

10th DECEMBER 2025 PLANNING COMMITTEE UPDATE SHEET

SUPPLEMENTARY REPORT OF THE DEVELOPMENT MANAGEMENT AND LAND CHARGES MANAGER

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

Applications to be determined under the Town & Country Planning Acts

Planning Site Visits held on 05th December 2025 commencing at 10:00 hours

PRESENT: -

- Cllr. C. Tite
- Cllr. T. Munro
- Cllr. J. Tait
- Cllr. P. Smith
- Cllr. J. Ritchie

Officers: Chris Whitmore and Jonathan Gaynor

SITE VISITED

Items 5 and 6 - Application nos. 25/00433/OTHER and 25/00184/REM – Land Between Welbeck Road and Oxcroft Lane, Bolsover

Item 10 - Application no. 25/00441/VAR – Shirebrook Market Place, Shirebrook

Item 9 – Application no. 25/00421/FUL – 48 Rowthorne Lane, Glapwell, Chesterfield

Item 8 – Application no. 25/00302/FUL – Hurst Farm, Mansfield Road, Tibshelf, Alfreton

The site visit concluded at 11:55am

Agenda Item 5 – Application 25/00433/OTHER – Request 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 at Land Between Welbeck Road and Oxcroft Lane, Bolsover

1. Further Representations Received

Following the publication of the agenda further representations have been received from a Mr Adrian Patterson of 17 Royal Drive who objects to the proposal citing that the properties on the estate were purchased on the back of the obligations promised. In commenting, “traffic hazards” and “standard letter of objection” reasons are selected.

Officer response:

The changes to the obligations proposed would continue to facilitate the delivery of the planned infrastructure on site, to meet the requirements of strategic development plan policy SS4, despite there being a slight reduction in the size of the town park and extra care facility land. The adverse effects of reduced contributions towards secondary school places and lack of contributions towards travel plan monitoring and delivery and maintenance of the town park are tempered by other maintenance regimes and capital funding that exists in this case and officers are satisfied that the proposals would continue to deliver sustainable development in the round.

Any concerns relating to traffic hazards are not considered to be relevant to the assessment of this request to modify the obligations contained within the original s106. The contributions towards road improvements would be impacted by the modifications.

2. Representations received from Derbyshire County Council – Strategic Planning

The County Council raise the following issues with the application.

Procedural/consultation issues

The County Council claim that they have had insufficient time to thoroughly assess the facts of the case, pointing to the final viability addendum that was published on the Council's website on the 26th November 2025.

In subsequent correspondence the County Council have advised that the information that they would like more time to consider is contained in the addendum report on 26th November. They explain that they have experienced some difficulty in sourcing external expertise that would enable them to give a more detailed response/

Officer Response:

The request to modify the changes to the s106 has not changed since the submission of the original application, with only enhancements to s106 contributions to be made following conclusion to the viability appraisal work undertaken and the requirement to meet critical infrastructure contributions.

As the viability appraisal work carried out on behalf of the District Council by an expert is robust, it is not considered necessary to defer a resolution. Any modifications require the mutual agreement of all parties, including the County Council. As such, if there was any dispute on the viability findings that would require changes to the resolution to reach mutual agreement this would need to be reported back to planning committee before a decision is taken and any DoV entered into.

Secondary Education deficit

Derbyshire County Council has serious concerns that the Secondary Education contribution is to be deferred, subject to a further viability assessment. They advise that this compounds issues regarding the capacity of The Bolsover School, particularly as the requirement for Secondary Education outlined in response to the original application (14/00080/OUTEA) had already been significantly reduced from over £2.4 million to under £1 million due to viability issues raised by the developer at the time.

The County Council suggest that it is Bolsover DC's approach to consistently under deliver on developer contributions (often at odds with commitments in Bolsover DC's Local Plan) has led to a shortfall for The Bolsover School of at least £5 million. They advise that the school has therefore not been able to expand its provision as needed, in line with increasing numbers of children residing in their normal area. They advise that this is having a real and increasing detrimental effect on the lives of local people and Derbyshire County Council being able to meet its statutory duty to provide sufficient local school places. The pressure for local secondary school places is such that they already have significant numbers of families in Bolsover that we know will be unable to access their normal area school for September 2026. This is a direct consequence of underfunding through the developer contributions process within Bolsover and will be exacerbated greatly by any further reductions in contributions for current and planned developments.

Officer response:

The Local Planning Authority has secured education contributions for planning applications that have come forward in the Bolsover area over recent years, with the exception of the Langwith Road development. code ref. 22/00478/FUL. The decision notice has not yet been issued for this application and no development has come forward. Furthermore, secondary and primary school contributions have been secured and paid for the phases of development that have come forward at the Bolsover North site to date (phases 1A and 1B). Where any needs have been identified through under provision, basic needs capital grant funding should have covered any deficit in school places. Clarification has been sought on why the County Council has not applied for capital funding for school places up to 2028 if there is a need for school places now and why such funding would not be available for future years.

Factual errors in the Committee Report

The County Council considers the following statements in the officer report to be misleading and untrue:

1.42 Whilst it is accepted that a further reduction in the secondary school place contribution is a negative, it is likely that children moving to the area will already be placed in a secondary school and DfE capital funding, such as the High Needs Provision Capital Allocations is available to meet demand for school places in the nearest catchment school.

1.50 The negative impacts of not providing the deferred contributions at this time are tempered by other funding streams that exist to meet secondary school places where there is high demand / need. In this regard officers are satisfied that the proposed changes to the obligations would serve the purposes of the original agreement equally well.

The County Council advise that High Needs Capital is SEND funding for specialist school places and not available for mainstream expansion such as at The Bolsover School. The County Council therefore considers that this report is misleading Members and the public with erroneous information.

Officer Response:

High Needs Provision is just one example of capital funding that is available. The DfE provide capital funding through the Basic Need grant to support local authorities to provide school places, based on their own pupil forecasts and school capacity data. The DfE have confirmed in correspondence to the District Council that this funding can be used to provide places in new schools or through expansions of existing schools and can work with any school in their local area, including academies and free schools. Derbyshire County Council has received just below £21.8 million to support the provision of new school places needed between May 2024 and September 2026. It has not been allocated funding in subsequent allocations because its data indicates need for mainstream places up to September 2028 had already been funded in previous years. The statements set out in the officer report are not therefore considered to be erroneous or misleading as indicated.

Further correspondence

In subsequent correspondence received by the County Council, they advise that, at the request of the applicant's agent, they held a meeting with them to discuss the ongoing viability issue. They advised that the meeting was a positive and constructive meeting, and they indicated that we would be willing to continue these discussions, in consultation with our Education colleagues, to seek to find an acceptable way forward for both parties. The applicant, through their agent had offered greater flexibility with regard to the infant and nursery school land transfer and spend of the education contributions secured to ensure maximum benefit / protection to the County Council in respect of infrastructure delivery.

The County Council has requested a further brief period of time to complete this activity.

Officer response:

Members are advised to note the above and should they be minded to resolve to agree to the modifications and to allow greater flexibility with regard to the other education provisions, concerning the transfer of the infant and nursery school land and the spend of the education contributions secured.

It is therefore recommended that the recommendation is amended as follows:

That the Local Planning Authority agree to modify the s106 agreement dated 22nd September 2021 to secure £4,900,062 towards the following critical infrastructure:

- Elnton Lane Contribution - £104,638
- New School Contribution - £3,528,988
- Road Network Contribution (per plot) - £335,046
- Primary Education Contribution - £931,390

with all other financial contributions to be deferred following viability review at appropriate stages in the build out and to reduce the town park land area to 3.6ha and the extra care facility land to 0.8ha, with provisions remaining for all other matters, including the provision and transfer of the primary school land with greater **flexibility introduced on transfer provisions and education spend where required / agreed with the County Council.**

3. Further correspondence received from the Applicant

The applicant, through their agent, request in an email dated 3rd December 2025 that members be informed that the development proposals will deliver the following items as required by the original outline planning application in addition to the agreed financial contributions totalling £4,900,062: -

- Delivery of the 3.6ha New Town Park
- Delivery of the new Link Road from Marlpit Lane to Welbeck Road (via Longlands).
- Delivery & Transfer of Serviced Land for the onsite Extra Care Facility / Affordable Housing Land;
- Delivery & Transfer of Serviced Land for the onsite Primary School;
- Delivery of the Travel Plan Measures
- Delivery of Pocket Parks and Incidental Open Space areas;

They advise that the cost of delivering these wider benefits as part of the development totals approximately £4,714,879. Accordingly, they point out that the total Section 106 package that the development proposals will deliver is £9,614,941.

The applicant's agent has also indicated in separate correspondence that on a pro-rata basis, the difference between the agreed position with Bolsover District Council on the critical education contributions and the original obligations secured, taking into consideration the contributions that have already been received for the phases 1a and 1b is only £335,319.78. They advise that this is far better than the £962,397 'gap' that is indicated in the viability appraisal.

Officer Response:

That members note the above.

Agenda Item 6 – Application 25/00069/REM - Land Between Welbeck Road and Oxcroft Lane Bolsover

Officers have updates in respect of the below matters:

- Receipt of further documents/amendments.
- Further consultation response
- Review of Planning Conditions

Amended/Updated documents received

02/12/2025 - Correspondence received from the agent seeking minor amendments to conditions 6, 8 and 14, along with the submission of the following documents: -

- Amended noise report ref. P7884-R1-V5
- Strata Oporto House Type (ref. BM-C4-0100-A2)
- Additional Phasing Plan (ref. P24-2401_DE_044_A)

Further consultation response

A consultation has been carried out with Environmental Health upon receipt of the revised noise report listed above. Due to staff absence, it has not been possible at this time to scrutinise the revised noise report to ensure that this is appropriate, and further comment will be needed from the Environmental Health Officer.

In view of this the conclusions of the original officer report in respect of noise remain unchanged, in that there are no outstanding objections in respect of noise control and that it will be possible to ensure, through a suitably worded condition, that appropriate living conditions can be created for occupants of new dwellings proposed alongside the noise source.

It is likely that it will be necessary to word a more detailed and bespoke condition, assuming that the noise report is found to be suitably detailed, but this will ultimately deliver the same objective of ensuring that suitable residential amenity can be delivered for future residents of the development. As with the original recommendation, it is proposed that the final wording of conditions is delegated for final agreement by the head of planning.

Review of Planning Conditions

Following a review of the recommended conditions included in the original report, including discussion with the applicants, it is recommended that amendments are made to some of the draft conditions as listed below: -

- Condition 1 – amended to include additional documents submitted on 02/12/25, as listed earlier.
- Condition 2 – minor alteration due to drafting error.
- Condition 3 – minor alteration to include reference to additional phasing plan received after the initial draft.

- Condition 8 – amended to allow phasing (enables each developer to submit individual discharge of conditions applications).
- Condition 10 – As discussed in the discussion above, this condition is likely to need redrafting once consultation with the Environmental Health Officer are concluded.
- Condition 15 – minor alteration to improve wording.
- Condition 17 – minor alteration to improve wording.

Conclusion

The additional documents and proposed conditions amendments are minor in nature and do not materially alter any of the overall conclusions contained in the original report.

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 (as revised), which are provided below in draft form, the final wording to be agreed by the Planning Manager: -

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.

Documents submitted 02/12/2025: -

- Amended noise report ref. P7884-R1-V5
- Strata Oporto House Type (ref. BM-C4-0100-A2)
- Additional Phasing Plan (ref. P24-2401_DE_044_A)

[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 are incorporated, 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 that are shown within the joint venture highway areas on the submitted phasing plan ref. P24-2401_DE_044_A, 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 within each developer phase, 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 20th 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.

N.B. Given the discussion earlier in this update, it is likely this condition will require amendments prior to the final issue of any decision.

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 individual 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 20th November 2025, revised details for this area 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 approved by this reserved matters consent, 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 20th 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.

Agenda Item 7 – Application 25/00184/FUL – Garage Site to the West of 283 Alfreton Road, Blackwell

Since the officer report was published on the 27th November 2025, there has been 4 representations received. The comments are set out below along with the officer comment:

- Doesn't appear that any of the concerns raised in the objections have been rectified and therefore all original objections still apply. Would appear that any comments that were made were not published on the application on this page, and queries redacted correspondence.
- Officer comment: The revisions made to the application are considered to have addressed the concerns raised by Members at the previous Planning Committee meeting. The report outlines that all the representations received throughout the planning process have been considered in the assessment of the latest revised scheme. The report summarises all the representations received from the public consultations undertaken. It is unclear what is meant by the final comment; however, it is assumed that this relates to the comments received and their publication on the Council's website – as such, all public representations relating to this application are available for the public to access on the relevant section of the Bolsover Council website. Sections of an 'EOT' confirmation were redacted as they did not relate to the extension of time proposed and agreed.
- Amenity space, drying area and bin storage are not practical and cannot hygienically function and obstructs vehicles.
- Officer comment: The amenity space is discussed within the recommendation report. Environment Health were consulted on the application and raised no objections to the location of the bin storage and drying area. Issues relating to vermin and odour can be investigated under statutory nuisance legislations governed by Environmental Health. The Local Planning Authority have little control over the locations of bin storage and drying areas, this will be determined by potential future residents; officers are however satisfied that appropriate provision has been made for this matter. The proposed plans show the bin and drying area are separate from the vehicle parking and access and therefore will not present obstructions.
- Photo contained within the officer report has been taken at an angle which makes the plot seem larger.
- Officer Comment: The photo was taken from approximately the southern border of the application site; it has in no way been taken to make the site appear any different to how it is. Members were also provided the chance to undertake a site visit and therefore will be familiar with site and not reliant on one photograph contained within the officer report.
- Two representations were received from the same objector which have copied the publicity and consultee summary from the officer report, stating all matters are still relevant. The objections also say that the report should be an

impartial view but is biased in favour of the development, acknowledges it does not meet guidelines of several standards and deems any issue acceptable and adverse impact slight.

- Officer Comment: As set out previously, the officer report provides an assessment of the development proposed against relevant local planning policies and adopted supplementary documents. The report acknowledges the shortfall of amenity space but does not consider this a sufficient reason to withhold planning permission. The parking provision issue raised at the previous Planning Committee meeting has been rectified by the applicants by providing two additional parking spaces to ensure compliance with Local Plan Parking Standards (Appendix 8.2). The matters raised from public consultations and from consultees have been addressed in the report.
- Officer Comment: The following matters have been considered within the officer report and for reasons of brevity will not be repeated:
 - Setting back of the building will now block more light to the living area of the neighbouring property.
 - Raises boundary dispute relating to tree and fence.
 - Concerns with the driveway width and how adjacent hedgerows and planting may restrict access and also queries who will maintain the landscaping.
 - Proposed amenity space not in compliance with recommended Standards.

Agenda Item 8 – Application 25/00302/FUL – Hurst Farm, Mansfield Road, Tibshelf, Alfreton

Officers have updates in respect of the below matters:

Further to the conditions set out in the Committee Report, requests were received from the agent to amend the wording of a number of conditions. Where these are considered acceptable the changes have been incorporated in the updated conditions list below:

1. The development must be begun before the expiration of seven years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved drawings and documents unless specifically stated otherwise in the conditions below:
 - Location Plan GBR_Hurst Farm_AD - SLP_07 – Drawing no. AD-SLP, received 23 July 2025

- Preliminary Design Layout GBR_Hurst_LP2-PDL-BESS_05 – Drawing no. LP2-PDL, received 10 October 2025
- General Arrangement of Site Access - Drawing no. HFD-BWB-GEN-XX-DR-TR-101 S2 Rev. P7, received 10 October 2025
- General Arrangement of Access from Site to Road – Overview – Drawing no. HFD-BWB-HML-00-DR-TR-100 S2 Rev. P8, received 10 October 2025
- Landscape Strategy Plan – Drawing no. NT16771-020 Rev. P07, received 10 October 2015
- Ecological Impact Assessment Tree Retention and Removal Plan – Drawing no. 16625-P05d, received 11 July 2025
- Ecological Impact Assessment Bat Static Location Plan – Drawing no. 16625/P07, received 11 July 2025
- MV Skid Elevations UK_EPD_MV Skid_00 – Drawing no. UK_EPD_MVS, received 30 July 2025
- Tree Constraints Plan – Drawing no. 16625/P04c, received 11 July 2025
- Existing and Proposed Ground Levels – Main Access GBR_Hurst-Existing and Proposed Ground Levels - Main Access Track_00 – Drawing no. 01, received 11 July 2025
- Proposed Ground Levels GBR_Hurst-Proposed Ground Levels_00 – Drawing no. 01, received 11 July 2025
- Proposed Ground Profiles – Energy Storage System Area GBR_Hurst_Proposed Ground Profiles – Energy Storage System Area_00 – Drawing no. 01, received 11 July 2025
- Proposed Ground Profiles – Substation GBR_Hurst_Proposed Ground Profiles – Substation_00 – Drawing no. 01, received 11 July 2025
- Emergency Access – Drawing no. HFD-BWB-GEN-XX-DR-TR-112 S2 Rev. P3, received 11 July 2025
- Auxiliary Transformer GBR_EPD_Auxiliary Transformer_02 – Drawing no. GBR_EPD_AUX, received 11 July 2025
- BESS CCTV GBR_EPD_BESS CCTV_00 – Drawing no. GBR_EPD_BCC, received 11 July 2025
- BESS Lighting GBR_EPD_BESS Lightning_00 – Drawing no. GBR_EPD_BLG, received 11 July 2025
- BESS Security Fence GBR_EPD_BESS Security Fence_02 – Drawing no. GBR_EPD_BSF, received 11 July 2025
- BESS Security Gate GBR_EPD_BESS Gate_02 – Drawing no. GBR_EPD_BSG, received 11 July 2025
- DNO Generator GBR_Hurst_EPD_DNO Generator_00 – Drawing no. GBR_EPD_DNO GEN, received 11 July 2025
- DNO GRP GBR_Hurst_EPD_DNO GRP_00 – Drawing no. GBR_EPD_DNO GRP, received 11 July 2025
- EV Charger GBR_Hurst_EPD_EV Charger_00 – Drawing no. GBR_EPD_EVC, received 11 July 2025
- Entrance Wall and Gate GBR_EPD_Entrance Wall and Gate_00 – Drawing no. GBR_EPD_EWG, received 11 July 2025

- Backup Generator GBR_EPD_Backup Generator 20_00 – Drawing no. GBR_EPD_G20, received 11 July 2025
- GRP GBR_EPD_GRP_00 – Drawing no. GBR_EPD_GRP, received 11 July 2025
- Monitoring House / Communication Building GBR_EPD_Monitoring House/Communication Building_01 – Drawing no. GBR_EPD_MH/CB, received 11 July 2025
- Indicative Road Section GBR_EPD_Indicative Road Cross Section_01 – Drawing no. GBR_EPD_RCS, received 11 July 2025
- Spares Container GBR_EPD_Spares 40' Container_01 – Drawing no. GBR_EPD_S40, received 11 July 2025
- Storage GBR_EPD_Storage_00 – Drawing no. GBR_EPD_STG, received 11 July 2025
- Substation GBR_Hurst_EPD-Substation_00 – Drawing no. GBR_EPD_SUB, received 11 July 2025
- Toilet GBR_EPD_Toilet_01 – Drawing no. GBR_EPD_TLT, received 11 July 2025
- BESS Enclosures UK_EPD_BESS Enclosures_00 – Drawing no. UK_EPD_BSS, received 11 July 2025
- MV Skid UK_EPD_MV Skid_00 – Drawing no. UK_EPD_MVS, received 11 July 2025

3. Notwithstanding the details contained in the plans approved under condition 2, no development shall take place until full details of the final positioning, design, materials and colour of any above-ground buildings, structures and boundary treatments have been submitted to the Local Planning Authority and approved in writing. The approved details shall be implemented in full and maintained as such thereafter.
4. The rating level of noise emitted from the BESS site shall not exceed the rating levels predicted in the Noise Impact Assessment prepared by BWB, dated 27/06/2025, as measured or calculated in accordance with BS 4142:2014+A1:2019. Within one month of the site becoming fully operational the site operator shall undertake measurements of noise from the site and through measurement and/or calculation assess the level of noise in terms of compliance with this condition. The results shall be submitted to the Planning Authority.
5. Development other than that required to be carried out as part of an approved scheme of remediation must not commence until:
 - a) A Phase I contaminated land assessment (desk-study) shall be undertaken and approved in writing by the local planning authority.

b) The contaminated land assessment shall include a desk-study with details of the history of the site use including:

- the likely presence of potentially hazardous materials and substances,
- their likely nature, extent and scale,
- whether or not they originated from the site,
- a conceptual model of pollutant-receptor linkages,
- an assessment of the potential risks to human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments,
- details of a site investigation strategy (if potential contamination is identified) to effectively characterise the site based on the relevant information discovered by the desk study and justification for the use or not of appropriate guidance. The site investigation strategy shall, where necessary, include relevant soil, ground gas, surface and groundwater sampling/monitoring as identified by the desk-study strategy

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

6. Before the commencement of the development hereby approved:

Where the site investigation identifies unacceptable (having regard to relevant guidance) levels of contamination, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be submitted to and approved in writing by the local planning authority. The submitted scheme shall have regard to relevant current guidance. The approved scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria and site management procedures. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

7. The development shall not be operated until:

a) The approved remediation works required by condition 6 above have been carried out in full in compliance with the approved methodology and best practice.

b) If during the construction and/or demolition works associated with the development hereby approved any suspected areas of contamination are discovered, which have not previously been identified, then all works shall be suspended until the nature and extent of the contamination is assessed and a report submitted and approved in writing by the local planning authority and the local planning authority shall be notified as soon as is reasonably

practicable of the discovery of any suspected areas of contamination. The suspect material shall be re-evaluated through the process described in conditions 5b to 6 above and satisfy 7a above.

c) Upon completion of the remediation works required by conditions 6 and 7a above a validation report prepared by a competent person shall be submitted to and approved in writing by the local planning authority. The validation report shall include details of the remediation works and Quality Assurance / Quality Control results to show that the works have been carried out in full and in accordance with the approved methodology. Details of any validation sampling and analysis to show the site has achieved the approved remediation standard, together with the necessary waste management documentation shall be included.

8. Prior to any surfacing works being carried out on the access track and / or BESS compound, full details of the surfacing to be used on the access track and BESS compound must have been submitted to and approved in writing by the Local Planning Authority. The development must be implemented in accordance with the approved details and maintained as such thereafter.
9. Prior to the installation of external lighting fixtures, a detailed lighting strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy should be designed to safeguard bats and other nocturnal wildlife, as well as protect visual amenity. The strategy shall provide details of the chosen luminaires, their locations and any mitigating features such as dimmers, PIR sensors and timers. The strategy shall minimise the durations of use. Dependent on the scale of proposed lighting, a lux contour plan may be required to demonstrate acceptable levels of lightspill to any sensitive ecological zones/features. The strategy shall refer to the recommendations in the Ecological Impact Assessment (EcIA) (Tyler Grange, July 2025). It shall also explain how proposals have been designed in compliance with Guidance Note 08/23 - Bats and Artificial Lighting at Night (BCT and ILP, 2023). The approved measures shall be implemented in full and maintained as such thereafter.
10. No development shall take place (including demolition, ground works, vegetation clearance and movement of plant, machinery and materials) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall be produced by an ecologist and shall expand upon recommendations in the Ecological Impact Assessment (EcIA) (Tyler Grange, July 2025). It shall include the following.
 - a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction to retained habitats, amphibians, water voles, nesting birds, hedgehog, bats and badger.

- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

11. Prior to building works commencing above foundation level, a Species Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall clearly show positions, specifications and numbers of features, in line with those recommended in the Ecological Impact Assessment (EclA) (Tyler Grange, July 2025), as well as details of a wild bird mix to be included in landscaping at suitable places around the site boundary. The development shall be implemented in accordance with the approved details.
12. Notwithstanding the landscaping details hereby approved, an additional strategy / details relating to trees along the access track shall be submitted to and approved in writing by the Local Planning Authority, taking account of Derbyshire Wildlife Trust's comments on the potential for predatory birds using such trees and the need to avoid this issue. The approved supplementary details shall be implemented in collaboration with the other approved landscaping details, superseding them where there is an overlap.
13. A Habitat Management and Monitoring Plan (HMMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the commencement of the development. If the standard HMMP template is not used, the HMMP checklist shall be consulted to ensure all appropriate information is included. The HMMP shall identify the habitats to be retained, created and / or enhanced on the site over the mandatory 30-year period and specify the appropriate management prescriptions to secure the predicted condition targets, as per the approved biodiversity metric for the application. The HMMP shall also set out a monitoring schedule to ensure targets are met and remedial actions to take if not. Guidance on producing a HMMP can be found here: <https://www.gov.uk/guidance/creating-a-habitat-management-and-monitoring-plan-for-biodiversity-net-gain>
14. Prior to commencement of the development hereby permitted details of a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the demolition/construction period. The plan/statement shall include but not be restricted to:

- Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- Advisory routes for construction traffic;
- Any temporary access to the site;
- Locations for loading/unloading and storage of plant, waste and construction materials;
- Method of preventing mud and dust being carried onto the highway;
- Arrangements for turning vehicles;
- Arrangements to receive abnormal loads or unusually large vehicles;
- Highway Condition survey;
- Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

15. The existing access to Hurst Farm, shown as 'secondary access' on the Preliminary Design Layout GBR_Hurst_LP2-PDL-BESS_05 – Drawing no. LP2-PDL, received 10 October 2025, shall be used only in the case of an emergency and for no other purposes associated with the construction or operation of the development hereby permitted.
16. The development hereby approved shall not be brought into use until the access, parking and turning facilities have been provided as shown on the revised submitted drawing(s).
17. The development hereby approved shall not be brought into use until visibility splays are provided from a point 0.6m above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 160m metres in each direction measured along the nearside edge of the adjoining carriageway and offset a distance of 0.6 metres from the edge of the carriageway. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6m in height above carriageway level.
18. Full details of the point of connection between the approved development and the local distribution network shall be submitted to and approved by the Local Planning Authority prior to the connection being made. The connection shall be designed to be as visually inobtrusive as possible, preferably with cabling being laid underground. The development shall be implemented in accordance with the approved details.
19. No development shall take place until a detailed design and associated management and maintenance plan of the surface water drainage for the site, in accordance with the principles outlined within:
 - a. Alex Eaton, BWB Consulting, June 2025, Flood Risk Assessment, Revision P03.
 - b. A Shademani, BWB Consulting, April 2025, Indicative Drainage Strategy Sheets 1-3, Drawing numbers: NT16771-020, 243787-BWB-ZZ-XX-D-W-0002 & 243787-BWB-ZZ-XX-D-W-0003, Revision P05.

c. A Shademani, BWB Consulting, April 2025, Indicative SuDS Sections, Drawing Number: 243787-BWB-ZZ-XX-D-W-0004, Revision P01.
d. A Shademani, June 2025, Sustainable Drainage Statement, Revision P03.
e. And DEFRA's national standards for sustainable drainage systems (June 2025),
have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

20. No development shall take place until a detailed assessment has been provided to and approved in writing by the Local Planning Authority, to demonstrate that the proposed destination for surface water accords with the drainage hierarchy as set out in paragraph 56 Reference ID: 7-056-20220825 of the planning practice guidance.
21. Prior to commencement of the development, the applicant shall submit for approval to the Local Planning Authority details indicating how additional surface water run-off from the site will be avoided during the construction phase. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved system shall be operating to the satisfaction of the Local Planning Authority, before the commencement of any works, which would lead to increased surface water run-off from site during the construction phase.
22. No development shall take place until a Written Scheme of Investigation for archaeological work has been submitted to and approved by the Local Planning Authority in writing, and until any pre-start element of the approved scheme has been completed to the written satisfaction of the Local Planning Authority. The scheme shall include an assessment of significance and research questions; and
 1. The programme and methodology of site investigation and recording
 2. The programme for post investigation assessment
 3. Provision to be made for analysis of the site investigation and recording
 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 5. Provision to be made for archive deposition of the analysis and records of the site investigation
 6. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.

No development shall take place other than in accordance with the approved archaeological Written Scheme of Investigation.

23. The development shall not be brought into use until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation

approved under condition 22 and the provision to be made for publication and dissemination of results and archive deposition has been secured.

24. No above ground development shall commence until (excluding demolition of existing structures and site clearance);
- a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and
 - b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

25. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.
26. Planning permission is granted for a temporary period only and shall cease to have effect 40 years following the date of receipt of the Final Operational Notification (FON) from the District Network Operator (DNO) (or equivalent organisation). The FON shall be submitted to the local planning authority within 14 working days of the date of its receipt from the DNO.
27. Eighteen months before the end of the 40-year period taken from the FON date submitted under condition 26, a scheme of restoration shall be submitted to and approved in writing by the local planning authority including:
- 1. details of the retention of the substation and associated apparatus to be adopted by the DNO, retention of any approved boundary treatment(s), retained and new landscape planting, and biodiversity enhancements to remain in perpetuity; and,
 - 2. a written scheme of restoration for returning the site to an arable field on cessation of energy storage at the site.

The approved scheme of restoration shall be implemented and completed within 12 months of the end of the 40-year period taken from the date submitted under condition 26.

28. Notwithstanding the Outline Battery Safety Management Plan (OBSMP)

submitted with the application, the development shall not be brought into use until a detailed Battery Safety Management Plan (BSMP) has been submitted to and approved in writing by the Local Planning Authority. The BSMP shall include Emergency Plans and Risk Assessments which will include the interfaces with external first responder organisations. The development shall be implemented in accordance with the approved BSMP.