



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

Councillor Dyke – Site Visit 1
Councillors Borrell & Niblock – Site
Visit 2

12 April 2017

Dear Councillor,

Please attend a meeting of the PLANNING COMMITTEE to be held on
MONDAY, 24 APRIL 2017 at 3.00 pm in the Council Chamber, Town Hall, Rose
Hill, Chesterfield S40 1LP, the agenda for which is set out below.

AGENDA

Part 1(Public Information)

**PLEASE NOTE THAT THE MEETING WILL BE PRECEDED BY THE
FOLLOWING SITE VISITS.**

Planning Committee Members should assemble in Committee Room 1 at
13:10. Ward members wishing to be present should attend on site as
indicated below:-

1. 13:25 7 Myrtle Grove – CHE/1700068/FUL
2. 13:50 246a Ashgate Road – CHE/17/00119/MA and
120MA

***Members are reminded that only those attending on site will be
eligible to take part in the debate and make a decision on these items.
Members intending to declare a Disclosable Pecuniary Interest, or any***

other matter which would prevent them taking part in discussions on an item, should not attend the site visit for it

Ward members are invited to attend on site and **should confirm their attendance** by contacting Martin Elliott on tel. 01246 345236 or via e-mail: martin.elliott@chesterfield.gov.uk by 9.00 a.m. on Monday 24 April. If you do not confirm your attendance, it will be assumed that you will not be attending on site.

Please ensure that all mobile phones are switched off during site visits and at the meeting at the Town Hall.

1. Apologies for Absence
2. Declarations of Members' and Officers' Interests Relating to Items on the Agenda
3. Applications for Planning Permission - Plans Determined by the Committee (Pages 3 - 94)
4. Building Regulations (P880D) (Pages 95 - 98)
5. Applications for Planning Permission - Plans Determined by the Development Management and Conservation Manager (P140D) (Pages 99 - 114)
6. Applications to Fell or Prune Trees (P620D) (Pages 115 - 122)
7. Appeals Report (P000) (Pages 123 - 130)
8. Enforcement Report (P410) (Pages 131 - 134)

Yours sincerely,



Local Government and Regulatory Law Manager and Monitoring Officer

Agenda Item 3

COMMITTEE/SUB	Planning Committee
DATE OF MEETING	24 APRIL 2017
TITLE	DETERMINATION OF PLANNING APPLICATIONS
PUBLICITY	*For Publication
CONTENTS SUMMARY	See attached index
RECOMMENDATIONS	See attached reports
LIST OF BACKGROUND PAPERS	For each of the attached reports, the background papers consist of the file specified in the top right hand corner on the front page of the report. Those background papers on the file which do not disclose exempt or confidential information are open to public inspection at the office of the Group Leader, Development Management – Planning Services. Additional background papers (if any) will be separately listed in the report.

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**INDEX TO DEVELOPMENT MANAGEMENT AND CONSERVATION
MANAGER'S REPORT ON THE 24 APRIL 2017**

- ITEM 1 CHE/17/0068/FUL - Proposed new dormer bungalow within the curtilage of 7 Myrtle Grove (revised plans received 10.03.2017) for Mr Shaun Cooper.**
- ITEM 2 CHE/17/00119/MA & CHE/17/00120/MA – amendments to house types on Plots 1,2 and 3 at 246A Ashgate Road, Chesterfield for Antony Aston Builders Ltd**

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Case Officer: Eleanor Casper
Telephone No: 01246 345785
Committee Date: 24th April 2017

File No: CHE/17/00068/FUL
Plot No: 2/1073

ITEM 1

PROPOSED NEW DORMER BUNGALOW WITHIN THE CURTILAGE OF 7 MYRTLE GROVE (REVISED PLANS RECEIVED 10.03.2017), HOLLINGWOOD, CHESTERFIELD, DERBYSHIRE, S43 2LN FOR MR SHAUN COOPER

Local Plan: Unallocated
Ward: Hollingwood and Inkersall

1.0 CONSULTATIONS

Ward Members	No Comments
Site Notice/Neighbours	1 representation received – see report
Strategy Planning Team	Comments received, No objection– see report
Environmental Services	Comments received, No objection– see report
Design Services	Comments received, No objection– see report
Yorkshire Water	No Comments received
DCC Highways	Comments received, No objection– see report
Coal Authority	Objection received due to lack of Coal Mining Risk Assessment. Risk Assessment received and Coal Authority re-consulted (03.04.17) – see report
Urban Design Officer	Comments received – see report

2.0

2.1

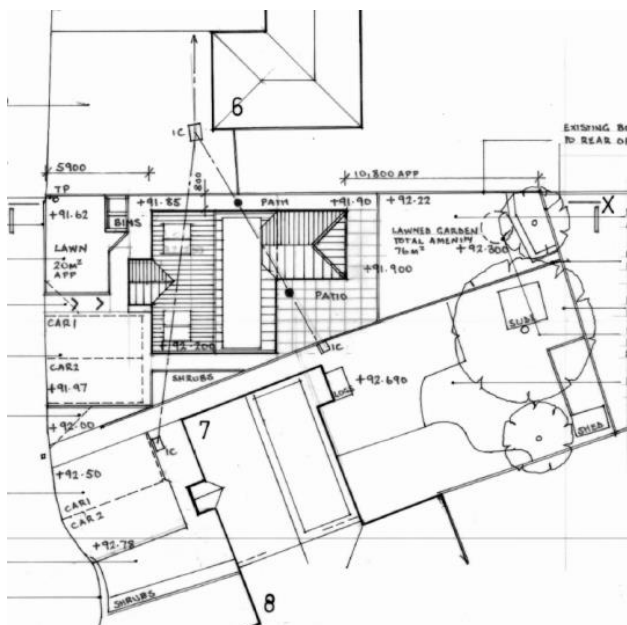
2.2



Photo taken facing north,
towards No 6 Myrtle Grove



Photo taken facing west,
towards No 7 Myrtle Grove



3.0

3.1

- 3.2 Pre-application advice was requested regarding the principle of a dwelling on the site and drawings were submitted by the applicant for consideration. The principle of development was considered to be acceptable in respect of the location of the site and appearance of the proposed bungalow.

4.0 **THE PROPOSAL**

- 4.1 The application proposes the erection of a 3 bed dormer bungalow, located on land to the north of 7 Myrtle Grove. The proposed bungalow is formed of a dual pitch roof and incorporates a small porch with open gable style feature on the principle elevation. Architecturally the proposal closely relates to the adjacent property, No 7 Myrtle Grove.
- 4.2 The main footprint of the proposed bungalow measures 7.7m x 6.8m in area and measures 2.6m to the eaves and 5.5m to the ridge. The proposal also incorporates a single storey rear extension with hipped roof, measuring 3.9m x 3.9m in footprint. The proposed box dormer measures 7.3m in width and covers most of the rear (eastern) roof plane.



Principle elevation of proposed dwelling shown in a cross section of the streetscene

5.0 **CONSIDERATIONS**

5.1 **Planning Policy**

- 5.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that, 'applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise'. The

relevant Development Plan for the area comprises of the saved policies of the Replacement Chesterfield Local Plan adopted June 2006 (RCLP) and the adopted Chesterfield Borough Local Plan: Core Strategy (2011-2031).

5.2 Chesterfield Local Plan: Core Strategy 2011 – 2031 ('Core Strategy')

- CS1 Spatial Strategy
- CS2 Principles for Location of Development
- CS3 Presumption in Favour of Sustainable Development
- CS7 Managing the Water Cycle
- CS8 Environmental Quality
- CS18 Design

5.3 Other Relevant Policy and Documents

- National Planning Policy Framework (NPPF)
- SPD 'Successful Places: A Guide to Sustainable Housing Layout and Design' (adopted July 2013)

5.4 Key Issues

- Principle of development;
- Design and appearance of the proposal;
- Impact on neighbouring residential amenity;
- Highways safety and parking provision;

5.5 Principle of Development

Relevant Policies

- 5.5.1 The application site is situated within the built settlement of Hollingwood. The area is predominantly residential in character therefore policies CS1, CS2 and CS18 of the Core Strategy and the wider National Planning Policy Framework (NPPF) apply. In addition, the Councils Supplementary Planning Document on Housing Layout and Design 'Successful Places' is also a material consideration.

- 5.5.2 Policy CS1 states that *‘The overall approach to growth will be to concentrate new development within walking and cycling distance of centres.’*
- 5.5.3 Policy CS2 states that when *‘assessing planning applications for new development not allocated in a DPD, proposals must meet the following criteria / requirements:*
a) adhere to policy CS1
b) are on previously developed land
c) are not on agricultural land
d) deliver wider regeneration and sustainability benefits
e) utilise existing capacity in social infrastructure
f) maximise walking / cycling and the use of public transport
g) meet sequential test requirements of other national / local policies’
- ‘All development will be required to have an acceptable impact on the amenity of users or adjoining occupiers taking into account noise, odour, air quality, traffic, appearance, overlooking, shading or other environmental, social or economic impacts.’*
- 5.5.4 Policy CS18 (Design) states that *‘all development should identify, respond to and integrate with the character of the site and its surroundings and respect the local distinctiveness of its context’* and development should have *‘an acceptable impact on the amenity of users and neighbours.’*
- 5.5.5 The NPPF places emphasis on the importance of good design stating:

‘In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area. Planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.’
- 5.5.6 In addition to the above, in July 2013 the Council adopted ‘Successful Places’ which is a Supplementary Planning Document which guides Sustainable Housing Layout and

Design. The development proposed should be assessed against the design principles set out in this supporting document.

Principle of Development

- 5.5.7 The site is located within a reasonable walking distance of a centre, approximately 1200m from Brimington Local Service Centre and 800m to existing shops/services on Hollingwood Crescent. The Strategy Planning Team (Forward Planning Team) were consulted on the scheme and consider the proposal to accord with the Local Plan and policy CS1. The proposal is therefore considered to be acceptable in principle.
- 5.5.8 Comments received from the Strategy Planning Team also reference policy CS6 and suggest that the applicant must set out how the proposed development will meet criteria a to d of this policy. Local Plan policy CS6 requires that residential development meets level four of the Code for Sustainable Homes (Level 5 will be required if built from 2017), however following the Deregulation Act and removal of the Code for Sustainable Home, this is no longer a requirement that can be applied. Criteria a to d of policy CS6 are now covered by different legislation, predominately Building Regulations. It is therefore not considered necessary to require the applicant to submit further information to satisfy policy CS6 to the proposal.
- 5.5.9 Consideration of the principle of development in respect of the design/appearance of the proposal and potential impact on neighbours (CS18 and CS2) will be covered in the following sections (5.6 and 5.7)

5.6 Design and Appearance of the Proposal

Relevant Policies

- 5.6.1 Core Strategy Policy CS18 states that *'all development should respect the character, form and setting of the site and surrounding area by virtue of its function, appearance and architectural style, landscaping, scale, massing, detailing, height and materials.'*

- 5.6.2 Core Strategy Policy CS2 states that *‘all developments will be required to have an acceptable impact on the amenity of users or adjoining occupiers, taking into account things such as noise, odour, air quality, traffic, appearance, overlooking, shading or other environmental, social or economic impacts’*

Design and Appearance

- 5.6.3 The proposed bungalow is similar in design and scale to the adjacent property No 7 Myrtle Grove and features a dual pitch roof with open gable style porch. The design of the proposal is considered to be acceptable in respect of the architectural style and appearance of the surrounding properties.
- 5.6.4 The block/layout plan shows that the principle (east) elevation of the dwelling will be set approximately 3.2m forward of the principle elevation of No 6 Myrtle Grove. As a result, the ridge of the proposed bungalow is almost in line with the principle elevation of the No 6. The rear (west) elevation of the single storey rear extension is set approximately 1m further east than the rear elevation of No 6. The proposed dwelling is set approximately 1m forward of the principle elevation of No 7.
- 5.6.5 The application form and associated plans state that the proposed dwelling will be faced in white render with red brick plinth and smooth brown interlocking concrete pan roof tiles. The dwellings within the immediate vicinity of the application site are predominately red brick. Render has been introduced to the streetscene, white render features on No 12 Myrtle Grove (located directly west of the application site). The proposed materials are therefore considered to be acceptable.
- 5.6.6 The block/layout plan shows a rear garden measuring 76m² in area will be provided. The ‘Successful Place’ SPD details the minimum size outdoor amenity space required for a new dwelling. A three bedroom house requires a minimum of 70m² of outdoor amenity space. The new dwelling would therefore have a rear garden which meets the requirements of the ‘Successful Places’ SPD in terms of size. In addition

the front garden of the site incorporates a lawn measuring 20m², with adjacent bin store and block paved off-street parking.

- 5.6.7 It is acknowledged that the proposed development will result in a degree of overshadowing to the garden of the adjacent property, No 6 Myrtle Grove. Adverse impacts on the residential amenity of the occupiers of No 6 will be discussed in section 5.7 below.
- 5.6.8 Having consideration for the observations above the proposal is considered to be appropriately designed and would not cause adverse impacts on the visual amenity and character of the area. The proposal will therefore accord with the design provisions of policy CS18 of the Core Strategy.

5.7 Impact on Neighbouring Residential Amenity

- 5.7.1 Core Strategy Policy CS18 states that all development will be expected to *'have an acceptable impact on the amenity of users and neighbours'*
- 5.7.2 The application site is adjoined by No 7 Myrtle Grove to the south and No 6 Myrtle Grove to the north. The rear garden of the proposed dwelling is bound by Hollingwood Hall and The Coach House (including number 1 – 4 The Coach House) to the east. No 12, No 13, No 14 and No 15 Myrtle Grove face the site to the west on the opposite side of Myrtle Grove highway.

Impact on No 6 Myrtle Grove

- 5.7.3 No. 6 Myrtle Grove is the neighbouring bungalow which is situated immediately north of the site. This bungalow is separated from the site by a narrow side yard which is approximately 3.6m wide. This yard provides one of two modest outside amenity spaces serving No. 6, which has no other significant area of private garden. A separate yard is located at the back of the property, measuring 3.9m in depth.
- 5.7.4 The proposed dwelling is positioned approximately 0.8m from the side boundary resulting in an overall separation distance of 4.4m wall to wall. The gable of the proposed

dwelling measures 5.6m to the ridge. Given the close relationship between the proposed dwelling and the outside space of No. 6, the difference in levels and the overall height of the side elevation, it is therefore acknowledged that the proposed dwelling will have an impact on the amenity of the occupiers.

5.7.5 A site visit was undertaken at No 6 Myrtle Grove and it was identified that the (side) elevation facing the application site contains a small side window to the kitchen, a side access door and a bathroom window. The bathroom is not classified as a habitable room and the kitchen contains three existing windows to the principle (west elevation) and a further single casement on the north elevation. As such, given the multi-aspect nature of this room the impact resulting from a loss of light into the kitchen would be limited.

5.7.6 It is accepted that due to the overall height and positioning of the proposal, the proposed dwelling will have an overbearing impact on the adjoining neighbours when viewed from the side garden of the No 6. The proposed dwelling will be set approximately 3.72m forward of the principle elevation of No 6, as a result the main bulk and mass of the dwelling will be forward of the principle elevation mitigating the degree of impact. The roof of the single storey rear extension has also been hipped to reduce the impact.

5.7.7 Based on the observations listed the main impact on the occupiers of No 6 will be a degree of overshadowing to the side garden/yard of the dwelling. There are no primary habitable room windows in the side (south) elevation of the dwelling, therefore, potential adverse impacts are not considered significant enough to warrant a refusal.

Impact on No 7 Myrtle Grove

5.7.8 The proposed dwelling will be located directly north of No 7 Myrtle Grove. Due to the orientation and scale of the dwelling in relation to No 7, potential adverse impacts on the amenity of the residents are considered to be minimal.

Impact on all other boundary sharing neighbours

- 5.7.9 Due to the orientation and positioning of the proposed development relative to the adjoining dwellings, it is not considered that the development would cause any significant injury to the residential amenity of the neighbours.

Environmental Health Comments

- 5.7.10 The Council's Environmental Health Officer has raised no objections to the proposal and has recommended that a condition be attached to the decision to restrict hours of working due to the close proximity of the site to residential properties. A condition to restrict the hours of work on site is considered to be reasonable to protect the residential amenity of the neighbouring properties
- 5.7.11 In conclusion having regard to the likely impact on neighbours it is accepted that the proposal will impose an impact upon boundary sharing neighbours, No 6 Myrtle Grove. Adverse impacts arising as a result of the proposed development are not considered to be significant enough to warrant a refusal. The proposal is considered to be appropriately designed and therefore accords with the provisions of policy CS2 and CS18 of the Core Strategy and the wider SPD.

5.8 Highways Safety and Parking Provision

- 5.8.1 DCC Highways consultation raised no objections to the proposal and made the following comments;
- 5.8.2 *'Myrtle Grove is a cul-de-sac without footways and the turning facility is below current standards. The plot of land currently provides an area for parking for the existing dwelling and replacement parking is to be provided to the front of 7 Myrtle Grove. With regard to the proposed new dwelling the applicant is providing 2 on-site parking spaces.'*
- 'The applicant will need to consult with the relevant refuse collection department to ascertain details of what will be acceptable to them in terms of number and location of bins. Bin storage should not obstruct the private drive access, parking or turning provision. Additionally a bin dwell area should be provided clear of the public highway, private*

access, parking and turning for use on refuse collection days.'

Care will be needed during the construction phase given the nature of Myrtle Grove not to obstruct the road or other premises. I note the wheel wash details and these will be acceptable.

'Subject to the applicant providing revised drawings suitably resolving the above matters there are no further highway objections and if your Authority is minded to approve then I would ask for conditions to cover the following are included in any consent granted;

- 1. Before any operations are commenced, space shall be provided within the site curtilage for site accommodation, storage of plant and materials, designed, laid out and constructed all as may be agreed with the Local Planning Authority in advance of construction work commencing and maintained free from impediment throughout the duration of construction works.*
- 2. Before any operations are commenced, excluding the above, 2 parking spaces shall be provided for the existing property 7 Myrtle Grove and once provided they shall be maintained thereafter free from impediment to designated use.*
- 3. The premises, the subject of the application, shall not be occupied until 2 on-site parking spaces (each measuring a minimum of 2.4m x 4.8m) have been provided for in accordance with the application drawings laid out and constructed as may be agreed with the Local Planning Authority and maintained thereafter free from any impediment to designated use.*
- 4. Prior to the occupation adequate bin storage and a bin dwell area for use on refuse collection days shall be provided as per the application drawings clear of the public highway, within the site curtilage clear of all access and parking and turning provision and retained thereafter free from impediment to designated use.'*

- 5.8.3 The comments from the Highways Officer have been noted. The 'Successful Place' SPD details the minimum size of off-street parking space and the minimum number of spaces required is contained within appendix G of the Core Strategy (p146). Appendix G states that for a 2/3 bedroom dwelling a minimum of 2 spaces are required. The development will provide 2 off-street parking spaces measuring 2.4m x 5.3m. The proposed spaces therefore meet the requirements of the 'Successful Places' SPD and Core Strategy. The applicant has provided details of a proposed bin store within the front garden of the application site. This is considered to be acceptable.
- 5.8.4 Based on the observations listed above the proposal is considered to accord with policies CS2 and CS18 of the Core Strategy. Overall, no adverse highway safety concerns arise as a result of the development.

5.9 Flood Risk and Drainage

- 5.9.1 Design Services (Drainage) were consulted on this application and raised no objection to the proposal. The site is not shown to be located within an area at risk of flooding on the Environment Agency flood maps. The Design Services (Drainage) Officer requests that the applicant seeks approval from Yorkshire Water to connect to the public sewer. A note can be attached to the decision notice to make the applicant aware of the minimum standards for drainage in the Chesterfield area.
- 5.9.2 Yorkshire Water were consulted on the proposal and no comments were received.
- 5.9.3 Based on the comments listed above, the proposal is considered to accord with policy CS7 of the Core Strategy.

5.10 Land Stability and Coal Mining Risk

- 5.10.1 In respect of potential Coal Mining Risk, the site lies within the Red Referral Area. The applicant submitted a Coal Mining Report with the application. The Coal Authority were

consulted and they objected to the proposal due to the lack of a Coal Mining Risk Assessment;

5.10.2 *'In accordance with the agreed risk-based approach to development management in the defined Development High Risk Areas, the applicant should be informed that they need to submit a Coal Mining Risk Assessment Report as part of this application, prepared by a suitably qualified person. Without such a risk assessment, the Coal Authority does not consider that the LPA has sufficient information to determine this planning application and therefore **objects** to this proposal.'*

5.10.3 A Coal Mining Risk Assessment was subsequently submitted on the 31.03.2017, prepared by Ms Fay Chappel and Mr Clive Kirby of GRM Development Solutions. The Coal Mining Risk Assessment concludes that potential risks to the site are negligible with the exception of the potential for un-recorded mine entries. The report suggests that investigations for un-recorded mine entries could be carried out by a 'site strip' to the natural strata which can then be inspected by a suitably qualified person. A standard condition has been attached to the report requiring site investigations to cover this. On this basis the proposal is considered to accord with policy CS8 of the Core Strategy. The Coal Authority has been re-consulted and the subsequent response will be read to the Committee.

5.11 Community Infrastructure Levy (CIL)

5.11.1 Having regard to the nature of the application proposals the development comprises the creation of a new dwelling and the development is therefore CIL Liable.

5.11.2 The site the subject of the application lies within the medium CIL zone (£50/sqm) and therefore the CIL Liability would be calculated using calculations of gross internal floor space on this basis.

Plot	New GIF sqm	Calculation	Total
1	94	94 x £50	£4,700

6.0 REPRESENTATIONS

- 6.1 The application has been publicised by neighbour notification letters sent on 14.02.17, deadline for responses 07.03.17. A site notice was also displayed on 21.02.17, deadline for 14.03.17.

Representation received 02.03.2017 – 6 Myrtle Grove

- 6.2 *‘After very careful consideration of the above planning application, we wish to register an objection to the development proposed, mainly the impact on our residential amenity space. The basis of our objection is as follows:*
- *The proposed property is too close to our boundary fence;*
 - *It would be built on a slope above our property thereby overshadowing our main amenity space with a solid brick wall creating considerable shadow. This space is accessed from our kitchen door and is the area utilised most, especially during the summer months being our social area;*
 - *The wall will restrict light to both the kitchen and bathroom. Our bathroom is approx 5' 6" x 4' 8" with one window. We have already painted the fence a light blue in an attempt to reflect light to these areas prior to the planning proposal being known; The side of our property that is affected is south facing, the position of the sun will result in shadows being longer thereby affecting the outside space.*
 - *We also have concerns regarding the additional sewerage being created by the proposed property as we have been informed by other residents that the current drains have struggled in the past and block at the end of the run. Access to the main sewer is on our frontage.*

- 6.3 ***Officer Comments – The comments received above have been noted. It is acknowledged that the proposal will result in a degree of overshadowing to the outside amenity space of No 6. No primary habitable room windows are located in the side (south) elevation of the dwelling, therefore, potential adverse impacts are not considered significant enough to warrant a refusal. See paragraph 5.7 above***

7.0 **HUMAN RIGHTS ACT 1998**

- 7.1 Under the Human Rights Act 1998, which came into force on 2nd October 2000, an authority must be in a position to show:
- Its action is in accordance with clearly established law
 - The objective is sufficiently important to justify the action taken
 - The decisions taken are objective and not irrational or arbitrary
 - The methods used are no more than are necessary to accomplish the legitimate objective
 - The interference impairs as little as possible the right or freedom
- 7.2 It is considered that the recommendation is objective and in accordance with clearly established law.
- 7.3 The recommended conditions are considered to be no more than necessary to control details of the development in the interests of amenity and public safety and which interfere as little as possible with the rights of the applicant.
- 7.4 Whilst, in the opinion of the objector, the development affects their amenities, it is not considered that this is harmful in planning terms, such that any additional control to satisfy those concerns would go beyond that necessary to accomplish satisfactory planning control.

8.0 STATEMENT OF POSITIVE AND PROACTIVE WORKING WITH APPLICANT

- 8.1 The following is a statement on how the Local Planning Authority (LPA) has adhered to the requirements of the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 in respect of decision making in line with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF).
- 8.2 Given that the proposed development does not conflict with the NPPF or with 'up-to-date' Development Plan policies, it is considered to be 'sustainable development' and there is a presumption on the LPA to seek to approve the application. The applicant has taken advantage of the opportunity for pre application discussions. The LPA has used conditions to deal with outstanding issues with the development and has been

sufficiently proactive and positive in proportion to the nature and scale of the development applied for.

- 8.3 The applicant / agent and any objector will be provided with copy of this report informing them of the application considerations and recommendation / conclusion.

9.0 CONCLUSION

- 9.1 Overall the proposal is considered to be acceptable in design and appearance. The proposed bungalow is considered to be in keeping with the character of the surrounding area. The location of the proposed development site is relatively sustainable, sited within a residential area with access to local services. It is not considered that that the proposal would result in significant impact on the residential amenity of the neighbouring properties. The proposal would not compromise parking arrangements or highway safety. Therefore, the proposal is considered to accord with policy CS1, CS2, CS7, CS8 and CS18 of the Chesterfield Local Plan: Core Strategy 2011 – 2031 and the wider National Planning Policy Framework. This application would be liable for payment of the Community Infrastructure Levy

10.0 RECOMMENDATION

- 10.1 That a CIL Liability Notice be issued on the basis of the calculation at section 5.11 above.
- 10.2 That the application be **GRANTED** subject to the following conditions:

Conditions

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason – The condition is imposed in accordance with section 51 of the Planning and Compensation Act 2004

02. All external dimensions and elevational treatments shall be as shown on the approved plan/s drawing dated January

2017, with the exception of any approved non material amendment;

- 4195/1/17 Revision A (Site Layout and Sections)
- 4195/2/17 Revision A (Proposed House Type)
- 4195/3/17 Revision A (Landscaping Layout)
- Design and Access Statement
- Topographical Survey s500-s-1

Reason – In order to clarify the extent of the planning permission in the light of guidance set out in “Greater Flexibility for planning permissions” by CLG November 2009

03. Before any operations are commenced, space shall be provided within the site curtilage for site accommodation, storage of plant and materials, designed, laid out and constructed all as may be agreed with the Local Planning Authority in advance of construction work commencing and maintained free from impediment throughout the duration of construction works.

Reason – In the interests of highway safety

04. Before any operations are commenced, excluding the above, 2 parking spaces shall be provided for the existing property 7 Myrtle Grove and once provided they shall be maintained thereafter free from impediment to designated use.

Reason – In the interests of highway safety

05. The premises, the subject of the application, shall not be occupied until 2 on-site parking spaces have been provided for in accordance with the application drawings laid out and constructed as may be agreed with the Local Planning Authority and maintained thereafter free from any impediment to designated use.

Reason – In the interests of highway safety

06. Prior to the occupation adequate bin storage and a bin dwell area for use on refuse collection days shall be provided as per the application drawings clear of the public highway, within the site curtilage clear of all access and parking and

turning provision and retained thereafter free from impediment to designated use.

Reason – The condition is imposed in order to enhance the appearance of the development and in the interests of the area as a whole.

07. Working hours - Unless otherwise approved in writing by the Local Planning Authority demolition, remediation or construction work to implement the permission hereby granted shall only be carried out on site between 8:00am and 6:00pm Monday to Friday, 9:00am to 1:00pm on a Saturday and no work on a Sunday or Public Holiday. The term "work" will also apply to the operation of plant, machinery and equipment.

Reason – In the interests of residential amenity

08. There shall be no gates or other barriers unless otherwise agreed in writing by the Local Planning Authority.

Reason – in the interests of highway safety

09. No development shall take place until site investigation works have been undertaken in order to establish the exact situation regarding coal mining legacy issues on the site. Details of the site investigation works shall be submitted to and approved in writing by The Local Planning Authority. The details shall include;

- The submission of a scheme of intrusive site investigations for approval;
- The undertaking of that scheme of intrusive site investigations;
- The submission of a report of findings arising from the intrusive site investigations;
- The submission of a scheme of remedial works for approval; and Implementation of those remedial works.

Development shall not commence until details as specified in this condition have been submitted to the Local Planning Authority for consideration and those details, or any

amendments to those details as may be required, have received the written approval of the Local Planning Authority.

Reason - To fully establish the presence and / or coal mining legacy and to ensure that site is remediated, if necessary, to an appropriate standard prior to any other works taking place on site.

10. Notwithstanding the provision of the Town and Country Planning (General Permitted) Development Order 1995 (as amended) there shall be no extensions, outbuildings or garages constructed, or additional windows erected or installed at or in the dwellings hereby approved without the prior written agreement of the Local Planning Authority.

Reason - In the interests of the amenities of occupants of adjoining dwellings.

11. Before construction works commence or ordering of external materials takes place, precise specifications or samples of the walling and roofing materials to be used shall be submitted to the Local Planning Authority for consideration. Only those materials approved in writing by the Local Planning Authority shall be used as part of the development unless otherwise agreed by the Local Planning Authority in writing.

Reason - The condition is imposed in order to ensure that the proposed materials of construction are appropriate for use on the particular development and in the particular locality.

Notes

1. If work is carried out other than in complete accordance with the approved plans, the whole development may be rendered unauthorised, as it will not have the benefit of the original planning permission. Any proposed amendments to that which is approved will require the submission of a further application.
2. This approval contains condition/s which make requirements prior to development commencing. Failure to comply with such conditions will render the development unauthorised in

its entirety, liable to enforcement action and will require the submission of a further application for planning permission in full.

3. Pursuant to Section 184 of the Highways Act 1980 and Section 86(4) of the New Roads and Streetworks Act 1991 prior notification shall be given to the Department of Economy, Transport & Communities at County Hall, Matlock regarding access works within the highway. Information, and relevant application forms, regarding the undertaking of access works within highway limits is available via the County Council's website http://www.derbyshire.gov.uk/transport_roads/roads_traffic/development_control/vehicular_access/default.asp, email ETENetmanadmin@derbyshire.gov.uk or telephone Call Derbyshire on 01629 533190. Such works shall also include the reinstatement of any redundant vehicular access.
4. The Highway Authority recommends that the first 5m of the proposed accesses/driveways should not be surfaced with a loose material (i.e. unbound chippings or gravel etc). In the event that loose material is transferred to the highway and is regarded as a hazard or nuisance to highway users, the Authority reserves the right to take any necessary action against the householder.
5. Pursuant to Sections 149 and 151 of the Highways Act 1980, steps shall be taken to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.
6. The proposed accesses/driveways to Myrtle Grove shall be no steeper than 1 in 14 over their entire length.
7. The applicant should be aware that relocation/diversion/protection of any street furniture or Statutory Undertakers apparatus will be at their expense.
8. Any foul connections must be agreed with Yorkshire Water.

9. If planning permission is granted for the development which is the subject of this notice, liability for a Community Infrastructure Levy (CIL) payment is likely to arise. Persons with an interest in the land are advised to consult the CIL guide on the Chesterfield Council Website (<http://www.chesterfield.gov.uk/planning-and-building-control/planning-services/community-infrastructure-levy.aspx>) for information on the charge and any exemptions or relief, and to submit the relevant forms (available from www.planningportal.gov.uk/cil) to the Council before commencement to avoid additional interest or surcharges. If liable, a CIL Liability Notice will be sent detailing the charges, which will be registered as a local land charge against the relevant land.
10. Attention is drawn to the Council's 'Minimum Standards for Drainage'.

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CHE/17/00068 FUL



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Case Officer: Sarah Kay File No: CHE/17/00119/MA
CHE/17/00120/MA
Tel. No: (01246) 345786 Plot No: 2/310
Ctte Date: 24th April 2017

ITEM 2

CHE/17/00119/MA - MATERIAL AMENDMENT OF HOUSE TYPE ON PLOTS 1 AND 2 AND SITING OF PLOT 2 OF CHE/15/00514/REM; AND CHE/17/00120/MA - MATERIAL AMENDMENT OF HOUSE TYPE, SITING AND LANDSCAPING TO PLOT 3 OF CHE/15/00514/REM

AT 246A ASHGATE ROAD, ASHGATE, CHESTERFIELD, DERBYSHIRE, S40 4AW FOR ANTHONY ASTON BUILDERS LTD

Local Plan: Unallocated
Ward: West

1.0 CONSULTATIONS

DCC Highways	Comments rec'd 24/11/2016 (to CHE/16/00747/MA) – see report
Ward Members	No comments received
Site Notice / Neighbours	33 letters/emails of objection and 20 letters/emails of support received

2.0 THE SITE

- 2.1 The application site relates to a parcel of land between the Crispin Inn and the residential property at No 246 Ashgate Road which was previously occupied by an industrial unit. The unit on the site was previously occupied by Character Windows and were used as an industrial use for the manufacture of UPVC windows however this use ceased when the site ascertained planning permission for residential development which commenced in mid-2016.
- 2.2 The site extends southwards from the Ashgate Road frontage adjacent to the rear boundaries of the gardens of properties along Churston Road. The southernmost edge of the site is adjacent to open playing fields and a protected sycamore tree exists within the back corner of the site. The existing properties along Ashgate

Road benefit from long gardens and the site extends along the site boundary of these gardens (inc. part of gardens to No's 250 – 256 Ashgate Road which benefit separately from planning permission for a detached dwelling which would form a fourth plot to the development the subject of this application).

3.0 **RELEVANT SITE HISTORY**

- 3.1 CHE/16/00747/MA - Material amendment of house types and siting of houses approved under planning permission
CHE/15/00514/REM. Refused by planning committee on 31st January 2017 for the following reason:
01. In the opinion of the local planning authority the design of the buildings constructed on plots 1 and 2 are inappropriate having regard to the details and proportions of the windows and the additional brickwork between the upper floor windows and eaves level. The consequential increased eaves and ridge heights present an overbearing impact to the detriment of the amenities of the neighbours to the east on Churston Road. The local planning authority consider therefore that the development does not respond to and integrate with the character of the local area and is therefore at odds with policies CS2 and CS18 of the Core Strategy 2011 - 2031 and the National Planning Policy Framework.
- 3.2 CHE/16/00306/FUL - Construction of one new dwelling on land to the rear of 246 Ashgate Road. Approved 31st August 2016.
- 3.3 CHE/16/00227/DOC - Discharge of conditions 6 (site investigation), condition 7 (drainage), condition 8 (drainage), condition 18 (materials) and condition 24 (coal mining) of CHE/13/00507/OUT. Approved 8th June 2016 (Conditions 6, 18 and 24) and 4th August 2016 (Conditions 7 and 8).
- 3.4 CHE/15/00514/REM - Residential development - reserved matters application for CHE/13/00507/OUT. Approved 27th October 2015.
- 3.5 CHE/13/00507/OUT – Renewal of existing consent
CHE/10/00531/OUT - proposed residential development in 6 units. Approved 19th November 2013 (expires 18th November 2016).
- 3.6 CHE/10/00531/OUT - Proposed residential development in 6 units. Approved 23rd November 2010.

- 3.7 CHE/08/00196/OUT - Proposed residential development of eight units. Refused 10th March 2009. Subsequent Appeal - Dismissed 28th January 2010.
- 3.8 CHE/04/00925/COU - Proposed change of use of land from industrial to A3 public house and change of use of part of public house curtilage to industrial and construction of improved access. Approved 9th February 2005. (implemented)
- 3.9 CHE/0389/0177 Permission for conversion of factory to 10 nursery units with communal facilities. Approved 16th May 1989.
- 3.10 CHE/1087/0603 Permission for residential development comprising 20 flats on land at rear of 250 - 256 Ashgate Road. Approved 19th February 1988.
- 4.0 **THE PROPOSAL**
- 4.1 This report is prepared in respect of 2 no. applications submitted under Section 73 of the Town and Country Planning Act 1990 for Material Amendments to the previously approved planning permission CHE/15/00514/REM comprising changes to the house types and their siting.
- 4.2 In respect of the changes proposed to the house types there are two different style houses approved as part of the scheme. Type 1 is the house approved on Plot 1 and 2 towards the front of the site and Type 2 is the house type approved on Plot 3 towards the rear of the site.
- 4.3 Changes to the Type 1 house type include an increase in the eaves and ridge height of the property and alterations to the fenestration details and proportions approved affecting the first floor windows.
- 4.4 Changes to the Type 2 house type include a reduction in the eaves and ridge height of the property and alterations to the fenestration details and proportions approved.
- 4.5 In respect of their siting the Site Layout has been changed in respect of Plots 2 and 3 with the footprint of Plot 2 being moved marginally to the south and Plot 3 being twisted clockwise on the

front corner of the property moving is further away from the boundary with properties to Churston Road. The latest material amendment applications also details that there has been a reduction in the floor level of the house built on Plot 2 and Plot 3; furthermore landscaping details have been submitted in respect of Plot 3 to demonstrate a reduction in levels and the creation of a garden area to this dwelling.

- 4.6 This latest submission is separated into 2 no. applications which relate to works undertaken in respect of plots 1 and 2 (CHE/17/00119/MA); and works undertaken in respect of plot 3 (CHE/17/00120/MA). These applications follow the Council's decision to refuse planning permission for material amendments in January 2017 under application reference CHE/16/00747/MA (see site history above).
- 4.7 The latest submissions are accompanied by the following documentation:
CHE/17/00119/MA:
Application Form
Site Plan 15-532-05D
House Type 1 Plans and Elevations 15-532-21B
Cross Section Drawing Plot 2 to No 11 Churston Road
Supporting Planning Statement – Plots 1 and 2

CHE/17/00120/MA:
Application Form
Site Plan 15-532-05D
House Type 2 Plans and Elevations 15-532-41B
Cross Section Drawing Plot 3 to No 17 Churston Road
Supporting Planning Statement – Plot 3
Plot 3 Landscaping Proposals P17 0374 01
- 4.8 In the supporting planning statement it is stated that the applicant has chosen not to appeal the previous material amendment refusal as upon examining the submitted plans it was apparent that there were errors and omissions on the plans and it was also considered that a supporting statement might assist the Council in re-considering the material amendment application. The applicant considers that the previous inaccurate drawings may have misled the committee resulting in the decision which was taken. The applicant has also noted that the previous reasons for refusal do

not refer to any issues with regard to plot 3 and therefore this is why the applicant has chosen to submit two separate applications.

5.0 **CONSIDERATIONS**

5.1 **Policy Issues**

5.1.1 The site the subject of the application lies within the built settlement of Ashgate which is predominantly residential in nature, however the site and that of the adjoining public house are commercial in nature. Having regard to the nature of the application proposals the policies CS2 and CS18 of the Core Strategy and the wider National Planning Policy Framework (NPPF) apply. In addition the Councils Supplementary Planning Document on Housing Layout and Design 'Successful Places' is also a material consideration.

5.1.2 Policy CS2 (Principles for Location of Development) states that when assessing planning applications for new development not allocated in a DPD, proposals must meet the following criteria / requirements:

- a) adhere to policy CS1
- b) are on previously developed land
- c) are not on agricultural land
- d) deliver wider regeneration and sustainability benefits
- e) utilise existing capacity in social infrastructure
- f) maximise walking / cycling and the use of public transport
- g) meet sequential test requirements of other national / local policies

All development will be required to have an acceptable impact on the amenity of users or adjoining occupiers taking into account noise, odour, air quality, traffic, appearance, overlooking, shading or other environmental, social or economic impacts.

5.1.3 Policy CS18 (Design) states that all development should identify, respond and integrate with the character of the site and its surroundings and development should respect the local character and the distinctiveness of its context. In addition it requires development to have an acceptable impact on the amenity of neighbours.

In addition to the above, the NPPF places emphasis on the importance of good design stating:

'In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area. Planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

- 5.1.4 In addition to the above, in July 2013 the Council adopted 'Successful Places' which is a Supplementary Planning Document which guides Sustainable Housing Layout and Design. The development proposed should be assessed against the design principles set out in this supporting document.

5.2 **Design and Appearance Considerations**

- 5.2.1 Having regard to the physical design and appearance of the properties and the scale and nature of the amendments from the previously approved scheme which are being sought it is not considered that the changes in design are significant.
- 5.2.2 Looking at each house type in turn the design and proportion of the fenestration to house type 1 (plots 1 and 2) has been amended taking the appearance of the windows at the first floor level from having a vertical emphasis (taller and narrower) to a more horizontal emphasis (similar in height and width). As a result of this amendment the elevational design is not as visually complimentary to the two and half storey scale of the dwelling as approved.
- 5.2.3 There is no doubt that had the properties on plots 1 and 2 been built as previously approved it is considered that the design proportions would have reflected more coherently with the scale of the property. Notwithstanding this however what must be considered as part of this material amendment application is whether the changes made are visually unacceptable. Planning Committee decided in January that the window proportions were inappropriate partly resulting in the refusal.
- 5.2.4 In respect of house type 1, the changes also being sought relate to an increase in the height on the dwellings eaves and ridge line which result in the dwellings built on plots 1 and 2 being taller than previously approved. In the previous material amendment application it had been reported (based on the plans submitted)

that the houses were 300mm taller than previously approved, however the latest application (CHE/17/00119/MA) demonstrates that the height difference on plots 1 and 2 are marginally different. This is due to the fact plot 2 has been built with a finished floor level 150mm lower than was approved under the reserved matters application. Overall this means that the latest plans submitted show plot 1 is 286mm taller; and plot 2 is 211mm taller than previously agreed.

Figure 1: Plot 1



Figure 2: Plot 2



5.2.5 When taking into account the package of amendments that are sought to house type 1 what appears the most jarring of the design alterations is the fact the increase in eaves height with squatter windows results in a larger expanse of brickwork above the heads of the first floor windows and this was a concern of planning committee in its January decision. This is less prevalent to the front elevation due to the insertion of eaves intersecting dormer windows which offer a visual relief but this is not echoed in the rear elevation which is viewed by the neighbouring properties along Churston Road.

5.2.6 It is accepted that traditionally the siting of first floor windows to two storey properties are tucked underneath the eaves. However as a result of most modern houses now accommodating rooms in the roof space this means that (due to required head space / clearance) the floor levels of such rooms are often tied internally to the external walls meaning windows have to be positioned lower so the ceiling of the first floor and floor height of the roof space

floor does not intersect the window opening. This is commonplace on dwellings with more than two floor levels.

5.2.7 In the context of the narrative above, in design terms, the changes to house type 1 comprise of an overall marginal increase in the height of the dwelling as reported and a change in the proportion and style of fenestration. Overall however the changes do not include insertion of any new windows openings, they are still in the same location on the elevation as previously proposed and there were always rooms in the roof space proposed. It is considered that on balance the significance of these elements overall would not be sufficient to refuse planning permission.

5.2.8 Looking secondly at House Type 2 on plot 3 the resulting amendments to the fenestration on this property are more complimentary and coupled with the fact this dwelling has been constructed with a lower eaves and ridge height (800mm) the changes provide for a more balanced elevational proportion (see Figure 3 below). Similarly as was the case with house type 1 the changes do not include insertion of any new windows openings, they are still in the same location on the elevation as previously proposed and there were also always rooms in the roof space proposed. It is therefore considered that the changes sought in respect of house type 2 are acceptable and not inappropriate.

Figure 3: Plot 3



5.2.9 Looking from a design perspective at the final component of the amendments being sought, there have been changes made to the

siting of the properties and the overall site layout. These include a slight re-positioning of the built footprint on plot 2 – moving the property 0.7m to the south and the twisting of the siting of the built footprint on plot 3 in a clockwise direction away from the boundary with neighbouring properties on Churston Road.

- 5.2.10 Overall it is considered that the siting amendments which are being sought are considered to be acceptable given that the relationship with neighbouring properties is not materially different. Just because a different design has been implemented does not mean it is inappropriate in planning terms. Whilst such an approach to development is a risk there is an opportunity in the regulations for the developer to make retrospective planning applications and this is what is currently being considered. In planning terms the changes (marginal increase in wall height of 286mm for plot 1 and 211mm for plot 2 and different proportioned/size windows) are insignificant and not sufficiently damaging to either the design or appearance for the neighbours to warrant a refusal of planning permission.

5.3 **Neighbouring Impact / Siting and Amenity**

- 5.3.1 In the context of the design considerations detailed above, it is necessary to consider whether any of the changes impose any adverse impact to neighbouring amenity above and beyond what was already deemed to be acceptable by the granting of the original planning permission.
- 5.3.2 In this case these issues relate fundamentally to the increase in height of the dwellings on plots 1 and 2 as reported above; the changes to the design and proportions of the windows and the change to the positioning of the dwellings affecting the site layout.
- 5.3.3 Members will be fully aware that as a method of securing adequate privacy and acceptable outlook to adjoining neighbours, minimum separation distances of 21m between facing windows of habitable rooms and 12m from habitable room windows to blank walls are sought as desirable. These principles are echoed in the Council's adopted Housing Layout and Design SPD 'Successful Places' and these measures were applied to reach a conclusion regarding the siting, scale and design of the approved scheme which was considered to be acceptable.

- 5.3.4 In applying these principles which are still applicable, the development proposals as built and amended fall within acceptable siting, separation and design parameters and therefore they have to be similarly concluded that they are acceptable against the provisions of policies CS2 and CS18 of the Core Strategy and the Councils Housing Layout and Design Guide.
- 5.3.5 Whilst it is noted that almost all of the residents along Churston Road have objected to the material amendments sought, all of these properties have back gardens which measure at least 21m in length without taking into account any additional separation offered by the set back of the new houses within the application site. Whilst it is accepted that the new properties are of a larger scale to the houses on Churston Road, the two and half storey scale and finished floor levels they are built at were accepted under the previous proposals.
- 5.3.6 It is therefore concluded, taking into account the fact these houses already have permission in a two and half storey form and the changes being sought are minimal in planning terms, that there cannot be a substantial argument made that the marginal increase in height of the property on plot 2; and the change in the design of the windows and the siting amendments affecting plots 2 and 3 would be of such additional harm to the amenity of the neighbours as to warrant refusal of planning permission.
- 5.3.7 It is noted that the application relating specifically to plot 3 (CHE/17/00120/MA) includes details of the proposed landscaping and levels treatment to the rear garden of this dwelling. This detail is required to be considered under conditions 20, 21 and 22 of the outline planning permission and should therefore be part of the separate discharge of conditions application (CHE/16/00227/DOC) and be considered separate to the material amendments being sought.

5.4 **Highways Issues**

- 5.4.1 The application has been reviewed by the **Local Highways Authority (LHA)** who has commented on the details as follows:

'No objections to the proposals subject to 3 no. off street parking spaces (2.4m x 5.5m and 2.4m x 6.5m in front of a garage door) being provided per dwelling and being maintained clear of all

obstructions to their designated use and areas designated for manoeuvring of vehicles.'

- 5.4.2 The amendments to the dwellings previously approved do not increase the number of bedrooms per property and do not change the original number of parking spaces / garage spaces or significantly change the driveway layout. It is not therefore considered that in the context of policies CS2 and CS18 of the Core Strategy there is any adverse highway safety issues arising from the design amendments sought.

6.0 **REPRESENTATIONS**

6.1 **CHE/17/00119/MA**

- 6.1.1 The application above has been publicised by site notice posted on 13/03/2017 and by neighbour notification letters sent on 09/03/2017.

6.2 **CHE/17/00120/MA**

- 6.2.1 The application above has been publicised by site notice posted on 13/03/2017 and by neighbour notification letters sent on 13/03/2017.

- 6.3 As a result of both the applications publicity there has been 33 letters of objection and 20 letters of support received as per the summary tables below:

<u>REPRESENTATIONS OF SUPPORT</u>		
1 A&B	SIMS – DE4 4FD (by public access) - 22/03/2017	A. These houses are beautiful, the workmanship and the quality is outstanding. It's improved the area. B. Surely better than looking at a run-down factory? Beautiful houses and the quality is outstanding.
2	SPENCER – 15 Hady Hill (by public access) - 27/03/2017	These homes improve the area, so much better than looking at a run-down factory. I support this 100%
3	GREAVES – S44 5BL (by public access) – 28/03/2017	Same group who stopped the Crispin Pub now it's derelict. Best new builds I've seen in a while.

4	WILSON – DE4 4DE (by public access) – 28/03/2017	I'm a developer agree windows need to be bigger to soften outlook otherwise they work. High quality homes.
5	BARLOW – S40 5BK (by public access) – 29/03/2017	Regularly walk my dog on Inkerman park, attractive homes, improvement from run down factory.
6	SIMPSON – S40 2JJ (by public access) – 02/04/2017	Fully give my support for these amendments and to a small business. Really attractive homes.
7	VARNEY – No Address (by email) – 02/04/2017	I am writing this letter in support of the development on 246A Ashgate Road. I grew up and lived in the area until I met my husband and moved away however I still visit family and friends regularly at least once a week, so over the past year I have took an interest in this site not only as a former resident but potentially a buyer as there's not many properties in the area what would suit my families size or the type of home we would like to live in but this new development certainly fits the bill for what we are looking for.
8	REDFORD – No Address (by email) – 30/03/2017	I have followed this development from the early stages as I lived in the area for 25 years and now wish to return with my family. I am looking for a new build in this particular area. I heard through the grape vine on some issues made by certain neighbours. I looked into these in detail, and after seeing the ridiculous article in the newspaper today I feel I had to make comment.
9	FEBRERO – 14 Periwinkle Road (by letter / email) – 03/04/2017	<p>I am writing in connection with the proposed planning application amendments. I have examined the plans and know the site well. I wish to offer my full support to the proposal for the reasons below.</p> <p>I recently visited the site to view the houses on Ashgate Road, as my step daughter goes to school in the area and we wish to move so she is in walking distance to her school.</p> <p>My initial reaction was the superb quality of the new builds and the attention to detail.</p>

		<p>The developers were very honest and said they currently had an issue with planning amendments and were unable to accept offers at this moment in time.</p> <p>I decided to investigate further as I am very interested in plot 1.</p> <p>Upon my investigations, I came across privacy issues from the objectors. From a buyers point of view this was the least of my worries, the site is new, the landscape needs time to mature and grow, the developer told me they had put smaller windows in than what was initially on the plans as they were worried bigger windows would be more overlooked from the neighbors point of you, I agree with this, in some of the objection letters I have seen the neighbours commenting at being overlooked surely having bigger windows will be more so overlooked?</p> <p>I also came across the height issue, I do not see a problem with this the houses are attractive and fit in with all the other houses in the area, they are set back from the road, I work close to the area and remember what the site looked like with the old factory on it, they have done a fantastic job in providing the area with 3 high quality homes which improve the area and surroundings. I have visited a few more new build sites in the area and this is the only one where the developers haven't crammed too many houses in and is the least overlooked with ample garden space.</p> <p>We are on a time scale to find a property as we have now sold and it's such a shame we are unable to make an offer on the property until these issues are resolved.</p> <p>I wish the developers luck.</p>
10	FAULKNER – No Address (by email) – 04/04/2017	<p>Please can you pass on my support to the above housing amendments.</p> <p>I viewed these properties a month ago and was saddened to hear of issues with the</p>

		<p>neighbours. I saw the article in the paper and had to laugh, my house is currently up for sale in Wingerworth as 180 new builds are being built in front my house, so compared to all new developments I have viewed these are the least overlooked and the highest quality I have no doubts these will sell quickly. If the developers changed plans my instinct is that it would to suit the site and not themselves. As full planning was already passed.</p> <p>I hope the council passes these slight amendments quickly and efficiently.</p>
11 A&B	JONES – 343 Ashgate Road (by public access) – 04/04/2017	<p>A. Best thing to happen to Ashgate Road in a long time the house overlooking the park is my favourite.</p> <p>B. Support these new build. Improve residential area. High standard of living and good to see factory go.</p>
12 A&B	HANCOCK – No Address (by email and public access) – 05/04/2017	<p>A. As a small building company I came across this site when it was up for sale and I was put off at the issues with the residents of the Tesco campaign they had going. As you know, small companies do not have the time or money to wait for slight amendments in planning and it quite normal for the builders to change things while they go through. No wonder all these little local businesses keep going under when people are trying to sabotage us. I've looked over the plans again after reading the Derbyshire Times, and I support what the builder has done he has moved a plot a meter away from the boundary so it's not overlooking which to any of us makes full sense, and making the windows smaller helps the privacy issue, do the neighbours realise if the original windows are put in it will be more over looked?</p> <p>Regarding the height I'm sure that's to do with building regulations which we must abide by.</p> <p>From what I can gather he has only</p>

		<p>amended these to suit the neighbours I don't know how he would benefit himself from it all.</p> <p>I do hope you back this small business or these big building companies will just take over.</p> <p>B. Pass on my support to a small business, good luck.</p>
13 A&B	SHORT - S40 4DA (by public access) – 06/04/2017	<p>A. I support for the simple reason anything looks better than that dump that was there before! Thanks.</p> <p>B. Also 98% of the objections having nothing to do with the amendments, which this is all about!</p>
14 A&B	WILLIAMS – S44 5BL (by public access and email) – 08/04/2017 and 08/04/2017	<p>A. Nice homes. Polite young lads say hello every time I walk past. Seem a nice family business.</p> <p>B. I saw in the newspaper about this particular site and couldn't believe what I was reading I walk past here everyday and watched these homes grow;</p> <p>The 2 younger men on site always say hello and are always polite. These buildings are a credit to Ashgate Road. They look executive and expensive, unfortunately the neighbours just don't like the fact they are behind their houses; and</p> <p>I give credit where's it given and these houses deserve their place on Ashgate road and could do with more quality homes like these.</p>
15	BRIDGES – No Address (by email) - 06/04/2017	<p>I saw the article of these houses in the paper and was very confused. It sounded as if the building company built these without any planning permission whatsoever. When I went on your website it turned out in fact they have full planning permission and just applying for amendment on under a foot and smaller windows. Why have the council let it get this far? I give my whole support for the changes and hope this gets sorted so these family homes get sold for families to enjoy.</p>
16	ANDREWS – S40 4DE	<p>A. I live in Ashgate and take a keen interest</p>

A&B	(by email and public access) – 08/04/2017	<p>in my area and new developments that go up. This development is the nicest and most well thought of that's been built in a long while. They made use of what was basically a dump and built 3 high spec homes; and I've read the objection comments and it's quite simple for all to see the objectors just don't want them there full stop and made use of the amendments to do this. There is also to many contradiction in their comments.</p> <p>B. Too many contradictions in the objections comments. Nice builds and improves the area hugely support.</p>
17 A&B	CLARKSON – DE4 3PY (by public access and email) – 10/04/2017	<p>A. I got asked to write an objection comment but after seeing the development I can't see any reason to.</p> <p>B. We have took a big interested in this site from its initial stages as my fast growing family is growing by the minute, and it's an area I want to continue living in. I got asked to write an objection comment on your website but after looking into this and frequently walking past the site I have absolutely no reason too. The houses are simply stunning. I see the main objection is the height and I've read that the builders where given the wrong plans by a third party. I've seen comments that the objectors think this is a lie, why would the third party company jeopardise their own business and reputation if this isn't true. Please add this to the support pile.</p>
18	JOHNSON – S40 4AL (via 3C's system) – 10/04/2017	Support for the Development at 246A Ashgate Road.
19	HAINES – No Address (via email) – 10/04/2017	I am writing this in support of the development on Ashgate road, as a local resident I regularly walk my dog past both sides of this site, after having looked at the objections it is plain to see the objectors just simply don't want these houses there regardless of size or shape; and

		I would just like to add one observation made by myself, some of the objections talk about overlooking issues on the plot nearest the Inkerman, I don't see how this is any different to anyone walking on top of the bund what runs around the edge of the park, as when I walk on there you can clearly see into every garden what backs onto the park off Churston road.
20 A&B	SIMMONS –DE4 4FD (by public access system) 11/04/2017	A. High demand for housing in Ashgate and these houses suit the neighbourhood and improve it Support fully. B. Is something going to be done with the Crispin Pub ? It looks very run down now.

REPRESENTATIONS OF OBJECTION

1 A&B	E WELLS LOMAS – 17 Churston Road (by letter) – 15/03/2017 and 20/03/2017	<p>A. I object to this application on already refused grounds and do not believe it should even be considered;</p> <p>The design of the buildings constructed on plots 1 and 2 are inappropriate having regard to the design and proportions of window and the additional brickwork between the upper floor and the eaves. This presents an consequential overbearing impact to Churston Road;</p> <p>The development does not respond or integrate with the character of the local area and is at odds with policies CS2, CS18 and the NPPF;</p> <p>The plots were visited by committee before the previous decision and nothing has changed. The paperwork supporting this application does not alter the appearance of the buildings; and</p> <p>The visual impact is not pleasing, out of character, lacking in design, do not enhance the landscape and overlook directly into Churston Road properties.</p> <p>B. Regarding the application for plot 3 I strongly object to this application. The plot has been developed different to the original</p>
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		<p>approved plans regarding siting, height and fenestration;</p> <p>Condition 11 and 13 of the outline permission remain in breach;</p> <p>There are conflicting statements for this development. Soils are not suitable for reuse due to contaminants, the report states land levels will not be raised significantly, and the description states development is to comprise of three low rise residential dwellings. This is not the image that is conjured up in the eyes of Churston Road residents;</p> <p>Raised levels have caused standing water to run-off onto my property on 3 occasions in the past 12 months stopping me using my vegetable plots. This has an adverse effect on my property;</p> <p>The visual impact is not pleasing, out of character and does not blend in;</p> <p>The re-positioning of plot 3 means there is a path along the side of the house running above the 6ft fence of my garden, and I cannot enjoy the pleasure and privacy of my garden;</p> <p>The re-positioning of the house is of no benefit to me, only to the developer;</p> <p>I enclose a picture of the view from my garden which put into context the issues I have highlighted;</p> <p>I am worried about what will be done to support the raised garden levels against my boundary fence. Surely it needs to be structurally safe;</p> <p>I note the originally proposed 1.8m fence has not been replaced with a hedgerow. Will this be the only border between my garden fence and the site; and</p> <p>I now have what looks like an infrared camera affixed to plot 3 directed onto my property. If this records it is a breach of human rights and data protection. It is also an invasion into my personal space and needs to be directed away.</p>
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<p>2 A&B</p>	<p>BARTHORPE – No Address (by email) – 21/03/2017 and 31/03/2017</p>	<p>A. I do not live in the vicinity of the development but regularly attend the area visiting a friend on Churston Road; I have heard this development has not been built as the original plans. Is this the way forward now for planning, to disregard plans, build what you like, then submit plans after the development is almost complete and assume they will be approved?; I object to the houses because the height of them just looks like a huge mass of brickwork, badly designed in my opinion and do not fit in with where they are built. They certainly don't look nice from the rear of them, they seem to be quite close together and dominate and overlook the neighbouring properties on Churston Road; and The previous refusal reasons should still apply. I believe the term is they are detrimental to the residential amenity to the adjoining Churston Road properties.</p> <p>B. I regularly attend the Inkerman Park adjoining the development & Churston Road. I have heard this development has not been built to the original plans. Is this the way forward now for planning, to disregard plans, build what you like, then submit plans after the development is almost complete and assume they will be approved?; I support the residents in their objections, I have seen this build from the very beginning and do not understand why it has been allowed to build a house so high on the corner of the park which sticks out when all the other properties around blend in with the surrounds of the edge of the playing field; All the trees were removed from this site and they even attempted to get rid of the sycamore tree. Why would anyone build a house under a tree?; and The house looks direct into the gardens, is completely out of character and provides no privacy screening for adjoining neighbours</p>
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		<p>which is detrimental to them. They are built very close together and the front windows of the house look onto a brick wall, not a very nice outlook.</p>
3 A&B	<p>C BATES – 9 Churston Road (by email / letter) 21/03/2017 and 30/03/2017</p>	<p>A. My wife and I are now retired and for the 9th year running we find ourselves involved in this dispute;</p> <p>We purchased our property in 1982 and built our house into something to be proud of. However after many years these oppressive structures, both higher and unlike anything in the surrounding area, threaten this;</p> <p>The developer has deceived the local Planning Office and his attitude to alter the system of planning applications forever could create a dangerous precedent. The list of rules the firm has broken is frankly unbelievable and his total arrogance has reared its head by continuing to build his project despite calls from local residents and the planning department;</p> <p>We can twist around technical jargon all day long to make it look like all the conditions have been met, as I am sure the developer will try and show, but try telling that to an 85yr old lady living a No 7 Churston Road. She has lived there all her life. We have become so worried about political correctness and legal implications it seems we have lost the human ability to just do what we think is right. All she can see is an eyesore, which should never be allowed to continue to be built, but is now complete;</p> <p>We were allowed to attend the last planning committee meeting and saw local government at work. The developer was able to give evidence to committee and explained he could not afford to have staff idle. Now we are being asked to believe his vastly experienced architect submitted the wrong plans;</p> <p>The reason he has re-sited the dwelling on plot 2 is to fit in the garage, which would have been too close to the Tesco fence;</p>

		<p>We can see straight through plot 2 and we have now been presented with a 'blacked out' bedroom window which we believe allows them to see out but us not see in. This is totally unacceptable;</p> <p>Recently my wife (who is disabled and has mobility / balance problems) has an accident with a boiling hot bowl of soup; but was too distressed at the thought of someone observing her from the windows she didn't remove her clothing and suffered burns;</p> <p>The developer said at the last meeting he wasn't aware of previous land levels, an usual comment from a qualified developer. I enclose a picture of the difference in levels between our garden and the site. Also he has built fences around his own development far higher than the surrounding properties. This ruins the appearance of our own fence and they are not detailed on the plans which have been submitted;</p> <p>Due to the height of the properties we will no longer be able to sit outside for our evening meals, due to the claustrophobic look of these buildings that overlook our property and impact upon privacy we have enjoyed all these years. Sunlight will also be blocked out;</p> <p>The re-siting of plot 2 appears to have compromises the distance between the habitable windows of plot 3 and this house. The recommended distances don't appear to apply to this development?</p> <p>To grant this development would send out a message that the developers behaviour is perfectly acceptable. He even asked his consultant to plead for the financial loss of his business which should occur if the application is refused. It is down to him and no one else; and</p> <p>I am obviously objecting to the application for plot 1 and 2 as they lack in design, massing in brickwork, are oppressive, overlooking, domineering and overbearing. They are</p>
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		<p>inappropriate having regard to the details and proportions of the windows and the additional brickwork between the upper floor windows and eaves level – consequentially overbearing and detrimental to amenity at odds with policies CS2, CS18 and the NPPF.</p> <p>B. In our considered opinion plot 3 is the ‘jewel in the crown’ as far as our objections go. It is an eyesore that any visitors to the site are most appalled by;</p> <p>This is down to the sheer level the land has been raised to, to the damage that has been caused by burying asbestos roof sheeting from the old factory, raising the ground around the protected tree, contaminated soils remaining on site, putting the building on a plateau, causing flooding to neighbouring gardens and now irreparably ruining local families lives forever;</p> <p>In our view the only reason the developer has split the two applications is that he believes he has a better chance to achieve a more favourable verdict if he splits the applications – yet again trying to manipulate the system;</p> <p>If the original levels of the land was were the developer has built this monstrosity then when No’s 17 and 19 opened their gates they would surely have been met by soil;</p> <p>Condition 13 is being breached by raising land levels in the RPA of the protected tree (which has been built too close to, was poisoned and subject to an application to remove – which was rejected), the developer was using people fences to hold back the tipped soils which also extend beyond the site onto the Inkerman Park;</p> <p>There are features incorporated into the design of plot 3 which are not shown on the submitted drawings (roof light to front), the landscaping to plot 3 will only benefit the future occupant and not the adjoining residents. This also highlights the changes in land levels, and the fact the development is</p>
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		<p>built on unacceptable higher land levels; Many trees, hedges and grass were destroyed to make way for the development, now the developer appears to be relying on new landscaping to 'cover up' his mistakes. Hopefully if we are around in 10-15 years' time, the landscaping may have just matured to a height to blot out the developer. All we will be left with is the rest of the house to tower over us; and</p> <p>Attached to the objection are also pictures chronologically illustrating the points made above.</p>
4	JESSOP – 8 Churston Road (by letter) – 21/03/2017	<p>I would like to complain about the development taking place;</p> <p>The builder appears to have ignored the plans that were passed and made significant changes to the design which have a great impact upon the adjoining properties on Churston Road; and</p> <p>The builder should not have made such significant changes without prior consultation and the attitude 'I've done it now so it should go through'.</p>
5 A&B	SINCLAIR – 5 Churston Road (by letter) – 21/03/2017 and 21/03/2017	<p>A. I strongly object to the proposals; Plot 2 overlooks the Churston Road properties and this leads to a loss of privacy and impacts upon the peaceful enjoyment of their homes and gardens. The houses are oppressive, overbearing and no what you want peering into your garden;</p> <p>The previous application was refused and surely it still applies irrespective of the changes in the submitted application. There have been no changes on site since the decision;</p> <p>The fact the developer is stating they have not worked to the approved plans is unbelievable. Who is responsible for a development that does not have planning permission?;</p> <p>Plot 1 is no 286 higher and plot 2 now 361 higher. This creates a non-impressive design with a vast amount of brickwork above first</p>

		<p>floor windows and domineering brick gable ends, especially plot 2;</p> <p>I believe the application should be refused the same reasons as stated previously.</p> <p>B. Plot 3 overlooks my neighbours properties and leads to a loss of privacy and certainly impacts upon the peaceful enjoyment of their home and gardens. The house is overbearing and not what you want peering over and into your garden from the top of your fence;</p> <p>The repositioning of the plot has resulted in a path alongside the house which is above the 6ft fence level. Anyone walking on here appear above the fence, taking away all privacy. Admittedly they have long gardens but that is there outdoor space to enjoy in a private and peaceful manner, not to be directly overlooked;</p> <p>The visual impact of this plot is not pleasing and out of character. It is domineering on the corner of the Inkerman Park; and</p> <p>Why submit revised plans if you are going to build whatever you want. The amendments will not result in a less significant impact upon the amenity of neighbouring properties and should still be refused.</p>
6	WIDDOWSON – 112 Old Hall Road (by letter) – 23/03/2017	<p>I walk my dog on Inkerman Park, but it is spoilt by the overwhelming presence of the new houses, particularly plot 3;</p> <p>I have a town planning degree and I cannot see how these buildings contribute to the community. They detract from the local environment and blight the park;</p> <p>Other houses around the park do not have such an overbearing presence, these make you feel like you are being watched;</p> <p>The houses on Churston Road must feel like their privacy has been invaded, as well as marring any positive aspect on the backs of their properties;</p> <p>I understand the developer has not kept to the plans which were approved. How can such a blatant disregard for planning have been</p>

		<p>allowed to go unchecked?; and</p> <p>I object in strong terms to the development, particularly plot 3 and also for the privacy of the properties on Churston Road to be addressed. It must be very distressing and will be detrimental to my walks and any outing to the park which is an important green space spoilt by the development.</p>
7	P SIDDON – 7 Churston Road (by letter) – 24/03/2017	<p>A. I object to the amendments to plot 3. They have not been built to the approved plans, the developer took it upon himself to change the layout, include extra doors and introduce overlooking into neighbours gardens; Neighbours can no longer enjoy and privacy in their own gardens, and the design of the houses looks nothing like houses around the area;</p> <p>They have been refused once, so why should they be approved now?;</p> <p>They have been built close together and are a bad design – separation of windows etc;</p> <p>It has come to light the developers were building to the wrong plans, not those submitted for approval. Where are the plans he used?; and</p> <p>The houses do not meet planning policy, where there is an aim to ensure development has an acceptable impact on the amenity of neighbours, as it sits on the top of the adjoining six foot fencing.</p> <p>B. I object to the amendments of plots 1 and 2; In addition to the issues already raised above the development does not meet policies which state development should be visually attractive as a result of good architecture and appropriate landscaping; and Permission should be refused for development of poor design that fails to take the opportunity available for improving character and quality of an area and the way it functions.</p>
8	J SIDDON – 7 Churston Road (by	<p>A. I write because if I did not you will assume that I have no objections, which would not be</p>

	letter) – 24/03/2017	<p>true;</p> <p>Regarding plot 3 the house sits above the top of my neighbours fence and I question how he can now enjoy any privacy in his own garden as he is overlooked;</p> <p>How can builders build what they want when they have plans to follow?; and</p> <p>This should never have been allowed, it towers and overlooks the gardens to Churston Road.</p> <p>B. Regarding plot 1 and 2 the houses look ugly as they are too high and they should not be allowed to build what they want. The houses do not fit in on a small bit of land and they are all brickwork with very small windows towering over neighbours gardens and houses.</p>
9	OXLEY – No Address (by email) – 29/03/2017	<p>I'd seen the houses being built and am amazed how high they are at the bottom of people's gardens;</p> <p>I hear they've been refused for not being built right, so I'm also writing to object to approval of them because they're so tall and so close together;</p> <p>The one on the corner of the park stands out, being built very high and it doesn't blend in with other houses in the area. It looks over the fence and into the neighbours garden;</p> <p>Also the other two houses are way too high. They aren't visible from Ashgate Road but definitely tower over Churston Road and take away the neighbours privacy;</p> <p>They should be built as approved, plots 1 and 2 have too much brickwork and plot 3 needs a 15ft fence;</p> <p>From a google search I understand the correct terminology is negative effect on amenity, overlooking, loss of privacy, out of character, negative / adverse visual impact, detrimental effect on character of local area, design issues i.e bulk, massing, local design guide ignored, overbearing, out of scale, does not respond or integrate; and</p>

		I always thought you had to build what you got approval for, not build whatever you want and admit to using the wrong plans.
10 A, B, C, D & E	PEARSON – 19 Churston Road (by letter / email) – 30/03/2017, 02/04/2017, 03/04/2017, 06/04/2017 and 07/04/2017	<p>A. I object to the proposals and the previous reasons for refusal are re-iterated;</p> <p>The continuing raising of land levels to the rear of Churston Road is detrimental and should be re-instated;</p> <p>The mass, bulk and proximity to the rear and side elevations present an overbearing and intrusive element;</p> <p>The plans submitted are house structure based and aim to avoid representing the actual site regarding hard and soft landscaping detail. The fencing already erected is not shown on the plans;</p> <p>The Councils SPD states FF rear windows should be positioned 10.5m from garden boundaries but plot 2 is positioned much closer;</p> <p>The buildings have not moved, changed in design, layout or height since the last site visit and committee. Is the developer questioning the decision made by committee? Why does the previous refusal not still apply?</p> <p>The SPD states that quality of life is a consideration yet we have lost all our privacy and cannot enjoy the pleasure and privacy of our homes without being overlooked. The development is unduly imposing and does not integrate with the character of the local area. Plot 2 overlooks its neighbours, it is domineering and its height has not been limited to reduce its impact (as the SPD suggests);</p> <p>The distances between plots 2 and 3 appear to fall short of the SPD recommendations as its front habitable windows face side wall of the porch of plot 2;</p> <p>Various pictures showing the relationship between the houses and those on Churston Road are included to highlight the points made above;</p>

		<p>The application now reports that the heights of the plots have changed again, now the floor level is lower – yet another variation from what was approved (tables and graphs are included to illustrate the differences in each application);</p> <p>The fact the floor height has changed does not lower the amount of brickwork which is seen above the FF windows. This continues to have an unacceptable impact on the amenity of adjoining residents regarding design, appearance and overlooking;</p> <p>Having regard to the SPD the re-siting of the plots appear to have compromised the separation distances – do they still comply? Furthermore do the properties have adequate private amenity space – as per the SPDs recommendations? Various extracts of the SPD are quoted;</p> <p>In respect of the Design and Access Statement I dispute the comments about contours and heights not adversely impacting upon the built form of Ashgate Road.</p> <p>Furthermore good practice statements of the SPD, the D&As and the Human Rights Act have all been ignored;</p> <p>There have been conflicting statements in the geo-technical report compared to what has been built on site in respect of land levels not being significantly raised – who is misleading who?</p> <p>Plots 1 and 2 are more visible from the rear gardens of Churston Road than from Ashgate Road, overlooking into neighbouring living space. There may be a mixed design of properties locally but they follow contours of similar ridge heights (these have been measured and are compared in a graph);</p> <p>Regarding the supporting statements submitted – the fact the developer was using the wrong plans is whose fault? The developer accepted at the committee meeting he had made changes and in hindsight he</p>
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		<p>should have requested planning approval. There had been several visits by the planning dept to bring to his attention the disparities, so why continue to build? Why continue to waste taxpayers money when the plans have already been refused?; and</p> <p>Pictures showing the fence which has been erected are enclosed, these all show how the levels have been raised.</p> <p>B. My objection is to the landscaping proposal submitted for the development to the rear of my property. How could anyone contemplate raising the levels at the rear of someone's property when knowing of the consequences and damage this will cause by water runoff. Furthermore that the planning dept will consider approval of such proposals when they are also aware of the original land levels and have seen water damage pictures. This is against any human rights to force someone to suffer unnecessarily and I query whether this is also a legal or environmental issues, rather than just planning?;</p> <p>The area to the rear of my garden has always been wet and boggy after heavy rainfall, but the water has never run onto my property until the levels were raised. Original topographical reports show what the levels were like previously and they should be reinstated;</p> <p>The proposed landscaping with a hedgerow and three trees will not provide adequate screening / privacy. How many years will it take for these to grow? Screening should be permanent and take immediate effect. The path around the house resembles a balcony from the patio doors and overlooks neighbouring gardens;</p> <p>The proposed wall and patio areas shown will be within the root protection area and damage the protected tree;</p> <p>My fence was erected many years ago and the land levels were the same on the opposite side as my garden. This boundary is shown</p>
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		<p>on my deeds, so if I remove the fencing it will only show how high the land levels have been increased;</p> <p>The raised level of 98.55 will still be higher than the bottom of my garden fence and the original level. The landscaping proposals are vague, what is the height of the proposed fence? And</p> <p>I used to love my home and garden, now I cannot wait to get away due to this development. I have no privacy, I am overlooked from a height. My whole home is ruined by this high rise development peering into my life. If this is not an adverse effect I do not know what it?</p> <p>C. I object to the material amendments and screening landscaping proposals which adversely affect my property – see separate letters regarding land levels;</p> <p>The previous application was refused and I re-iterate the reason for refusal;</p> <p>The re-siting of plot 3 encroaches into the root protection area of the protected tree which is cause damage to its roots;</p> <p>I object to the overlooking balcony style walkway which runs around this property and would not have been in situ had the house been built in its approved location;</p> <p>Plot 2 and 3 have both been re-sited and this compromises their relation as well, having regard to separation distances;</p> <p>The whole development is unduly imposing and overbearing to neighbouring properties;</p> <p>The proposals do not confirm to policies of the local plan by an acceptable density and form that respects and enhances the local area, results in a loss of landscape features (boundaries etc) and does not create reasonable levels of privacy;</p> <p>This also applies to Plot 3 where the GF levels are visible above the 6ft fence line to neighbouring garden which is domineering and a total invasion of privacy;</p>
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		<p>amendments should be refused as nothing has changed. The changes to plot 3 have an overbearing impact and result in a total loss of privacy to neighbours. Conditions are attached to planning permission for a reason and plans should be adhered to, not ignored. The fact the development was built ignoring these makes a mockery of the whole planning process.</p> <p>D. This further objection relates to plots 1 and 2 and their garages on the plots. These are shown on the site plan drawing. The dimensions of these garages are 5.56m x 5.05m according to the estate agents. A double garage should have a minimum dimension of 6m x 6m and a door width of 4.2m to be counted as a parking space (extract from SPD inserted) so the garages do not meet the required standard or the 6C's highways design guide. Furthermore there is clearly a door in the back of plot 2's garage which is still not shown on the drawings submitted or included in the latest application.</p> <p>E. The proposal is to raise the land levels which will direct the flow of surface water onto my property. There is no evidence provided and to confirm overland flows will not flood properties or discharge onto neighbouring land.</p>
11	BIRTLES – 17 James Walton View, Halfway (by letter) – 30/03/2017	<p>I'm a regular visitor to Churston Road and the area has seen little change in 25 years, however upon entering the house I visit I am shocked and upset at the view;</p> <p>There is no privacy accorded to the residents thanks to a building development which has apparently been built without correct planning regulations. I am conveying my objections, not just because my friends are upset, but because their home is now blighted by this development and they have lost all their privacy;</p> <p>It now seems anyone can submit plans, build whatever they like and then have them</p>

		<p>passed at a later date. People of Chesterfield deserve to be protected from behaviour like this as rules are there to be followed;</p> <p>When I last visited in February I was told the applications had been refused. It seems an awful waste of taxpayers' money that an applicant can resubmit without any rectification work being carried out;</p> <p>I reiterate the reason for refusal of the previous application; and</p> <p>I am sure that I would have no problem making a hollow apology to the Council for my behaviour if I knew my actions would yield me £1.3 million.</p>
12	<p>HEATH – 100 Mansfield Road, Hasland (by letter) – 30/03/2017</p>	<p>I have been told an unbelievable story by a friend who lives on Churston Road which I would like to share with you. A developer submit plans to build three houses which were approved probably because he was only building three and not the six which had previous permission. Had anyone noticed on the plans the floor levels were a metre higher or taken into account the lower land levels on the adjoining properties? The developer proceeded to build his plans, but they were not the ones approved by the planning dept. Nevertheless thinking no-one would notice he continues. Someone contacts the planning dept and an enforcement officer turns up to look at what he is building and advises a new application is necessary. To cut the story short (as it could be a full length novel) five months later he applies and the application is refused by planning committee, but he doesn't give up, decides not to appeal and submit two new applications and declares he has built them to the wrong plans regarding the height; For all adjoining neighbours the properties are overlooking and an invasion into their privacy. Regarding plots 1 and 2 they have been built too tall and are a mass of brickwork. Plot 3 looks as though it is sat on top of the neighbours fence. They look ridiculous and</p>

		<p>are totally out of character; They should be built as per the approved plans; I really like the new outlook for planning though, submit something similar to what you intend to build, build what you want and then assume it will be approved. When it is refused submit a further set of plans. It could catch on; and My objections are as the original reasons for refusal.</p>
13 A&B	<p>WOMBLE – 3 Richmond Grove, Handsworth, Sheffield (by email and public access) – 29/03/2017 and 29/03/2017</p>	<p>A. Buildings are too elevated leading privacy issues and flooding due to inability of natural drainage. B. I write regarding the above planning applications and my objections to the buildings on these plots. As a site manager for a building company it amazes me that Chesterfield City Council has allowed this builder to flaunt planning regulations and build properties unrelated to the original plans. The current dwellings are intrusive to other residents and provide no privacy due to the raised elevation on all plots. I have also seen photographs of flooding in the neighbouring gardens and this is due to the hardcore which has been used to raise the elevation, thus preventing natural drainage. I am concerned that if this builder is allowed to continue with the dwellings, which have obviously been changed dramatically from the original plans, this will set a precedence for other builders to build dwellings which do not comply with the original plans There are, as I can vouch, builders who follow legislation to the letter and allowing such blatant disregard for these regulations by this builder will allow the flood gates to open for other disreputable builders to follow suit.</p>
14	<p>LOMAS – 61 Church Lane, Calow (by letter / email) – 04/04/2017</p>	<p>I would like to raise my concerns regarding the development plans. I have confirmation from numerous sources that the developer changed and used a different set of plans to</p>

		<p>the original which were submitted many years ago;</p> <p>The developer has ignored planning approval, used contaminated soils, caused flooding, not implemented drainage, raised ground levels by 6ft (causing overlooking / privacy issues), installed infra-red cameras, removed trees, back filled soils against the neighbours fence, the design of properties are not in keeping and not pleasing on the eye;</p> <p>How is a developer allowed to ignore planning approval?</p> <p>How does allowing the properties to be built allow privacy in an area for the adjoining residents?</p> <p>What compensation will the owners of the neighbouring properties receive from the developer?</p> <p>What are the consequences of all the above points to the developer?</p> <p>All of the above have resulted in the devaluation of 17 Churston Road – how is this fair?</p> <p>As a council I would expect you to represent the majority and not favour the lucrative proposals for the benefit of a company and the attached list of 31 signatures all agree with my above points.</p>
15	HALL – 11 Churston Road (by letter / email) – 31/03/2017	<p>I am great believer in brownfield sites being developed instead of choosing cheaper greenfield options, what I am not a believer of is the bodies in place to implement regulations and guidelines on developers and builders to ensure development fit in to their surroundings;</p> <p>When I purchased my house I was under the impression the houses heights and designs were going to be in keeping with the surrounding houses. I was informed the houses would be 2.5 storey town houses. But my suspicion started to grow when the guttering weren't directly above the 1st floor windows. At this point we had a meeting with</p>

		<p>the planners to state our concerns; My concerns is that the houses were too high and had been built even higher, looking like 3 storey houses. The windows had also been changed and we felt the builders had no regard for the plans and were building what they wanted; Plot 2 in particular has been built too high (almost half a metre) and looks hideous with such a high brick to window ratio. The house is also being marketed as a three storey executive town house; Had I known the builder was going to ignore the approved plans and build what they wanted I would not have bought my house the price I did. They should have to amend the house height or compensate me for the change in value; and I would like to add I feel let down by the whole system and that no one has listened to me or the local residents to put a stop to this before it got to this stage. This has caused me much stress and has led to me being off work, putting the future of the 34 people we employ at risk.</p>
16	WELLS-LOMAS-PAGE – 6 Brecon Close, Loundsley Green (by letter / email) – 02/04/2017	<p>Having been a silent individual regarding the planning and building process I must strongly object to this development and the way the council and other public bodies have handled the whole process; I large number of regulations have been breached and the council are making no efforts to oversee that they are amended asap; The gardens of properties along Churston Road are now suffering as a consequence (esp. No 17) which has been flooded on several occasions; The developer has now admitted to building the houses to plans different to those approved – how can this be ignored and be allowed? The council have in the past made people remove wrongly built properties – this</p>

		<p>should be applied here;</p> <p>The ground levels have been raised by about 6ft and therefore the development overlook the neighbouring properties. This is an invasion of residents privacy;</p> <p>An infra-red camera also overlooks the property of No 17. This should not be allowed and should re-directed to a different area that does not invalid people privacy;</p> <p>Trees and shrubbery have been removed to make way for this development. This has led to a loss in wildlife, birds and bats. Isn't this a crime?</p> <p>The relevant drainage has not been put in place to compensate for the new development. This has led to flooding and residents nearby being unable to grow vegetables and flowers;</p> <p>Contaminated soils have been bought in to be used as back fill and levelling ground. There is risk this could make neighbours ill if they grow vegetables;</p> <p>There is 5ft of back soil to the rear of No 17 which could lead to rotting this fence;</p> <p>The properties along Churston Road have suffered huge devaluation as a result of the development but I bet the developer won't be out of pocket;</p> <p>The character of the development is not in keeping with other properties and the visual impact is not pleasing to the eye;</p> <p>Are the estate agents selling the properties aware of the fact there are breaches / ongoing investigations?</p> <p>It seems to me the correct people were not appointed during the development to make the necessary checks; and</p> <p>No 17 has been my family home for 42 years and will continue to be so. I am disgusted how the whole process has been handled and my father is very ill and should not have to worry about the long term effects of this monstrosity; and</p>
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		I have read a local newspaper article quoting the developer, well a quote from me is that the developer has no intension of putting any of the issue listed above back to there correct state, otherwise he would have done it a long time ago.
17	SIMPSON – No Address (by email) – 02/04/2017	These houses are overlooking and overbearing and they also seem to have been built too high. Its my understanding they have not been built in accordance with the approved plans and surely allowing this to go ahead makes a mockery of the system.
18	CHURSTON ROAD ACTION GROUP – (by letter / email) signed by No 9, 11, 13, 15, 17 and 19 Churston Road – 03/04/2017	<p>The Group Objects to the applications for the following reasons:</p> <p><u>Plots 1 and 2</u></p> <p>CHE/17/00119/MA is invalid because pre-start condition 9 of CHE/13/00507/OUT (which renewed Consent CHE/10/00531/OUT) has not been discharged and yet a material start has been made on site. As a result of this fact and in accordance with advice note 2 attached to CHE/13/00507/OUT, the entire development is unauthorised. A material amendment application is not capable of re-establishing a lapsed consent.</p> <p>Submission and approval of CHE/15/00514/REM responded to Condition 2 of CHE/13/00507/OUT. It did not explicitly request discharge of pre-start Conditions 6, 7, 8, 18 and 24 of CHE/13/00507/OUT and the approval notice did not explicitly discharge them. These pre-start conditions were discharged subsequently and separately under CHE/16/00227/DOC. Nor did submission and approval of CHE/15/00514/REM seek or effect discharge of pre-start Condition 9 and legal discharge is now impossible because a material start on the development has been made. When Condition 1 of CHE/15/00514/REM mandated adherence to external dimensions (which actually vary between the building and site plans cited) it prejudiced much but not all of</p>

		<p>what proper attention to Condition 9 of CHE/13/00507/OUT might have achieved. Scope still existed after Condition 1 of CHE/15/00514/REM was written to establish a better relationship between proposed levels and immediately adjacent land/buildings than has been built by following a simple two-stage process. The first step that could still have been taken was to control under Condition 9 of CHE/13/00507/OUT the amount of obscure glass in windows, the height and form of boundary screens and the levels of footpaths and patios (which are not shown on drawing 15/532/2A). The second step that could have been taken was for the developer to have complied with the scaled layout or the figured external dimensions shown on the approved drawings as mandated by Condition 1 of CHE/15/00514/REM and the design requirements imposed upon proper discharge of Condition 9 of CHE/13/00507/OUT. Unfortunately, that opportunity has now been lost. Noncompliance with condition 1 of CHE/15/00514/REM and a failure to discharge Condition 9 of CHE/13/00507/OUT have imposed severe impacts upon local residents and a great deal of distress that financial compensation will not necessarily resolve. Approval of the current application will do nothing to resolve those impacts, will exacerbate that distress and will be a wholly unacceptable outcome that would set a highly damaging precedent for the built environment of the Borough as a whole. The result of these unfortunate over-sights is that the Committee and officers and the community have all been denied the opportunity to "fully assess the relationship between the proposed levels and immediately adjacent land/buildings" and therefore to control impacts upon residential and local amenity before those impacts were realised on the ground. In hindsight, proper attention to</p>
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		<p>Condition 9 of CHE/13/00507/OUT might have resulted in a bungalow development without windows or patios placed to overlook and overbear neighbouring gardens. Proper review of this unfortunate case might yet yield such a resolution.</p> <p>Over-riding the above, CHE/15/00514/REM is itself null and void because the approved design represents a serious departure from the Core Strategy due to serious unjustified violations of design guidance contained within the Successful Places SPD. According to the guidance on pages 75 and 76 of the SPD the inevitable impact of severely shortened separation distances between the windows and garden patios of this new elevated back-land development and vulnerable garden boundaries of immediately adjacent residences should have been specially justified or have been carefully controlled by means of careful screening, orientation and height limitation. In the subsequent determination neither special justification nor special control is evident and this omission constitutes a serious departure from the Local Plan. Standard development management procedure dictates special notification to the public in these unusual circumstances and yet we find no evidence that pending departure from the Local Plan was properly advertised. This makes the planning decision null and void.</p> <p>Even had the above not been the case the current application is significantly worse in terms of impact upon the outdoor amenity of neighbouring residents than the design mandated by condition 1 of CHE/15/00514/REM. The design of Plot 2 approved under this permission is to be preferred to that currently proposed because the new design is much closer to neighbouring boundaries than the approved design. On Drawing 15/532/2A the average distance</p>
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		<p>measured at right angles from the centre of the rear elevation to the boundary is 6.5m . The same distance on the new drawing is 5.5m. The new design makes a bad situation far worse. The prevailing architectural pattern in the local area is for single household dwellings to be two storeys in height. Three storey dwelling as are currently proposed for plots 1 and 2 are prominently incongruous and their relative shortness of their back gardens makes their scale the more conspicuous. Artificially raised garden elements overlooking neighbouring gardens at a level of natural ground are incongruous in the local area. The predominant local pattern is for gardens to conform to the natural lie of the land and as a result the predominant local pattern is for there to be no privacy concerns between neighbouring gardens. The proposed design is therefore out of keeping with the local area. The supporting statement is unconvincing. Neither local nor national planning policy welcomes brownfield land unreservedly. Good design is required under para. 64 of the NPPF even on brownfield sites. In this case the acid test of good design is whether or not the new development protects existing neighbouring amenity and safeguards local area character and this raises more fundamental questions than consideration of the vertically or horizontally prevailing masonry windows openings, window sub-frames , casement lights and the like. The current design fails both much more important environmental tests so severely that the original condition of the site would have been preferable to local people compared to what they see now. The social and economic benefits of development of this site are not tied to acceptance of the proposed design and the harmful environmental impacts this design demonstrably imposes upon vulnerable neighbours could be avoided by selecting an</p>
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		<p>alternative design. Therefore this development does not qualify as sustainable development and planning permission for its retention should be refused.</p> <p>The proposal is insufficiently different to that recently refused to warrant planning approval. No change to the built facts that committee have already assessed is proposed.</p> <p>Nevertheless, the application has been submitted. If the Council does decide even to let this highly flawed application be determined by its planning committee, then the committee should consider the all the facts of the case on its merits and not consider itself bound only to exercise its judgement upon the very narrow grounds given by the officer for refusal of CHE/16/00747/MA.</p> <p><u>Plot 3</u></p> <p>CHE/17/00120/MA is invalid because pre-start condition 9 of CHE/13/00507/OUT (which renewed Consent CHE/10/00531/OUT) has not been discharged and yet a material start has been made on site. As a result of this fact and in accordance with advice note 2 attached to CHE/13/00507/OUT, the entire development is unauthorised. A material amendment application is not capable of re-establishing a lapsed consent.</p> <p>Submission and approval of CHE/15/00514/REM responded to Condition 2 of CHE/13/00507/OUT. It did not explicitly request discharge of pre-start Conditions 6, 7, 8, 18 and 24 of CHE/13/00507/OUT and the approval notice did not explicitly discharge them. These pre-start conditions were discharged subsequently and separately under CHE/16/00227/DOC. Nor did submission and approval of CHE/15/00514/REM seek or effect discharge of pre-start Condition 9 and legal discharge is now impossible because a material start on the development has been made. When Condition 1 of CHE/15/00514/REM mandated</p>
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		<p>adherence to external dimensions (which actually vary between the building and site plans cited) it prejudiced much but not all of what proper attention to Condition 9 of CHE/13/00507/OUT might have achieved. Scope still existed after Condition 1 of CHE/15/00514/REM was written to establish a better relationship between proposed levels and immediately adjacent land/buildings than has been built by following a simple two-stage process. The first step that could still have been taken was to control under Condition 9 of CHE/13/00507/OUT the amount of obscure glass in windows, the height and form of boundary screens and the levels of footpaths and patios (which are not shown on drawing 15 / 532 / 2A). The second step that could have been taken was for the developer to have complied with the scaled layout or the figured external dimensions shown on the approved drawings as mandated by Condition 1 of CHE/15/00514/REM and the design requirements imposed upon proper discharge of Condition 9 of CHE/13/00507/OUT. Unfortunately, that opportunity has now been lost. Noncompliance with condition 1 of CHE/15/00514/REM and a failure to discharge Condition 9 of CHE/13/00507/OUT have imposed severe impacts upon local residents and a great deal of distress that financial compensation will not necessarily resolve. Approval of the current application will do nothing to resolve those impacts, will exacerbate that distress and will be a wholly unacceptable outcome that would set a highly damaging precedent for the built environment of the Borough as a whole. The result of these unfortunate over-sights is that the Committee and officers and the community have all been denied the opportunity to "fully assess the relationship between the proposed levels and immediately adjacent land/buildings" and therefore to</p>
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		<p>control impacts upon residential and local amenity before those impacts were realised on the ground. In hindsight, proper attention to Condition 9 of CHE/13/00507/OUT might have resulted in a bungalow development without windows or patios placed to overlook and overbear neighbouring gardens. Proper review of this unfortunate case might yet yield such a resolution.</p> <p>Over-riding the above, CHE/15/00514/REM is itself null and void because the approved design represents a serious departure from the Core Strategy due to serious unjustified violations of design guidance contained within the Successful Places SPD. According to the guidance on pages 75 and 76 of the SPD the inevitable impact of severely shortened separation distances between the windows and garden patios of this new elevated back-land development and vulnerable garden boundaries of immediately adjacent residences should have been specially justified or have been carefully controlled by means of careful screening, orientation and height limitation. In the subsequent determination neither special justification nor special control is evident and this omission constitutes a serious departure from the Local Plan. Standard development management procedure dictates special notification to the public in these unusual circumstances and yet we find no evidence that pending departure from the Local Plan was properly advertised. This makes the planning decision null and void.</p> <p>Even had the above not been the case the current application is significantly worse in terms of impact upon the outdoor amenity of neighbouring residents than the design mandated by condition 1 of CHE/15/00514/REM. In the case of the building on plot 3 the likelihood that external patios and footpath will be elevated above natural</p>
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		<p>ground levels is much greater than would be the case if the design shown on drawing 15/532/2A were to be executed. Drawing 15/532/2A does not show the intended levels of external footpaths and patios but does confirm that these items will be constructed in brick paviours on a hardcore base. The specified hardcore base strongly suggests ground supported structures at natural ground level since hardcore is not normally included in balcony construction, no details of retaining walls are provided and a 1.8m high conc. Post and timber boarding fence is normally sufficiently strong enough to support any floor load. It is therefore reasonable to conclude that the design intention in drawing 15/532/2A is for patios at natural ground level screened by the existing 1.8m high fence. Such a design solution would at least minimise overlooking and overbearing problems between garden elements. In the new design shown on drawing 15/532/05D paths and patios are not shown but it is reasonable to conclude that the footpaths and patios will be maintained in the elevated positions they now occupy – a position made possible by increasing the separation distance between the dwelling and the eastern boundary. The effectiveness of the fence as a screen is completely defeated in the proposed and built design whereas it retains its effectiveness to some degree in the approved design. A permanent screen is required along the full length of the eastern boundary to protect the existing outdoor amenity and no living screen can provide that permanence and no council can reasonably enforce its permanent retention. It is doubtful whether a hedge could even establish itself in such heavy soil at the base of an artificial incline on plot 3. The minor improvement in overlooking and overbearing problems arising from moving the dwelling the short distance from the boundary</p>
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		<p>to its current design compared to the approved design such that windows are still too close to the boundary are slightly further from the boundary are more than off-set by the proposal to create a permanent overlooking problem from elevated footpaths and patio. Artificially raised garden elements overlooking gardens at the level of natural ground are incongruous in the local area. The predominant local pattern is for gardens to confirm to the natural lie of the land and as a result the predominant local pattern is for there to be no privacy concerns between neighbouring gardens. The proposed design is therefore out of keeping with the local area. The supporting statement is unconvincing. Neither local nor national planning policy welcomes brownfield land unreservedly. Good design is required under para. 64 of the NPPF even on brownfield sites. In this case the acid test of good design is whether or not the new development protects existing neighbouring amenity and safeguards local area character and this raises more fundamental questions than consideration of the vertically or horizontally prevailing masonry windows openings, window sub-frames, casement lights and the like. The current design fails both much more important environmental tests so severely that the original condition of the site would have been preferable to local people compared to what they see now. The social and economic benefits of development of this site are not tied to acceptance of the proposed design and the harmful environmental impacts this design demonstrably imposes upon vulnerable neighbours could be avoided by selecting an alternative design. Therefore this development does not qualify as sustainable development and planning permission for its retention should be refused.</p> <p>The proposal is insufficiently different to that</p>
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		<p>recently refused to warrant planning approval. No change to the built facts that committee have already assessed is proposed. Nevertheless, the application has been submitted. If the Council does decide even to let this highly flawed application be determined by its planning committee, then the committee should consider the all the facts of the case on its merits and not consider itself bound only to exercise its judgement upon the very narrow grounds given by the officer for refusal of CHE/16/00747/MA.</p>
19	<p>LONGMATE – 81 Ashover Road, Old Tupton (by letter) – 03/04/2017</p>	<p>I object to the application as the increase in height, change in shape and size of the windows and moving the plots all have a great impact upon the houses of Churston Road; and</p> <p>As a builder we have to follow plans to the last detail, we do not have approved plans then build what we want. I am astonished by this builders attitude 'we have built them so approve them', commenting he is only a small local business. Plans are put in place for a reason</p>
20	<p>BATES – 9 Churston Road (by letter) – 30/03/2017</p>	<p>As one of the local residents objecting to this development I wish to reply to the support comments from people who are not in a position to have any idea of what the local residents are having to put up with, seeing as this can only be seen from the back of their houses;</p> <p>We are nothing to do with the Crispin campaign, we had nothing to do with it and this is not going to stay derelict as tesco have won their appeal and have already started work;</p> <p>We are fighting to the have the same rights as I sure they would be doing and if they would like to see the true effects they are more than welcome to visit our properties and see for themselves; and</p> <p>They then may be able to send a formal letter rather just tick box form which we could get</p>

		anyone to do.
21	BOSTON – 21 Churston Road (by letter) – 03/04/2017	<p>I have lived here for 50 years and for as long as I can remember the land were plot 3 is built has flooded frequently after heavy rain. Prior to plot 3 being built this was not really an issue for me as the waters eventually soaked away, however as soon as work began on plot 3 a third of my garden and others were severely flooded;</p> <p>Plot 3 has not been built to the original plans and I find it unacceptable for a builder to just build something how they want and then apply afterwards. This makes a mockery of the process;</p> <p>The height and overall size of plot 3 has such an overbearing impact on my property. I find is unacceptable the base level of the house is above peoples 6/7ft fences; and</p> <p>Even though plot 3 is not at the bottom of my garden its raised foundations cause it to have a major impact upon my privacy and that of my neighbours.</p>
22	DERRETT – Plaice Hills Farm, North Lane, Doncaster (by public access) – 31/03/2017	He's built what he wanted against his plans and your going to pass it!! Come on! Can we all do that?
23	BARNES – 13 Churston Road (by email) – 31/03/2017	<p>My main issue is with the house situated right at the bottom of my garden. My home is now totally overlooked by what is a very large and imposing 3 storey home. The back windows look directly into my garden where my 2 young children play daily. The second floor windows also look directly into my entire home and I feel it is positioned far to close to my border to allow for any privacy. As a single mum of 2 young boys I am very uncomfortable with the proximity and positioning of the development and in particular the house situated at the bottom of my garden;</p> <p>I have several habitable windows facing my property and they are looking straight into my home and all the bedrooms upstairs including the bedroom of my children. This leaves me</p>

		<p>in a very vulnerable position in my own home; and</p> <p>I am very concerned about the impact this development will have on the value of my property. To have an imposing house at the bottom of the garden will inevitably affect how future buyers will see the house in terms of a family home. Prior we had a lovely family home which was perfectly suited to family life. One of the key selling points was the sizeable garden and the privacy this garden provided us to ensure our children the freedom to play safely and privately. The development has undoubtedly compromised this. It is the first thing you see when you look out of any of my back windows and is commented on (negatively) by anyone who visits my home.</p>
24	PEARSON – No Address (by email / letter) – 30/03/2017	<p>How many times is this developer going to ignore the council procedures? Amendments for this site have already been submitted and refused and if he doesn't agree with the previous decision then he should be appealing through the correct channels. The developer will clearly do what he wants whilst making a mockery of the whole council planning system. As nothing has changed on site it doesn't matter what documents are resubmitted or what new measurements are presented, we have policies and procedures to follow. The council have already made the decision on the 30th January 2017 but the developer is now trying to split the plots to gain separate approvals;</p> <p>If we treat this as a new application, then we have the very fortunate opportunity to see what the buildings would look like after the development. They would always get refused due to their overpowering nature, overbearing looks and the vast amount of area which is now overlooking into neighbouring properties. We could also question why the land levels were being increased by 2 metres and what was in place for the surface water run off</p>

		<p>which both somehow got missed by the council on the first application. All previous applications that were approved for this site took into consideration the natural fall in the land to the south of the site;</p> <p>Viewing what has been built with the degree of overlooking and overbearing 99% of people would object to this development. The residents of Churston Road have been let down</p> <p>by the governing bodies put in place to protect them;</p> <p>To make things worse for the residents of Churston Road the developer ignored his approved plans and used another set to build his houses with a higher degree of 'ugliness' which included higher ridges and balcony style walkways around the properties for the new residents to overlook and watch the neighbouring gardens, whilst not complying with CS2 or CS18 of the Core Strategy policies;</p> <p>I don't know enough technical jargon about the ridge heights on plots 1 and 2 but I support the committee's decision to refuse them and see this application as a total waste of the council's time. The developer is questioning the committee's ability to make the previous judgement or else he would have appealed;</p> <p>Plot 3 is another story, this build has given my mother the worse 13 months of her life and when will it end? You only have to stand on the Inkerman playing fields or Churston Road to see this monstrosity. From flooded gardens, verbal abuse from the family / staff of Anthony Astons and unsubstantiated claims of planting evidence, the list goes on. Not only does she now suffer to the rear of her property with the loss of privacy but passers-by on Churston Road often stop and look down her garden pointing and passing comment at the Monstrosity, once again invading her personal</p>
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		<p>space and adding to the feeling of being watched. At 61 she should be able to enjoy her privacy and comfort of her own property and not be forced to fight with this unscrupulous developer who hasn't once shown any sympathy for her or tried to offer a solution;</p> <p>In no way from her perspective does the new positioning of the house benefit her. There is now a walkway around the property which can only be described as a 'pervy balcony' for them to perv and look down upon her and the rear garden is being increased to unacceptable levels;</p> <p>Having seen the Datum points on all previous applications for this site it is clear the landscape proposals are a total joke. The SE corner of the site was previously given at 98.30 and the SW 98.20. The rear garden on plans submitted previously were also showing at 98.27 which is lower than my mother's property and the Council's planning department are fully aware of this. Why do these plans raise the land knowing the problems already caused to the neighbouring properties? There is also no landscaping proposal to show how they are going to backfill up against the border they removed on the east boundary. The residents of Churston Roads house deeds clearly show it as their boundaries and they erected their own fence in front of a fence that the developer chooses to remove. Anything pressed against the Churston Road residents fence would leave him open to lawsuits and other problems in the future and once again shows the clear lack of thought going into this development. If anyone should suffer from the developers arrogance and ignorance on this occasion it's certainly not the residents of Churston Road and I only hope the planning department see that and make the right decision.</p>
25	GRIFFITHS – 15	Our main reason for objecting is privacy, or

	<p>Churston Road (by email / letter) – 30/03/2017</p>	<p>lack of since the buildings went up. We believed they were two storey houses, but they a three storey now built. The height means not only is our garden completely overlooked but all three of our bedrooms; We have three children and what attracted us to this house was the garden to the rear and the privacy it was afforded. This is now entirely gone and we do not feel this is fair. We should not have to close our curtains to maintain privacy;</p> <p>The development is also completely out of keeping with the local area. You have to travel quite a distance to see a development of modern three storey red brick detached houses;</p> <p>We are also worried about flooding as last year our neighbour at No 17 suffered from this. To our knowledge this has never happened previously and given the height of the houses we are worried this will affect the way in which we use our garden in the future; We understand that devaluation of our property will not be considered, but an adverse amenity impact will. This development is overbearing, out of keeping in appearance and size and an invasion on the privacy of existing neighbours;</p> <p>Unsurprisingly we still strongly object to this development. There is some confusion over which plans the builder built to, but as residents should we be the ones who have to suffer?;</p> <p>We have put on hold plans to landscape our own back garden to wait and see if this matter is resolved; and</p> <p>There have been an increase in land levels, an unresolved issue of contaminated soils and far too many aspects of the build are not to the original plans to allow retrospective permission to be passed. If so this basically says to the general public, build what you want and don't worry about planning. A</p>
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		dangerous precedent to set.
26	BLUNDELL – 276 Abbeydale Road South, Sheffield (by letter / email) – 30/03/2017	My in laws live at 9 Churston Road and I have been taking an interest in the development behind their house. I am a property developer who abides by the planning rules and I believe this developer should be made an example of to discourage developers acting in a similar manner.
27	BATTERHAM – No Address (by email) – 03/04/2017	The previous reason for refusal is quoted and as far as I'm aware the houses are still the same, just the paper plans have changed slightly. I support the refusal.
28	PEARSON – School Board Lane, Brampton (by letter) – 04/04/2017	<p>I strongly object to the material amendment. Had the plans be followed the sycamore tree would be in better health and there would have been no need to pollard it;</p> <p>As a family we have enjoyed using Inkerman park on a daily basis and my children enjoy playing in their nans garden to access the field;</p> <p>Before the development during winter months the area where plot 3 is built was often boggy which gave habitat to flora and fauna which have all been displaced by this development;</p> <p>TPO legislation exists to protect trees from damage and I believe not enough has been done by the Councils officers to protect the sycamore tree which stood proud in the corner of Inkerman Playing fields from harm (not protective fencing, diggers running over roots and lands levels raised);</p> <p>The builder has shown a blatant disregard to the rules and regulations in respect of building to approved plans and putting measures in place to protect the tree (despite being asked); and</p> <p>Rather than right his wrongs the developer has gone ahead and prepared plot 1 for sale (I expect hanging baskets etc when you visit).</p> <p>The application should totally dismissed until all breaches of conditions on site are met and dealt with. We await the rain and surface water run off once again and if the developer</p>

		goes into liquidation he should take a look in the mirror as he will only have one person to blame.
29	GREEN – No Address (by email) – 04/04/2017	<p>I am sending this email in disgust with the development on 246a Ashgate Road Chesterfield, I grew up and lived in the area, often playing on the Inkerman and cutting through the said area to the rear of the Crispin, it was quite a handy shortcut. Over the past year I have taken an interest in this site not only as a former resident but potentially a buyer, I am disappointed the bedrooms are no longer en-suite as per the original plans as they were just what we was looking for. Having actually read some of the letters from people supporting this site it is clear to me they are more concerned in trying to put down our comments or letters than actually supporting the prison-like type houses, all I can remember being there was bushes and wildlife with a building hidden behind the greenery.</p> <p>I also shouldn't be able to comment on the site as I have moved away and I'm sure the site has changed over the years, surely only people from Churston Road would have a true opinion of what was and has been for the last few years. If I was to choose to move back to Chesterfield my comments and desires would make no difference to the outcome of this process as it appears to have breached plans and regulations and after all, is that not why we have rules and regulations?</p>
30	BROWN – Manor Road (by email) – 04/04/2017	<p>We are writing to you in support of the residents on Churston Road affected by the above. We live near the recently built properties and heard from our local councillor, Keith Falconer, about how the developer did not use the approved plans and as a result the buildings tower above the houses and gardens of the residents whose properties back on to the site. They even succeed in dominating the Inkerman field! The residents'</p>

		lives have been blighted by these monstrosities since they first appeared, growing ever taller including a window close to the top to ensure there is no privacy. There is nothing the residents can do to improve the impact these buildings have; no fence or tree would be tall enough.
31 A, B & C	ROBINSON – 3 Bournebrook Cottage Hill Farm, Tamworth (by public access) – 05/04/2017	A. I am astounded that these houses were ever allowed to be built, they have been built too high and too near & lack design re windows. B. Buildings are too tall and an intrusion on neighbouring properties. C. It is disgusting that houses can be built that bear no resemblance to the submitted plans.
32	LUMB – 51 Hurst Rise, Matlock (by letter / email) – 05/04/2017	Why have these houses not been built the same as they were approved? Why has the builder made so many changes? They are not minor changes, the height, layout and design has been changed all to the detriment of the residents on Churston Road; The material amendments submitted for plot 1 & 2 is not for the actual buildings as they have not changed since they were refused. It must be for administration errors previously submitted by the developer; The material amendments for plot 3, is also for administration errors previously supplied by the developer, as the buildings are exactly as they were in January when they were refused approval; and now to raise the ground levels at the rear of Churston Road properties disguised on a submitted landscaping proposal; Plots 1 & 2 - They are not 2 floors with roof space as described on the drawing 15/532/2.RevA; they are 3 floor houses and are being marketed as three floor exclusive, high quality, detached, executive family home. The re-siting of plot 2 regarding the angle, siting of the house is nearer to the boundaries of Churston Road properties and overlooks which is an invasion of privacy. The re-siting

		<p>of plot 2 has reduced the distance between this and plot 3 which has reduced the proximity. The whole design, size and position of windows and doors has changed from the approved plans.</p> <p>They have been built far higher than the approved plans with excessive brick work above the first floor windows. Floor levels and ground levels have changed from the approved plans. Eaves and ridge heights have altered from the approved plans. Internal layouts have also been altered. Plots 1 & 2 are now not identical style houses 15/532/2.revA. No 1.8m fencing erected;</p> <p>Plot 3 - The re-siting of the plot, building it under the tree causing damage to the tree. Making a raised balcony / path at the bottom of adjoining gardens, total invasion of privacy. Changes in the position of the windows, additional door and window. Internal layout changed from the original plan. Alteration to the finished floor level. Change to the eaves and ridge heights. Complete change to the front elevation. 1.8m fencing non-existent as detailed on the approved plans. Repositioning of the plot. Raised ground levels causing water damage to adjoining gardens. These are all changes from the approved plans and have no benefit at all to the residents on Churston Road;</p> <p>Plots 1 & 2 - The changes have made the houses too tall, overpowering, overlooking, domineering, massing in brickwork and an invasion into their privacy. They lack in design, are quite close together, small gardens for the size of the house especially plot 2, and do not blend in with the space. Plot 2 is too near to the bottom of the adjoining gardens;</p> <p>Plot 3 - The changes have made the house a total invasion of any privacy into the neighbouring gardens. It is overlooking, causing water damage with water runoff,</p>
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		<p>raised balcony walkways at the top of adjoining fence. It has caused damage to the protected tree and built over the root protection area; and</p> <p>Why submit plans when you know at the start you are going to change what you have on paper. If they have already been refused, is the builder resubmitting to question the previous decision, as the buildings have not been altered. Plans and conditions not adhered to.</p>
33	FALCONER – 64 Walton Drive (by email) – 03/04/2017	<p>I've read the supporting statement re the new application for this site. Surely, the defence that the buildings were built to the wrong plans can't be plausible. This development has been in process for well over a year, there has been many exchanges and communications between residents and CBC Planning staff, and I would think between the developers, builders, and your staff and no-one has been aware that the wrong plans have been used. Surely this isn't possible? As I have several friends on Churston Road and know the area well, I must protest at the way the Churston Road residents, affected by this development, have been treated, and I hope that the latest application is refused.</p>

Comments:

See response to material planning considerations as contained within the main body of the report above.

7.0 HUMAN RIGHTS ACT 1998

7.1 Under the Human Rights Act 1998, which came into force on 2nd October 2000, an authority must be in a position to show:

- Its action is in accordance with clearly established law
- The objective is sufficiently important to justify the action taken
- The decisions taken are objective and not irrational or arbitrary
- The methods used are no more than are necessary to accomplish the legitimate objective

- The interference impairs as little as possible the right or freedom

7.2 It is considered that the recommendation is objective and in accordance with clearly established law.

7.3 The recommended conditions are considered to be no more than necessary to control details of the development in the interests of amenity and public safety and which interfere as little as possible with the rights of the applicant.

7.4 Whilst, in the opinion of the objectors, the development is inappropriately designed and affects their amenities, it is not considered that this is harmful in planning terms, such that any additional control to satisfy those concerns would go beyond that necessary to accomplish satisfactory planning control.

8.0 **STATEMENT OF POSITIVE AND PROACTIVE WORKING WITH APPLICANT**

8.1 The following is a statement on how the Local Planning Authority (LPA) has adhered to the requirements of the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 in respect of decision making in line with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF).

8.2 Given that the proposed development does not conflict with the NPPF or with 'up-to-date' Development Plan policies, it is considered to be 'sustainable development' and there is a presumption on the LPA to seek to approve the application. The LPA has used conditions to deal with outstanding issues with the development and has been sufficiently proactive and positive in proportion to the nature and scale of the development applied for.

8.3 The applicant / agent and any objector will be provided with copy of this report informing them of the application considerations and recommendation / conclusion.

9.0 **CONCLUSION**

9.1 The principle of development is established by the existence of the outline planning permission CHE/13/00507/OUT and reserved

matter approval CHE/15/00514/REM and which is a planning fall-back position that must carry significant weight. Having regard to the parameters set by the agreed consents the material amendments sought are considered to be appropriate in respect of scale, appearance, layout and access and the changes are not so significant in planning terms that a refusal of permission can be substantiated. The proposals will not adversely impact upon adjoining neighbouring amenity or the character of the local area to the point that the development is inappropriate. The development is considered appropriate in the context of the streetscene and will not be detrimental to any acknowledged planning interest. The proposals are considered to accord with the provisions of policies CS2 and CS18 of the Chesterfield Local Plan: Core Strategy 2011 – 2031 and the wider NPPF.

10.0 **RECOMMENDATION**

- 10.1 It is therefore recommended that both applications be **GRANTED** subject to the following:

CHE/17/00119/MA

Conditions

01. All external dimensions and elevational treatments shall be as shown on the approved plans, 15-532-05D, 15-532-21B and the Cross Section Drawing Plot 2 to No 11 Churston Road, with the exception of any approved non material amendment.

Reason

01. In order to clarify the extent of the planning permission in the light of guidance set out in "Greater Flexibility for planning permissions" by CLG November 2009.

Notes

01. If work is carried out other than in complete accordance with the approved plans, the whole development may be rendered unauthorised, as it will not have the benefit of the original planning permission. Any proposed amendments to that which is approved will require the submission of a further application.

02. This permission is granted further to an earlier grant of outline planning permission and reserved matters planning permission to which any developer should also refer.

CHE/17/00120/MA

Conditions

01. All external dimensions and elevational treatments shall be as shown on the approved plans, 15-532-05D, 15-532-41B and the Cross Section Drawing Plot 3 to No 17 Churston Road, with the exception of any approved non material amendment.

Reason

01. In order to clarify the extent of the planning permission in the light of guidance set out in "Greater Flexibility for planning permissions" by CLG November 2009.

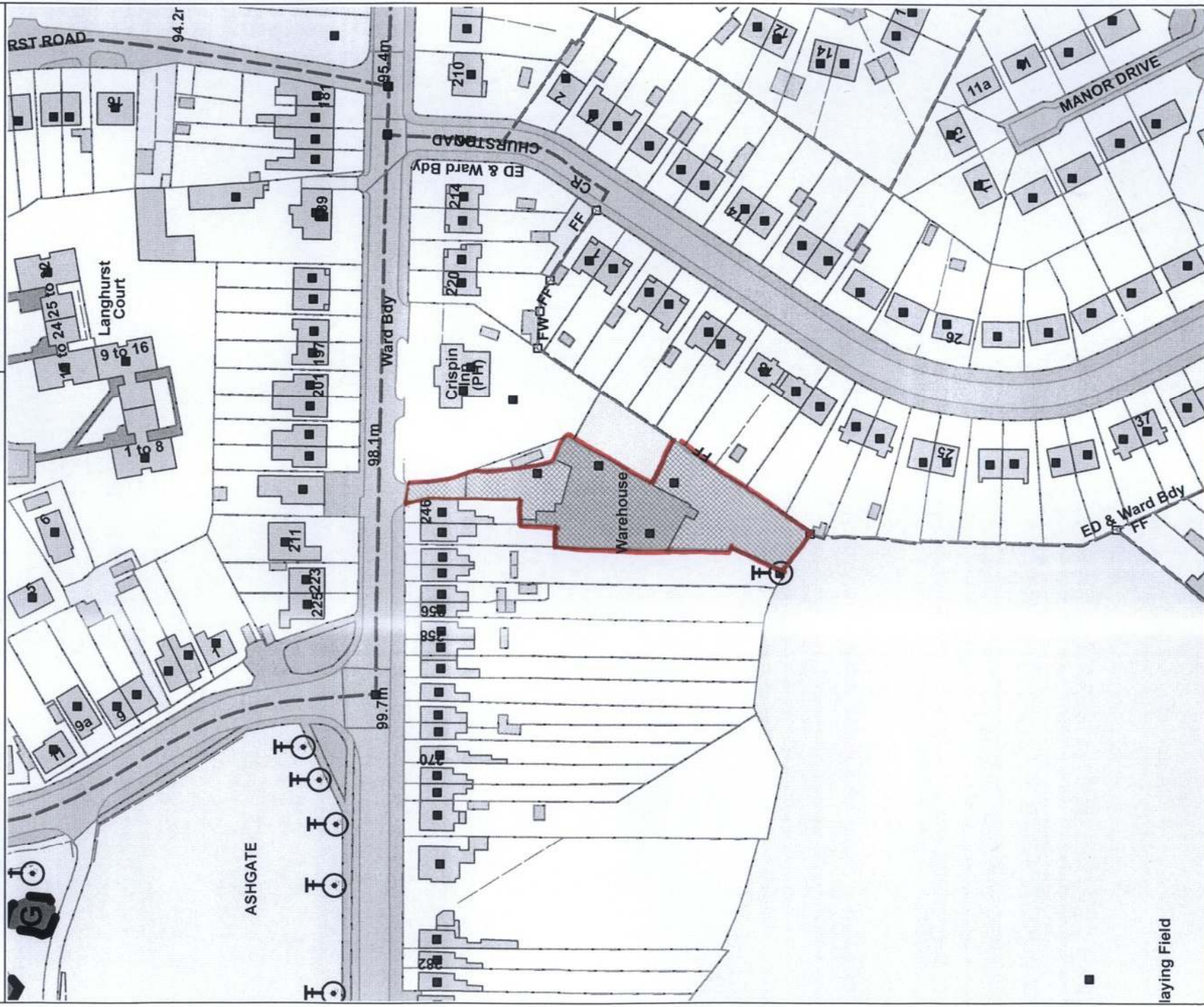
Notes

01. If work is carried out other than in complete accordance with the approved plans, the whole development may be rendered unauthorised, as it will not have the benefit of the original planning permission. Any proposed amendments to that which is approved will require the submission of a further application.
02. This permission is granted further to an earlier grant of outline planning permission and reserved matters planning permission to which any developer should also refer.

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CHE/17/00119 + CHE/17/00120 MA

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COMMITTEE/SUB	Planning Committee
DATE OF MEETING	24 APRIL 2017
TITLE	DELEGATION
PUBLICITY	For Publication
CONTENTS	Items approved by the Group Leader, Development Management under the following Delegation references:- Building Regulations P150D and P160D, P570D, P580D
RECOMMENDATIONS	Not applicable
LIST OF BACKGROUND PAPERS	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	Stuart Franklin	345820
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Decisions made under the Building Regulations

16/01863/DEX	Domestic Extensions/Alterations 2 Storey Side Extension 12 Lathkill Avenue Inkersall Chesterfield Derbyshire S43 3JA	Unconditional Approval	28/03/2017
17/00160/DOM	Domestic Buildings and New Dwellings Erection of detached dwelling adj 158 & 160 Manor Road 160 Manor Road Brimington Chesterfield Derbyshire S43 1NW	Rejected	24/03/2017
16/02164/DOM	Domestic Buildings and New Dwellings 4 new dwellings Lodge Farm Westwood Lane Brimington Chesterfield Derbyshire S43 1PA	Conditional Approval	23/03/2017
17/00258/DRO	Domestic in-roof Extensions/Alterations Loft conversion 55 Ashgate Avenue Ashgate Chesterfield Derbyshire S40 1JD	Unconditional Approval	05/04/2017
17/00538/MUL	Multiple Domestic Loft conversion and rear extension 9 Hazel Drive Walton Chesterfield Derbyshire S40 3EN	Conditional Approval	06/04/2017
17/00492/DEX	Domestic Extensions/Alterations Single storey and two storey extensions 19 Westbrook Drive Chesterfield Derbyshire S40 3PQ	Conditional Approval	24/03/2017
17/00005/OTHC	Other Works (Commercial) Construction of staff room and laundry room Tapton Grove Nursing Home Balmoak Lane Tapton Derbyshire	Conditional Approval	03/04/2017
17/00319/DEX	Domestic Extensions/Alterations Two storey extension and new roof 67 Yew Tree Drive Somersall Chesterfield Derbyshire S40 3NB	Conditional Approval	27/03/2017
17/00460/DEX	Domestic Extensions/Alterations Rear extension 38 Franklyn Road Brockwell Chesterfield Derbyshire S40 4AY	Unconditional Approval	03/04/2017

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COMMITTEE/SUB	Planning Committee
DATE OF MEETING	24 APRIL 2017
TITLE	DELEGATION
PUBLICITY	For Publication
CONTENTS	<p>Items approved by the Group Leader, Development Management under the following Delegation references:-</p> <p>Planning Applications P020D, P200D to P250D, P270D to P320D, P350D to P370D, P390D, P420D to P440D</p> <p>Agricultural and Telecommunications P330D and P340D</p>
RECOMMENDATIONS	Not applicable
LIST OF BACKGROUND PAPERS	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*

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/16/00490/FUL 3894	Walton	Proposed two storey side and front extension (revised plans received 30.01.2017, minor alterations received 06.02.2017) At 4 Errington Road Chesterfield S40 3EP For Mr Scott Cooper	CP	05/04/2017
CHE/16/00756/FUL 1134	Holmebrook	New external K-Rend concrete render (colour to be agreed) to ground floor areas and western red cedar (or similar) to first floor areas. New window and door openings formed/amended with glazed balaustrading to first floor areas. New roof to existing porch entrance. At Brocklehurst Court Brocklehurst Piece Chesterfield S40 2QY For N Hopkinson	CP	04/04/2017
CHE/16/00774/FUL	Brockwell	Demolish existing two story offshoot rear extension and erect new two story extension to increase floor area by 24 sq m over two floors At 49 Compton Street Chesterfield S40 4TA For Mr Richard Burke	CP	30/03/2017

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/16/00789/CO 928	Old Whittington	Change of use from B2 (industrial) to B8 (storage and distribution) with containers located on site for the use as storage At Land Adjacent 17A Whitting Valley Road Old Whittington S41 9EY For Chesterfield Secure Storage	CP	24/03/2017
CHE/17/00011/FUL 5902	Walton	Two storey side extension and single storey rear extension At 32 Greenways Walton S40 3HF For Mr Evans	CP	24/03/2017
CHE/17/00012/FUL 1073	Hollingwood and Inkersall	Two storey extension to the side elevation At 4 Chestnut Drive Hollingwood S43 2LZ For Mr David Bannister	CP	10/04/2017
CHE/17/00033/FUL 3139	St Helens	Erection of a single storey gable end style conservatory to the side of existing property At Greycot, Highfield Road Chesterfield S41 7HB For Mr Ryan Newton	CP	29/03/2017
CHE/17/00045/RET 3823	Rother	Retrospective planning permission for external garden/retaining walls At 98 Boythorpe Road S40 2LR For Mr Andy Turner	CP	27/03/2017

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/17/00046/FUL 11	Walton	Single story rear extension At 1 St Davids Rise Walton S40 3HD For Mr Tom Snowdon	CP	10/04/2017
CHE/17/00048/CO 2466	St Leonards	Change of use from B1 (office) to D1 (reflexology treatment room) At Room 4 Over 2 - 4 Corporation Street Chesterfield S41 7TP For Insync Reflexology	CP	05/04/2017
CHE/17/00051/TPO 3160	Holmebrook	Fell the trees T6 Lime, T7 Sycamore and T8 Lime, grind out or treat stumps, to remedy existing wall damage, remove trip hazard, prevent further damage and hazards. Undertake replacement planting in the western third of the site, to avoid future similar damage issues arising as the trees mature. At Brampton Primary School School Board Lane Chesterfield S40 1DD For AWA Tree Consultants Ltd	REF	22/03/2017
CHE/17/00053/FUL 2245	Brimington South	Resubmission of CHE/16/00720/FUL - Two storey rear extension and single storey side extension At 9 Balmoak Lane Tapton S41 0TH For Mr Gary Dean	CP	21/03/2017

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/17/00055/FUL 6374	West	First floor extension and insertion of first floor side window At 596 Chatsworth Road Chesterfield S40 3JX For Jayne Dannatt	CP	24/03/2017
CHE/17/00056/FUL 5854	Brockwell	Proposed rear extension At 13 Shaftesbury Avenue Chesterfield S40 1HN For Mr & Mrs Max Kerley	CP	27/03/2017
CHE/17/00057/FUL 5884	Hasland	Extension to front of property At 100 Norwood Avenue Hasland Chesterfield S41 0NH For M Bladon	CP	24/03/2017
CHE/17/00058/TPO 136	Barrow Hill And New Whittington	Works to trees to clear highway, street lights and building and excessive shading At 108 Highland Road New Whittington S43 2EZ For Mr David Clarke	CP	22/03/2017
CHE/17/00060/DO 949	Brimington South	Discharge of conditions 14 (Phase II Site investigation) of CHE/16/00042/FUL - Demolition of existing house and associated outbuildings, sheds and barns and construction of four new houses on site At Lodge Farm Westwood Lane, Brimington S43 1PA For Mark Godfrey	DPC	23/03/2017

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/17/00069/ADV 1456	Brimington South	<p>Illuminated and non-illuminated signage</p> <p>At Sainsburys, Rother Way Chesterfield S41 0UB</p> <p>For Sainsbury's Supermarkets Ltd</p>	CP	31/03/2017
CHE/17/00071/DO 187 32	Barrow Hill And New Whittington	<p>Discharge of conditions 3 6 and 7 of CHE/16/00463/FUL - Installation and operation of back-up electricity generation facility and as amended by additional information received on 24.03.2017</p> <p>At Land At Whittington Road Barrow Hill</p> <p>For Mercia Power Response</p>	CP	31/03/2017
CHE/17/00072/FUL 2021	West	<p>Proposed first storey extension</p> <p>At 267 Ashgate Road Chesterfield S40 4DB</p> <p>For Mrs Joanna Platts</p>	CP	31/03/2017
CHE/17/00075/FUL 1691 1691	Hollingwood and Inkersall	<p>Proposed conservatory</p> <p>At 38 Ashover Road Inkersall S43 3EG</p> <p>For Mr and Mrs Cuckson</p>	CP	29/03/2017
CHE/17/00076/FUL 4014	Rother	<p>Two storey side extension to replace existing single storey car port; pitched roof over existing single storey rear extension; small single storey projection at front</p> <p>At 88 Langer Lane, Chesterfield S40 2JJ</p> <p>For Mr and Mrs Leaman</p>	CP	04/04/2017

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/17/00077/CO 3559	St Leonards	Change of use from light industrial to gymnasium (D2) At Former Unit 26 Storforth Lane Trading Estate Circular Road Hasland S41 0QQ For Crossfit252 Chesterfield Ltd	REF	03/04/2017
CHE/17/00078/RET 4229	Brimington South	Retrospective planning consent for extending existing driveway entrance At 317 Manor Road Brimington S43 1NU For Mr Gerald Miles	UP	31/03/2017
CHE/17/00086/FUL 3577	Brockwell	Proposed replacement garage At 42 Morris Avenue Chesterfield S41 7BA For G Thorpe	CP	06/04/2017
CHE/17/00089/FUL 2101	Dunston	Single storey rear extension to form new dining room At 71 Dunston Lane Newbold S41 8EZ For Mrs Wendy Knott	CP	04/04/2017
CHE/17/00090/TPO 6345 1713	St Leonards	Crown reduction of branches over garden and crown thin At 96 Hady Crescent Chesterfield S41 0EA For Mr Glyn Moakes	CP	27/03/2017

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/17/00095/FUL 2244	Brimington South	Erection of a single storey extension to the front elevation and as amended by revised plans received on 24/03/17 At 43 Balmoak Lane Chesterfield S41 0TH For Mr Jay Jaiswal	CP	29/03/2017
CHE/17/00100/FUL 3224	Brockwell	Erection of a detached garage at rear - re-submission of CHE/16/00454/FUL At 10 Welwyn Close Chesterfield S40 1HH For Mr Mark Hibbert	CP	29/03/2017
CHE/17/00103/FUL 1261	St Leonards	Extension to rear and side elevations of dwelling At 223 Hady Lane Chesterfield S41 0DA For Mr Neil Boden	CP	07/04/2017
CHE/17/00106/FUL 1261	St Leonards	Demolition of existing garage and construction of new dwelling house (2 storey dormer style bungalow with separate double garage block). At Land Adjacent 215 Hady Lane Chesterfield For Mr Philip Colledge	CP	24/03/2017
CHE/17/00113/DO 4077	Brimington North	Discharge of conditions No 4 and 13 related to CHE/14/00380/OUT and discharge of condition No 5 relating to CHE/15/00838/REM At Ringwood Centre, Victoria Street Brimington S43 1HY For Rockcliffe Homes Ltd	DPC	06/04/2017

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/17/00118/FUL 751	Barrow Hill And New Whittington	Proposed single storey side and rear adjoined extension to cater for new utility space and living area, works will include internal re-model of existing house At 16 Station Road Barrow Hill S43 2NL For Mr John Treweek	CP	10/04/2017
CHE/17/00121/TPO 1483	West	Horsechestnut - repollard and fell one Whitebeam At 12 Glenthorne Close Chesterfield S40 3AR For Mrs Christine Morgan	CP	27/03/2017
CHE/17/00132/DO 6193	Hollingwood and Inkersall	Discharge conditions 2, 3, 6, 11, 15 and 16 on CHE/16/00282/FUL At Land Adjacent 95 - 97 Rectory Road Duckmanton S44 5EE For Mrs Katie Rowley	DPC	05/04/2017
CHE/17/00138/FUL 5583	Walton	Proposed rear first floor extension, single storey front extension and internal alterations At 10 Firvale Road Walton S42 7NN For Mrs R Holmes	CP	31/03/2017
CHE/17/00143/TPO 313	Dunston	Oak (T16) - tip back easterly bough to give 4m clearance from roof of dwelling At 8 Sedbergh Crescent Chesterfield S41 8DY For Chesterfield Borough Council	CP	27/03/2017

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/17/00163/TPD	Holmebrook	Single storey rear extension At 41 School Board Lane Chesterfield S40 1ET For Mrs O'Sullivan	PANR	03/04/2017
CHE/17/00165/TPO 4974	Holmebrook	Sycamore tree - crown lift to bottom layer and crown thin by 25% At 159 Old Hall Road Chesterfield S40 1HG For Miss Tracey Hume	CP	28/03/2017
CHE/17/00171/TPO 3059 202	Brockwell	Removal of trees T2 (cherry), T3 (Lombardy Poplar), T4 (ash), removal of damaged branch of T9 (oak), 50% reduction of larger lombardy poplars in row G1, removal of 2 leaning poplars at north end of row, 3m lift of G1 and removal of lowest branch of oak tree near top of row G1 At Site Of Former Sheepbridge Sports and Social Club Newbold Road Newbold For Avant Homes	CP	30/03/2017
CHE/17/00173/NM 49	West	Non material amendment to CHE/16/00525/FUL -Two bedroom detached dwelling At 31 Netherfield Road Chesterfield S40 3LS For Mr Sam Toplis		05/04/2017
CHE/17/00179/TPD	Brockwell	Proposed rear conservatory At 17 Larch Way Chesterfield S40 4EU For Mr David Haag	PANR	03/04/2017

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/17/00181/TPO	West	Trees to be felled at base. The remaining trees in the mixed group of G6 (comprising two silver birch) to be untouched. At 24 Westfield Close Chesterfield S40 3RS For Mr Stephen Hudson	CP	27/03/2017
CHE/17/00193/TPO	Brimington North	Oak (T43) to prune branch extension by 1.5 over the plot and remove branch growing over the sub-station , Poplar (T48) to dismantle fell, Maple (T46) dismantle fell, Maple (T36) to crown lift behind plot 2, Lime (T14) dismantle fell, Oak (T11) Side prune the site side of the tree by 1.5m and remove a low limb At Ringwood Centre Victoria Street Brimington S43 1HY For D J Atkinson Construction Ltd	CP	10/04/2017
4077				
CHE/17/00211/TPO	West	Removal of silver birch At 1 Somersall Close Chesterfield S40 3SG For	CP	23/03/2017
CHE/17/00212/TPO	St Leonards	Crown lift and thin all trees behind 88 Hady Crescent At St Peter and St Paul School, Hady Hill S41 0EF For Mrs Lynne Lynch	CP	10/04/2017
CHE/17/00221/CA	St Helens	Felling of 1 Ash tree damaging wall At 3 Newbold Road Newbold S41 7PG	UP	29/03/2017

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/17/00246/TPO	West	1 Sycamore, 1 Ash, 2 x Horse Chestnuts. All 4 trees to be crowned and thinned by 20% and the crown lifted by 3 metres	CP	10/04/2017
1901		At 8 Green Glen Chesterfield S40 3SH For Mrs Kate Ogilby		

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Delegated List - Planning Applications

Key to Decisions

Code	Description
AC	Historic
AP	Historic
APPRET	Application returned to applicant
CI	Called in by secretary of state
CIRNO	Circular 18/84 no objection
CNOCO	Circular 18/84 no objs but conditions
CONCOM	Confirmation Compliance with Conditions
CP	Conditional permission
CPEOTZ	Conditional Permission Extension of Time
CPMAZ	Conditional consent for material amendment
CPRE1Z	Conditional Permission Vary Conditions
CPRET	Conditional Approval Retrospective
DPC	Discharge of Planning Conditions
FDO	Finally Disposed Of
GR CLOPUD	CLOPUD Granted
GRANT CLUD	CLUD Granted
GRNTEX	Permission Granted with Exemption
ND	Non Development
OBJ	Other Council objection
OC	Other Council no obj with comments
OW	Other Council no obj without comments
PA	Prior Notification Approval
PADEM	Prior Notification Demolition Approve
PD	Found to be Permitted Development
PR	Prior Notification Refusal
RAP	Retrospective Application Refused
RARETZ	Retrospective Application Approved
RC	Application Refused
REF	Refused
RETAP	DO NOT USE
RETRFZ	Retrospective Application Refused
RF CLODUP	CLOPUD Refused
RTN	Invalid Application Returned
S106	S106 Approved pending planning obligation
SC	Split decision with conditions
SU	Split decision - approval unconditional
UP	Unconditional permission
UPRET	Unconditional Approval Retrospective
WDN	Withdrawn
XXXXXX	Recommendation Pending

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COMMITTEE/SUB	Planning Committee
DATE OF MEETING	24 APRIL 2017
TITLE	DELEGATION
PUBLICITY	For Publication
CONTENTS	Items approved by the Group Leader, Development Management under the following Delegation references:- Felling and Pruning of Trees P100D, P120D, P130D
RECOMMENDATIONS	Not applicable
LIST OF BACKGROUND PAPERS	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**

<u>CODE NO</u>	<u>DESCRIPTION OF PROPOSAL</u>	<u>TERMS OF DECISION</u>
CHE/17/00211/TPOEXP TPO 4901.43 23/03/17	The felling of one Silver Birch tree within G24 on the Order map for Mr Kirkland of 1 Somersall Lane, Somersall. The tree has failed at the base during the recent storms.	<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 Silver Birch and planted as near as possible to the original tree.</p>
CHE/17/00181/TPO TPO 4901.51 24/03/17	The felling of two trees within G6 on the Order map including one Sycamore and one Ash tree for Mr Hudson of 24 Westfield Close, Brampton.	Consent is granted to the felling of two trees which have included bark unions at the base making them prone to failure by virtue of Part VIII, Chapter 1, Section 198, paragraph 6(a) of the Town and Country Planning Act

		<p>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 trees are to be one Silver Birch and one Mountain Ash and planted as near as possible to the original trees.</p>
<p>CHE/17/00143/TPO</p> <p>TPO 4901.112</p> <p>24/03/17</p>	<p>The pruning of one Oak tree reference T16 on the Order map for William Thornhill on behalf of Chesterfield Borough Council. The tree is growing in the neighbouring property and close to the roof of 8 Sedbergh Crescent, Dunston.</p>	<p>Consent is granted to the reduction of branches growing towards 8 Sedbergh Crescent to give a maximum clearance of 4 metres from the roof of the property.</p>
<p>CHE/17/00121/TPO</p> <p>TPO 4901.09</p> <p>24/03/17</p>	<p>The felling of one Whitebeam tree and the pruning of one Horsechestnut within G4 on the Order map for Mrs Morgan of 12 Glenthorne Close, Brampton. The Horsechestnut tree requires re-pollarding for normal</p>	<p>Consent is granted to re-pollarding of the Horsechestnut tree pruning back to previous pruning cuts.</p> <p>Consent is also granted to the felling of one Whitebeam tree and a condition attached to</p>

	maintenance and the Whitebeam is too large for the small garden.	plant a more suitable small sized tree to suit the garden in the first available planting season after felling.
CHE/17/00090/TPO TPO 4901.117 24/03/17	The pruning of two trees reference T20 Sycamore and T21 Oak on the Order map for Mr Moakes of 96 Hady Crescent. The trees are allegedly dropping debris and creating shade in the garden.	Consent is granted to crown lift the two trees by 5 metres from ground level, crown thin by 25% and crown clean to remove dead and damaged branches within the crown to alleviate the problems.
CHE/17/00165/TPO TPO 4901.330 28/03/17	The pruning of one Sycamore tree reference T1 on the Order map for Miss Hume of 159 Old Hall Road, Brampton. The tree is allegedly blocking out light.	Consent is granted to the crown lifting of one Sycamore tree by 5 metres and the crown thinning by 25% to allow more light into the garden.
CHE/17/00171/TPO TPO 4901.281 30/03/17	The felling of 2 Poplar trees and the pruning of 86 Poplar trees within G1 and the pruning of 1 Oak reference T9 on the Order map for AMJ Contracts on behalf of Avant Homes at Pomegranate Park, Newbold.	Consent is granted to the crown reduction of 86 Poplar trees by 30-50% leaving 8 metre high trees and the crown lifting by 3 metres to facilitate the erection of boundary fencing. Consent is also granted to remove one damaged branch on T9 Oak pruning back to the main stem and the felling of two leaning Poplar trees with G1 with a condition that two new Field Maple trees are planted as replacements in the first available planting season after felling.
CHE/17/00212/TPO	The pruning of one Sycamore tree	Consent is granted to crown lift the two trees

TPO 4901.117 10/04/17	reference T13 on the Order map for Mrs Lynch of 88 Hady Crescent. The tree is allegedly casting shade into the garden.	by 5 metres from ground level, crown thin by 25% and crown clean to remove dead and damaged branches within the crown to alleviate the problems.
CHE/17/00193/TPO TPO 4901.315 10/04/17	The pruning of two Oak trees reference T11 & T20 on the Order map for JD Atkinson Construction Ltd at the former Ringwood Centre, Victoria Road, Brimington.	Consent is granted the reduction of branches growing to the west of by a maximum of 1.5 metres on T20 Oak and the crown lifting by 3 metres of T11 & T20 Oak to facilitate the development and sub-station.
CHE/17/00246/TPO TPO 4901.09 10/04/17	The pruning of 1 Sycamore, 1 Ash and 2 Horsechestnut trees within A1 on the Order map for Mrs Kate Ogilby of 8 Green Glen, Brampton.	Consent is granted to the crown lifting by 3 metres and the crown thinning by 20% to allow more light into the garden area.
CHE/17/00210/TPO TPO 4901.14 11/04/17	The pruning of one Beech tree within G2 on the Order for Mr Ashlay Kirk of 34 Netherleigh Road, Brampton.	Consent is granted to the reduction of branches growing towards 34 Netherleigh Road to give a 2 metre clearance from the property pruning back to suitable replacement branches.

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

<u>CONTENTS OF NOTICE</u>	<u>SUMMARY OF CONSIDERATIONS</u>	<u>TERMS OF DECISION</u>	<u>DATE OF DECISION</u>
CHE/17/00221/CA The felling of 1 Ash tree for Liam Walker Tree Services at 3 Newbold Road.	The tree is within the Abercrombie Street and the applicant wishes to fell the tree because of damage to the boundary retaining wall.	Agreement to the felling of one Ash tree. The felling of the tree will have no adverse effect on the amenity value of the area.	29/03/17

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AGENDA ITEM

APPEALS REPORT

MEETING: PLANNING COMMITTEE

DATE: 24 APRIL 2017

REPORT BY: GROUP LEADER
DEVELOPMENT MANAGEMENT

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

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

<u>FILE NO.</u>	<u>APPLICATION CODE & WARD</u>	<u>APPELLANT</u>	<u>CASE</u>	<u>MEMBER OFFICER</u>	<u>DATE REC</u>	<u>TYPE AND DATE</u>	<u>DECISION AND DATE</u>
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 Tapton View Road - Refusal	Officer delegation	27/1/17	Written Reps (HAS)	Dismissed 7/4/17 see appendix A
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	
2/3026	Middlecroft & Poolsbrook ward	Mr J Muse	CHE/16/00717/FUL Four houses to rear 109 Middlecroft Road - Refusal	Officer delegated	3/4/17	Written Reps	

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Appendix A

Appeal by Mrs Yasmin Shafiq

Site at 47 Tapton View Road, Chesterfield.

CHE/16/00648/RET

2/4907

1. Planning permission was refused on 30th November 2016 for retention of a single storey rear extension at 47 Tapton View Road.
2. The reason for refusal was:
The proposed extension as a result of its overshadowing of the neighbouring dwelling, being overbearing and the perception of being overlooked would cause harm to the residential amenity of the neighbouring resident. The proposal would lead to a development that would lead to the overshadowing and breaking of the 45 degree angle of a primary window in the kitchen of no.45 Tapton View Road. This would be a negative impact upon residential amenity and be contrary to the Council's Supplementary Planning Document 'Successful Places' (Section 3.11), policies CS2 and CS18 of the Chesterfield Borough Local Plan and paragraphs 17, 63 and 64 of the National Planning Policy Framework.
3. An appeal against the decision has been determined by the written representation householder appeal method and has been dismissed.
4. The main issue in this case is the effect of the single storey extension on the living conditions of the neighbours at No 45 with regard to outlook, perception of privacy and light. The appeal site is a semi-detached dwelling in a residential area. The single storey flat roofed extension has been built and projects about 6.1m from the rear wall of the dwelling alongside the boundary with the adjoining property at No 45 filling the space between the boundary fence and an existing two storey rear extension. It projects beyond and wraps around the two storey extension to extend across the entire width of the appeal property.

5. The proximity of the extension to the boundary with No 45 coupled with its length and the topography of the area, the rear garden of No 45 being set at a lower level than its neighbours, means that the extension appears an imposing structure which is oppressive and overbearing when viewed from both the ground floor kitchen window of No 45 and from its rear garden thereby compromising the living conditions of the neighbours at No 45.
6. The extension has three high level horizontal windows in the eastern side elevation facing No 45. The windows are visible above the boundary fence between the properties and although they do not impact on the privacy of the neighbours at No 45, being obscure glazed and fixed non-opening, due to their very immediate relationship to the garden area of No 45 they result in an increased sense of overlooking to the detriment of the living conditions of its occupiers.
7. The orientation of No 45 is such that its kitchen window is likely to have previously had a somewhat dark aspect. However, the inspector considered that this will have been exacerbated by the position of the extension which fails the 45 degree test which, as indicated in the Council's Successful Places: Place Making Principles Supplementary Planning Document 2013 (SPD), serves as a guide as to whether a window affected by a side extension is likely to experience a significant reduction in daylight.
8. The inspector concluded that the single storey extension causes material harm to the living conditions that the neighbours at No 45 might reasonably expect to enjoy by way of outlook, perception of privacy and light. Accordingly, it fails to comply with policies CS2 and CS18 of the Chesterfield Borough Council Local Plan: Core Strategy 2011-2031 (2013) which taken together seek to ensure that, amongst other things, new development has an acceptable impact on the amenity of users and neighbours. In addition it fails to comply with the advice contained in the Council's SPD in relation to daylight. The development is also contrary to the core planning principle of the National Planning Policy Framework that planning should always seek a good standard of amenity for all existing and future occupants of land and buildings.

9. The appellant indicated that the adjoining neighbours did not object to the extension at the time it was being built. However, concerns were raised at the planning application stage regarding privacy and overshadowing. In any event the inspector considered the proposal on its merits having regard to the specific context of the site and its surroundings and the relevant development plan policies. The appellant also indicates that the extension is necessary to provide extra space for her family. However, the inspector concluded that the proposal would cause material harm to the living conditions of the occupiers of the neighbouring property at No 45 and he was satisfied that the legitimate aim of granting planning permission in accordance with the development plan and planning policies which require buildings not to be harmful to neighbouring living conditions can only be adequately safeguarded by the refusal of permission. I consider that the dismissal of the appeal would not have a disproportionate effect on the appellant or her family.
10. Now that the appeal has been dismissed it is appropriate and necessary to consider the service of an enforcement notice requiring the unauthorised extension to be removed. Such a notice will need to give a reasonable period of time to allow for compliance and it is suggested that this should be 6 months in this case.
11. Recommendation
- That an Enforcement Notice be served requiring the unauthorised extension to the rear of 47 Tapton View Road to be removed with a compliance period of 6 months.

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Enforcement Report

Meeting: Planning committee

Date: 24 April 2017

Report by: Local Government and Regulatory Law Manager

Development Management and Conservation Manager

Ward: As listed in the report

FOR PUBLICATION

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

BACKGROUND PAPERS

LOCATION: LEGAL SERVICES

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 and Conservation Manager

Further information on this report from Gerard Rogers, Legal Services Tel 01246 345310 or email gerard.rogers@chesterfield.gov.uk

Enforcements currently Authorised: 10

ENFORCEMENT REPORT

21 March 2017

Address	Authorised days from	Breach	CHE/	Issued days to issue	Effective days to (-) /from	Comply days to (-) /from	Notes	Update last update	Ward
Enforcement Notice		Total currently Authorised: 6		Authorised to Issue Average: 27.5 days					
Hady Lane	15/10/12 1,619	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"/> 11/11/16	Ha
Hedley Drive	40	30/01/17 51	means of enclosure	10/03/17 39	14/04/17 -23	15/05/17 -54	Boundary treatment. Issued. Any further enforcement delegated to officers.	<input checked="" type="checkbox"/> 10/03/17	
Lincoln Street		13/03/17 9	use of materials to extend hardsurfacing				use of materials to extend hardsurfacing	<input type="checkbox"/>	
Lincoln Street		13/03/17 9	change of use from agriculture to storage of scrap vehicles				Change of use from agriculture to storage of scrap vehicles	<input type="checkbox"/>	

Details at 21 March 2017

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	updateWard <i>last update</i>
Pottery Lane West	10	09/01/17 72	excavation - engineering works		25/01/17 16			Appeal.	<input checked="" type="checkbox"/> 03/03/17
Walton Works		27/06/16 268	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 with agents.	<input type="checkbox"/> 03/03/17 Wa
Stop Notice									
Walton Works		27/06/16 268	use for war and horror style games of game play					See notes for Enforcement Notice.	<input type="checkbox"/> 03/03/17 Wa
TPO Prosecution									
Devonshire Street Devonshire Park	14/12/16	98	pollarding of lime tree					Caution not accepted: Prosecute.	<input type="checkbox"/> 01/03/17 BN

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	update <small>last update</small>	Ward
Dock Walk		24/10/16 149	felling 9 TPO trees					In court initially 16/03/17 next hearing 25/05/17	<input checked="" type="checkbox"/> 26/03/17	
Victoria Street	Ringwood Centre (former)	01/03/17 21	damage to roots of 3 protected trees					Instructed. Caution.	<input 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