England

13/03/2025 - not currently in a position to support this application and requests further assessment, evidence, revisions and/or dialogue to improve pedestrian and cycle network.

22/08/2025 – no further comments, and would refer you to its previous response, which still stands.

### Bolsover District Council Drainage Engineer

1. Subject to acceptance of the SuDS design by DCC (LLFA), we must ensure the developer submits an Operation and Maintenance Plan (in accordance with section 32 of the SuDS Manual) which provides details of the arrangements for the lifetime management and maintenance of the SuDS features together with contact details.
2. All proposals regarding drainage will need to comply with Part H of the Building Regulations 2010.
3. It is essential that any work carried out does not detrimentally alter the structure or surface of the ground and increase or alter the natural flow of water to cause flooding to neighbouring properties. The developer must also ensure any temporary drainage arrangements during construction gives due consideration to the prevention of surface water runoff onto the public highway and neighbouring properties.

### Bolsover District Council Environmental Health

08/05/2025 and 30/07/2025 - not satisfied that noise from the neighbouring commercial land use has been given sufficient consideration, so will need re-consideration.

03/11/2025 – Query apparent error in updated noise assessment.

12/11/2025 – Recommended condition to control implementation of noise assessment controls. Subsequent discussions, culminating in a final comment received 19/11/25 requiring condition to cover the need for an updated report providing more detailed plot specific proposals for noise attenuation measures (including any associated ventilation requirements).

### Bolsover District Council Leisure Services

31/03/2025 – Qualified support for the development but seeking amendments to make the scheme proportional to the scale of the development and concept of a destination park, including improved play provision, final design of the SuDS pond area and landscape detailing. Content with size of the park. Further comments regarding Elmtan Lane crossing details. Queries suggestion that the Town Park

05/09/2025 – As above but also query if still proposed for adoption by the Council.

29/10/2025 – Note improvements in line with some but not all the earlier suggestions and further amendments required within the town park area, re-instatement of an earlier footpath/cycle link onto Steel Lane, and better definition of the cycle path running alongside the spine road and Longlands/Welbeck Road.

### Bolsover District Council Refuse Team

No response received

Bolsover District Council Urban Designer

02 and 03/04/2025 – Initial summary and detailed comments provided. Scheme is generally good, but some amendments recommended.

The masterplan meets outline planning permission aspirations. Significant work has resulted in a resolved layout. The design quality has improved and with some moderate changes, the plan is supported as I can see significant townscape improvements from the originally submitted drawings. The applicant has demonstrated that the design aligns with 'Building for a Healthy Life' standards, as reviewed in the DAS. Consequently, an external design review is unnecessary, and the council can support the design with recommended changes.

To achieve a comprehensive approach more information is required regarding the impact on the parameters of the design of the Extra Care Facility and the School. The Town Park is much improved; however, we will need to discuss improving some key elements such as the town end entrance to the park, the playground, the SuDS pond and the planting design in terms of ecological sustainability.

04/09/2025 – Positive design response to earlier comments, but some minor details require further adjustments.

24/10/2025 – Acknowledge further design improvements, but still a need for additional minor alterations and/or conditions to secure further improvements.

12/11/2025 – Note that most issues now resolved, but would wish to see: -

- greater detail in respect of the proposed acoustic barrier to ensure that this can be assimilated with proposed landscaping to achieve appropriate streetscapes
- re-instatement of proposed footpath/cycle link to Steel Lane.

Otherwise consider that consent is approved, subject to conditions.

Chesterfield and North East Derbyshire & Bolsover Ramblers Association.

04/03/2025 - We note the potential for this proposal to significantly affect Bolsover FP 30, 31 and 3, plus Bolsover BW 60. Having examined the drawings provided we are concerned that the context of Bolsover FP 30 and 33 will be changed from its existing field and countryside character to one of an urban nature. In terms of enjoyment of the experience of walking this factor is considered to be contrary to the objectives of the said activity, particularly with reference to the openness of surrounding and the presence of trees, hedgerows and wildlife. However, we appreciate that balancing the need for housing against the need for the wellbeing of people is a difficult problem and as a consequence diversions of some existing footpath may be necessary. The proposal as presented does appear to ensure that the existing lines of the footpaths through the development are preserved although on revised routes. Providing the diverted routes maintain the basic character of countryside footpaths we would have no formal objections to raise. We would request that every consideration is given to maintain footpath corridors through the development rather than simply diverting paths along roadside causeways. We would reserve the right to comment further when more definitive detailed plans are provided in relation to the alternative footpaths.

18/08/2025 - We commented on the Rights of Way (RoW) aspects of this project in February 25. Having perused the current documents, we can see no reason to make further comment

in relation to the RoW associated with the development. We would request that all proposed footpath diversions that are implemented be formalised with appropriate changes to the mapping portal and associated definitive statements.

Derbyshire County Council Archaeologist

16/12/2025 – Amendments needed to the submitted written scheme of investigation (WSI) to make it suitable for discharge under condition 14a of the outline planning permission.

Derbyshire County Council as Local Education Authority (LEA)

No comments received

Derbyshire County Council as Local Highway Authority (LHA)

11/03/2025 – Initial holding comment – full response anticipated before 28<sup>th</sup> March 2025.

25/03/2025 – Two comments received: -

- Comments received to the submitted Travel Plan (duplicating those raised by the same Authority in respect of Strategic Planning), suggesting amendments and clarification in respect of that document.
- Comments received in respect of public rights of way, stating ‘...the ROWs have been given proposed diversions that allow for a route through the development, on revised lines (Bolsover FPs 30,31,33). The pedestrian crossing point and surface change at the intersection of the Bridleway on Elmtan Lane and the link road is a welcome feature for path user safety, together with the other crossing points on the proposed diversion of FP 33. These routes require as green a corridor as possible to preserve their character and give the most enjoyment for path users, however the consideration in the plans to pedestrian movement has given good site connectivity and does allow for the routes to continue through the development. Further information regarding the detailed plans for these paths will be desirable to ensure they are retained as green corridors.’

02/09/2025 –

- Need for swept paths and forward visibility splays to be demonstrated.
- Localised widening on some pedestrian priority streets may needed.
- Additional details/justification needed on some proposed localised carriageway narrowing.
- More street trees needed in parts of the site.
- Proposed street trees should be included in any adoption proposals.
- Justification for proposed bus stop locations needed, if these haven’t previously been agreed with the Public Transport Unit.
- Advise regarding the use of block paving, which should be avoided on corners.
- Junction layouts for Welbeck Road and Oxcroft Lane are acceptable.
- More information needed relating

10/09/2025

Further comments in respect of requirements of conditions 8 (Travel Plan) and 11 (Highway Surface Water):

- Condition 8 – revised Travel Plan is required.
- Condition 11 – the details of the means of the disposal of highway surface water will be

considered in detail at the S38 road adoption stage, which would also coincide with the 'programme for implementation' as specified in the condition. However, the details submitted as part of application 25/00069/REM are considered generally suitable to satisfy the requirements of the condition. The discharge of condition 11 does not grant technical approval for the highway drainage element of any application under S38 of the Highways Act 1980 for the adoption of the estate roads.

06/11/2025

Recommends that the application is deferred pending additional information. For the most part the development is acceptable but consider that the phasing plan needs to be amending to show the earlier delivery of the link road through the site onto Longlands.

11/11/2025

Having reviewed the phasing plan, it is concluded that the plan presented, including the delivery of the spine road, is acceptable. Further to be issued along with recommended conditions.

20/11/2025 (3 comments comprising an initial comment letter, followed by a correction message: -

After extensive discussion and following revisions to the layout, the LHA now has no objections to the application, including subsequent agreement to the a further amended phasing programme and acceptance of the latest revised Travel Plan

Derbyshire County Council as Lead Local Flood Authority (LLFA)

06/05/25, 11/06/202, 28/10/2025, 06/11/2025, 10/11/2025 – multiple responses advising of the need for additional information.

25/11/2025

Based on the application documents as supplemented and revised, Derbyshire County Council as the Lead Local Flood Authority has no objections to the proposals and has recommended the inclusion of an advisory note.

Derbyshire County Council Planning Strategy

17/03/2025 - Comments Provided in respect of the submitted Travel Plan, which repeat those also provided by the same Authority at Local Highway Authority.

*Query made in respect of timescales for improvements to Elmton Lane (N.B. Notwithstanding this question, the improvements are under the control of Derbyshire County Council as the Highway Authority under the terms of the existing S106 planning obligation, where the developers make a contribution to the Highway Authority, who then decide on how that money is utilised for improvement to Elmton Lane, subject to standard clawback arrangements should the monies not be spent by them in a reasonable timescale.)*

Suggestion that the density of the site could be increased by reducing the amount of car parking as a means of reducing journeys in single occupancy vehicles that would also aid air quality, sustainability and net zero targets.

Request that dwellings are built to disabled/accessible standards M4 (3) and M4 (2).

Would request that to meet Policy LC3 (meeting high quality and design and creating mixed and balanced communities) that consideration is given to ensuring that:

- Dwellings meet national space and/or M4(2) standards to encourage independent living for all ability and mobility levels
- Dwellings have good internal space standards, ceiling heights, natural light levels
- Stairways, walls and ceilings are capable of accommodating stair lifts or hoists should these be required in future; large internal cupboards which could be converted for through floor lifts at a future date
- Consideration is given to having a proportion of dwellings built as apartments on one level, improving density.

Would submit that the above supports the NPPF's requirement for developments to 'create places that are safe, inclusive and accessible and which promote health and well-being, with high standards of amenity and flexibility for existing and future users.'

01/09/2025 - We have no new or further comments to our previous comments on this application.

Derbyshire Wildlife Trust

20/03/2025 – Seeking some alterations to type of planting and advice to future residents in the interests of enhancing and maintaining the biodiversity mitigation.

14/11/2025 – Amendments still recommended to improve the biodiversity mitigation of the proposed soft landscaping.

Force Designing Out Crime Officer

14/03/2025 – Need for further amendments to improve crime prevention and community safety.

13/08/2025 – (Comment following submission of revisions) Revisions only address one of the issues previously raised; all the initial comments still stand, and the majority would seem to be achievable.

27/10/2025 - (Comment following submission of further revisions) Whilst noting agent comments supporting the revisions, this contains no reason or balance in respect of previous requests, including boundary treatments, additional windows and lighting; current scheme is lacking in terms of design for public safety.

11/11/2025 – Welcomes some of the revisions, but considers further changes are still needed in the interest of crime prevention.

NHS (Chesterfield Royal Hospital)

13/03/2025 - Section 106 impact on health to be considered. Initial modelling suggests that the impact of this development is up to £722k

12/08/2025 – (Comment following submission of revisions) – re-submitted document to re-iterate the above request.

Old Bolsover Town Council

No comments received to this application, but note that comments have been received in respect of the associated application seeking variation of the associated S106 planning obligation 25/00433/OTHER

Peak and Norther Footpaths Society

24/02/2025 - initial comment (more to follow) that there is an error in the key showing public rights of way in The Design & Access Statement that they request be corrected.

*N.B. This has been corrected on subsequent amendments and no further comment was received from the Society in response to a e-consultation with them that followed.*

Severn Trent Water

No comments received

Yorkshire Water

05/03/2025 –No objection to the approval of the reserved matters. Includes a note to advise that the foul water discharge proposals are not acceptable/require clarification.

16/04/2025 - Do not consider that sufficient information has been submitted to enable the discharge of conditions 21, 22 and 23.

07/05/2025 – Clarification of earlier comment re discharge of conditions 21, 22 and 23

04/06/2024 – In response to application amendments have no objections to approval of reserved matters.

**BOLSOVER DISTRICT COUNCIL PUBLICITY**

Initial publicity comprised site notices, a press advert and 198 neighbour letters. This resulted in the receipt of 14 letters of representation.

A subsequent round of re-publicity, including a further press advert, site notices and neighbour letters, was undertaken in August 2025, following the submission of revisions to the scheme. This has resulted in the submission of an additional 5 letters of representation.

3 additional letters have also been received from the same writer, raising issue with the content of an amended noise assessment and the same writer has also submitted one further letter, re-iterating an issue that had also been raised earlier.

Additionally, several representations submitted with the associated application ref. 25/00433/OTHER, which is seeking a variation to the associated S106, have also raised detailed planning matters more aligned with this application, that are also included below.

The letters received have raised the following issues: -

Principle

- The homes Longlands should remain in place. They are in the heart of the town and should be heritage preserved. They are good looking properties and structurally sound. It is both a shame and a waste.
- There is nothing I can see regarding the old streetlight. It needs preserving somewhere



and not mysteriously disappear like the last one did. It should be incorporated within the estate design.

- We should be making our new builds future proof. Solar panels and electric charging points would be a good start.
- Concern that there is too much development in Bolsover already. The town will be in danger of becoming little more than an enormous, sprawling housing estate that could soon join up with Clowne.
- Too many dwellings which will be crammed in.
- The increase in population and consequent pressures on local amenities, the changing landscape and reduced green spaces, and the overall character and 'feel' of the town.
- Elmtun Lane is a public footpath and bridleway that is now unrecognisable due to the effects that the current construction process has had on the hedgerows and associated wildlife.
- In view of the current geopolitics in Europe can planners and councillors make consideration as to the whether disposal of allotment land is sensible, a conflict in Europe could jeopardise food supply. Current farming practice is growing raw materials for the food industry rather than food stuffs that can be harvested and eaten the same day.
- Traffic should be restricted to "access only" along Oxcroft Lane between the Bolsover end at Brockley Wood and Blackbanks. Oxcroft Lane is a popular walking, running, cycling, horse riding route, increasing traffic is making these activities difficult. The restriction to traffic will be far outweighed by the health and wellbeing effects of the activities indicated.
- Road layout and pavements must be built for pedestrians and cyclists rather than built around motorists to the detriment of the former.
- Should not build on good quality farmland.

#### Highway Safety

- Roads are already congested and cannot cope with the extra volume of traffic. Will add to the ongoing problem of potholes, volume of traffic and road safety concerns.
- The current developments on Welbeck Road do nothing to address the single file nature of Marlpit Lane even though residents expressed concerns about this.
- The original main road was supposed to come out on the main Rotherham Road too, I've no idea when that changed but Marlpit Lane can't cope.
- Can the main road be double yellow lines to prevent blocking the road?
- Roads are already in a poor state of repair and will deteriorate further.
- There is no evidence of improvements to the road network and amenities in the area to support a significant increase in houses and therefore people.
- Steel Lane should not be used to provide construction access for the development.
- No new access to Oxcroft Lane from the proposed housing development should be allowed until the new access from Welbeck Road is completed.
- Oxcroft Lane is not can't take any more traffic issues with this road narrowing to single file, which is not in the interests of walkers, cyclists and horse riders.
- The new road is shown cutting across the existing bridle path, with no explanation how this intersection will work.
- There has already been an increase in vehicles using Elmtun Lane and the bridle path to access the new housing development, a matter which has been raised with Derbyshire County Council. Evidence has been sent to the council showing lorries,

taxis, delivery vehicles and residential vehicles using Elmtan Lane and the bridal path on a daily basis to try and access the new estate - What plans are in place to stop this from happening? The highway code is clear about the use of bridal paths, yet the plans are not clear on whether they comply with the highway code. Will be further complicated by the building of the new school.

- There have been issues already with vehicles blocking private driveways.
- Cannot see how the demolition of housing on Longlands is going to work in practice. It will not ease the road problems - it will make them worse! How can having a new 2-way street with 2 tiny 1-way streets feeding into it ease the situation? And the existing road will still need to go round to the right for Welbeck Road? It just seems absolute madness! There are already 2 accesses to the new houses and I can't see the reasoning behind creating the one on Longlands.
- The Current Infant School location will be unsafe with the new major road network that is planned.

#### Infrastructure.

- The town has a complete lack of services. Doctors, dentists, schools are already struggling, without adding more into the mix. We have one supermarket which is small and overpriced. There is no sixth form provision.
- The secondary school is already over-subscribed and the introduction of 16-18 year old provision is awaited; where will the extra children go?
- Bolsover town is unable to keep shops open and does not offer sufficient facilities to support an increase in inhabitants. Shops are constantly closing. The town requires financial support to prosper and for the local community to use the town, otherwise the community will need to continue to travel out of town, once again increasing congestion and also impacting the sustainability of the area.
- Like that a new town park is included.
- Support the proposal subject to the actual provision of the school and care facilities within the application.

#### Design/Amenity impacts

- Drawings do not include dwellings on Welbeck Glade (to the south of the site), so impacts on those dwellings cannot be properly considered.
- Welbeck Glade dwellings will lose privacy and sense of seclusion enjoyed by those properties.
- Smelly Wheelie Bin Storage on individual properties should not be placed immediately to the rear of existing dwellings.
- Existing vegetation to rear of Welbeck Glade should be preserved. The natural treeline will harm the privacy of adjoining neighbours and should be kept to maintain privacy.
- Lack of consideration given to existing residents on Longlands and Welbeck Road while these demolitions are due to take place and while a new major road is built. The dust and noise will be unbearable, not to mention vibrations and potential groundwork disruption to my property structure and potential disruption to broadband services.
- We were told that gates could be installed and that there would be compensation for the noise, dust, disturbance and possible impact on the value of our homes, but I have heard nothing more since.
- Concerned that the development, especially the school, will result in cars parking on Elmtan Lane and causing issues for residents in gaining access to their property.

- There are two story houses behind Longlands; I was originally guaranteed bungalows so they wouldn't be intrusive. Our homes aren't currently overlooked by anyone, and I was specifically told they would respect the privacy by building bungalows on the boundary.
- Loss of trees to rear of Welbeck Gardens will harm privacy of existing residents.
- No consideration that dwellings at Welbeck Gardens are three storeys with three levels of windows which look out onto existing vegetation and wildlife and are not overlooked. Ideally an extension of the garden increasing the distance between dwellings should
- The last build was very disruptive with utilities being cut off, noise at early hours, noise at weekends, dirt on the road and large trucks blocking routes. No consideration made for those living in the area, through respectful timing of build work and respectful management of the contractors. Continued violation of working restrictions on earlier phases could be seen as deliberate. What is the point of having a Construction Management Plan if it is not followed or monitored?
- Further requirements to drive cars emitting CO<sub>2</sub>.
- Increased noise from occupants of new dwellings.
- Developers have previously damaged neighbouring properties as part of the earlier developments.
- A gap created between boundary fencing on the housing site with existing neighbours is being used as a dump.
- Concerned about impacts on retained dwelling attached to that being demolished.
- Proposed access off Oxcroft Lane will affect the ability for existing dwellings to park close to their properties on that highway.
- Cars opposite the new junction to Oxcroft Lane will be impacted by headlights shining into windows.
- Is there any reason why the access can't be relocated to form a crossroads with the existing junctions; this could also help to reduce the amount of hedgerow to be removed.
- Access to private garages for dwellings off Longlands would be temporarily restricted during building works which is difficult and will add to additional vehicles parking of Welbeck Road.
- Technical issues raised in respect of the submitted noise assessment and seeking assurances that the assessment has been thoroughly checked.
- The 2<sup>nd</sup> phase of the Persimmon development will only have one road, which is Crown Crescent, to feed all the houses on the 2<sup>nd</sup> phase as well as a lot of properties that have already been built in the 1<sup>st</sup> phase. The amount of traffic which will be coming and going down this one access road at peak times will be horrendous.

### Biodiversity

- Residents raised concerns about the impact on nature and biodiversity previously and were ignored, this latest development does nothing to address those same concerns.
- Concern if hedgerows are to be removed. Even if the builders keep the hedges, a preservation order needs establishing so residents cannot remove them.
- Natural treeline to the rear of Welbeck Glade is being removed resulting in loss of habitat, harm to privacy to adjoining neighbours and loss of natural link to the open countryside. Surely these should be kept, even if this means placing them in back gardens.
- Contractors have already begun removing trees.

- Wildlife reports should be updated.
- There should be a wildlife corridor to link Brockley Wood and Elmton Lane.
- Trees in The Orchard are diseased, so these should be removed and replaced or if proven to be old heritage varieties, be propagated by grafting healthy growth onto new rootstock.
- A mature Damson Tree in the hedge line adjacent to s128/s143; this tree must be preserved due to time to mature and importance to wildlife.
- Dense hedgerow would be lost to form the new junction.
- Fencing alongside hedgerows will starve them of natural light - is there a solution to this; will any gap be large enough to prevent this?
- When the developer visited us last year, we were told that the tree line of the allotments to the rear would be retained, but it now appears that this will not be the case. Removing any trees and hedgerows will not only spoil the beauty of the area, but is going to be detrimental to the birds and wildlife who have already lost much of their habitat with the building that has taken place already.
- Wildlife has already been displaced. Further impacts will occur due to this development.
- Has any consideration gone into the wildlife that will be uprooted as there are Common Buzzards and loads of other birds that nest around the area which is being developed.

#### Drainage

- A dwelling on Marlpit Lane has a cesspit soakaway that discharges on to the application site; writer has written directly to the developer but has concerns about how this would be accessed once the site is developed. Objects to any development that precludes the ability for the cesspit to function and use that land to drain/treat the effluent discharge; consider that this will

#### Other

- Lack of consideration for residents to date; left without water and electricity, driveways blocked and mud over the roads and dust on houses, with no apologies.
- Developers have used Elmton Lane to access development, despite assurances that they wouldn't.
- Loss of property value.
- No provisions made for onsite security with children playing on the site – developers did not take any responsibility advising residents to call the police.
- Persimmon Noise Impact Assessment Report (P7884-R1-V1) makes reference to a totally different site. It would appear to have been "copied and pasted".  
(NB this has been corrected in later editions of that report)
- Loss of allotment plot; although a replacement plot has been provided, it will take years to re-establish, and the notice period won't allow plants to be re-located at optimal times; request if compensation can be provided by the developers for the loss.
- Steel Lane is an unadopted road maintained by residents; following recent improvement works to it, a JCB used it to access the development site even though planning permission not yet fully granted. Only supposed to be used for residents and tractors accessing land, which is rare now. Concerned cars will use a shortcut following development. Many dog walkers use it daily, so would it be possible for a barrier of some sort to be put in place so only walkers can access the lane.
- Will provision be made to allow access to maintain fencing.

## **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:

- Policy SS1: Sustainable Development.
- Policy SS2: Scale of Development.
- Policy SS3: Spatial Strategy and Distribution of Development.
- Policy SS4: Strategic Site Allocation - Bolsover North.
- Policy LC1: Housing Allocations.
- Policy LC3: Type and Mix of Housing.
- Policy SC2: Sustainable Design and Construction.
- Policy SC3: High Quality Development.
- Policy SC7: Flood Risk.
- Policy SC9: Biodiversity and Geodiversity.
- Policy SC10: Trees, Woodland and Hedgerows.
- Policy SC11: Environmental Quality (Amenity).
- Policy SC12: Air Quality.
- Policy SC13: Water Quality.
- Policy SC14: Contaminated and Unstable Land.
- Policy SC17: Development Affecting Listed Buildings and their Settings.
- Policy SC18: Scheduled Monuments and Archaeology.
- Policy ITCR2: The Multi-user trail network.
- Policy 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 and obligations.
- Paragraphs 85 - 87: Building a strong, competitive economy.
- 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.
- Paragraph 161, 163, 164, and 166: Meeting the challenge of climate change.
- Paragraph 170 - 182: Planning and Flood Risk.
- Paragraphs 187, 193 and 195: Conserving and enhancing the natural environment.
- Paragraphs 196 - 201: Ground conditions and pollution.
- Paragraphs 207 - 221: Conserving and enhancing the historic environment.

### Supplementary Planning Documents

*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).

## **ASSESSMENT**

### ***Key issues***

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

- The principle of the development.
- Layout and Design,
- Amenity.
- Access and Highway Safety.
- Heritage impacts.
- Landscape and ecology.
- Flood risk and drainage.

*These issues are addressed in turn in the following sections of this report.*

### Principle of development

As stated in the background and summary section, this report has been prepared on a without prejudice basis in respect of the outcome of the associated application ref. 25/00433/OTHER, but on the assumption that the recommendation to agree to the variation of the S106 agreement is accepted, which would establish the principle of a reduction of the town park and extra care/affordable housing land as shown on the plans for this reserved matters application.

The principle of the development of this site was established by the previous grant of outline planning permission that included details of the main access into the site and the terms of the S106 Planning Obligation that is subject to the review request already referred to. The site also forms part of a Strategic Allocation as defined policy SS4 of the adopted Local Plan for Bolsover, although the approval of the outline planning permission pre-dates the adoption of that policy.

The grant of outline planning permission established the following parameters: -

- Provide in the region of 950 dwellings
- Delivery of an improved highways link through the re-routing of Welbeck Road through the site to connect with Marlpit Lane, crossing Elmtun Lane.
- Provision of an extra care facility of approx. 70 units on an area of land which

measures approximately 1ha.

- Provision of 1ha of land for the provision of a School
- Provision of approximately 4.2ha of open space as a Town Park.
- Provision of approximately 2.3ha of additional areas of Public Open Space.
- Use of a single access road to deliver the balance of the Persimmon part of the development to the east side of Elmtun Lane.
- General areas of land to develop, that includes the principle of known hedgerow and landscape loss necessary to deliver housing.

The above parameters were established at the time of the consideration and determination of the outline planning application, which was accepted as a valid planning application on 19.02.2014, and was approved on 25.10.2017.

The variation to the S106 is considered in more detail in terms of wider viability as part of the separate application ref. 25/00433/OTHER, but there are also some general land use planning issues raised by this that are discussed below.

As already stated, the reduction in these areas is sought to address a reduction in the areas of developable land resulting from design proposals that are impacted by more up to date detailed site assessments, as well as changes in policy and guidance in terms of detailed design matters, since the grant of the outline planning permission.

A key issue has been the need to materially increase the areas of land required to ensure the delivery of appropriately designed Sustainable Drainage Systems (SuDS); this has resulted from more detailed testing of ground conditions, which are not as permeable as envisaged at the time that was based on initial ground testing that had been undertaken.

Additional demands on available space to develop has also arisen from an increased emphasis in national guidance in respect of the provision of street trees that results in greater land take for the provision of such roads, as well as the provision of a dedicated and segregated cycle path along large parts of the spine road, that were not included as part of the initial masterplan documents, that were based on normal requirements at that time. These are all seen as necessary improvements to the design quality of the scheme.

The overall number of deliverable dwellings has therefore been reduced by around 85% from the initially envisaged 950 dwellings. This application, along with the parallel application seeking amendments to the S106 planning obligation, therefore seeks to make reductions in the areas for the Town Park, ancillary open space and extra care requirements to seek to strike a balance between the competing objectives of the infrastructure objectives of the development, whilst seeking to ensure a deliverable development, having regard to site viability in that the scheme is not considered to be viable with all the original requirements in place. It is stated that the reduction in the areas suggested is reflective of the equivalent reduction in the quantum of deliverable housing, and fairly and reasonably relate to this.

On the basis that the separate request for a reduction in S106 obligation requirements is approved, including the principle of a reduction in the spaces described above, the considerations relating to this application are then restricted to the suitability of the reserved matters insofar as they relate to means of access (other than the main site access that was

approved with the outline planning permission), layout, scale, appearance, landscaping, ecology and highway safety.

Several representations raise issues of principle that are already established and as such cannot be re-considered in the determination of this planning application. The issues of principle raised that cannot be considered therefore include:

- The principle of the development of a greenfield site, including the demolition of properties on Longlands.
- Impact of the development on the highway network and improvements to that network as a result, including location of the principal access points into the site.
- Infrastructure impact, including schools, affordable housing, police, doctors' surgeries and leisure facilities, including allotments (but note that this is to be considered under the separate review of the associated S106 already mentioned);
- Any additional impacts from subsequently approved and possible future housing schemes (such schemes should consider this development as a committed scheme in any assessments undertaken for them).

In conclusion, it is not considered that there are any issues of principle, beyond the separate re-consideration of the S106 planning obligation, that relate to this proposal, subject to appropriate detailed designs in respect of the remainder of the reserved matters details and conditions submissions, which are discussed later in this report.

#### Layout and Design.

Conditions 4 and 5 of the outline planning permission require: -

4. The submission of the reserved matters applications shall be broadly in accordance with the details shown in the revised Design and Access Statement dated February 2016 and the revised Illustrative Masterplan HG0750/MP-01 Rev. F dated 21/01/2016.

5. No later than concurrently with the submission of the first reserved matters within any phase a supplementary Design and Access Statement for that phase shall be submitted to the local planning authority for approval in writing. The supplementary Design and Access Statement shall seek to establish the design approach to inform any reserved matters proposals for that phase and should be compatible with the Design and Access Statement dated 14th February 2014 as supplemented and amended by the Design and Access Statement Addendum dated February 2016. Any subsequent reserved matters applications within that phase shall comply with the approved supplementary Design and Access Statement for that phase.

In respect of condition 4, it is considered that the submitted reserved matters meet outline planning permission aspirations and accords with the broad indications of the layout and distribution of dwellings of the originally approved Design and Access Statement, as required by the condition. Condition 5 has also been met in that a suitably robust Design and Access Statement was submitted with the planning application.

Significant work at both pre and post application stages has resulted in a resolved layout. The design quality has improved with later moderate changes to a point where the plan is supported by the Urban Design Officer, who recommends approval subject to conditions in



respect of design issues.

The scheme presents a well-coordinated design bringing out strong character areas and a strong sense of place. The layout has been strengthened throughout with improved access and walkability by the introduction of pedestrian priority junctions. Footpath links and cycleways along the tree-lined link road and a main avenue with dedicated verges provide a strong framework for the development. Suitably placed trees and hedge planting in secondary roads, private drives and courtyards, enhance the overall attractiveness of the layout and distinguishes between different areas. This provides an attractive walkable environment throughout the scheme. The park acts as a pivot point of public open space and is key to the identity of the whole of the Bolsover North development within the town. The placing of stone-faced houses overlooking the park will provide a strong character area to this part of the town and encourage visitors from other areas.

House types and mixes of styles have been thoughtfully placed to provide streets of varying character throughout the layout. The quality of the design will bring about a successful attractive new sector to Bolsover. The individual developers housing styles still prevail, with the overall mix and arrangement improved since previous iterations, having taken on board previous comments. This has resulted in a stronger overall masterplan.

In all circumstances, the improvements in layout, landscaping and the general distribution of house-type materials, provide the final uplift in design quality required. The street hierarchy and variations across different areas provide sufficient density variation to be acceptable. The use of stone around the park and at key junctions and the variations in brick types across different areas works well and to some extent adequately gives a locally distinctive design that creates a place with its own identity.

The materials would comprise: -

- Walls: a selection of red brick types, including plain and multi finishes, with render on selected plots. Re-constituted stone is proposed in key locations to improve overall design quality and aid the creation of character areas and navigability within the site.
- Roofs: a combination of red and grey tiles, including small format grey tiles and pantiles in key locations, again to aid the creation of character areas and navigability within the site.

The general distribution and use of materials will reflect the approach already taken in phase 1 and a condition is recommended to agree the final details of all materials.

Interfaces in some areas are strong, such as the relationship of houses to the park, the link road from the town and the main Avenue. The relationship of the extra care facility to the park has improved. The interface between the school and the park and houses has been accommodated in the layout and awaits details from the education authority. The relationship of these key buildings to the park and each other are defining strengths of overall masterplan.

The Town Park itself has been mainly resolved in design terms, including assimilating additional SuDS drainage within the park, as a way of accommodating the additional need for these, whilst providing a valuable amenity to enhance the overall character of the park itself. Given the outcomes of the viability assessment, there will be a need to reduce the extent that the Town Park can initially be delivered by the developers, but this will be based on the partial delivery of the designs included with this application. A condition to agree the final form of

this will be required but would need to include as a minimum a play area, landscape form, including the provision of the pond area, soft landscaping and key connections, including a lit cycle path connection through the park. Such a reduction is considered to be a necessary compromise to the initial proposal, due to the need to find a balanced response to the competing needs for the available S106 contributions and will represent the delivery of a reduced, but usable Town Park that can be developed further in the future; this could be through securing additional contributions from other development in Bolsover, or other bids for funding.

It is noted that not all issues raised by the Force Designing Out Crime Officer have been fully resolved, with concerns regarding the following (the planning officer response to each issue is included in italics immediately below each point): -

- More robust fencing to define public and private areas alongside plots S16/S17
  - *Whilst the desirability of a more robust fence is noted, in design terms, the post and rail fence proposed here is considered appropriate; given overall viability issues with the scheme, it is not considered that there is a case to justify a requirement for metal railings here.*
- Lack of security and privacy where there are areas where 1.2m fencing is proposed (plots S67/S93-98, S166/S207-220 and S221-230, SH30-35 and SH40-43/SH51).
  - *These fences are proposed to be sited alongside retained mature hedges, which provide additional boundary treatments to these plots sufficient to provide an appropriate level of privacy and security to those plots. The fencing is designed to enable daylight to the hedge in the interests of its long terms retention and health, as well as access for wildlife, which is designed to maintain their biodiversity function. No amendments are therefore considered necessary.*
- Re-location of garden gates to plots S208, S209 and S214 need moving to a more prominent position just behind the gate for the adjacent plot.
  - *This is a minor alteration to relocate the proposed gates to improve security and is proposed to be covered by a condition that is recommended.*
- Weak corner house designs do not provide natural surveillance of adjoining public areas (Plots SH82, PE230, 234, 243 and 247),
  - *It is agreed that this would aid natural surveillance within the layout but has not been agreed to by the applicants. They do not consider the design of this house type will cause an issue for the security / safety of residents and that a ground floor window would be a compromise / be a retrospective step for the design quality of the home. In this respect it is acknowledged that the inclusion of additional windows in dwellings does reduce flexibility for internal arrangements within dwelling for future occupants and on balance, it is not considered that the issue raised by the absence of this change is sufficient to require the amendment sought.*
- Need to enclose private driveways (low knee rail fence suggested) on plots PE247-253, PE254-258, PW344-348 and PW 307-311.
  - *This point is agreed; the absence of a fence in this location does not provide any definition of a split between public and private areas and will lead to trespass on the private driveway and a loss of amenity to residents of the affected plots, and is recommended for inclusion as a condition.*

Active England, whilst noting the more direct desire line chosen, has made comments about

the principle of a shared pedestrian and cycle route and the fact that part of the cycle route runs through the Town Park, with a preference being for this to be designed as a segregated path running alongside the link road to ensure that it is overlooked and lit to provide a safer alternative.

It is worth noting that Active England's involvement in this development proposals came late in the application process, after the pre-application stages, and several principles of the development were established at outline planning application stage, prior to the establishment of that organisation. Whilst noting the comments raised by them in respect of the Town Park, it is considered that the proposal would deliver an appropriate response to the provision of a dedicated cycle route through the application site. It is proposed that the path would be lit in any event, and this is subject to a recommended condition of the planning permission. Additionally, the provision of the dedicated pathway through the site will not preclude the use of the link road as an alternative route for cyclists and it is not considered that any additional amendments to the proposal in respect of the proposed cycle route and treatment are required.

The Leisure Officer, whilst welcoming of the overall provision and general arrangements for the Town Park has some reservations over the design, including (the planning officer response to each issue is included in italics immediately below each point): -

- Location of a tree in the middle of the main avenue and intersection of paths in the south-western corner of the park.
  - *This is an error in the document, as the tree that was originally proposed in this location has been removed, which is acknowledged elsewhere in that officer's comments.*
- Fact that the masterplan states that Composite Masterplan includes a note that 'Landscape is subject to further detail design', although there is no qualification as to what or where this refers to.
  - *A condition to control the final details of the park is recommended and has been agreed to by the applicants, such that control over the final details of the park is retained.*
- Use of timber edging to paths, but these should either have PCC edging or chamfered edges.
  - *As above in respect of proposed detail condition.*
- Loss of cycle/pedestrian link to Steel Lane.
  - *This issue is a balance between the competing objectives of the Force Designing Out Crime Officer (DOCO), the Leisure Officer and Urban Design Officer and whilst put to the applicants, has been rejected by them, where they emphasise the comments of the DOCO in justifying its removal. In this respect there would be a potential advantage to providing an alternative route for cyclists, but that said, dedicated provision is being proposed through the development, alongside the main spine road, and in part running through the town park, such that appropriate provision for cyclists is proposed. Should a link be provided here, it would need to be appropriately surfaced and lit, but not all of the land needed to do this is in the ownership and control of the applicant, and the legal status of Steel Lane for general access is unclear. Therefore, whilst noting the desirability of providing such a link, it is not considered that there are strong planning grounds to insist on its provision.*

- The interface between the cycle path running alongside the spine road and Longlands / Welbeck Road needs to be better defined – there need to be dropped kerbs and clear markings where the cycle path joins or crosses the highway. It also needs to be possible to access the cycle path when heading north along Welbeck Road as it runs on the eastern side of the road, i.e. the opposite side when heading north. The Bolsover North – Longlands / Welbeck Rd Landscape Proposals P24-1323\_EN\_005B only shows tactile paving in the form of blister surface for pedestrian crossing points at the various intersections.
  - *The sections of road to which this comment relate will all be located within the sections of highway that are to be adopted and therefore, there will be a requirements for the development to meet the objectives of the Highway Authority in respect of overall design and highway safety, such that there are not considered grounds to require any amendments as part of the determination of this reserved matters application.*

Condition 10 of the outline planning permission required details of bin storage areas to be provided, and these have been submitted and are appropriate. The Council's refuse team was consulted but have not made any comments.

In design terms the proposed location of a bus stop in the proposed green gateway feature to the east of the site will harm the overall character that was sought in the design of this area and so the bus stop detail is inappropriate and a condition to require amended bus stop details is proposed.

A further detail that will need to be the subject of further submission for agreement will be the final treatment of the gable wall to no. 44 Welbeck Road, following the required demolition of no. 42 Welbeck Road needed to enable the necessary widening of the highway at Longlands to the south of the site; a condition is proposed to facilitate this.

Based on the above discussion, whilst there are a few minor details that require resolution through the inclusion of proposed conditions, the overall scheme is a well-considered response to the original masterplan concept that has been appropriately amended to respond to changed requirements, based on a better understanding of site conditions and increased design requirements since the original grant of outline planning permission, resulting in an overall scheme that will provide a positive and well planned expansion to Bolsover, and striking an appropriate balance between the differing requirements of some consultees and viability and deliverability issues, it is considered that in design terms the proposal can be positively recommended.

### Amenity

#### Condition 19 of the outline planning permission required the following: -

Any application for approval of reserved matters for the areas shown as Phases 1A and 5 in the originally submitted Design and Access Statement by Spawforths dated 14th February 2014 (in the vicinity of Farnsworth Farm to the east) shall include an assessment of an existing noise profile between the development site and neighbouring properties, for both airborne and impact sound. A report detailing this, and any recommended upgrading of the noise insulation for any new dwellings so as to prevent loss of amenity to the proposed residents from activities currently taking place in

surrounding areas, shall be submitted to and approved by the Local Planning Authority. All such recommendations in the approved report shall be undertaken prior to first use of the affected dwellings identified in this submission.

This condition was included to ensure that a reasonable level of amenity could be secured for future residents of the housing development located close to Farnsworth Farm to the east, which is a noise source, due to its use as a builder's merchant with areas of outside storage and associated vehicular movements associated with that use. A noise assessment was submitted with the original planning application and there has been subsequent discussions between the noise consultants. Whilst a final detail has not been fully agreed, the Environmental Health Officer is satisfied that a solution is available and has recommended the inclusion of a condition to require an amended and plot specific final noise assessment report, to include that final detail, all of which is to be agreed before the affected dwellings are constructed above foundation level, then implemented in full before occupation, and retained after that; in making his comments on this issue, he has had regard to the specific comments raised in representations in respect of the detailed content of the submitted noise report. Subject to the inclusion of such a condition to secure that final design, the objectives of condition 19 will be satisfied and a suitable level of amenity can be secured for future residents of the housing alongside Farnsworth Farm.

In terms of neighbouring amenity across the wider development, the layout generally accords with the Council's adopted guidelines for dwelling separation and space about dwellings. One exception is a shortfall to the southeastern corner where only 20.5m is available between a proposed dwelling on the site to one of the existing dwellings on Welbeck Glade; this was initially closer, but the development has been amended to increase the offset distances. Following the revisions, this would be 0.5m shorter than the Council's guidance would normally require but this is not considered to be so short as to result in any level of harm to privacy and amenity that would justify a refusal of planning permission. In reaching this conclusion, regard has been had to the fall-back position established by 'permitted development' allowances, which permits windows in two storey extensions to be positioned only 7m from a rear boundary, such that 14m separation is generally permitted nationally under those regulations. Given the minor shortfall and this fallback position, the proposed arrangement is considered to be acceptable in planning terms.

Further concerns have been raised by residents of Welbeck Glade regarding the proposed loss of landscaping on land to the rear of that property; similar comments have been raised more generally regarding the loss of landscaping elsewhere on site as a result of the development. Whilst noting these concerns, the principle of the uses for various parts of the site, including the portion of land to the rear of Welbeck Glade, for housing was established by the original grant of outline planning permission, along with specific provision for some areas of hedgerow retention. No such requirement for the retention of the landscaping or hedgerow to the rear of Welbeck Glade was deemed necessary as part of that grant of the outline permission. Whilst seeking to avoid the loss of existing landscaping where practical in new housing development, this is often necessary to ensure the ability to deliver an efficient layout in terms of land use, and this is balanced through landscape mitigation. As discussed elsewhere in the report the overall balance of landscaping loss to that being provided as mitigation is considered to be appropriate and as such, this issue does not give any grounds to require amendments or for a refusal of consent.

Concerns have also been raised regarding the relationship of new dwellings to the rear of dwellings on Longlands, with an indicated that bungalow were promised/expected in this location, and that overlooking will occur. In this respect the outline planning permission made no provision to restrict dwellings on any part of the site to bungalows. Additionally, all the proposed dwellings in this location would be separated from the Longlands dwellings by retained allotments, such that the Council's separation guidelines are exceeded, such that no harmful impacts in planning terms will arise.

Comment is made about the impacts of the development on retained properties either side of the proposed link to be created to the site from Longlands. As previously mentioned, the principal of such a link, and indeed a requirement for it, was made as part of the original grant of outline planning permission. Whilst the relationship of the retained dwellings to their immediate surroundings will change, it is considered that the design of the link road will ensure an appropriate relationship to that road, with the provision of grass verges alongside the dwellings, will be provided (drawing extract below). Conditions to control the final details and provision of this are recommended for inclusion.



Full ground and finished floor levels details have not been included with the reserved matters drawings, and to ensure that these are reasonable and do not raise any harmful impact to neighbours' amenities, it is recommended that a condition requiring approval of such details is proposed.

Representations raise concerns in respect of noise, dust and other disturbance during development, both in terms of impacts from the development already undertaken as well as from the future proposals; this includes comment about the misuse of Elmtan Lane by construction traffic. Whilst acknowledging that some level of disturbance is inevitable as part of the delivery of a development of this nature, these are existing construction management

conditions on the outline planning permission, that require the subsequent approval of environmental management plans. Upon receipt of these documents, consultation is undertaken with the Environmental Health Officer to ensure that these will provide a suitable level of protection for the amenity of residents prior to any approval of them. Additionally, notwithstanding these planning controls, there are also additional statutory Environmental Health and Health and Safety legislation must also be adhered to by developers. Considering this, there is no requirement for any additional controls to be included as part of any reserved matters consent that may be granted. The use of Elmtun Lane during the earlier phases were investigated and action taken where appropriate. In some cases, this was unavoidable due to the delivery of services associated with the development along or across that lane; where damage has occurred, re-instatement works have been carried out, or a commitment has been received (enforceable under conditions of the existing consents) will be undertaken in due course, where any work is ongoing. General access along that lane for either construction purposes or longer-term access to individual properties is not permitted and would be covered though any management plan. Should any further unauthorised instances occur, these would have to be investigated at that time. Additionally, the use of a bridleway for unauthorised access is also covered by other legislation, including under the highways act that would be enforceable by the Highway Authority and/or the Police.

Mention is made of compensation to residents for disturbance, including in the form of works to adjacent properties, but no such provision is made through planning legislation for this, such that this is not material to the consideration of this application.

Mention is also made regarding the location of bin storage on plots, but this is not a level of detail that would be controlled as part of the grant of planning permission, as this would unreasonably restrict the personal choices of future occupants of dwellings. Sufficient bin storage space is available to all plots.

In respect of issues regarding deposition of waste on existing parts of the development, this is not material to the consideration of this application.

The comment regarding the impact of vehicle lights on nearby dwellings at any new junction is noted, but this is not an unusual or unacceptable arrangement and would not be sufficiently harmful to justify any amendments to the detail or a refusal in planning terms.

Any temporary restrictions to access private property is a private matter between the developer and the owner/tenants of any affected properties and is not a material planning consideration.

In conclusion, subject to the inclusion of the conditions discussed above, it is considered that adequate provision is made to protect the privacy and amenity of existing and proposed residents.

#### Access and Highway Safety

Most of the development, except for 58 dwellings to the west, would be accessed from the existing section of the spine road, now known as Bennet Way, that has already been formed as part of the first development phase. This road will be extended to link through with Longlands to the south, in accordance with the requirements of the strategic allocation and outline planning permission.

Also in accordance with the outline planning permission, the 58 dwellings to the west would be accessed from a new junction that would be formed onto Oxcroft Road to the west not providing vehicular access through to the wider development, so would not forming a link between Oxcroft Lane to the west and Marlpit Lane to the east, but would allow for pedestrian and cycle access.

These details comply with the requirements of condition 13 of the outline planning permission.

There are several footpaths that cross the site and appropriate provision to accommodate these or to divert them as close as practicable to their original alignments, have been made. Whilst noting the comments of the Ramblers Association, it is inevitable in the context of an urban extension such as this that the character of existing footpaths will be changed, but it is considered that the location and treatment of the routes proposed under these proposals are appropriate.

Whilst noting the comments from Active Travel England in respect of alternative treatment of Elmton Lane, the principles of impacts on that lane were established as part of the original grant of outline planning permission and as such cannot be re-considered through this proposal. This resulted in a contribution payment as part of the development to Derbyshire County Council as the Highway Authority as a contribution to that path. That contribution is payable once the development is over 300 dwellings.

Comment is also made by Active Travel England in respect of the design of pedestrian crossings and links, preferring the avoidance of guard rails, as well as details of cycle parking. In this respect, no guard rails are shown in the submitted documentation, with the Elmton Lane crossing proposing the use of a raised table to give some priority to the crossing at this point. The final design of any elements of these that will be contained within the adopted highway will be subject to final detail approval by Derbyshire County Council as the Highway Authority and the final details for elements for the cycle path and cycle parking within the town park will be controlled through the recommended condition to finalise details of this feature, but it is noted that no such barriers to the movement of pedestrians and cycles are proposed in the current designs. No additional controls in this respect are therefore considered to be necessary.

Derbyshire County Council as the Local Highway Authority (LHA) has stated that after extensive discussion and following revisions to the layout, it now has no objections to the application, including agreement to the latest revised phasing programme required by condition 7 of the outline planning permission and the latest revised Travel Plan, as required by condition 8 of the same planning permission. Those existing conditions require for the development to accord with their content.

Details of areas proposed for highway adoption have been provided and are appropriate in terms of the requirements of condition 12 of the outline planning permission.

In view of the above, the proposal is considered to be acceptable in respect of access and highway safety issues.

#### Heritage Impacts



The distance of the proposals from the Conservation Area and the nearest Listed Buildings, coupled with the domestic scale of the proposed buildings, means that there will be no harmful impacts on any built heritage assets.

Condition 14 (parts a-d) on the outline consent form a phase-specific requirement for archaeological investigation of a prehistoric-Romano-British field system and associated features identified by geophysical survey at the pre-application stage.

It is noted from the response of the Archaeologist that the content of the submitted written scheme of investigation (WSI) is not sufficient, but it is not a requirement of the original outline planning permission that this condition be fully discharged before the approval of any reserved matters applications. For this reason, if reserved matters approval is consented, the requirements of that condition will remain and would still need to be satisfied before development could commence. An advisory note regarding this is recommended for inclusion.

#### Landscaping and Ecology

| Key Biodiversity Information                               |                                                                                             |
|------------------------------------------------------------|---------------------------------------------------------------------------------------------|
| Reason if exempt from the biodiversity gain plan condition | Mandatory biodiversity net gain requirements do not apply to reserved matters applications. |

In respect of the outline planning permission, conditions 15 and 16 required the following: -

15 The Landscaping details submitted to accompany any reserved matters application for any phase or sub-phase of the development shall be accompanied by details for the proposed means of permanent management and maintenance for all public areas (anything not proposed to be contained within the curtilage of an individual property, i.e. the grounds of any dwelling; education establishment; or extra care facility) at all times following completion of that phase or sub-phase of the development, including timescales for implementation. The agreed details shall be implemented in accordance with those details and maintained in the manner approved at all times thereafter.

16 Any reserved matters application for layout and landscaping shall provide for the retention and creation of hedgerows generally as identified on Hedgerow Plan HP-01 Revision A. Unless approval to vary the detail is approved as part of any reserved matters submission(s), the hedgerows to be retained on site (as defined on Dwg. No. HG0750/HP-01 Rev. A) shall not be removed and shall be protected from damage during site preparation works and construction works by the erection of protective fencing set back at least 2m from the centreline of the hedge. There shall be no ground disturbance or storage of materials within the protected areas unless an exception is approved in writing by the Local Planning Authority.

In terms of wildlife and ecology matters, The Derbyshire Wildlife Trust has advised that: -

- Areas of Public Open Space appear well designed to maximise their biodiversity value. These include the large SuDS Pond, the pocket park/orchard, pocket park with wildflower meadow and linear POS at the boundaries of development parcels. Tree-lined streets are also a welcome feature.

- Plant and seed mixes appear largely suitable, although we would add that the site is located on the magnesian limestone and therefore mixes could be better tailored to reflect this. This will ensure that they will thrive in the soil conditions present and provide host plants to local wildlife, especially invertebrates, which require specific plant species to survive.
- Encourage a flowering lawn or clover lawn mix to be used in areas of 'Infrequently mown amenity grass' to provide additional benefits to pollinators. These are hardwearing and can still be mown short, as needed.
- The Bolsover North Hedgerow Plan seems to align with that produced at the outline stage in 2016, with some small discrepancies. A total of 2945 m of hedgerow will be retained across the site, with 1632 m removed. Approximately 888m of native hedgerow is proposed in POS and 3197 m of ornamental hedgerow in association with dwellings. Ornamental hedging around properties can still provide benefits to wildlife and we advise that these comprise native single species, such as beech, hornbeam, holly or yew, or non-native species with some value to wildlife<sup>1</sup>. We are aware that Hedgerow Management Guidance for homeowners was produced for earlier phases of the development. After a review of the Bolsover North Hedgerow Plan, it would seem that few retained hedgerows are within residential curtilages in future phases, however we advise that the guidance should be rolled out across the site, in instances where it is applicable.
- I note that the Management Plan indicates that the small orchard present in the west of the site close to Oxcroft Road is to be maintained by the Management Company. I had thought that this orchard was managed by local people (possibly connected to the allotments) and as such its management might have fallen under Bolsover District Council's remit. If the Council could clarify that the Management Plan is correct on this point and if so, it will be important for the management company to liaise with local people who are familiar with the recent management of the orchard.

As already discussed in the design discussion earlier, the location and quantity of proposed landscaping is considered suitable in design terms and follows the principles established in the outline planning permission, and with a few small and acceptable differences, accords with the hedgerow retention and removals plan agreed with the outline planning permission (condition 16 requires any reserved matters scheme to generally accords with that plan, and the submitted details accord with this).

It is accepted that the quantum and general distribution of the proposed soft landscaping is appropriate, but that the final species will need to be amended to ensure that the benefits to biodiversity are improved in line with the comments of the Derbyshire Wildlife Trust and a condition and advisory note to achieve this are recommended.

The submitted landscape management plan is restricted solely to the identification of which organisations are envisaged would be responsible for management of the Town Park (Bolsover District Council, subject to satisfactory adoption process), and landscaped areas that are positioned outside of individual curtilage areas of each housing plot (a private management company for all such areas, excluding those areas in the public highway, would be utilised). Areas within proposed highway limits, that would include the proposed street trees, would be subject to separate adoption arrangements with the Highway Authority, who would become responsible for their ongoing management and maintenance.

This general split of responsibilities is considered appropriate in principle, but additional details over the final management regime for the Town Park and non-highway areas will need to be subject to later more detailed approval and a condition requiring this is proposed. Provision of the street trees will also need to be conditioned, along with a condition requiring alternative management arrangements if these trees are not adopted by the Highway Authority. A note drawing attention to the comments of the Derbyshire Wildlife Trust in respect of the form and content of any management plans is also proposed for inclusion.

In line with the approach taken on the earlier reserved matters consent ref. 23/00238/REM, a condition is also proposed to provide ecology guidance to future purchasers of properties adjacent to retained hedgerows for the maintenance and upkeep of those hedgerows; it should be noted however, that the inclusion of these within the curtilage of individual dwellings has been reduced as far as practicable within the proposed layout to minimise potential harm to these by individual occupiers following the occupation of any dwellings.

### Flood Risk and Drainage

Condition 21 of the outline planning permission requires: -

21. No development shall take place within any phase (or sub-phase as may be agreed in writing with the Local Planning Authority) until drainage plans for the disposal of foul sewage has been submitted to and approved in writing by the Local Planning Authority for that phase (or sub-phase). The scheme shall be implemented in accordance with the approved details before any development within any phase (or sub-phase) is first brought into use.

Condition 22 requires: -

22. No development shall take place within any phase (or sub-phase as may be agreed in writing with the Local Planning Authority) until a scheme for the improvement or extension of the existing sewerage system has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented as approved. No occupation of dwellings within any phase (or sub-phase) until the scheme for improvement or extension of the existing sewerage system for that phase (or sub-phase) has been completed in accordance with any approved details.

Yorkshire Water has raised no objection to the details submitted noting appropriate proposals for the disposal of foul water discharge, and based on this comment, it is considered that the requirements of conditions 21 in respect of foul drainage have been satisfied.

Yorkshire Water has also raised no objections to the submitted surface water drainage proposals, although the key consultee in respect of such matters is Derbyshire County Council as the Lead Local Flood Authority (LLFA).

Whilst full and final details of the surface water drainage scheme are not finalised, this is accounted for by condition 23 of the outline planning permission that will have to be complied with prior to the commencement of any development within this phase should it be permitted. That said, the LLFA has requested, and has been provided with, sufficient information to demonstrate that it will be possible to deliver a final scheme that will be able to deliver the necessary drainage, with appropriate filtration for water quality, within the areas shown on the submitted drawings, sufficient to enable that no additional land will be needed for this

purpose, therefore enabling the determination of the remainder of the reserved matters to which this application relates. An advisory note has been proposed, that is recommended for inclusion.

In respect of the comments raised by a neighbour on the issue of legal rights to discharge a cesspit onto parts of the development site. Whilst acknowledging that the layout includes the relevant land area as part of a garden on the Persimmon section of the development and the risk to that drainage facility and amenity that could arise from this, this is a private legal matter and a matter that will require approval under the Building Regulations; for this reason, this is not considered to raise any insurmountable issues for which there is not a reasonable prospect of private resolution, and so this does not affect the consideration of this application. Any planning consent does not override the separate need for compliance with Building Regulations or the need to resolve any private legal issues and the developer must obtain those permissions and consents to be able to build the layout that is submitted under this planning application should it be approved. If for any reason, a private agreement cannot be found then the developer would have to apply to this Council as the Local Planning Authority to consider any necessary amendments to any approved detail.

### Other

Whilst the above assessment covers most issues raised in consultation responses and through representations, the following discussed issues that are not addressed:

- Chesterfield Royal Hospital has sought S106 contributions, however, new S106 contributions cannot be sought at Reserved Matters stage.
- A comment has been made about the retention of an old streetlight. The light in question is within the public highway and is the responsibility of Derbyshire County Council as the Local Highway Authority and could be removed at any time; this item has no protected status through the planning process.
- Blocking of private driveways is a private issue, and in some circumstances can be a criminal issue enforceable by the police and is not a material planning consideration. Any other issues regarding private access, or impacts such as power outages etc, and maintenance rights is also a private matter.
- Comments regarding temporary impacts from the Phase 1 development on Elmtun Lane have been noted. Any impacts on a public footpath or driveway must be subject to appropriate consents from the Highway Authority and this control should not be duplicated through any planning consent, and this would include the condition of those footpath/bridleways. Where works have resulted in unforeseen impacts, such as the need to remove additional hedgerow, this work was agreed with the Planning Department and is subject to re-instatement works.
- Any promises/commitments made by a developer to individual property owners or residents made by developers cannot be enforced by the Local Planning Authority, unless they achieve a material planning objective.
- Any damage to property by the developers is a private civil matter.
- Any incorrect deposit of materials or waste may not be a planning issue and would not be permitted by any planning consent; should this occur, this would have to be investigated on a case-by-case basis to establish whether there was any breach of planning control.
- On-site security is covered through health and safety regulations and is not a material

- planning consideration.
- Impact on property values is not a material planning consideration.

## **CONCLUSION / PLANNING BALANCE**

The principle of development on this site is already established through the strategic Local Plan allocation and the previous grant of outline planning permission.

The submitted reserved matters are considered to accord with the parameters of the original outline planning permission and the Design and Access Statement approved by that permission.

Whilst there are a few technical details that still need to be fully resolved, these are minor in nature and are not considered significant to reaching a resolution in respect of this proposal and it will be possible to include conditions on any consent issued to deal with these to make the development otherwise acceptable.

## **RECOMMENDATION**

Subject to the approval of the parallel application ref. 25/00433/OTHER for the amendment to the S106 associated with the outline planning permission ref. 14/00080/OUTEA, and subject to the completion of any Deed of Variation, this reserved matters application is recommended for approval, subject to the following conditions, which are provided below draft form, the final wording to be agreed by the Planning Manager: -

### **Conditions**

1. Unless otherwise required and/or approved under other conditions of this consent, or conditions of outline planning permission 14/00080/OUTEA that are still to be complied with, the development hereby permitted shall be carried out in accordance with the following approved drawings and documents: -

Documents submitted with the original reserved matters application: -

- House Type Pack (Persimmon)
- GTC-E-SS-0012-R2 1 OF 1 - Strata - Close Coupled Substation Pyramid Roof Detail General Arrangement

Documents submitted 08/08/2025: -

- House Type Pack (Stancliffe Homes)

Documents submitted 08/10/2025: -

- P2612 - V - 1001 REV B - Visibility Splays and Forward Visibility in Line With 20mph Speed Limit
- P2612 - V - 1002 REV B - Visibility Splays and Forward Visibility in Line With 20mph Speed Limit

Documents submitted 16/10/2025: -

- P24-1323\_EN\_001H - Town Park Landscape Masterplan
- P24-1323\_EN\_002G - Town Park Detailed Hard and Soft Landscape Proposals
- P24-1323\_EN\_003F - Wider Site Landscape Masterplan

- P24-1323\_EN\_004F - Hedgerow Plan
- P24-1323\_EN\_005B - Longlands Welbeck Rd Landscape Proposals
- P24-2401\_DE\_015\_S - Planning Layout (Stancliffe)
- P24-2401\_DE\_016\_G - Materials Plan (Stancliffe)
- P24-2401\_DE\_017\_F - Boundary Treatments Plan (Stancliffe)
- P24-2401\_DE\_025\_R - Planning Layout (Persimmon)
- P24-2401\_DE\_026\_F - Materials Plan (Persimmon)
- P24-2401\_DE\_035\_E - Key Dimensions
- HTP-V01 - Strata Updated House Type Pack July 2025

Documents submitted 30/10/2025: -

- P24-2401\_DE\_003\_N - Composite Masterplan (B&W)
- P24-2401\_DE\_003\_N - Composite Masterplan (Colour)
- P24-2401\_DE\_005\_W - Planning Layout (Strata)
- P24-2401\_DE\_006\_F - Materials Plan (Strata)
- P24-2401\_DE\_007\_F - Boundary Treatments Plan (Strata)
- P24-2401\_DE\_027\_F - Boundary Treatments Plan (Persimmon)
- P24-2401\_DE\_028\_F - Composite Materials Plan
- P24-2401\_DE\_029\_E - Composite Boundary Treatments
- P24-2401\_DE\_032\_E - Management Plan
- P24-2401\_DE\_033\_F - Highways Adoption Plan
- P24-2401\_DE\_041\_B - Highways Materials Plan

Document submitted 04/11/2025: -

- BOL2-ELCD-001 Rev. A - Elmtun Lane Crossing Detail

Documents submitted 20/11/2025: -

- Revised spine road delivery plan.
- Revised spine road delivery programme.

[REASON] To clarify the extent of the planning permission in the light of guidance set out in "Greater Flexibility for planning permissions" by the Department for Communities and Local Government, November 2009 and for the avoidance of doubt having regard to the amended and additional documents that have been submitted.

2. The submitted hard and soft landscaping details submitted with the planning application, containing full details and specifications for all soft landscaping including replacement hedges, full details of all means of enclosure, highway and footpath surfacing and a detailed specification for the permanent management and maintenance for all public areas, are not hereby approved, and the requirements of conditions 15 and 16 of outline planning permission ref. 14/00080/OUTEA are not hereby discharged. Revised details must have been submitted to and approved in writing by the Local Planning Authority in accordance with the general requirements of conditions 15 and 16 of outline planning permission ref. 14/00080/OUTEA prior to the commencement of any development, which may be agreed on a phased basis, subject to prior written agreement with the Local Planning Authority on such phasing areas to ensure that all sub-areas, including individual developer areas, Town Park and SuDS/Landscape zones outside of these areas.

[REASON: To ensure that satisfactory landscaping is provided within a reasonable period and managed for the long term in the interests of visual amenity and biodiversity and in compliance with Policies SS1(h and i), SC2(d, h and i), SC3(a, b e, f and i). SC9 and SC10 of the Local Plan for Bolsover District.]

3. Prior to the erection of any dwelling above foundation level within any developer phase, a phasing programme for the implementation of all the proposed street trees within that phase that must include all trees along the existing/proposed spine road closest to that developer's phase, must have been submitted to and approved in writing by the Local Planning Authority; this must include a programme of management and maintenance for up to the point at which the highway (including the street trees) is adopted. The street trees must then be provided and maintained in accordance with that programme and management and maintenance scheme at all times, up to the date of their adoption by the Highway Authority.

[REASON: To ensure that satisfactory landscaping is provided within a reasonable period and managed for the long term in the interests of visual amenity and biodiversity and in compliance with Policies SS1(h and i), SC2(d, h and i), SC3(a, b e, f and i). SC9 and SC10 of the Local Plan for Bolsover District, with specific regard to the requirement to provide street trees within the National Planning Policy Framework.]

4. In terms of any soft landscaping within individual dwelling curtilages, if within a period of five years from the date of the planting of any tree or shrub, that tree or shrub may die, be removed, uprooted or become seriously damaged it must be replaced by another of the same species during the first available planting season, unless a variation of the landscaping scheme is approved in writing with the Local Planning Authority.

[REASON] To ensure that any soft landscaping is suitably maintained in the interests of visual amenity and biodiversity and in compliance with Policies SS1(i), SC2(h and i), SC3(a, b and e), SC9 and SC10 of the adopted Local Plan for Bolsover District.

5. Retained hedgerows must be protected and maintained at all times during the course of the development, and at all times thereafter. Additionally, prior to the occupation of any dwelling that adjoins a retained hedgerow, details of an information pack to advise new homeowners on hedgerow management must have been submitted to and approved in writing by the Local Planning Authority. The hedgerow guidance should include the following:

- Wildlife importance of hedgerows for insects, birds, amphibians, and small mammals
- Ideal management to maintain the hedgerows for the benefit of wildlife.
- Additional actions homeowners can take in their gardens to assist the hedgerow wildlife.

The approved hedgerow guidance document must be issued to the initial purchaser of each new dwelling.

[REASON] To ensure the ongoing management and maintenance of the retained hedgerow in the interests of visual amenity and biodiversity, and in compliance with Policies SS1(i), SC2(h and i), SC3(a, b and e), SC9 and SC10 of the adopted Local Plan for Bolsover District and the requirements of the National Planning Policy Framework.

6. Notwithstanding the submitted details, full details of all external walling and roofing

materials following the principles established on the submitted materials plans must have been submitted to and approved in writing for each dwelling, prior to the construction of that dwelling above foundation level. Only the details approved under this condition must be implemented as part of the development.

[REASON] To ensure a satisfactory standard of external appearance and in compliance with Policies SS1(h), SC1(a and e), SC2(g and i), and SC3(a, b and e) of the adopted Local Plan for Bolsover District.

7. All meter boxes should where practicable be located on elevations not fronting a highway and if located on such elevations, should be colour coded to tone in with the background material of each plot.

[REASON] To ensure a satisfactory standard of external appearance and in compliance with Policies SS1(h), SC1(a and e), SC2(g and i), and SC3(a, b and e) of the adopted Local Plan for Bolsover District.

8. Prior to any works commencing, except for the installation of any protective fencing for retained landscaping, archaeological works and site clearance works, details of the finished floor levels for all dwellings must have been submitted to and approved in writing by the Local Planning Authority and the scheme as constructed must fully accord with any approved details.

[REASON]: To ensure a satisfactory standard of external appearance and amenity and in compliance with Policies SS1(h), SC1, SC2(h and i), and SC3(a, b, e and n) of the Local Plan for Bolsover District.

9. Prior to their installation, full details of any proposed Pumping Stations or Sub-Stations must have been submitted to and approved in writing by the Local Planning Authority, and the completed development must be carried out only in accordance with those approved details.

[REASON] To ensure a satisfactory standard of external appearance and in compliance with Policies SS1(h), SC1(a and e), SC2(g and i), and SC3(a, b and e) of the adopted Local Plan for Bolsover District.

10. Notwithstanding the submitted noise report, this is not approved for the purposes of condition 19 of the outline planning permission ref. 14/00080/OUTEA. Prior to the development on any plot above foundation level within the eastern section of the Persimmon development (shown as phases 4 – 11, coloured green, on the phasing programme submitted on the 20<sup>th</sup> November 2025), a revised noise assessment must have been submitted to and approved in writing by the Local Planning Authority, that must include a revised scheme of noise attenuation, using the findings of any revised and agreed Noise Impact Assessment submitted under this condition, to include for adequate ventilation, that may require mechanical ventilation, where adequate noise control cannot be provided in an open window scenario. The approved scheme must be implemented in full prior to the occupation of any affected dwelling and must be retained thereafter.

[REASON]: To protect the aural amenity of future occupiers of the proposed dwellings and in compliance with Policies SS1(h), SC1(a and c), SC2(a and d), SC3(a, l and n), and SC11 of



the adopted Local Plan for Bolsover District.

11. Prior to occupation of each dwelling identified as requiring noise mitigation measures by any assessment approved under the terms of condition 10 above, the scheme as approved and implemented must be validated in respect of that dwelling by a competent person and a validation report must have been submitted to and approved in writing by the local planning authority in respect of that dwelling.

[REASON]: To protect the aural amenity of future occupiers of the proposed dwellings and in compliance with Policies SS1(h), SC1(a and c), SC2(a and d), SC3(a, l and n), and SC11 of the adopted Local Plan for Bolsover District.

12. Notwithstanding the submitted details, prior to the occupation of plots S208, S209 and S214, revised details of the proposed position of the pedestrian gates to access the rear gardens of those plots into a more prominent location visible from the public domain, must have been submitted to and approved in writing by the Local Planning Authority. The gate to each property must be erected in accordance with the details approved under this condition prior to its occupation and must be maintained as such thereafter.

[REASON] In the interests of crime prevention and in accordance with the requirements of Policy SC3 (f) of the Local Plan for Bolsover District.

13. Prior to the occupation of the dwellings on plots PE247-253, PE254-258, PW344-348 and PW 307-311, fencing or other appropriate means of enclosure (low knee rail fence suggested) must have been provided to define the boundary between public and private areas alongside the entire length of any private driveway alongside each affected plot, all provided in accordance with details that must previously have been submitted to and approved in writing by the Local Planning Authority, which must be retained as approved at all times thereafter.

[REASON] In order to clearly identify the boundary between public and private domains in the interests of crime prevention and in accordance with the requirements of Policy SC3 (f) of the Local Plan for Bolsover District and to ensure a satisfactory standard of external appearance in compliance with Policies SS1(h), SC1(a and e), SC2(g and i), and SC3(a, b and e) of the adopted Local Plan for Bolsover District.

14. Prior to the occupation of any dwelling within or adjoining any developer phase, details of lighting to any proposed footpaths and private driveways, excluding any areas that would form part of any adopted street, must have been submitted to and approved in writing by the Local Planning Authority, which must include an implementation programme for its installation. The approved scheme must be implemented in accordance with the approved programme and maintained as approved at all times thereafter.

[REASON] In the interests of crime prevention and in accordance with the requirements of Policy SC3 (f) of the Local Plan for Bolsover District and to ensure a satisfactory standard of external appearance in compliance with Policies SS1(h), SC1(a and e), SC2(g and i), and SC3(a, b and e) of the adopted Local Plan for Bolsover District.

15. Prior to the development of the section of the link road closest to Longlands (shown blue on the approved phasing plan and programme submitted on 20<sup>th</sup> November 2025, revised

details for this must have been submitted to and approved in writing by the Local Planning Authority and the approved scheme must be provided in accordance with that detail.

[REASON] In order to enable revised detail to account for minor discrepancies on that plan in respect of the need to retain existing access points to adjacent properties and to control the final detail of this area to ensure a satisfactory standard of external appearance and amenity and in compliance with Policies SS1(h), SC1, SC2(h and i), and SC3(a, b, e and n) of the Local Plan for Bolsover District.

16. Prior to the commencement of the demolition of 42 Welbeck Road, details for the treatment for gable wall at 44 Welbeck Road must have been submitted to and approved in writing by the Local Planning Authority, and the scheme must be implemented as approved.

[REASON] To ensure a satisfactory standard of external appearance and amenity and in compliance with Policies SS1(h), SC1, SC2(h and i), and SC3(a, b, e and n) of the Local Plan for Bolsover District.

17. Notwithstanding the submitted details, prior to the occupation of any dwelling within this phase of development, revised details for the location and treatment of proposed bus stops must have been submitted to and approved in writing by the Local Planning Authority, to include details of their delivery in line with the parameters of the approved phasing programme for the delivery of the spine road, as submitted on the 20<sup>th</sup> November 2025, and the approved details must be implemented in accordance with this approved detail.

[REASON] To provide a suitable location and treatment of any proposed public transport facilities, in the interest of the character and appearance of the development, as well as the amenities of residents, and in compliance with Policies SS1(h), SC1, SC2(h and i), and SC3(a, b, e and n) of the Local Plan for Bolsover District.

### **Statement of Decision Process**

In compliance with the National Planning Policy Framework the Council has negotiated amendments, including partial withdrawal of elements of the original submission, and sought additional submissions in respect of site layout, highway safety, crime prevention, flood risk, ecology and noise to seek compliance with the outline planning permission, policies of the adopted Local Plan for Bolsover and the NPPF.

### **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.