



Please ask for Martin Elliott  
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The Chair and Members of Planning  
Committee

3 March 2017

Dear Councillor,

Please attend a meeting of the PLANNING COMMITTEE to be held on MONDAY, 13 MARCH 2017 at 3.00 pm in Committee Room 1, Town Hall, Rose Hill, Chesterfield S40 1LP, the agenda for which is set out below.

AGENDA

Part 1(Public Information)

1. Apologies for Absence
2. Declarations of Members' and Officers' Interests Relating to Items on the Agenda
3. Building Regulations (P880D) (Pages 3 - 6)
4. Applications for Planning Permission - Plans Determined by the Development Management and Conservation Manager (P140D) (Pages 7 - 18)
5. Applications to Fell or Prune Trees (P620D) (Pages 19 - 24)
6. Appeals Report (P000) (Pages 25 - 28)
7. Enforcement Report (P410) (Pages 29 - 32)
8. Local Government Act 1972 - Exclusion of Public

Chesterfield Borough Council, Town Hall, Rose Hill, Chesterfield S40 1LP

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To move “That under Section 100(A)(4) of the Local Government Act, 1972 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 3 and 6 of Part I of Schedule 12A of the Act.”

9. Application made under S106a of the Town and Country Planning Act 1990 to amend the amount of affordable housing required on application CHE/15/00755/OUT on land to the west of Bevan Drive, Inkersall, Chesterfield. (Pages 33 - 40)
10. Unauthorised change of use of land for the storage of vehicles and engineering operation to extend area of hard surfacing at - land at Lincoln Street, Chesterfield. (Pages 41 - 48)

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Randy', written in a cursive style.

Local Government and Regulatory Law Manager and Monitoring Officer

<b>COMMITTEE/SUB</b>	Planning Committee
<b>DATE OF MEETING</b>	13 <sup>TH</sup> MARCH 2017
<b>TITLE</b>	DELEGATION
<b>PUBLICITY</b>	For Publication
<b>CONTENTS</b>	Items approved by the Group Leader, Development Management under the following Delegation references:-  Building Regulations P150D and P160D, P570D, P580D
<b>RECOMMENDATIONS</b>	Not applicable
<b>LIST OF BACKGROUND PAPERS</b>	Relevant applications

These are reported to Planning Committee for information only. Anyone requiring further information on any of the matters contained in this report should contact:-

Building Regulations	Malcolm Clinton	345900
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## Decisions made under the Building Regulations

16/02104/DCC	Derbyshire County Council Refurbishment and alteration of existing classrooms to create 2 new teaching bays and unisex wc facilities and sensory room The Pingle Foundation School Coronation Street Swadlincote Derbyshire DE11 0QA	Conditional Approval	07/02/2017
16/02141/MUL	Multiple Domestic Loft conversion and two storey side extension 26 Caxton Close New Whittington Chesterfield Derbyshire S43 2EA	Conditional Approval	14/02/2017
17/00048/DEX	Domestic Extensions/Alterations Single storey rear extension and ground floor wc 41 Summerfield Road Boythorpe Chesterfield Derbyshire S40 2LJ	Conditional Approval	14/02/2017
17/00213/DEX	Domestic Extensions/Alterations Single storey rear extension 10 Thornbridge Crescent Birdholme Chesterfield Derbyshire S40 2JH	Conditional Approval	07/02/2017
17/00192/OTHD	Other Works (Domestic) Garage conversion 14 Moorhay Close Upper Newbold Chesterfield Derbyshire S41 8XF	Unconditional Approval	24/02/2017
17/00079/DEX	Domestic Extensions/Alterations Single storey side and rear extensions 77 Dukes Drive Newbold Chesterfield Derbyshire S41 8QE	Unconditional Approval	15/02/2017
17/00306/DRO	Domestic in-roof Extensions/Alterations Loft conversion 137 Ashgate Road Chesterfield Derbyshire S40 4AN	Unconditional Approval	23/02/2017
17/00145/DEX	Domestic Extensions/Alterations Two storey side and single storey front extension, entrance porch with internal alterations 25 Ashgate Valley Road Chesterfield Derbyshire S40 4AX	Unconditional Approval	15/02/2017
16/02162/MUL	Multiple Domestic Loft conversion and rear dormer extension 217 Lockoford Lane Tapton Chesterfield Derbyshire S41 0TG	Conditional Approval	07/02/2017
17/00029/DEX	Domestic Extensions/Alterations Front extension 8 Kingsmede Avenue Walton Chesterfield Derbyshire S40 3EG	Unconditional Approval	22/02/2017
17/00259/DEX	Domestic Extensions/Alterations First floor rear extension 596 Chatsworth Road Chesterfield Derbyshire S40 3JX	Conditional Approval	14/02/2017
17/00265/DEX	Domestic Extensions/Alterations Single storey rear extension 1 Cornwall Close Brimington Chesterfield Derbyshire S43 1EG	Unconditional Approval	20/02/2017
17/00266/OTHD	Other Works (Domestic) Conversion of attached garage to form habitable room 20 Chadwell Close Hasland Chesterfield Derbyshire S41 0QB	Unconditional Approval	20/02/2017
17/00246/DEX	Domestic Extensions/Alterations Corner infill extension to front of property 9 Woodvale Close Somersall Chesterfield Derbyshire S40 3LY	Unconditional Approval	14/02/2017

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# Agenda Item 4

<b>COMMITTEE/SUB</b>	Planning Committee
<b>DATE OF MEETING</b>	13 <sup>TH</sup> MARCH 2017
<b>TITLE</b>	DELEGATION
<b>PUBLICITY</b>	For Publication
<b>CONTENTS</b>	Items approved by the Group Leader, Development Management under the following Delegation references:-  Planning Applications P020D, P200D to P250D, P270D to P320D, P350D to P370D, P390D, P420D to P440D  Agricultural and Telecommunications P330D and P340D
<b>RECOMMENDATIONS</b>	Not applicable
<b>LIST OF BACKGROUND PAPERS</b>	Relevant applications

These are reported to Planning Committee for information only. Anyone requiring further information on any of the matters contained in this report should contact:-

Planning Applications	Paul Staniforth	345781
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**Delegated List**  
**Planning Applications**

<b>Code No FileNo</b>	<b>Ward</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision Date</b>
CHE/16/00465/OUT  3883	St Leonards	Development of up to 25 new dwellings excluding land to the west of 177 Spital Lane amended description received 12th August 2016, amended plans received 10th August 2016 - Additional information received 19th October 2016  At Land To The Rear Of 145 - 177 Spital Lane Spital Chesterfield Derbyshire  For Mr S Balfour	REF	23/02/2017
CHE/16/00730/TPD	Hollingwood And Inkersall	Rear Extension At  23 Myrtle Grove  Hollingwood DerbyshireS43 2LL  For Mr Peter Catherwood	PANR	15/02/2017
CHE/16/00737/FUL  953	St Leonards	New Ford dealership comprising 2 storey showroom/service/MOT building and single storey car valet building with associated facilities including workshops, compound, customer and staff parking, used car sales display area, access roads and appropriate landscaping  At Land To South Of Spire Walk Chesterfield Derbyshire  For Perrys East Midlands Ltd	CP	10/02/2017
CHE/16/00750/FUL  5622	Loundsley Green	Single storey rear extension adjoining a public walkway  At 19 Yeldersley Close Holme Hall Chesterfield Derbyshire S40 4LG  For Mr Martin Miller	CP	23/02/2017

<b>Code No FileNo</b>	<b>Ward</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision Date</b>
CHE/16/00764/NMA 1667	Brockwell	Front entrance porch At 3 Holmebank East Brockwell Chesterfield Derbyshire S40 4AR  For Mr Shahid Parvez	UP	14/02/2017
CHE/16/00771/LBC 707	St Leonards	Installation of CCTV cameras at selected locations on ground floor and within staircase areas at first and second floors; replacement of staff attack alarm system at ground and first floors with wall mounted infra red receivers and display screens; construction of needle exchange room at ground floor; division of existing admin office at ground floor to create smaller admin office and new counselling room; formation of viewing screen between admin office and new location for waiting area; installation of air conditioning unit to ground floor clinic room with internal wall mounted inverter and external fan unit; creation of new roof access hatch within ceiling and removal of existing hatch in vertical bulkhead; creation of working platform within existing roof void At 42 St Marys Gate Chesterfield Derbyshire S41 7TH  For Derbyshire Healthcare NHS Foundation Trust	CP	22/02/2017
CHE/16/00772/FUL 2158	Holmebrook	Proposed single storey flat roof kitchen extension within enclosed rear yard and replacement of bay windows at ground floor level and casement windows at first floor level to existing front elevation and as amended by additional information received on 07.02.2017  At Red Lion 261 Chatsworth Road Chesterfield Derbyshire S40 2BL  For Mr J Frederick	CP	16/02/2017

<b>Code No FileNo</b>	<b>Ward</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision Date</b>
CHE/16/00773/LBC  1923	St Leonards	Proposed alterations to Grade II listed building, including replacement of 6 sash windows to principal elevation; replacement timber stall riser to shopfront; repair and replacement of guttering; patch re-pointing; patch replacement of roof tiles and flashings; replacement roof light to rear elevation and repairs to roof purlin.  At 10 High Street Chesterfield S40 1PS  For Mr J Waller	CP	23/02/2017
CHE/16/00780/RET  2057	Lowgates And Woodthorpe	Retention of the works to remove existing fence and hedge and erection of replacement wooden fencing.  At 1 Tollbridge Road Woodthorpe Derbyshire S43 3BL  For Miss Linda Kinsey	REF	13/02/2017
CHE/16/00796/FUL  4396	St Leonards	Extension and alterations to change the use from existing workshop/garage to recording studio  At Workshop To Rear Of 98 Derby Road Chesterfield Derbyshire S40 2EF  For Mr Thomas Henthorn	CP	10/02/2017

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/16/00797/REM1	Lowgates And Woodthorpe	Variation of conditions 2,3,5 and 6 of CHE/16/00175/FUL - Development of an industrial unit for Class B8 purposes with ancillary office space, gatehouse plus car parking, lorry parking, service yard and sprinkler tanks with associated site access, drainage, site levelling, engineering and landscaping works  At Plot 13 Markham Lane Duckmanton Derbyshire  For Henry Boot Developments	CP	16/02/2017
CHE/16/00801/NMA  5609	Holmebrook	Non material amendment to CHE/16/00419/FUL - alter dimensions of extension, change of roof design and finish to external walls - now to be timber cladding  At 345 Chatsworth Road Chesterfield Derbyshire S40 2BZ  For Mr David Bannister	UP	16/02/2017
CHE/16/00810/FUL  133	Barrow Hill And New Whittington	Demolition of conservatory and outbuildings and proposed 2 storey side extension  At 297 High Street New Whittington Derbyshire S43 2AP  For Mrs Jackie Slater	CP	15/02/2017
CHE/16/00813/FUL  5805	Brimington South	Proposed alterations and rear extension  At 89A Manor Road Brimington Derbyshire S43 1NN  For Mr Simon Jones and Michelle Teasel	CP	16/02/2017

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/16/00818/FUL 857	St Leonards	Proposed restaurant on the building 3rd CP floor (opening times in accordance with existing license). Alteration and widening of ground floor opening to accommodate new bi-fold doors. Installation of retractable awning canopy to building entrance (minimum 2.3m high) - Re-submission of CHE/16/00618/FUL (revised plans received 22/02/2017)  At 21-23 Holywell Street Chesterfield S41 7SA  For Mr Giacchino Livoti		23/02/2017
CHE/16/00821/FUL 3379	Brimington South	Proposed erection of a detached dwelling and new dropped crossing to form off street parking spaces  At 158 & 160 Manor Road Brimington Derbyshire S43 1NW  For Mr and Mrs Rollett	REF	01/03/2017
CHE/16/00823/ADV 1902	Holmebrook	1 double sided internally illuminated light box incorporated into structure of bus shelter  At Light Box On Bus Shelter Wheatbridge Road Chesterfield Derbyshire  For Clear Channel UK	CP	10/02/2017
CHE/16/00824/REM 1562	Hollingwood And Inkersall	Reserved matters for CHE/15/00267/OUT - outline planning permission for two storey dwelling  At Land Opposite Oaks Farm Markham Road Duckmanton Derbyshire  For Mr Mark Reynolds	CP	13/02/2017

<b>Code No FileNo</b>	<b>Ward</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision Date</b>
CHE/16/00826/FUL 1113	Walton	Proposed front extension to bungalow At 8 Kingsmede Avenue Walton Derbyshire S40 3EG  For Mr and Mrs J Cook	CP	13/02/2017
CHE/16/00827/FUL 11	Walton	Roof to be raised and loft area "converted", front elevation remodelled and single storey extension to the rear  At 24 Lichfield Road Walton Derbyshire S40 3EZ  For Mr and Mrs Sandhu	CP	28/02/2017
CHE/16/00828/FUL 5735	St Leonards	Application for external alterations to existing shopfront : additional information received 16.02.2017  At British Home Stores 29 Vicar Lane Chesterfield Derbyshire S40 1PY  For Landmaster Properties Limited In Administrative Receivership	CP	28/02/2017
CHE/16/00829/FUL 3998	Hasland	Proposed two storey rear extension At 113 The Green Hasland Derbyshire S41 0JT  For Mike Rielly	CP	28/02/2017
CHE/16/00830/FUL 2316	Brockwell	Single story extension to rear of dwelling house  At 24 Gladstone Road Chesterfield Derbyshire S40 4TE  For Mr Brammer	CP	23/02/2017

<b>Code No FileNo</b>	<b>Ward</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision Date</b>
CHE/16/00832/FUL 208	Dunston	Construction of two single storey industrial buildings split into 5 units with associated landscaping, drainage, road access and car park work - additional information received 02/02/2017 and 16/02/2017  At Land Adjacent Dunston Road Chesterfield Derbyshire  For Peppermint Grove Development Ltd	CP	28/02/2017
CHE/16/00834/FUL 952	Brockwell	Roof extension and creation of additional bedrooms  At 44 Newbold Road Newbold Derbyshire S41 7PH  For Potens	CP	21/02/2017
CHE/17/00001/FUL 1615	Rother	Alterations to create study/office/bedroom and bathroom in roof space  At 9 Thornbridge Crescent Birdholme Derbyshire S40 2JH  For Mr F Moore	CP	15/02/2017
CHE/17/00007/DOC 1542 4931	Dunston	Discharge of conditions 3 ,5 6, 8 ,9 ans 10 relating to CHE/16/00477/FUL - Demolition of four properties to accommodate a car park extension and extension of existing foodstore  At Lidl Sheffield Road Whittington Moor Derbyshire S41 8LX  For Lidl UK GmbH	DPC	27/02/2017

<b>Code No FileNo</b>	<b>Ward</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision Date</b>
CHE/17/00010/MA 1319	West	Material amendments to CHE/11/00223/FUL (erection of a 5 bedroom dwelling) to include an indoor swimming pool, small increase in eaves and roof height, increase in garden area and minor changes to heights and sizes of windows, doors, rooflights and solar panels  At 568 Chatsworth Road Chesterfield Derbyshire S40 3JS  For Mr and Mrs Rockie White	CP	23/02/2017
CHE/17/00025/FUL 1644	Moor	Demolition of single storey store, erection of 2 storey side extension and rear conservatory  At 26 Blandford Drive Newbold Chesterfield Derbyshire S41 8QT  For Miss Shani Wylde	CP	01/03/2017
CHE/17/00026/TPO 308	West	Larch tree - Remove one very low branch.  At 5 Pine View Ashgate Chesterfield Derbyshire S40 4DN  For Mr Philip Brindle	CP	08/02/2017
CHE/17/00034/TPO 1751	Loundsley Green	Crown lift, crown clean to each tree and pruning to trees T1-T11, T13-T16, T18- T20 and groups 1 to 7 of TPO No. 297  At Brendon House Residential Home Brendon Avenue Chesterfield Derbyshire S40 4NJ  For Heathcotes Group Ltd	CP	16/02/2017



<b>Code No FileNo</b>	<b>Ward</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision Date</b>
CHE/17/00043/TPD	Brockwell	Single storey rear extension to form kitchen At 33 Brookbank Avenue Brockwell Chesterfield Derbyshire S40 4BA For Mr Martyn Hague	PANR	14/02/2017
CHE/17/00044/TPD	St Leonards	Single storey rear flat roof extension 4m wide At 38 Park Road Chesterfield Derbyshire S40 1XZ For Mr Antony Waite	PANR	15/02/2017
CHE/17/00049/HERM 4036	Barrow Hill And New Whittington	Removal of hedge to facilitate better farming practice and turning with large agricultural machines At Hagge Farm Unnamed Road Off Staveley Lane Near Hagge Farm Middle Handley Derbyshire S21 5RP For Mr Alan Jackson	UP	01/03/2017
CHE/17/00064/TPD 24/02/2017	Brimington South	4m x 4m conservatory to rear of property At 35 Wayside Court Brimington Derbyshire S43 1BS For Mr Mark Brereton		PANR
CHE/17/00066/CPO 1562	Hollingwood And Inkersall	Construct and operate a short term operating reserve power supply system At Erin Landfill Site Markham Lane Duckmanton Derbyshire S44 5HS For Viridor Waste Management Ltd		20/02/2017

<b>Code No FileNo</b>	<b>Ward</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision Date</b>
CHE/17/00080/DOC 953 119 1604	St Leonards	Discharge condition 4 (Construction Management Plan) on applications CHE/16/00620/FUL and CHE/16/00621/FUL  At Unit 3 and Unit 4 Spire Walk Business Park Spire Walk Chesterfield Derbyshire  For Mr Rob Devoy	DPC	01/03/2017
CHE/17/00081/CA 1319	West	Various tree works in rear garden  At Hazeldene 554 Chatsworth Road Chesterfield Derbyshire S40 3AY  For J G Kirkland	UP	13/02/2017
CHE/17/00083/TPO 1741	Loundsley Green	Oak tree - 25% crown thinning  At 15 Abney Close Chesterfield Derbyshire S40 4PF  For Mr Michael Alberts	CP	16/02/2017
CHE/17/00147/TPO	Old Whittington	Fell one pear tree  At 113 High Street Old Whittington Derbyshire S41 9LB  For Louise Parker	CP	01/03/2017

<b>COMMITTEE/SUB</b>	Planning Committee
<b>DATE OF MEETING</b>	13 <sup>TH</sup> MARCH 2017
<b>TITLE</b>	DELEGATION
<b>PUBLICITY</b>	For Publication
<b>CONTENTS</b>	Items approved by the Group Leader, Development Management under the following Delegation references:-  Felling and Pruning of Trees P100D, P120D, P130D
<b>RECOMMENDATIONS</b>	Not applicable
<b>LIST OF BACKGROUND PAPERS</b>	Relevant applications

These are reported to Planning Committee for information only. Anyone requiring further information on any of the matters contained in this report should contact:-

Applications to Fell or Prune Trees	Steve Perry	345791
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**SECTION 1****APPLICATION TO FELL OR PRUNE TREES**

<b><u>CODE NO</u></b>	<b><u>DESCRIPTION OF PROPOSAL</u></b>	<b><u>TERMS OF DECISION</u></b>
CHE/17/00083/TPO TPO 4901.282 15/02/17	The pruning of one Oak tree reference T1 on the Order map for Mr Alberts of 15 Abney Close, Loundsley Green.	Consent is granted to a light crown thin to allow more light into the garden concentrating on the outer crown rather than removing branches in the inner crown which is already open.
CHE/17/00034/TPO TPO 4901.297 15/02/17	The pruning of 18 individual trees reference T1 Poplar, T2-T8, T12 & T18 Maple, T9-T11 London Plane, T15 Rowan, T17 Cherry, T19 & T20 Hawthorn and 7 Groups of trees consisting of G1 x4 Beech, G2 x3 Cherry, G3 x3 Limes, G4 x3 Cherry, G5 x3 Silver Birch, G6 x3 Ornamental Apple and G7 x4 Lime trees on the Order Map and which are situated in the grounds of the former Brendon House, Brendon Avenue, Loundsley Green for JDS Design. The works are to facilitate the new development and rectify unauthorised works and damage which have left broken branches and poor pruning cuts.	Consent is granted to the pruning of trees at the Former Brendon House, Brendon Avenue to remove the lower branches to give a clearance of 2.5 metres from ground level, crown clean to remove dead and damaged branches and the clearance from street lighting heads.

<p>CHE/17/00105/TPO</p> <p>TPO 4901.02</p> <p>20/02/17</p>	<p>The felling of 3 Conifer trees and the thinning out of tree saplings within W1 at Brierley Wood on the Order map for Mr David Black of 15 Sylvia Road, Unstone. The 3 conifer trees have been planted in the woodland and are non-native and the thinning out of the saplings is to allow space for the remaining trees to grow.</p>	<p>Consent is granted to the felling of 3 Conifer trees. The duty to replant with replacement trees has been dispensed with on this occasion due to the natural regeneration within the woodland which is to be thinned out by a maximum of 50% to allow space for the remaining trees to grow.</p>
<p>CHE/17/00147/TPOEXP</p> <p>TPO 4901.149</p> <p>01/03/17</p>	<p>The felling of one Pear tree reference T145 on the Order map for Ms Louise Parker of 113 High Street, Old Whittington. The tree lost a large limb during the recent storms leaving just two remaining branches which will be prone to further wind damage.</p>	<p>Consent is granted to the felling of one Pear tree by virtue of Part VIII, Chapter 1, Section 198, paragraph 6(a) of the Town and Country Planning Act 1990 as amended under The Town and Country Planning (Tree Preservation) (England) Regulations 2012, which has provision for dead and dangerous trees, Section 206, paragraph 1(b) of the same Act requires any dead/dangerous tree to be felled under Section 198 to be replaced during the next available planting season, i.e. 1st October 2017 to 31st March 2018 to the satisfaction of the Borough Council.</p> <p>The replacement tree is to be a small leaved Lime and planted as near as possible to the original tree.</p>

**SECTION 2****NOTIFICATION OF INTENT TO AFFECT TREES IN A CONSERVATION AREA**

<b><u>CONTENTS OF NOTICE</u></b>	<b><u>SUMMARY OF CONSIDERATIONS</u></b>	<b><u>TERMS OF DECISION</u></b>	<b><u>DATE OF DECISION</u></b>
CHE/17/00081/CA The pruning of 10 various trees and shrubs for Mr Kirkland of 554 Chatsworth Road. Page 23	The trees are within the Chatsworth Road Conservation Area and the applicant wishes to prune the trees and shrubs to generally maintain the front, side and rear garden.	Agreement to the pruning of various trees and shrubs. The pruning works will have no adverse effect on the amenity value of the area.	13/02/17

**HEDGEROW REMOVAL NOTICE (REGULATION 5(I))**

<b><u>CODE NO</u></b>	<b><u>DESCRIPTION OF PROPOSAL</u></b>	<b><u>TERMS OF DECISION</u></b>	<b><u>DATE OF DECISION</u></b>
CHE/17/00049/HERM	The removal of 315 metres of hedgerow for Mr Jackson at Hagge Farm, Nether Langley. The hedgerow is located to the south of Red Lodge Farm and to the west of Brecks Lane, Barrow Hill.	Consent is granted to the removal of 315 metres of hedgerow.  The application was considered against the criteria set out in the Hedgerow Regulations 1997 and was found to be 'Not important' in the criteria which considers the hedgerow species, archaeology and history.	01/03/17



## AGENDA ITEM

### APPEALS REPORT

**MEETING:** PLANNING COMMITTEE  
**DATE:** 13<sup>TH</sup> MARCH 2017  
**REPORT BY:** GROUP LEADER  
DEVELOPMENT MANAGEMENT

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### FOR PUBLICATION

### BACKGROUND PAPERS FOR PUBLIC REPORTS

<u>TITLE</u>	<u>LOCATION</u>
Non exempt papers on files referred to in report	Development Management Section Planning Service Town Hall Chesterfield

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### 1.0 PURPOSE OF REPORT

- 1.1 To inform Members regarding the current status of appeals being dealt with by the Council.

**PAUL STANIFORTH**  
**GROUP LEADER, DEVELOPMENT MANAGEMENT**

These are reported to Planning Committee for information only. Anyone requiring further information on any of the matters contained in this report should contact Paul Staniforth on 01246 345781.

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**APPEALS**

<b><u>FILE NO.</u></b>	<b><u>APPLICATION CODE &amp; WARD</u></b>	<b><u>APPELLANT</u></b>	<b><u>CASE</u></b>	<b><u>MEMBER OFFICER</u></b>	<b><u>DATE REC</u></b>	<b><u>TYPE AND DATE</u></b>	<b><u>DECISION AND DATE</u></b>
2/4150	West ward	Mr D Pogson of 31 Storrs Road	CHE/16/00669/TPO Refusal to felling of Beech tree at 25a Storrs Road	Officer delegation	15/12/16	Written Reps (HAS)	
2/4907	St Helens ward	Yasmin Shafiq	CHE/16/00648/RET rear extension at 47 Tipton View Road - Refusal	Officer delegation	27/1/17	Written Reps (HAS)	
2/4071	Moor ward	Mr D Revitt	10 Pottery Lane West Excavation of rear garden area – Enforcement Notice Ground c (works are permitted development)	Planning Committee	28/02/17	Written Reps	

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# FOR PUBLICATION Agenda Item 7

## ENFORCEMENT REPORT

**MEETING:** PLANNING COMMITTEE  
**DATE:** 13<sup>TH</sup> MARCH 2017  
**REPORT BY:** LOCAL GOVERNMENT AND REGULATORY LAW MANAGER  
DEVELOPMENT MANAGEMENT & CONSERVATION MANAGER  
**WARD:** As listed in the report

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### **FOR PUBLICATION**

TITLE: D255 and Non-exempt papers (if any) on relevant files

### **BACKGROUND PAPERS**

LOCATION: LEGAL SERVICES

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#### **1.0 PURPOSE OF REPORT**

1.1 To update members, and get further authority, on formal enforcement.

#### **2.0 BACKGROUND**

2.1 The table summarises formal planning enforcement by the Council.

#### **3.0 INFORMAL ACTION**

3.1 Formal enforcement is a last resort, with most planning problems resolved without formal action (in accordance with government guidance). More information on informal enforcement is available from the Planning Service.

#### **4.0 MORE INFORMATION ABOUT THE TABLE**

4.1 A summary of the main types of planning enforcement action available to the Council and penalties for non compliance is available from Legal Services.

#### **5.0 RECOMMENDATION**

5.1 That the report be noted.

GERARD ROGERS  
LOCAL GOVERNMENT AND  
REGULATORY LAW MANAGER

PAUL STANIFORTH  
DEVELOPMENT MANAGEMENT  
& CONSERVATION MANAGER

Further information on this report from Gerard Rogers, Legal Services  
Tel 01246 345310 or email [gerard.rogers@chesterfield.gov.uk](mailto:gerard.rogers@chesterfield.gov.uk)

# ENFORCEMENT REPORT

Enforcements currently Authorised: 9

03 March 2017

Address	Authorised <small>days from</small>	Breach	CHE/	Issued <small>days to issue</small>	Effective <small>days to (-) /from</small>	Comply <small>days to (-) /from</small>	Notes	<small>update last update</small>	<small>Ward</small>
<b>Breach of Condition Notice</b>				<i>Total currently Authorised: 1    Authorised to Issue Average:    days</i>					
Newbold Road	22/12/16 <small>71</small>	tree protection measures	13/00386/OUT				Breach of conditions 1 and 5. Complying without formal action.	<input checked="" type="checkbox"/> <small>09/02/17</small>	
<b>Enforcement Notice</b>				<i>Total currently Authorised: 4    Authorised to Issue Average:    16 days</i>					
Hady Lane	15/10/12 <small>1,600</small>	occupation of land					Resubmitted application for relocation site granted 06/10/14, and details on conditions submitted. Outcome of Village Green Inquiry - DCC rejected the applications on 25/07/16. Currently moving to authorised site.	<input type="checkbox"/> <small>11/11/16</small>	Ha
Hedley Drive	40	30/01/17 <small>32</small>	means of enclosure				Boundary treatment. Any further enforcement delegated to officers. About to be issued.	<input type="checkbox"/> <small>09/02/17</small>	

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Address		Authorised <i>days from</i>	Breach	CHE/	Issued <i>days to issue</i>	Effective <i>days to (-) /from</i>	Comply <i>days to (-) /from</i>	Notes	update <i>last update</i>	Ward
Pottery Lane West	10	09/01/17 53	excavation - engineering works		25/01/17 16			Issued 25/01/17. Appeal.	<input checked="" type="checkbox"/> 03/03/17	

Walton Works		27/06/16 249	use for war and horror style games					Cease war and horror style games at weekends and after 18:00 hours, and pyrotechnics at any time. 12/12/16 Committee approved proposal for Section 106 planning obligation to regulate unauthorised occupation pending redevelopment. Draft sent to agents.	<input type="checkbox"/> 03/03/17	Wa
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### Stop Notice

Total currently Authorised: 1 Authorised to Issue Average: days

Walton Works		27/06/16 249	use for war and horror style games of game play					See notes for Enforcement Notice.	<input type="checkbox"/> 03/03/17	Wa
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### TPO Prosecution

Total currently Authorised: 3 Authorised to Issue Average: days

Devonshire Street Park	Devonshire	14/12/16 79	pollarding of lime tree					Caution not accepted: Prosecute.	<input checked="" type="checkbox"/> 01/03/17	BN
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Address	Authorised <i>days from</i>	Breach	CHE/	Issued <i>days to issue</i>	Effective <i>days to (-) /from</i>	Comply <i>days to (-) /from</i>	Notes	update <i>last update</i>	Ward
Dock Walk	24/10/16 130	felling 9 TPO trees					In court 16/03/17	<input type="checkbox"/> 09/02/17	
Victoria Street	Ringwood Centre (former)	01/03/17 2					Instructed. Caution.	<input checked="" type="checkbox"/> 01/03/17	HI

Action authorised by Committee except Breach of Condition, Planning Contravention, Section 215 Notices, Advertisement Discontinuance, prosecutions and urgent action which are authorised by officers

Key to Ward abbreviations: BNW Barrow Hill and New Whittington • BN Brimington North • BS Brimington South • B Brockwell • D Dunston • Ha Hasland • Hb Holmebrook • HI Hollingwood and Inkersall • L Linacre • LG Loundsley Green • LW Lowgates and Woodthorpe • MP Middlecroft and Poolsbrook • Mo Moor • N Newbold • OW Old Whittington • R Rother • SH St Helens • SL St Leonards • Wa Walton • We West



By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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By virtue of paragraph(s) 6 of Part 1 of Schedule 12A of the Local Government Act 1972.

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