



Please ask for Rachel Lenthall
Direct Line: 01246 345277
Email committee.services@chesterfield.gov.uk

The Chair and Members of Planning
Committee

Councillor Dyke – Site Visit 1

7 July 2017

Dear Councillor,

Please attend a meeting of the PLANNING COMMITTEE to be held on MONDAY, 17 JULY 2017 at 3.00 pm in Committee Room 1, Town Hall, Rose Hill, Chesterfield S40 1LP, the agenda for which is set out below.

AGENDA

Part 1(Public Information)

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

Planning Committee Members should assemble in Committee Room 1 at 13:55. Ward members wishing to be present should attend on site as indicated below:-

1. 14:10 Troughbrook Road, Hollingwood, Chesterfield –
CHE/17/00225/OUT

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 Rachel Lenthall on tel. 01246 345277 or via e-

mail: rachel.lenthall@chesterfield.gov.uk by 9.00 a.m. on Monday 17 July 2017. 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. Minutes of Planning Committee (Pages 5 - 26)
4. Applications for Planning Permission - Plans Determined by the Committee (Pages 27 - 66)
5. Building Regulations (P880D) (Pages 67 - 72)
6. Applications for Planning Permission - Plans Determined by the Development Management and Conservation Manager (P140D) (Pages 73 - 100)
7. Applications to Fell or Prune Trees (P620D) (Pages 101 - 110)
8. Appeals Report (P000) (Pages 111 - 114)
9. Enforcement Report (P410) (Pages 115 - 118)
10. Local Government Act 1972 - Exclusion of Public

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

11. Unauthorised extension, garage and vending machines at 2 York Street, Hasland, Chesterfield (Pages 119 - 130)

Yours sincerely,

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

Local Government and Regulatory Law Manager and Monitoring Officer

This page is intentionally left blank

PLANNING COMMITTEE**Monday, 5th June, 2017**

Present:-

Councillor Brittain (Chair)

Councillors	Callan	Councillors	Miles
	Simmons		Davenport
	Catt		Brady
	Caulfield		Bingham

*Matters dealt with under the Delegation Scheme

The following site visits took place immediately before the meeting and were attended by the following Members:-

CHE/17/00188/FUL - Proposed internal ground floor alterations to improve existing living accommodation. Increase roof height to provide space for games room and bedroom with ensuite facilities at 8 Rodge Croft, Old Whittington, Chesterfield.

Councillors Bingham, Brady, Brittain, Callan, Catt, Caulfield, Davenport, J Innes (ward member), P Innes (ward member), Miles and Simmons.

CHE/16/00835/FUL – Change of use of existing drinking establishment to residential with two storey extension and two new build units forming 23 self-contained apartments with associated landscaping, bin store and cycle stands – Resubmission of CHE/15/00769/FUL – coal mining risk assessment and ecological appraisal rec'd 23/03/2017 at the Elm Tree Inn, High Street, Staveley, Chesterfield.

Councillors Bingham, Brady, Brittain, Callan, Catt, Caulfield, Davenport, Miles and Simmons.

9 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors P Barr, T Gilby, Hill, Sarvent and Wall.

10 **DECLARATIONS OF MEMBERS' AND OFFICERS' INTERESTS RELATING TO ITEMS ON THE AGENDA**

No declarations of interest were received.

11 **MINUTES OF PLANNING COMMITTEE**

RESOLVED -

That the Minutes of the meeting of the Planning Committee held on 15 May, 2017 be signed by the Chair as a true record.

12 **APPLICATIONS FOR PLANNING PERMISSION - PLANS DETERMINED BY THE COMMITTEE**

*The Committee considered the under-mentioned applications in light of reports by the Development Management and Conservation Manager and resolved as follows:-

CHE/17/00188/FUL - PROPOSED INTERNAL GROUND FLOOR ALTERATIONS TO IMPROVE EXISTING LIVING ACCOMMODATION. INCREASE ROOF HEIGHT TO PROVIDE SPACE FOR GAMES ROOM AND BEDROOM WITH EN-SUITE FACILITIES AT 8 RODGE CROFT, OLD WHITTINGTON, CHESTERFIELD, DERBYSHIRE, S41 9RE

That the officer recommendation be upheld and the application be approved subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. All external dimensions and elevational treatments shall be as shown on the approved plan/s drawing dated September 2016, with the exception of any approved non material amendment;
 - 2014-54-25 Revision E (Proposed Elevations and Sections)
 - 2014-54-27 (Proposed site plan)
 - 2014-54-24 Revision C (Proposed Floor Plan)
 - 4195/3/17 Revision A (Landscaping Layout)
 - Design and Access Statement

3. 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.

4. 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.

5. 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.

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

7. 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.

8. Development shall not commence (including any site clearance/preparation) until a reptile site clearance methodology and mitigation strategy has been submitted to the Local Planning Authority for written approval. Only once the report has been considered by the Local Planning Authority and written approval has been given shall any works (which may include necessary mitigation works) commence on site and the works shall be completed exclusively in accordance with the scheme receiving written approval.

CHE/16/00835/FUL - CHANGE OF USE OF EXISTING DRINKING ESTABLISHMENT TO RESIDENTIAL WITH TWO STOREY EXTENSION AND TWO NEW BUILD UNITS FORMING 23 SELF CONTAINED APARTMENTS WITH ASSOCIATED LANDSCAPING, BIN

**STORE AND CYCLE STANDS - RESUBMISSION OF
CHE/15/00769/FUL – COAL MINING RISK ASSESSMENT AND
ECOLOGICAL APPRAISAL REC'D 23/03/2017 AT THE ELM TREE
INN, HIGH STREET, STAVELEY, CHESTERFIELD, DERBYSHIRE, S43
3UU**

That the officer recommendation be upheld and the application be approved subject to:-

- S106 Agreement being negotiated covering Affordable Housing Contribution; £4,000 Highways Contribution for TRO investigation; appointment of a Management Company to maintain on site open space and landscaping and Percent For Art Contribution;

and

- A Community Infrastructure Levy Notice being served for £17,200 as per section 5.8 of the officer's report;

and the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. All external dimensions and elevational treatments shall be as shown on the approved plans (listed below) with the exception of any approved non material amendment.

160402 P001 Existing Plans and Elevations

160402 P002 Site and Location Plans

160402 P003 Proposed Ground Floor Plans and Elevations

160402 P004 Proposed First, Second and Third Floor Plans and Elevations

160402 P005 Site Layout Plan and Block Plan

Planning, Design and Access Statement (prepared by Design Space Architecture)

Coal Mining Risk Assessment (prepared by LK Consult Ltd dated 25th January 2016)

Protected Species Appraisal (prepared by Arc Ecology dated January 2016)

Drainage

3. No development shall take place until details of the proposed means of disposal of surface water drainage, including details of any balancing works and off -site works, have been submitted to and approved by the local planning authority . The details shall include evidence of existing positive drainage to a public sewer from the site and the means of achieving a minimum 30% reduction of flow into the public sewer based on the existing peak discharge rate during a 1 in 1 year storm event.

Furthermore, unless otherwise approved in writing by the local planning authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works .

4. The site shall be developed with separate systems of drainage for foul and surface water on and off site.

5. There shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.

Site Investigations

6. Development shall not commence until intrusive site investigations have been carried out by the developer to establish the exact situation regarding coal mining legacy issues and contamination on the site and approval for commencement of development given in writing by the Local Planning Authority. The investigation and conclusions shall include any remedial works and mitigation measures required/proposed for the remediation/stability of the site. Only those details which receive the written approval of the Local Planning Authority shall be carried out on site.

Archaeology/Heritage

7. (a) No development shall take place until a Written Scheme of Investigation for archaeological work has been submitted to and approved by the local planning authority in writing, and until any pre-start element of the approved scheme has been completed to the written satisfaction of the local planning authority. The scheme shall include an assessment of

significance and research questions; and

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation"

(b) No development shall take place other than in accordance with the archaeological Written Scheme of Investigation approved under condition (a)."

(c) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under condition (a) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

8. Prior to their installation further details of the proposed replacement windows to the public house building shall be submitted to the Local Planning Authority for consideration. These windows shall be traditional sash windows and not uPVC imitation sash which detract from the character and appearance of the Conservation Area. Only those windows which receive written approval shall be installed on site in accordance with the agreed schedule and details.

Ecology

9. Prior to the commencement of development a detailed enhancement strategy that provides details of enhancement measures for roosting bats and nesting birds shall be submitted to and approved in writing by the

Local Planning Authority. Such approved measures must be implemented in full and maintained thereafter.

Please note that it is expected that provision is made within the new dwellings (as integral boxes) rather than in retained trees to ensure that the roost and nest boxes cannot be tampered with and are secure in the long-term.

Others

10. Construction work shall only be carried out on site between 8:00am and 6:00pm Monday to Friday, 9:00am to 5:00pm 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.

11. Prior to development commencing an Employment and Training Scheme shall be submitted to the Local Planning Authority for consideration and written approval. The Scheme shall include a strategy to promote local supply chain, employment and training opportunities throughout the construction of the development.

12. The development hereby approved shall include the provision of appropriate infrastructure to enable the dwellings to have high speed broadband, in accordance with details to be submitted to, and approved in writing, by the Local Planning Authority.

13. 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.

14. 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 (other than garden sheds or greenhouses of a volume less than 10 cubic metre) or additional windows erected or installed at or in the dwelling hereby approved without the prior written agreement of the Local Planning Authority.

15. Within 2 months of commencement of development, unless otherwise agreed in writing by the Local Planning Authority, full details of hard and soft landscape works for the approved development shall be submitted to

the Local Planning Authority for consideration.

Hard landscaping includes proposed finished land levels or contours; means of enclosure; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.) retained historic landscape features and proposals for restoration, where relevant. These works shall be carried out as approved prior to the occupation of the dwelling.

Highways

16. Before any other operations are commenced (excluding demolition/site clearance), space shall be provided within the site curtilage for the storage of plant and materials/site accommodation/loading and unloading of goods vehicles/parking and manoeuvring of operatives and visitors vehicles, laid out and constructed in accordance with detailed designs to be submitted in advance to the Local Planning Authority for written approval and maintained throughout the contract period in accordance with the approved designs free from any impediment to its designated use.

17. The development hereby permitted shall not be commenced until details of secure cycle parking facilities for the occupants of, and visitors to, the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

18. No part of the development shall be occupied until details of arrangements for storage of bins and collection of waste have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the agreed details and the facilities retained for the designated purposes at all times thereafter.

Councillor Callan left the meeting at this point and did not return.

13 **BUILDING REGULATIONS (P880D)**

*The Chief Building Control Officer reported that pursuant to the authority delegated to him he had determined the under-mentioned plans under the Building Regulations:-

Approvals

16/01184/DEX	Domestic Extensions/Alterations - Two storey rear extension at 503 Newbold Road Newbold Chesterfield Derbyshire S41 8AE
17/00402/DEX	Domestic Extensions/Alterations - Two storey rear extension at 12 Devonshire Street Brimington Chesterfield Derbyshire S43 1JQ
17/00709/DEX	Domestic Extensions/Alterations - Single storey rear extension at 39 Larch Way Brockwell Chesterfield Derbyshire S40 4EU
17/00809/DEX	Domestic Extensions/Alterations - First floor extension at 6 William Street Stonegravels Chesterfield Derbyshire S41 7JG
17/00817/DEX	Domestic Extensions/Alterations - Proposed porch and conversion of existing car port into habitable room at 7 Langtree Avenue Old Whittington Chesterfield Derbyshire S41 9HW
17/00838/DEX	Domestic Extensions/Alterations - Single storey kitchen extension at 4 Clarendon Road Inkersall Chesterfield Derbyshire S43 3EH
17/00424/DEX	Domestic Extensions/Alterations - Two storey rear extension at 7 Stanford Way Walton Chesterfield Derbyshire S42 7NH
17/00747/DEX	Domestic Extensions/Alterations - Single storey side extension and rear garden room at Eaton House 14 Somersall Lane Somersall Chesterfield Derbyshire S40 3LA
17/00754/MUL	Multiple Domestic - Garage conversion, wall removal and new windows at 2 Cambrian Close Brockwell Chesterfield Derbyshire S40 4LA

- 17/00356/DOM Domestic Buildings and New Dwellings - Two Dwellings on land adj 95 and 97 Rectory Road Duckmanton Chesterfield Derbyshire S44 5EE
- 17/00483/DOM Domestic Buildings and New Dwellings - 4 New Dwellings land adjacent to 59 Rufford Close Council Garages Rufford Close Boythorpe Derbyshire S40 2PB

14 **APPLICATIONS FOR PLANNING PERMISSION - PLANS DETERMINED BY THE DEVELOPMENT MANAGEMENT AND CONSERVATION MANAGER (P140D)**

*The Development Management and Conservation Manager reported that pursuant to the authority delegated to him, he had determined the under-mentioned applications subject to the necessary conditions:-

(a) Approvals

- CHE/17/00082/COU Change of use to provide a hand-washed car cleaning service - amended drawings received 18th March 2017 at Woodleigh Motor Sales Ltd 34 Chatsworth Road Chesterfield Derbyshire S40 2AQ for Mr David Knight
- CHE/17/00101/FU Proposed pedestrian and traffic management improvements and associated works at Rowland Hill House, Dock Walk, Chesterfield at Rowland Hill House Boythorpe Road Boythorpe Derbyshire S40 1HQ for Royal Mail
- CHE/17/00104/MA Material amendment to CHE/12/00234/OUT to add a single detached garage and amend the internal arrangement of the approved dwelling at land to the west of 234 Hady Hill Hady Derbyshire S41 0BJ for A Rock Construction

- CHE/17/00111/FU Removal of existing free standing car port and erection of two storey side extension with single storey pitched roof extension to the rear - works to include formation of new porch by blocking up existing roof structure to front of property at 12 Bramshill Rise Walton Derbyshire S40 2DG for Mr Tom Hudson
- CHE/17/00116/FU Two storey extension and new roof - revised drawings received 28 4 at 67 Yew Tree Drive Somersall Derbyshire S40 3NB for Mr Scothern
- CHE/17/00124/RE Retention of an ATM installed through the Convenience Shop front elevation ATM fascia with illuminated black and green polycarbonate surround signage with white lettering " free cash withdrawals and free balance enquiries" and "cash zone" Illuminated lettering and halo illumination to the polycarbonate surround. Cashzone green acrylic ATM fascia top sign with white illuminated lettering "cashzone" and accepted card logos at Ashgate Service Station Ashgate Road Chesterfield Derbyshire S40 4AQ for New Wave Installations Cardtronics UK Ltd
- CHE/17/00125/AD Illuminated polycarbonate black and green surround signage with illuminated white lettering "free cash withdrawals and balance enquiries" and "cash zone" Halo illumination to polycarbonate surround. Illuminated signage to ATM fascia. Green acrylic sign with white lettering "cashzone" and accepted at Ashgate Service Station Ashgate Road Chesterfield Derbyshire S40 4AQ for Mrs Natalie Gaunt
- CHE/17/00145/FU Ground floor extension to rear and side elevations at 738 Chatsworth Road Chesterfield Derbyshire S40 3PN for Mr Simon Jones

- CHE/17/00153/FU Proposed single storey rear extension and front porch extension and alterations at 16 Deerlands Road Ashgate Chesterfield Derbyshire S40 4DF for Mr John Hoult
- CHE/17/00158/FU New single storey rear and two storey side extension revised drawings received 27 4 2017 and 2 at 108 Manor Road Brimington Derbyshire S43 1NN for Mr Jason Toyne
- CHE/17/00161/LB Removal of paint from inside of stone mullion windows, artex from walls in hall, stairs and landing, paint from cellar walls, concrete floor from cellar walls, removal of 3 x beam covers at Crewe Cottage Unnamed Road from Balmoak Lane to Manor/Tapton Cottages Chesterfield S43 1QQ for Mrs Lisa Sutton
- CHE/17/00162/FU Ground floor rear extension and patio, loft conversion and front car hardstanding at 9 Hazel Drive Walton Derbyshire S40 3EN for Mr and Mrs M Edmunds
- CHE/17/00167/FU Two storey rear extension at 12 Devonshire Street Brimington Derbyshire S43 1JQ for Mr Neil Hardy
- CHE/17/00169/FU Single storey rear extension at 28 Dukes Drive Newbold Derbyshire S41 8QG for Mr Tim Kirk
- CHE/17/00172/COU Change of use from single dwelling to house in multiple occupation at 14 Queen Street Chesterfield Derbyshire S40 4SF for Mrs Marie Mathews
- CHE/17/00175/FU Roof extension to allow loft conversion and raised balcony at 176 Handley Road New Whittington Derbyshire S43 2ER for Mr Thomas Holland
- CHE/17/00177/FU Retrospective application for planning permission for outbuilding at 136 Hady Hill Hady Derbyshire S41 0EF for Mr Ashley Houlton

- CHE/17/00191/FU Demolition of existing garage, construction of two storey side extension to form enlarged kitchen, garage, ensuite bedroom and enlarged fourth bedroom. Removal of flat roof to rear extension and front porch and replace with pitched at 38 Netherfield Road Somersall Derbyshire S40 3LS for Mr and Mrs Ben Roberts
- CHE/17/00197/COU Change of use from (currently unoccupied) B1 office space on the ground floor to private IVF clinic (D1) use at Chesterfield Community Fire Station Braidwood Way Chesterfield Derbyshire S40 2WH for Nurture LLP
- CHE/17/00199/FU Proposed room in roof at 67 Miriam Avenue Somersall Derbyshire S40 3NF for Mr J Fishburn
- CHE/17/00200/FU Two storey and single storey extensions - amendment to CHE/16/00079/FUL at 19 Westbrook Drive Chesterfield Derbyshire S40 3PQ for Mr Chris Sadler
- CHE/17/00201/FU Single storey side extension at 4 Dorothy Vale Loundsley Green Chesterfield Derbyshire S40 4DH for Mr Paul Lee
- CHE/17/00202/FU Single storey rear extension at 154 St Johns Road Newbold Derbyshire S41 8PE for Mr Adrian Mason
- CHE/17/00206/FU Extension to dwelling at 4 Crown Close New Whittington Derbyshire S43 2AH for Mr J Hall
- CHE/17/00207/FU Garage extension and tiled roof over existing garage flat roof and dormer to rear and velux windows to front with new glazed porch at 9 Oakfield Avenue Chesterfield Derbyshire S40 3LE for Mr and Mrs Smith
- CHE/17/00227/FU Proposed two storey rear/side extension and as amended by revised plans received 19.05.2017 at 14 Sanforth Street Newbold Derbyshire S41 8RU for Mr Ian Launt

- CHE/17/00229/FU Remove and reposition fencing and posts and erection of shed/greenhouse at 8 Treeneuk Gardens Chesterfield Derbyshire S40 3FH for Mr Martin Burrows
- CHE/17/00232/MA Material amendment to CHE/16/00055/FUL (erection of vehicle valet building with external land used for vehicle storage/vehicle compound) - alterations to building layout, location, hard landscaping and drainage proposals at site of proposed valeting bay and vehicle compound storage at Station Road Whittington Moor Derbyshire for Vertu Motors plc
- CHE/17/00234/TP T1, T2 and T3 Ash - crown thin and dead wood at 12 Lakeside Close Old Whittington Derbyshire S41 9TD for Mr R Fabiani
- CHE/17/00235/TP T2, T3, T4 Sycamore and T5 Turkey Oak- crown clift, crown thin to include reduction of long branches of 82 Hady Crescent at St Peter and St Paul School Hady Hill Hady Derbyshire S41 0EF for Mr Tennant
- CHE/17/00236/TP Fell Cedar tree at 33 Oakfield Avenue Chesterfield Derbyshire S40 3LE for Anne Slinn
- CHE/17/00275/NMA Non-material amendment to CHE/14/00862/FUL (Rear single storey extension, single storey to front and rear of existing garage, garage conversion and extension to existing front porch)to reposition door to front extension to garage, remove side door and replace with window on extension to existing garage (rear), reposition windows and doors to rear of single storey rear extension and increase amount of velux roof lights to rear single storey extension at 181 Newbold Road Newbold Derbyshire S41 7PR for Mrs S Pearce

- CHE/17/00280/NMA Amendments to CHE/09/00524/FUL (Erection of buildings for trade warehouse units (B1 and B8 use) to change number and sizes of loading doors, glazing position, changes to some of the cladding, additional fence to yard and new barrier for the site entrance at Unit 4 Lockoford Trade Park Lockoford Lane Chesterfield Derbyshire S41 7JL for Suon Limited
- CHE/17/00283/CA Reduce and reshape 1 Yew tree by 30%, reduce 2 Conifer trees by 30%, fell 4 Conifer trees and fell 1 Arunus Pissardii at The Old Rectory 408 Chatsworth Road Chesterfield Derbyshire S40 3BQ for Anne Price
- CHE/17/00284/TP Fell T1 Lawson Cypress in front garden (T1 is of ill health/dangerous, T1 is on boundary of 156 (car parking hazard to both 158, 156 and visitors. Replace tree T1 with Acer Brilliantissima (Japanese Maple) at 158 St Johns Road Newbold Derbyshire S41 8PE for Mr Norman Andrews
- CHE/17/00286/CA Pine T1 to be felled because too large and inappropriate for location at 9 Church Street North Old Whittington Derbyshire S41 9QN for Ms A Joanna Moffatt
- CHE/17/00328/TP T1 Oak - crown lift to 5.2 metres, crown clean and remove dead wood at former Newbold Community School Newbold Road Newbold Derbyshire for Miller Homes
- CHE/17/00330/NMA This NMA seeks to substitute amended plans detailing the new entrance doors at Go Outdoors into the approved list of drawings on planning permission CHE/16/00620/FUL at Unit 3 Spire Walk Business Park Spire Walk Chesterfield Derbyshire S40 2WG for Paloma (Retail 1) Unit Trust

- CHE/17/00331/NMA This Non Material Amendment relates to Unit 4 and seeks to substitute amended plans detailing the new entrance doors at Xercise4less into the approved list of drawings on planning permission CHE/16/00621/FUL at Unit 4 Spire Walk Business Park Spire Walk Chesterfield Derbyshire S40 2WG for Mr Jeremy Collin
- CHE/17/00335/TP Fell London Plane at west of 234 Hady Hill Hady Derbyshire S41 0BJ for A Rock Construction
- CHE/17/00342/CA Fell cherry (T1) as diseased and shedding branches over footpath at 33 Church Street North Old Whittington Derbyshire S41 9QN for Mrs Fiona McPherson
- CHE/17/00373/TP Lime (T2) Crown lift to 5.2m and Lime (T32) Crown Lift at site of former Newbold Community School Newbold Road Newbold Derbyshire for Mr Stephen Jones
- (b) Refusals
- CHE/17/00110/FU Change of use of part of premises to hot food takeaway to run alongside existing shop at 2A Springfield Avenue Chesterfield Derbyshire S40 1DB for Mr Ishmail Ali
- CHE/17/00174/FUL Erection of 3 dwellings at land adjacent 95 - 97 Rectory Road Duckmanton for KDC Properties Ltd
- CHE/17/00190/FU Proposed second storey side extension at 31 Queen Mary Road Chesterfield Derbyshire S40 3LB for M Hopkinson
- CHE/17/00196/DOC Discharge of Condition No. 27 of Planning Application CHE/13/00781/EOT (Phase Vb of Markham Vale) - Landscape Scheme and Landscape/Ecology Management Plan at Markham Employment Growth Zone Markham Lane Duckmanton Derbyshire S44 5HS for Derbyshire County Council

CHE/17/00290/DOC Discharge of Condition No. 28 of Planning Application CHE/13/00781/EOT (Phase Vb of Markham Vale) - Landscape Scheme and Landscape/Ecology Management Plan at Markham Employment Growth Zone Markham Lane Duckmanton Derbyshire S44 5HS for Derbyshire County Council

(c) Discharge of Planning Condition

CHE/17/00155/DOC Discharge of Condition No. 6 (additional off street parking now located in front of the property including new proposed vehicle access) - Planning Application CHE/15/00719/FUL (Proposed two storey and single storey extensions) at 3 Holmebank East Brockwell Chesterfield Derbyshire S40 4AR for Mr Shahid Parvez

CHE/17/00195/DOC Discharge of Condition Nos. 3 and 4 of Planning Application CHE/15/00319/FUL (Sub Station off Erin Road) at land off Erin Road Poolsbrook Derbyshire for Derbyshire County Council

CHE/17/00245/DOC Discharge of condition 14 of CHE/16/00175/FUL at Plot 13 Markham Lane Duckmanton Derbyshire for Henry Boot Developments Ltd

CHE/17/00261/DOC Discharge of planning conditions 2 (materials), 13 (vehicle and pedestrian access), 14 (vehicle access points), 15 (site set up) 23 (discharge of water) and 24 (retaining walls) of CHE/16/00737/FUL - New Ford dealership comprising 2 storey showroom/service/MOT building and single storey car valet building with associated facilities including workshops, compound, customer and staff parking, used car sales display area, access roads and appropriate landscaping at land to the south of Spire Walk Chesterfield Derbyshire for Perrys East Midlands Ltd

CHE/17/00278/DOC Discharge of planning conditions 2 (levels); 4 (site investigation phase 1 and phase 2); 7 (materials); 10, 13 and 14 (drainage) of CHE/14/00028/FUL - One detached dwelling at 190 Station Road Brimington Derbyshire S43 1LT for Mr Daniel Aspinall

CHE/17/00297/DOC Discharge of condition 8 (landscaping) of CHE/16/00659/REM - Construction of B2 and B5 units including office/storage space and associated landscaping, access and car parking arrangements at Plot 5 Markham Vale Environment Centre Harper Way Duckmanton Derbyshire S44 5HY for Priority Space (Markham) Ltd

(d) Finally disposed of

CHE/13/00424/FU Construct overflow car park and associated road, there will be 24 spaces at St Peter and St Paul School Hady Hill Chesterfield Derbyshire S41 0EG for St Peter and St Paul School

(e) Prior Notification Demolition Approved

CHE/17/00256/DEM Demolition of premises at Ealing Court Chigwell Way Barrow Hill Derbyshire S43 2PX for Chesterfield Borough Council

(f) Other Council no objection without comments

CHE/17/00293/CPO External storage shed at Brockwell Junior School Purbeck Avenue Brockwell Chesterfield Derbyshire S40 4NP for Derbyshire County Council

CHE/17/00314/CPO Erection of a 2.4m fence to front elevation with double gate and pedestrian gates at Hasland Hall Community School Broomfield Avenue Hasland Derbyshire S41 0LP for Derbyshire County Council

15 APPLICATIONS TO FELL OR PRUNE TREES (P620D)

*The Development Management and Conservation Manager reported that pursuant to the powers delegated to him he had determined the under-mentioned applications in respect of:-

(a) The felling and pruning of trees:-

- | | |
|------------------|--|
| CHE/17/00236/TPO | <p>Consent is granted to the felling of one Cedar tree reference T31 on the Order map for Ken Portas Landscaping and Tree Surgery on behalf of Ms Slinn at 33 Oakfield Avenue, Chesterfield.</p> <p>The replacement tree is to be a Mountain Ash and planted as near as possible to the original tree.</p> |
| CHE/17/00235/TPO | <p>Consent is granted to the felling of one small suppressed Sycamore tree reference T6 and the pruning of 3 Sycamores reference T1, T3 and T4 and 1 Oak reference T5 on the Order map for Ken Portas Landscaping and Tree Surgery on behalf of Mr Tennant at 82 Hady Crescent, Hady, Chesterfield.</p> <p>The duty to plant a new tree has been dispensed with on this occasion due to insufficient room in the row of trees.</p> |
| CHE/17/00335/TPO | <p>Consent is granted to the felling of one London Plane tree reference T3 on the Order map for A Rock Construction Ltd on land to the west and former garden of 234 Hady Hill, Hady, Chesterfield, with a condition to plant a new London Plane tree in the first available planting season after felling in the corner of the site further to the west which will be highly visible from Hady Hill.</p> |

CHE/17/00328/TPO	Consent is granted to the pruning of one Oak tree reference T33 on the Order map for English Tree Care on behalf of Miller Homes at the former Newbold Community School off Newbold Road, Newbold, Chesterfield.
CHE/17/00234/TPO	Consent is granted to the pruning of 3 Ash trees reference T25-T27 on the Order map for Ken Portas Tree Surgery on behalf of Mr R. Fabiani of 12 Lakeside Close, New Whittington, Chesterfield.
CHE/17/00284/TPO	Consent is granted to the felling of one Lawson Cypress reference T1 on the Order map for Mr Norman Andrews 158 St John's Road, Chesterfield, with a condition to grind out the stump and plant a new tree in the same location.
CHE/17/00373/TPO	Consent is granted to the pruning of two Lime trees reference T2 and T32 on the Order map for English tree care on behalf of Miller Homes at the former Newbold Community School off Newbold Road, Newbold, Chesterfield.

(b) Notification of Intent to Affect Trees in a Conservation Area

<p>CHE/17/00283/CA</p> <p>The felling of 4 conifers and 1 purple plum tree and the pruning of 1 Yew and two conifer trees for Neil Tomlinson at the Old Rectory, 408 Chatsworth Road, Chesterfield</p>	<p>Agreement to the felling/pruning trees within the rear garden of 408 Chatsworth Road. The felling/pruning works will have no adverse effect on the amenity value of the area.</p> <p>The trees are within the Chatsworth Road Conservation Area and the applicant wishes to fell/prune the trees as they are in a poor condition.</p>
--	--

CHE/17/00286/CA
The felling of 1 Cedar tree for Ms Moffatt at 9 Church Street North, Old Whittington, Chesterfield

Agreement to the felling of one Cedar tree within the rear garden of 9 Church Street North. The felling will have no adverse effect on the amenity value of the area.
The trees are within the Old Whittington Conservation Area and the applicant wishes to fell the tree as it will grow too big for its location.

CHE/17/00342/CA
The felling of 1 Cherry tree for Mark Whatley Tree Services on behalf of Mrs McPherson of 33 Church Street North, Old Whittington, Chesterfield

Agreement to the felling of one Cherry tree at 33 Church Street North. The felling will have no adverse effect on the amenity value of the area.

The trees are within the Old Whittington Conservation Areas and the applicant wishes to fell the tree as it is shedding branches over the public footpath and is diseased.

16 **APPEALS REPORT (P000)**

The Development Management and Conservation Manager reported on the current position in respect of appeals which had been received.

***RESOLVED -**

That the report be noted.

17 **ENFORCEMENT REPORT (P410)**

The Local Government and Regulatory Law Manager and the Development Management and Conservation Manager submitted a joint report on the current position regarding enforcement action which had been authorised by the Council.

***RESOLVED –**

That the report be noted.

This page is intentionally left blank

Agenda Item 4

COMMITTEE/SUB	Planning Committee
DATE OF MEETING	17 TH JULY 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 Development Management and Conservation Manager – Planning Services. Additional background papers (if any) will be separately listed in the report.

This page is intentionally left blank

**INDEX TO DEVELOPMENT MANAGEMENT AND CONSERVATION
MANAGER'S REPORT ON THE 17TH JULY 2017**

- ITEM 1 CHE/17/00225/OUT – Outline planning application for residential development of up to 6 dwellings with all matters reserved (revised drainage plan received 05/07/2017) on land to the east of Troughbrook Road, Hollingwood, Chesterfield, Derbyshire for Chatsworth Settlement Trustees.**

This page is intentionally left blank

Case Officer: Sarah Kay
Tel. No: (01246) 345786
Ctte Date: 17th July 2017

File No: CHE/17/00225/OUT
Plot No: 2/2161

ITEM 1

OUTLINE PLANNING APPLICATION FOR RESIDENTIAL DEVELOPMENT OF UP TO 6 DWELLINGS WITH ALL MATTERS RESERVED (REVISED DRAINAGE PLAN REC'D 05/07/2017) ON LAND TO THE EAST OF TROUGHBROOK ROAD, HOLLINGWOOD, CHESTERFIELD, DERBYSHIRE FOR CHATSWORTH SETTLEMENT TRUSTEES

Local Plan: Open Countryside / Other Open Land
Ward: Hollingwood & Inkersall

1.0 CONSULTATIONS

Local Highways Authority	Comments received 08/05/2017 – see report
Derby & Derbyshire DC Archaeologist	Comments received 11/04/2017 and 06/06/2017 – see report
Derbyshire Wildlife Trust	Comments received 26/04/2017 – see report
CBC Drainage / Design Services	Comments received 24/04/2017 and 05/07/2017 – see report
CBC Environmental Health	Comments received 26/06/2017 – see report
CBC Planning Policy	Comments received 01/06/2017 – see report
Urban Design Officer	Comments received 24/05/2017 – see report
Tree Officer	Comments received 05/06/2017 – see report
Coal Authority	Standing Advice Applies

Yorkshire Water Services	No comments received
Ward Members	No comments received
Site Notice / Neighbours	Eleven representations received

2.0 **THE SITE**

2.1 The site comprises an area of paddock grassland extending to approximately 0.19 hectares, located to the east of Troughbrook Road, Hollingwood. The site lies on the edge of the built up area of Hollingwood, with semi-detached residential properties to the immediate north and south and the large housing area of Hollingwood to the west (on the opposite side of Troughbrook Road). To the east is further paddock land, and Trough Brook, which sits in the bottom of a small valley. Woodland defines the eastern side of that valley.

2.2 The site slopes down from Troughbrook Road towards Trough Brook. An unmanaged hedgerow featuring some overgrown, formerly coppiced hedgerow trees sits along the Troughbrook Road boundary of the site. A further unmanaged hedgerow sits along the northern boundary. A stone wall and domestic fence forms the southern boundary of the site with the existing residential property. A sparse hedgerow / bushes sit along the eastern boundary, through which access can be gained to the adjacent paddocks.

Figure 1: Aerial Image of Site



3.0 **RELEVANT SITE HISTORY**

- 3.1 There is no site specific planning history; however planning permission currently exists on the adjacent site of the former Troughlee Club under application reference CHE/17/00271/FUL for three new dwellings which was granted on 30 May 2017.
- 3.2 In addition an outline planning application for residential development with all matters reserved except access for up to 17 dwellings (in addition to retention of existing farmhouse and conversion of existing cart shed to garaging) including associated infrastructure works has been submitted on the site of Pondhouse Farm has recently been submitted under application reference CHE/17/00390/OUT, which is still pending consideration.

4.0 **THE PROPOSAL**

- 4.1 The application seeks outline planning permission for residential development with all matters reserved. For illustrative purposes, an indicative layout has been prepared to show how the site could be developed with 6 dwellings, comprising 3 pairs of 2-storey semidetached dwellings, each with a garage, on-plot parking and direct access on to Troughbrook Road. Details of access, scale, layout and landscaping are however reserved for future consideration.
- 4.2 The application submission is supported by the following plans and documents:
- 1:1250 Site Location Plan
 - 1:1250 Opportunities and Constraints Plan
 - 1:1250 Illustrative Layout Plan
 - 1:500 Block Plan
 - Topographical Survey
 - Planning Statement
 - Transport Statement
 - Flood Risk and Drainage Statement (updated 04/07/2017)
 - Extended Phase 1 Ecology Survey (including otter and water vole)
 - Protected Species Report (Confidential)
 - Bat Survey
 - Arboricultural Survey
 - Coal Mining Risk Assessment
 - Tree Survey

5.0 **CONSIDERATIONS**

5.1 **Planning Policy Background & Principle of Development**

- 5.1.1 The site the subject of this application would be considered a greenfield site. It is in a location identified in saved policy EVR2 of the Replacement Chesterfield Borough Local Plan (2006) as Open Countryside. The adopted Core Strategy (2013) indicates the broad location of a Strategic Gap within the area, although the draft Local Plan (2017) and the Strategic Gap and Green Wedges study (2016) do not include the site within the extent of the Strategic Gap. The site is shown as a potential housing site in the draft Local Plan (2017).
- 5.1.2 As a greenfield site the development should be considered under policy CS10 – Flexibility of Delivery of Housing as well as against policies CS1, CS2, CS9 and EVR2.
- 5.1.3 *Policy CS10* – The council can currently demonstrate a five year supply of deliverable housing sites (this is being updated at the moment). Full weight should be given to all policies of the Core Strategy. This includes policy CS10, which sets out that greenfield housing development will not usually be permitted.
- 5.1.4 *Policy CS1/CS9 - Strategic Gaps*: The Core strategy sets out the broad location of the Strategic Gap. The boundary shown in the draft Local Plan has been subject to consultation but not examination. However significant weight should be given to this as no objections have been received to the boundary affecting this site and the boundary is clearly set out in the ARUP Green Wedges and Strategic Gap study prepared in 2016. This is considered clear and robust evidence for the boundary.
- 5.1.5 *Policy EVR2* - this policy pre-dates the NPPF. The weight to be given to this policy therefore depends upon the extent to which it accords with the objectives of the NPPF. The Core Principles of the NPPF recognise the ‘intrinsic character and beauty of the countryside’. A recent court of appeal decision has confirmed that it is the responsibility of the LPA to determine the weight to be given to policies that pre-date the NPPF. In this case it must be acknowledged that although it is identified as part of the open countryside policy, the site itself is located between existing

dwellings and would not intrude further into the countryside than adjacent dwellings. The proposed Strategic Gap boundary (policy CS1 and CS9) would start immediately to the east of the site. The Strategic Gaps and Green Wedges Study undertaken by ARUP on behalf of the council to provide evidence for the Strategic Gaps identified the eastern boundary of the site as a robust and long term boundary suitable for a Green Wedge. This lends credence to the view that development beyond this boundary would have a significant impact upon the openness of the countryside in this location. However to the west of this boundary (the application site) it is more difficult to conclude that the impact on the 'intrinsic value of the countryside' would be significant and relatively less weight can accordingly be given to EVR2 in this respect.

- 5.1.6 *Housing Allocation (H62)* - Although shown as a potential housing site in the draft Local Plan (2017) it is important to recognise that the draft housing sites were for the purposes of consultation only and have yet to be put through the final stage of the council's Land Availability Site Assessment methodology. Little weight can therefore be attached to the allocation for housing in the draft plan.

Spatial Strategy

- 5.1.7 Policy CS1 requires that new development be concentrated within walking distance of centres. Although the adopted Core Strategy does not identify a specific Local Centre near the site there is a group of shops at Hollingwood Crescent within walking distance of the site. The council's own surveying of centres has identified that this has sufficient amount and range of facilities to be considered a Local Centre, and it is identified as one in the draft Local Plan. Hollingwood Primary School is also within walking distance, as is a children's play area, also on Hollingwood Crescent. The location therefore fits with the council's spatial strategy in this respect. Development proposals are also considered under the criteria set out in CS2. The proposal accords with five of the seven criteria.

Principle of Development

- 5.1.8 Policy CS10 states that "planning permission for housing-led greenfield development proposals on unallocated sites will only be permitted if allocated land has been exhausted or...there is less than a 5 year supply of deliverable sites."

- 5.1.9 As the council is currently able to demonstrate a five year supply of deliverable housing sites, a strict interpretation of policy CS10 would indicate that planning permission should not be granted for the development of residential gardens or small scale greenfield urban infill plots. The NPPF is also clear that “Local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development” (NPPF para 186). Decisions should be plan-led unless material considerations indicate otherwise and LPAs should apply the presumption in favour of sustainable development when determining development proposals.
- 5.1.10 Policy CS10 must be read in combination with policy CS1, the spatial strategy, which sets out that the overall approach to growth will be to concentrate new development within walking and cycling distance of centres.
- 5.1.11 The aim of CS10 (set out in para 5.34 of the Core Strategy) is to “ensure a supply of housing land that meets the aims of the Core Strategy”. Applying the presumption in favour of sustainable development (set out in paragraph 14 of the NPPF), the development of a 6 dwellings in this location would:
- otherwise meet the spatial strategy and the principles for the location of development set out in policies CS1 and the majority of CS2,
 - would not directly conflict with, and arguably would support, the intent of policy CS10 (to ensure a supply of housing land that meets the aims of the core strategy)
 - would not impact on the area identified as being particularly vulnerable in terms of openness within the Green Wedges and Strategic Gap assessment (having housing to either side and not intruding into the proposed Green Wedge)
- 5.1.12 It is clear that more weight should be given the presumption in favour of development and the aims of policy CS1 and less to EVR2 in this case and there is an argument, given the small scale of development, to set aside a strict interpretation of policy CS10.
- 5.1.13 It should be noted that the location on the edge of the built up area would require a sensitive approach to design in the submission of any subsequent reserved matters application and the comments of the council’s Urban Design Officer in this respect are endorsed as being in line with the council’s Core Strategy design policy CS18.

5.2 **Design & Appearance Issues (including Neighbouring Impact / Amenity)**

- 5.2.1 The site area measures 0.19 hectares in area and the application is for development of up to 6 dwellings. This equates to a density of 31 dwellings per hectare which is equivalent to a standard suburban density.
- 5.2.2 All matters are currently reserved for subsequent consideration, although the illustrative layout indicates a potential arrangement comprising six semi-detached dwellings with access directly from the road, infilling a gap between existing dwellings situated either side. This aspect of the proposals represents a reflection of the existing streetscene opposite.
- 5.2.3 The units are situated on the frontage to allow connection to the existing drain within the road, which is not achievable if the houses are set further back due to the change in levels from east to west.
- 5.2.4 The development would require the removal of the existing hedgerow which to a degree would detract from the character of this part of Troughbrook Road as it currently stands intensifying development to the east side the road; however the site is also a sensible infill development plot located between existing built development created by Pondhouse Farm and residential development to the north.
- 5.2.5 Given that the layout provided is illustrative but the principle of development is acceptable it is considered that the following points would need to be considered / addressed concurrent with the design of any reserved matters submission:
- Respect and maintain the established building line.
 - Provision of vertical boundary treatments in combination with soft landscape to plot frontages.
 - Maintain as much highway verge as possible.
 - Provision of rear access to / from rear gardens. As currently shown garaging blocks rear access, which would necessitate garden waste being taken through habitable rooms and is likely to result in bins being left on frontages to the detriment of the streetscene. Such an arrangement would require some garaging, as currently shown, to be omitted or located further into the plots (subject to levels).

- Hipped roof forms generally characterise the local area and the proposals would benefit from reflecting this characteristic. This would also maintain the impression of a more spacious arrangement and greater penetration of afternoon sunlight into rear gardens. It would also serve to reduce the apparent impact as experienced from the immediate neighbouring dwellings.
- Side facing windows should be avoided, or where necessary, designed to prevent adverse impacts on amenity.
- Replacement planting proposals to compensate for the loss of hedgerow along Troughbrook Road and to achieve net biodiversity benefits, including some trees where possible.
- Character and design of the dwellings to achieve a harmonious relationship with the local context.

5.2.6 Overall however it is considered that the proposed development can be appropriately designed to reflect the character and appearance of the streetscene and to preserve appropriate levels of amenity and privacy to adjoining and adjacent neighbouring properties in the context of policies CS2 and CS18 of the Core Strategy. As further designs are developed they will need to take account on the observations made above and also the advice which is contained in the Council's adopted Supplementary Planning Document for Housing Layout and Design.

5.3 **Highways Issues**

5.3.1 The application has been reviewed by the **Local Highways Authority** (LHA) who has provided the following comments:

'The details submitted to this office propose a development comprising 6 no. residential units of unknown size on a site immediately adjacent to Troughbrook Road. All matter being reserved, there is no indication of proposed vehicular access, however, it's assumed that direct access would be sought for each property (in accordance with the pre-application schematic layout plan) and the following comments are made on this basis.

As stated previously, Troughbrook Road is a Category III classified road subject to a 30mph speed limit. It forms a part of a bus route and carries all manner of traffic – numbers highly likely to increase on redevelopment of the Staveley Works site. As an existing road, any new access should be provided with exit visibility splays commensurate with recorded 85%ile vehicle approach speeds to

the nearside carriageway channel in each direction. As a guide, based on the existing 30mph speed limit and taking into consideration the nature of traffic on Troughbrook Road, it's suggested that sightlines in the region of 2.4m x 50m would be required. All areas in advance of the requisite sightlines should be over controlled land, or existing highway, and be secured to be maintained clear of any obstruction greater than 1.0m in height (600mm in the case of vegetation) relative to the nearside carriageway channel level. It would appear that the proposed development site is afforded with adequate frontage to provide acceptable exit visibility.

Off-street parking should be provided on the basis of 2no. or 3no. spaces per 2/3 or 4/4+ bedroom dwelling, each space being of 2.4m x 5.5m minimum dimension (2.4m x 6.5m where located in front of garage doors) with an additional 0.5m of width to any side adjacent to a physical barrier e.g. wall, hedge, fence, etc. Given the classified status of the fronting road, ideally, each dwelling should be provided with sufficient off-street manoeuvring space, clear of areas dedicated to parking, to enable all vehicles to enter and exit the site in a forward gear. However, when taking into consideration existing private driveway layouts in the vicinity, it's unlikely that any objection in this respect could be sustained.

A new 2.0m minimum width footway would be required across the entire site frontage linking with the existing facility to the north.

Areas clear of the highway for standing of waste bins on collection days should be identified and maintained clear of any obstruction.

Therefore, subject to inclusion of the following Conditions, there are no highway objections to these proposals:-

01. No development shall be commenced until a temporary access for construction purposes has been provided in accordance with a detailed design first submitted to and approved in writing by the Local Planning Authority. The access shall be retained in accordance with the approved scheme throughout the construction period, or such other period of time as may be agreed in writing by the Local Planning Authority, free from any impediment to its designated use.

02. *Before any other operations are commenced, excluding construction of the temporary access referred to in Condition 1. above, space shall be provided within the site for storage of plant and materials, site accommodation, loading, unloading and manoeuvring of goods vehicles, parking and manoeuvring of employees and visitors vehicles, laid out and constructed in accordance with detailed designs first submitted to and approved in writing by the Local Planning Authority. Once implemented the facilities shall be retained free from any impediment to their designated use throughout the construction period.*

03. *Unless otherwise approved in writing by the Local Planning Authority, the development shall not be commenced until a detailed scheme of highway improvement works for the provision of vehicular access(es) and a footway across the entire site frontage with Troughbrook Road, together with a programme for the implementation and completion of the works, has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the required highway improvement works have been constructed in accordance with the approved details. For the avoidance of doubt the developer will be required to enter into a 1980 Highways Act S278 Agreement with the Highway Authority in order to comply with the requirements of this Condition.*

04. *The land in advance of the approved exit visibility sightlines from the new vehicular access(es) with Troughbrook Road, the subject of Condition 3 above, shall be retained throughout the life of the development free of any object greater than 1m in height (0.6m in the case of vegetation) relative to adjoining nearside carriageway channel level.*

05. *No dwelling shall be occupied until space has been laid out within the site for curtilage for the parking/ manoeuvring of residents/ visitors vehicles, located, designed, laid out and constructed all as agreed in writing with the Local Planning Authority and maintained throughout the life of the development free from any impediment to its designated use.*

06. *Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and/or re-enacting that Order) the garage/car parking spaces hereby permitted shall be retained as such and*

shall not be used for any purpose other than the garaging/parking of private motor vehicles associated with the residential occupation of the property without the grant of further specific planning permission from the Local Planning Authority.

07. There shall be no gates or other barriers within 6.0m of the nearside highway boundary and any gates shall open inwards only, unless otherwise agreed in writing by the Local Planning Authority.

08. The proposed access drive(s) to Troughbrook Road shall be no steeper than 1 in 14 for the first 6.0m from the nearside highway boundary and 1 in 10 thereafter.

09. No part of the development shall be occupied until details of arrangements for storage of bins and collection of waste have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the agreed details and the facilities retained for the designated purposes at all times thereafter.'

5.3.2 Having regard to the comments of the LHA above it appears that they have not considered the indicative layout drawing submitted with the application and the accompanying planning statement and transport statement which gives an indication how the site could be laid out to accommodate up to 6 no. 2 bed dwellings with off road parking and a garage per unit.

5.3.3 In the context of this layout and the comments made the supporting documentation confirms that the indicative layout submitted meets with the conditionals requirements which are being sought in the comments made by the LHA. Appropriate driveway widths and length can be accommodated, alongside appropriate visibility splays and parking provision to meet the requirements of the LHA and the provisions of policies CS2, CS18 and CS20 of the Core Strategy.

5.4 **Flood Risk / Drainage**

5.4.1 The application submission is supported by a Flood Risk and Drainage Statement which was passed to the **Design Services (Drainage) team** (DS team) and **Yorkshire Water Services** (YWS) for review in the context of policy CS7 of the Core Strategy.

5.4.2 The DS team responded to the application as follows:

'The applicant has submitted a Flood Risk Assessment for the site, discussing potential hazards.

Although the site is adjacent to an area of Flood Zone 3, the development itself is not shown to be within an area of flood risk on the Environment Agency flood maps. Included within the FRA are proposals for the site drainage. The foul drainage is proposed to connect to the public sewer in Troughbrook Road, which will require approval from Yorkshire Water.

The principles for the management of surface water run of is mostly fine, however we do have a minor objection which may require review. The applicant proposes to discharge surface water to Trough Brook via an attenuation swale and flow control, restricting flow to 5 l/s which we are happy with in principle. However it is noted that the flow control and part of the swale are located within Flood Zone 3. There is a risk therefore that the Trough Brook level will rise and surcharge the flow control and swale prior to its designed storm return period, thus rendering this system ineffective.

Can the flow control and storage therefore be moved away from the flood zone to ensure its performance?'

5.4.3 The comments above were passed to the Applicant / Agent for further consideration and a revised drainage layout plan was submitted on 04/07/2017. The DS team subsequently confirmed:

'We have no objection this updated layout, with the relocation of the swale away from the flood zone. The storage volume provided should be in accordance with the original flood risk assessment in attenuating up to a 100 year plus climate change storm'.

5.4.4 Although no comments were received from YWS the scheme detailed proposes separate connection of surface water drainage to the nearby watercourse and foul water drainage to mains in Troughbrook Road (gravity fed). Separate agreement with YWS would be needed for any main connection for foul water and therefore they would be involved in the detailed design of any such system which would be dealt with concurrent with a reserved matters application or planning condition. The surface water

solution would be subject to agreement with the Environment Agency / Lead Local Flood Authority and would not involve YWS.

5.5 **Land Condition / Contamination / Noise**

5.5.1 Having regard to land condition and the requirements of the NPPF and policy CS8 of the Core Strategy the planning application submission was accompanied by a Coal Mining Risk Assessment, despite the fact the site lies in an area covered by the Coal Authority's Standing Advice. It was not necessary to refer the CMRA to the **Coal Authority** for comment as the CA have provided the LPA with relevant advisory notes they wish to be imposed on any planning permissions granted in such areas.

5.5.2 In respect of potential land contamination (and noise) the Council's **Environment Health Officer** (EHO) has also reviewed the application submission and provided the following comments:

'I have no objections regarding this application, however, should planning consent be granted, I recommend:

Noise – the hours of construction shall be limited to between 8:00am and 5:30pm Monday to Friday and between 9:00am and 4:00pm on a Saturday. No construction shall be carried out on a Sunday or Public Holiday.

Land contamination – the site is within an area of Chesterfield where there might be land contamination. I recommend that a desk study and if necessary, a site investigation is carried out. All reports should be submitted in writing to Chesterfield Borough Council for approval prior to commencement of development.'

5.5.3 To address the comments of the EHO above appropriate planning conditions can be imposed on any consent given to secure the necessary Phase I and / or II studies and to control construction hours accordingly.

5.6 **Ecology and Trees / Hedgerows**

5.6.1 The application submission is supported by a Phase 1 Ecology Survey (including Otter and Water Vole), Bat Survey and Protected Species Report which have been prepared in accordance with the requirements of the NPPF and policy CS9 of the Core Strategy.

5.6.2 Under the terms of our Service Level Agreement, **Derbyshire Wildlife Trust** (DWT) was invited to review the surveys and reports submitted and the following comments were made:

'DWT have reviewed the ecological information submitted in support of the planning application for the erection of up to 6 dwellings at Hollingwood. The site comprises semi-improved grassland, hedgerows and trees. The proposals will include 100% land take and remove 50m of hedgerows and 4 trees. The proposals include c.55m new hedgerow planting, although there the proposals will result in a net loss of biodiversity, due to the small scale, it is recommended additional enhancements are included. The developer should aim to enhance the biodiversity potential of the site, through appropriate layout, design and landscaping proposals, way to achieve biodiversity gain include:

- *Gaps in the fences to facilitate the movement of small mammals such as hedgehogs*
- *New hedgerow planting to be native species*
- *Opportunities for wildlife should be integrated into new dwellings, through the installation of bat boxes or bat lofts, bird boxes, or the creation of high quality green roofs and green walls*
- *Retained, enhanced and newly created habitats and habitat features should be appropriately managed in the long term so as to maintain and improve their ecological value.*

With regards to condition(s), due to the nearby roost, no external lighting should be installed. However, if lighting is to be proposed, a lighting strategy should be submitted to LA for approval. The hedgerows and retained habitats should be protected throughout the development. No removal of vegetation that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period, and details of measures to protect the nesting bird interest on the site, have first been submitted to and approved in writing by the local planning authority and then implemented as approved.'

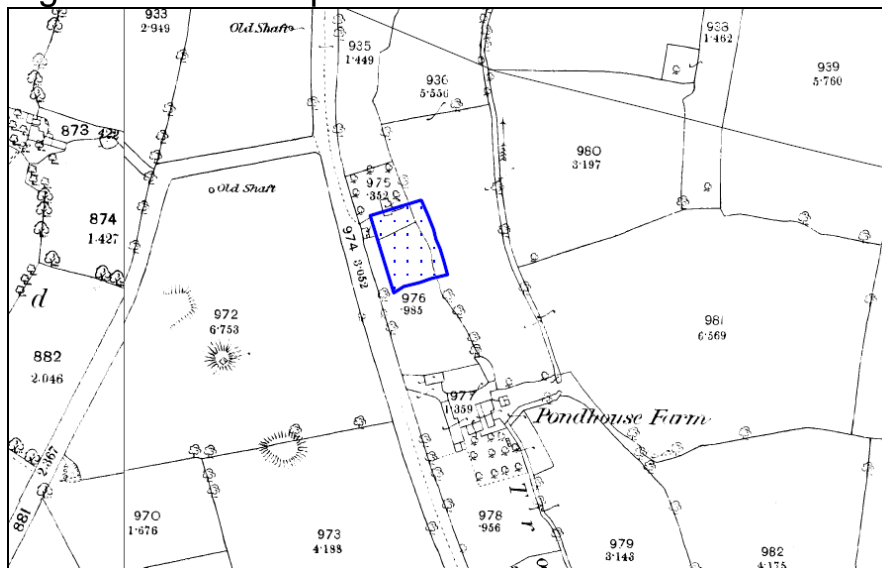
- 5.6.3 Having regard to the comments of DWT above it is accepted that the development proposals will result in the loss of trees and some sections of hedgerow local to the application site however they are of the opinion appropriate enhancement measures and mitigation can be achieved. In this context none of the trees affected are protected (as confirmed by the Council's **Tree Officer**) and the affected hedgerows have been considered under the Hedgerows Regulations 1997 to determine their status / significance because the hedgerow adjoins agricultural land and land for the keeping of horses and ponies.
- 5.6.4 After consultation with **Derby and Derbyshire DC Archaeologist** it was found from early maps and surveys of the site that the hedgerow affected by the development proposals does not fall within the definition of an 'important' hedgerow and subsequently neither they nor the Tree Officer object to the application proposals. Inspection of early maps and surveys confirmed that the original eastern boundary hedgerow had been removed for the widening of the roadway and a new hedgerow planted further back into the field.
- 5.6.5 Where new development is proposed which results in the loss of natural habitat an opportunity exists the secure biodiversity enhancement measures and appropriate soft landscaping mitigation alongside development of more detailed designs for the site expected with a reserved matter submission. Where it is determined the greater weight be given to the delivery of securing sustainable development appropriate planning conditions can be imposed to require biodiversity enhancement details concurrent with the next stage of the planning process or at the very latest prior to commencement of development to ensure the development complies with the provisions of policy CS9 of the Core Strategy and wider NPPF. In this case this approach is considered to be appropriate.

5.7 **Archaeology / Heritage**

- 5.7.1 In addition to their involvement in the determination of the hedgerow status the **Derby & Derbyshire DC Archaeologist** (D&D Arch) was also invited to comment on the application submission having regard to the potential impact of the development proposals upon any below ground archaeological interest, given the application sites greenfield / undeveloped status.

5.7.2 During the application process the D&D Arch and Agent exchanged emails which examined historical maps to determine the likelihood of the site being host to any remaining below ground archaeology, in particular the potential for the site to have previously been host to a farmhouse / cottage evident on maps dating back to 1877 sited towards the northern edge of the application site.

Figure 2: 1877 Map Extract



5.7.3 Both parties acknowledged that historic mapping could not be relied upon to exactly map the extent of the application site boundary and the location of the building in question, therefore the discussion concluded that further archaeological survey work should precede any development on site.

5.7.4 Given the limited scale of the application site, it was agreed that geophysical survey would not in this instance be an efficient / effective method and therefore it was agreed that targeted trial trenching would be more appropriate. The D&D Arch therefore requested that the following condition be imposed on any permission granted:

a) No development shall take place until a Written Scheme of Investigation for archaeological work has been submitted to and approved by the local planning authority in writing, and until any pre-start element of the approved scheme has been completed to the written satisfaction of the local planning authority. The scheme

shall include an assessment of significance and research questions; and

1. *The programme and methodology of site investigation and recording*
2. *The programme for post investigation assessment*
3. *Provision to be made for analysis of the site investigation and recording*
4. *Provision to be made for publication and dissemination of the analysis and records of the site investigation*
5. *Provision to be made for archive deposition of the analysis and records of the site investigation*
6. *Nomination of a competent person or persons / organisation to undertake the works set out within the Written Scheme of Investigation"*

b) No development shall take place other than in accordance with the archaeological Written Scheme of Investigation approved under condition (a)."

c) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under condition (a) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

5.7.5 In accordance with the provisions of the NPPF and policy CS19 of the Core Strategy it is considered that the above approach to archaeological investigation is proportionate and acceptable to conclude the development would not result in any adverse impact upon archaeological interest without it being properly investigated and potential catalogued accordingly.

5.8 **Community Infrastructure Levy (CIL)**

5.8.1 Having regard to the nature of the application proposals the development comprises the creation of up to 6 no. new dwellings and the development is therefore CIL Liable. The site the subject of the application lies within the medium CIL zone and therefore the full CIL Liability would be determined at the reserved matters

stage on the basis of a cumulative charge of £50 per sqm (index linked) of gross internal floor area created.

- 5.8.2 The following advice note will be appended to any subsequent decision notice drawing this to the applicants' attention:

'You are notified that you will be liable to pay the Community Infrastructure Levy (CIL) to Chesterfield Borough Council as CIL collecting authority on commencement of development. This charge will be levied under the Chesterfield Borough Council CIL charging schedule and s211 of the Planning Act 2008. A CIL Liability Notice will be issued at the time of a detailed planning permission which first permits development, in accordance with the Community Infrastructure Levy Regulations 2010 (as amended). The extent of liability will be dependent on the permitted Gross Internal Area. This will be calculated on the basis of information contained within a subsequent detailed planning permission. Certain types of development may eligible for relief from CIL, such as self-build or social housing, or development by charities. Further information on the CIL is available on the Borough Council's website.'

6.0 **REPRESENTATIONS**

- 6.1 The application has been publicised by site notice posted on 05/04/2017; by advertisement placed in the local press on 13/04/2017; and by neighbour notification letters sent on 05/04/2017 to twenty five local residents.

- 6.2 As a result of the applications publicity there have been eleven representations received as follows:

67 Troughbrook Road

Stance: Customer objects to the Planning Application

Comment Reasons:

- Traffic or Highways

Comment: On an already busy road with difficult vision and lots of cars parked cars on the road to manoeuvre.

4 Troughbrook Road

I object to the proposal for new housing as I assume the site is a protected greenfield. As a community we wish to protect our

environment and quality of life in Hollingwood. This development is a theft of our green belt and wild life preservation;

I believe the former brownfield site of Staveley Works (owned by Chatsworth) is now available and this would be more appropriate for housing;

Pondhouse Farm should be kept intact. This development will be the thin end of the wedge to reduce the farms ability to work and continue our local rural heritage; and

Troughbrook Road is already congested and there will be an increase in traffic. There is also a lack of parking space on the road.

6 Troughbrook Road

Stance: Customer objects to the Planning Application

Comment Reasons:

- Noise
- Policy
- Traffic or Highways
- Visual

Comment: No real benefit to the community. Already dangerous road becomes more dangerous.

77 Troughbrook Road

The outline plans show six houses all with drives onto Troughbrook Road. As a Dec 2013 the average household had 2 cars and over 2.2m have four cars or more. Figures show the number of cars in England increase by 600,000 per year. Based on these figures a minimum of six cars would have to park on the highway and Troughbrook Road cannot take any more cars as it is dangerous enough. Garages are shown but people do not use them for parking anymore. Traffic calming measures have not been allowed because the road is an emergency link road. Add into the mix new development about to start less than 100yards away and also at the Fitzwise yard, so an increase in traffic could be potentially catastrophic and the road is already showing signs of sinking where the development is proposed.

75 Troughbrook Road

It goes against your own policy of building on greenfield sites and we wonder if the application would have even ever been accepted had it not been Chatsworth applying;

Planning permission has already been granted unopposed, for previously developed land at the former Troughlee Club site;

No 77 were refused a dropped kerb opposite their property to park cars off the road as they were told this represented a danger to traffic;

Local also residents applied for speed humps to be installed on Troughbrook Road and these were declined on the basis it was an access road for emergency vehicles. The proposed development will only exacerbate the traffic and parking situation;

There has already been two large housing developments allowed off Station Road and this proposed development is unnecessary and ecologically unsound;

The disruption and inconvenience seems to have been completely overlooked – the development will bring HGVS and works traffic. Where will they park and how will disruption be minimised? Are we going to have unrestricted access to park at our property and access our driveway; and

It appears to be a profit related development rather than community related.

57 Troughbrook Road

I am against this development because Chatsworth estates own a lot of land along Troughbrook Road and if this one is allowed others will follow and this will lead to major increase in traffic which is not acceptable;

Families with young children live in the local area and often walk to the local school in Hollingwood; and

A lot of people including myself bought our houses because they overlooked open fields and a farm – the development will infringe upon our outlook and way of life.

51 Troughbrook Road

I have lived on Troughbrook Road all my life and bought a house on the street as I felt happy and safe living here. When I open my curtains I see lush green fields and I strongly feel this view should be preserved;

I park my car on the road and the number of incidents of drivers travelling too fast is numerous. They often overtake where cars are parked and the road is too narrow so wing mirrors are broken off. The addition of new dwellings opposite would mean even more incidents;

Wildlife would be at danger as their feeding areas would be restricted. More dwellings are already planned at Barrow Hill and Staveley already. I thought we were supposed to be protecting

wildlife (we often see owls, foxes, badgers, bats and birds of prey);
and

As there are plans for the HS2 site to run near to my home I feel the area and environment will be detrimentally affected.

49 Troughbrook Road (x2)

Stance: Customer objects to the Planning Application

Comment Reasons:

- Noise
- Traffic or Highways
- Visual

Comment: I have sent a letter to Chesterfield Borough Council, but in brief: visual, traffic/speed, parking.

I have lived on Troughbrook Road all my life and chose to live here as the location and views are ideal. I am fortunate to overlook greenfield each morning and night. The addition of dwellings opposite my house would take away the reason I chose to live here and cause innumerable safety issues;

Traffic has increased along Troughbrook Road and also the speed at which people travel. I park my car on the road and it put at risk by drivers who overtake where the road is too narrow;

Car ownership has increased which makes parking and safety more of an issue especially for families with young children;

My partner has just moved in with me and the reason we did not look elsewhere was that we were happy with this location. We do not want the increased anxiety of a busier road; and

I believe HS2 is to be in close proximity to my home which will cause enough disruption to the area, especially when several hundred houses are to be built just down the road.

53 Troughbrook Road

We have lived on Troughbrook Road for almost 40 years and chose it for the views and facts there were no houses overlooking ours. We extended our hose instead of moving;

We feel strongly against the decision to build houses across the road;

Traffic will be an issue as the road is extremely busy and narrow, more dwellings will cause more serious safety issues as some drivers choose to drive at speed and pass three abreast. Wing mirrors are constantly broken on car parked innocently outside their homes;

Pond House Farm is a joy to live opposite hearing different animals over the years makes you feel like you are living in the countryside. We would not feel as content if this was replaced by buildings.

A Local Resident

I agree with the non-compliance with Local Plan regarding the proposed development. It is greenfield land allocated as open countryside in the emerging new Local Plan.

6.3 ***Officer Response:***

Please refer to sections 5.1, 5.3 and 5.6 above; and The LPA does not give preference and / or otherwise to any applicant. They are required to determine all valid planning applications on their own individual merits.

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 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 proposal the subject of the application is deemed to be contrary to the provisions of policy EVR2 of the Local Plan in so far as the application site is situated on land allocated as open countryside / other open land. Approval of the application would be a departure and the application has been advertised as such.

9.2 Given the position above the Council has considered the proposals the subject of the application against all up to date development plan policies, including policies CS1 (Spatial Strategy), CS2 (Location of Development), CS3 (Presumption in favour of Sustainable Development), CS4 (Infrastructure Delivery), CS6 (Sustainable Design), CS7 (Management of the Water Cycle), CS8 (Environmental Quality), CS9 (Green Infrastructure and Biodiversity), CS10 (Flexibility in delivery of Housing), CS18 (Design), CS19 (Historic Environment) and CS20 (Demand for Travel) of the Core Strategy. In addition consideration has been given to the wider National Planning Policy Framework (NPPF) and the Councils Supplementary Planning Document on Housing Layout and Design 'Successful Places'.

9.3 It is considered that the proposed development is able to demonstrate its compliance with policies CS1, CS2, CS3 and CS4 of the Core Strategy in so far as its ability to provide connection (and where necessary improvement) to social, economic and environmental infrastructure such that the development meets the definitions of sustainable development. The application submission is supported by the preparation of assessment and reports which illustrates the proposed developments ability to comply with the provisions of policies CS7, CS8, CS9, CS18, CS19 and CS20 of the Core Strategy and where necessary it is considered that any outstanding issues can be mitigated and addressed in any subsequent reserved matters submission or any appropriate planning conditions being imposed.

10.0 **RECOMMENDATION**

10.1 It is therefore recommended that the application **GRANTED** subject to the following conditions / notes (inc. a CIL Liability note imposed as per section 5.8 above):

Conditions

Time Limit etc

01. Approval of the details of the layout, scale and external appearance of the building(s), the means of access and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason - The condition is imposed in accordance with article 3 (1) of The Town and Country Planning (General Development Procedure) Order 1995 (as amended).

02. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason - The condition is imposed in accordance with sections 91, 56 and 93 of the Town and Country Planning Act 1990.

03. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason - The condition is imposed in accordance with sections 91, 56 and 93 of the Town and Country Planning Act 1990.

Drainage

04. The site shall be developed with separate systems of drainage for foul and surface water on and off site.

Reason - In the interest of satisfactory and sustainable drainage.

05. No development shall take place until details of the proposed means of disposal of surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the local planning authority. Furthermore, unless otherwise approved in writing by the local planning authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works.

Reason - To ensure that the development is appropriately drained and no surface water discharges take place until proper provision has been made for its disposal.

Ecology

06. No removal of vegetation that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of the vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason – In the interests of biodiversity and to accord with policy CS9 of the Local Plan: Core Strategy 2011-2031 and the National Planning Policy Framework.

07. Prior to the commencement of development a detailed lighting strategy shall be submitted to and approved in writing by the LPA. Such approved measures must be implemented in full and maintained thereafter.
This is to ensure that a sensitive lighting is designed in line with guidance within Paragraph 125 of the NPPF.

Reason – To ensure that any ecological interest on site is appropriately addressed and can be mitigated against, prior to any development taking place, in accordance with policy CS9 and the wider NPPF.

08. Prior to the commencement of development a detailed enhancement strategy that provides details of enhancement measures for roosting bats and nesting birds shall be submitted to and approved in writing by the LPA. Such approved measures must be implemented in full and maintained thereafter.
Please note that it is expected that provision is made within the new dwellings (as integral boxes) rather than in retained trees to ensure that the roost and nest boxes cannot be tampered with and are secure in the long-term.

Reason – To ensure that any ecological interest on site is appropriately addressed and can be mitigated against, prior to any development taking place, in accordance with policy CS9 and the wider NPPF.

Archaeology

09. a) No development shall take place until a Written Scheme of Investigation for archaeological work has been submitted to and approved by the local planning authority in writing, and until any pre-start element of the approved scheme has been completed to the written satisfaction of the local planning authority. The scheme shall include an assessment of significance and research questions; and

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation"
- b) No development shall take place other than in accordance with the archaeological Written Scheme of Investigation approved under condition (a)."
- c) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under condition (a) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason - To ensure that any archaeological interest is appropriately assessed and documented prior to any other works commencing which may affect the interest in accordance with policy CS19 of the Core Strategy and the wider NPPF.

Land Condition / Contamination

10. A. 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.
 - I. A desktop study/Phase 1 report documenting the previous land use history of the site.
 - II. A site investigation/Phase 2 report where the previous use of the site indicates contaminative use(s). The site investigation/Phase 2 report shall document the ground conditions of the site. The site investigation shall

establish the full extent, depth and cross-section, nature and composition of the contamination. Ground gas, groundwater and chemical analysis, identified as being appropriate by the desktop study, shall be carried out in accordance with current guidance using UKAS accredited methods. All technical data must be submitted to the Local Planning Authority.

III. A detailed scheme of remedial works should the investigation reveal the presence of ground gas or other contamination. The scheme shall include a Remediation Method Statement and Risk Assessment Strategy to avoid any risk arising when the site is developed or occupied.

B. If, during remediation works any contamination is identified that has not been considered in the Remediation Method Statement, then additional remediation proposals for this material shall be submitted to the Local Planning Authority for written approval. Any approved proposals shall thereafter form part of the Remediation Method Statement.

C. The development hereby approved shall not be occupied until a written Validation Report (pursuant to A II and A III only) has been submitted to and approved in writing by the Local Planning Authority. A Validation Report is required to confirm that all remedial works have been completed and validated in accordance with the agreed Remediation Method Statement.

Reason - To protect the environment and ensure that the redeveloped site is reclaimed to an appropriate standard.

Others

11. Construction work shall only be carried out on site between 8:00am and 6:00pm Monday to Friday, 9:00am to 5:00pm 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 amenities.

12. The development hereby approved shall include the provision of appropriate infrastructure to enable the dwellings to have high speed broadband, in accordance with details to be submitted to, and approved in writing, by the Local Planning Authority.

Reason – In the interests of sustainable development and to ensure that the development is capable of meeting the needs of future residents and / or businesses in accordance with policy CS4 of the Core Strategy and para. 42 of the NPPF.

13. 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.

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.

14. 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 (other than garden sheds or greenhouses of a volume less than 10 cubic metre) or additional windows erected or installed at or in the dwelling hereby approved without the prior written agreement of the Local Planning Authority.

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

15. Within 2 months of commencement of development, unless otherwise agreed in writing by the Local Planning Authority, full details of hard and soft landscape works for the approved development shall be submitted to the Local Planning Authority for consideration.
Hard landscaping includes proposed finished land levels or contours; means of enclosure; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units,

signs, lighting etc.) retained historic landscape features and proposals for restoration, where relevant. These works shall be carried out as approved prior to the occupation of the dwelling.

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

Highways

16. No development shall be commenced until a temporary access for construction purposes has been provided in accordance with a detailed design first submitted to and approved in writing by the Local Planning Authority. The access shall be retained in accordance with the approved scheme throughout the construction period, or such other period of time as may be agreed in writing by the Local Planning Authority, free from any impediment to its designated use.

Reason – In the interests of highway safety.

17. Before any other operations are commenced, excluding construction of the temporary access referred to in Condition 1. above, space shall be provided within the site for storage of plant and materials, site accommodation, loading, unloading and manoeuvring of goods vehicles, parking and manoeuvring of employees and visitors vehicles, laid out and constructed in accordance with detailed designs first submitted to and approved in writing by the Local Planning Authority. Once implemented the facilities shall be retained free from any impediment to their designated use throughout the construction period.

Reason – In the interests of highway safety.

18. Unless otherwise approved in writing by the Local Planning Authority, the development shall not be commenced until a detailed scheme of highway improvement works for the provision of vehicular access(es) and a footway across the entire site frontage with Troughbrook Road, together with a programme for the implementation and completion of the

works, has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the required highway improvement works have been constructed in accordance with the approved details. For the avoidance of doubt the developer will be required to enter into a 1980 Highways Act S278 Agreement with the Highway Authority in order to comply with the requirements of this Condition.

Reason – In the interests of highway safety.

19. The land in advance of the approved exit visibility sightlines from the new vehicular access(es) with Troughbrook Road, the subject of Condition 3 above, shall be retained throughout the life of the development free of any object greater than 1m in height (0.6m in the case of vegetation) relative to adjoining nearside carriageway channel level.

Reason – In the interests of highway safety.

20. No dwelling shall be occupied until space has been laid out within the site for curtilage for the parking/ manoeuvring of residents/ visitors vehicles, located, designed, laid out and constructed all as agreed in writing with the Local Planning Authority and maintained throughout the life of the development free from any impediment to its designated use.

Reason – In the interests of highway safety.

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and/or re-enacting that Order) the garage/car parking spaces hereby permitted shall be retained as such and shall not be used for any purpose other than the garaging/parking of private motor vehicles associated with the residential occupation of the property without the grant of further specific planning permission from the Local Planning Authority.

Reason – In the interests of highway safety.

22. There shall be no gates or other barriers within 6.0m of the nearside highway boundary and any gates shall open inwards only, unless otherwise agreed in writing by the Local Planning Authority.

Reason – In the interests of highway safety.

23. The proposed access drive(s) to Troughbrook Road shall be no steeper than 1 in 14 for the first 6.0m from the nearside highway boundary and 1 in 10 thereafter.

Reason – In the interests of highway safety.

24. No part of the development shall be occupied until details of arrangements for storage of bins and collection of waste have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the agreed details and the facilities retained for the designated purposes at all times thereafter.

Reason – In the interests of highway safety.

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 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.

03. You are notified that you will be liable to pay the Community Infrastructure Levy (CIL) to Chesterfield Borough Council as CIL collecting authority on commencement of development. This charge will be levied under the Chesterfield Borough Council CIL charging schedule and s211 of the Planning Act 2008. A CIL Liability Notice will be issued at the time of a detailed planning permission which first permits development, in accordance with the Community Infrastructure Levy Regulations 2010 (as amended). The extent of liability will be dependent on the permitted Gross Internal Area. This will be calculated on the basis of information contained within a subsequent detailed planning permission. Certain types of development may eligible for relief from CIL, such as self-build or social housing, or development by charities. Further information on the CIL is available on the Borough Council's website.

Highways

04. The Highway Authority recommends that the first 6m of the proposed access driveway(s) 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 landowner.
05. Pursuant to Section 163 of the Highways Act 1980, where the site curtilage slopes down towards the public highway measures shall be taken to ensure that surface water run-off from within the site is not permitted to discharge across the footway margin. This usually takes the form of a dish channel or gully laid across the access immediately behind the back edge of the highway, discharging to a drain or soakaway within the site.
06. Pursuant to Section 278 of the Highways Act 1980, no works may commence within the limits of the public highway without the formal written Agreement of the County Council as Highway Authority. Advice regarding the technical, legal, administrative and financial processes involved in Section 278 Agreements may be obtained from the Strategic Director of Economy Transport and Community at County Hall,

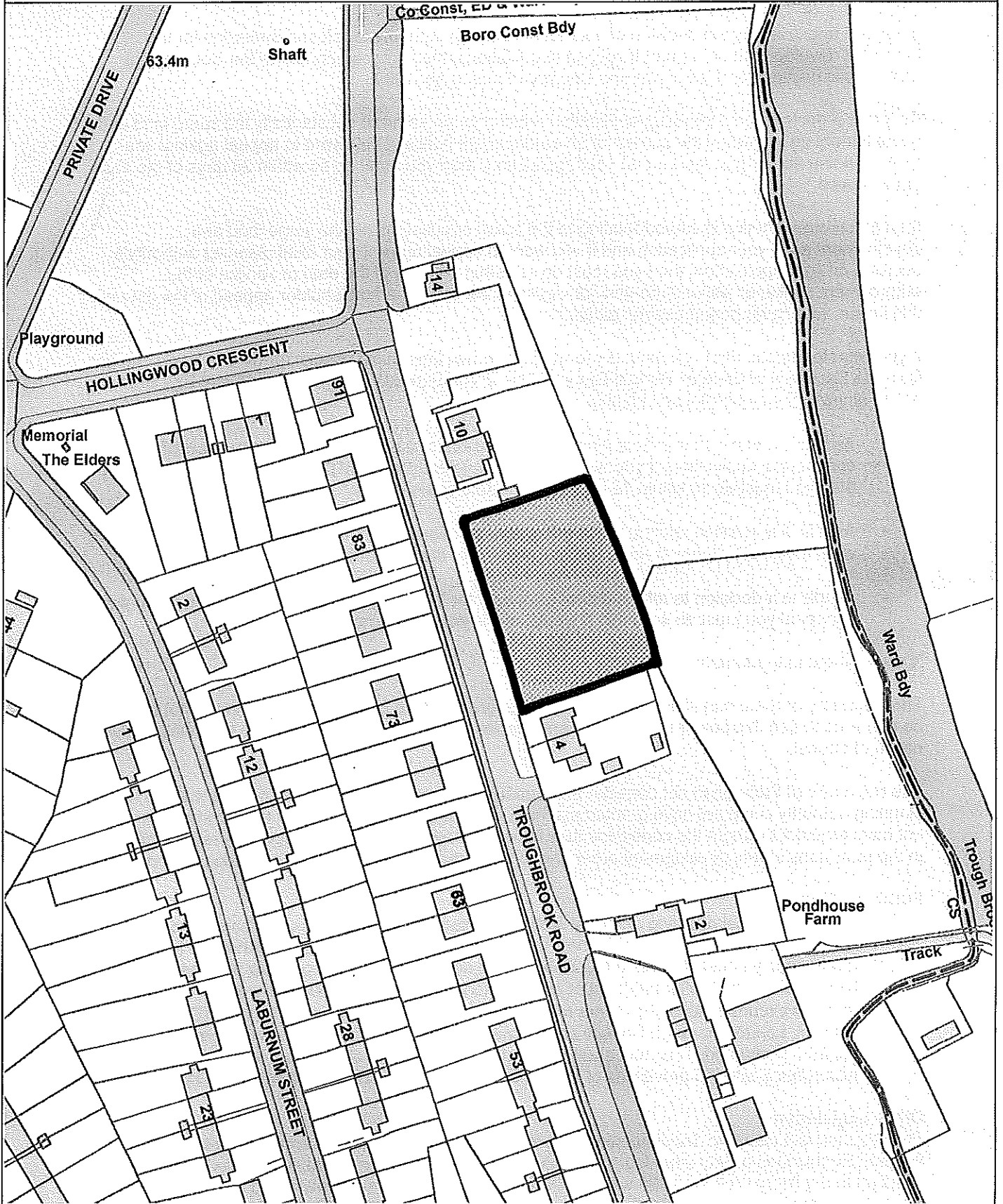
Matlock (tel: 01629 538658). The applicant is advised to allow approximately 12 weeks in any programme of works to obtain a Section 278 Agreement.

07. Car parking provision should be made on the basis of 1.5no, 2no. or 3no. spaces per 1 bedroom, 2/3 bedroom or 4/4+ bedroom dwelling respectively. Each parking bay should measure 2.4m x 5.5m (with an additional 0.5m of width to any side adjacent to a physical barrier) with adequate space behind each space for manoeuvring.
08. Under the provisions of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004, all works that involve breaking up, resurfacing and / or reducing the width of the carriageway require a notice to be submitted to Derbyshire County Council for Highway, Developer and Street Works. Works that involve road closures and / or are for a duration of more than 11 days require a three months notice. Developer's Works will generally require a three months notice. Developers and Utilities (for associated services) should prepare programmes for all works that are required for the development by all parties such that these can be approved through the coordination, noticing and licensing processes. This will require utilities and developers to work to agreed programmes and booked slots for each part of the works. Developers considering all scales of development are advised to enter into dialogue with Derbyshire County Council's Highway Noticing Section at the earliest stage possible and this includes prior to final planning consents.

Drainage

09. Attention is drawn to the attached notes on the Council's 'Minimum Standards for Drainage'.

PLANNING COMMITTEE - CHE/17/00225/OUT - Troughbrook Road



Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2012. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Chesterfield Borough Council Licence No. 100018505 (2017)



Scale 1:1337

This page is intentionally left blank

COMMITTEE/SUB	Planning Committee
DATE OF MEETING	17 TH JULY 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
----------------------	-----------------	--------

This page is intentionally left blank

Decisions made under the Building Regulations

17/00715/DCC	Derbyshire County Council Replacement of existing roof coverings to dining hall and associated lower level teaching block New Whittington Community Primary School London Street New Whittington Chesterfield Derbyshire S43 2AQ	Unconditional Approval	05/06/2017
17/00775/PART	Partnership Application Extension 214 Longdale Lane Ravenshead Nottingham NG15 9AH	Conditional Approval	07/06/2017
17/00623/DOM	Domestic Buildings and New Dwellings New dwelling Plot 4 Oakfield Avenue Chesterfield Derbyshire S40 3HN	Rejected	09/06/2017
17/00624/DOM	Domestic Buildings and New Dwellings New Dwelling Land Adj Longlands The Dell Ashgate Chesterfield Derbyshire S40 4DL	Conditional Approval	22/05/2017
17/00633/DEX	Domestic Extensions/Alterations Two storey side extension 59 Laurel Crescent Hollingwood Chesterfield Derbyshire S43 2LS	Unconditional Approval	01/06/2017
17/00489/DEX	Domestic Extensions/Alterations Room/roof over garage and garage extension 9 Oakfield Avenue Chesterfield Derbyshire S40 3LE	Unconditional Approval	21/05/2017
17/00508/MUL	Multiple Domestic Two storey rear extension and outer skin re-brick 6 Sedbergh Crescent Newbold Chesterfield Derbyshire S41 8DY	Rejected	23/05/2017
17/00646/DEX	Domestic Extensions/Alterations Single storey rear and side extension 81 Old Hall Road Chesterfield Derbyshire S40 1HF	Unconditional Approval	24/05/2017
17/00614/DEX	Domestic Extensions/Alterations Two storey rear extension 8 Dixon Croft New Whittington Chesterfield Derbyshire S43 2GA	Conditional Approval	02/06/2017
17/00615/DRO	Domestic in-roof Extensions/Alterations Form rooms in roof space and change of use to create 3 flats 51 Calow Lane Hasland Chesterfield Derbyshire S41 0AX	Rejected	22/05/2017
17/00752/PART	Partnership Application Internal alterations, garage conversion, flat roof to pitched and external render. Woodlands View South Street Sheffield S20 5DF	Conditional Approval	06/06/2017
17/00899/DEX	Domestic Extensions/Alterations Single storey rear extension 31 Lucas Road Newbold Chesterfield Derbyshire S41 7DB	Unconditional Approval	25/05/2017
17/00475/OTHC	Other Works (Commercial) New canopy Units 20 And 21 Dunston Trading Estate Foxwood Road Sheepbridge Chesterfield Derbyshire S41 9RF	Conditional Approval	22/05/2017

This page is intentionally left blank

Decisions made under the Building Regulations

17/00095/DOM	Domestic Buildings and New Dwellings New build development Phase 1 plots 1 -11 and 35-37 total 14 no houses Ringwood Centre Victoria Street Brimington Chesterfield Derbyshire S43 1HY	Conditional Approval	28/06/2017
17/00710/DEX	Domestic Extensions/Alterations Double storey rear extension with garage to side 9 Balmoak Lane Tapton Chesterfield Derbyshire S41 0TH	Rejected	23/06/2017
17/00951/MUL	Multiple Domestic Side extension, wall removal and new patio doors 44 Foxbrook Drive Walton Chesterfield Derbyshire S40 3JR	Unconditional Approval	29/06/2017
17/00956/DEX	Domestic Extensions/Alterations Single storey rear pitched roof extension 316 Ashgate Road Chesterfield Derbyshire S40 4BW	Unconditional Approval	19/06/2017
17/00654/DOM	Domestic Buildings and New Dwellings Detached dwelling Land To Rear 190 Station Road Brimington Chesterfield Derbyshire S43 1LT	Rejected	16/06/2017
17/00888/DEX	Domestic Extensions/Alterations Single storey extension 12 Tollbridge Road Woodthorpe Chesterfield Derbyshire S43 3BL	Conditional Approval	28/06/2017

Agenda Item 6

COMMITTEE/SUB	Planning Committee
DATE OF MEETING	17 TH JULY 2017
TITLE	DELEGATION
PUBLICITY	For Publication
CONTENTS	Items approved by Development Management and Conservation Manager under the following Delegation references:- Planning Applications P020D, P200D to P250D, P270D to P320D, P350D to P370D, P390D, P420D to P440D Agricultural and Telecommunications P330D and P340D
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
-----------------------	-----------------	--------

This page is intentionally left blank

Delegated List
Planning Applications

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/16/00651/FUL 934	Old Whittington	Portal industrial shed for storage . Flood Risk Assessment received 6.2.17 and Coal Mining Risk Assessment received 11.5.17 At Unit 26B, Armytage Industrial Estate Station Road Old Whittington S41 9ET For Mr Dean Revill	CP	06/06/2017
CHE/16/00806/FUL 4040	Lowgates and Woodthorpe	Demolition and re-build of abandoned cottage with extensions - revised plans and ecological survey rec'd 08/05/2017; and coal mining risk assessment rec'd 15/05/2017 At The Cottage Renishaw Road Mastin Moor S43 3DW For Mr and Mrs Lee	CP	30/05/2017
CHE/17/00065/LBC 1918	St Helens	Proposed internal alterations At Holywell House Holywell Street Chesterfield S41 7SH For CVS Ltd	CP	25/05/2017
CHE/17/00158/FUL 3375	Brimington South	New single storey rear and two storey side extension revised drawings received 27 4 2017 and 2 5 2017 At 108 Manor Road Brimington S43 1NN For Mr Jason Toynes	CP	23/05/2017

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/17/00166/FUL 326	Moor	Addition to CHE/14/00720/FUL - new design to include additional storey to porch to extend existing bedroom At 48 Greenside Avenue Newbold S41 8SD For Mr Simon Binns	CP	26/05/2017
CHE/17/00170/FUL 1506	Old Whittington	Proposed industrial unit and associated service yard At International Drilling Services Ltd Chesterfield Trading Estate Chesterfield S41 9QB For International Drilling Services Ltd	CP	01/06/2017
CHE/17/00183/FUL 3195	Brockwell	Alterations to existing house, including new side and rear extension to replace outbuildings, removal of garage and conservatory and new car port and decking area and new dormer to roof At 45 Brockwell Lane Chesterfield S40 4EA For Mr and Mrs Rix	CP	24/05/2017
CHE/17/00198/FUL 131	Loundsley Green	Proposed two storey side extension At 9 Purbeck Avenue Chesterfield S40 4NP For Mr Chris Armstrong	CP	24/05/2017
CHE/17/00215/FUL 5629	Linacre	Extension to the side elevation over two floors At 21 Oldridge Close Holme Hall S40 4UF For Mr John East	CP	05/06/2017

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/17/00219/FUL 3898	Walton	Single storey rear extension (amended plan received 18.05.2017) At 23 Hazel Drive Walton S40 3EN For Mr and Mrs Gratton	CP	05/06/2017
CHE/17/00223/FUL 3665	Brimington South	Erection of a timber framed car port to front of bungalow At 348 Manor Road Brimington S43 1PP For Mr A Wilbourn	CP	26/05/2017
CHE/17/00224/FUL 19	Hasland	First floor extension and single storey rear extension (amendments received 17.05.2017) At 113A The Green Hasland S41 0JT For Mr Paul Proudlock	CP	26/05/2017
CHE/17/00228/ADV 5735	St Leonards	New signage to replace previous BHS tenant signs, signage consent with previous tenants in size, specification and locations At TJ Hughes 29 Vicar Lane Chesterfield S40 1PY For C/o The Agent	CP	26/05/2017
CHE/17/00233/COU 3600	Hasland	Change of use from A1 shops to D1 non-residential institutions At 20A The Green Hasland S41 0LJ For Mr Roy Smith	CP	24/05/2017

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/17/00239/FUL 5570	Walton	Demolition of existing single storey stand alone garage, new side extension for additional bedroom and new bathroom at first floor with additional lounge space, study and WC at ground floor. At 9 Lake View Avenue Walton S40 3DR For Mr Richard Timperley	CP	06/06/2017
CHE/17/00240/FUL 1286	Walton	Erection of single storey dwelling At Land Adjacent 2 Hazel Drive Walton For Mr Alan James	REF	24/05/2017
CHE/17/00241/FUL	Holmebrook	First floor extension and new entrance porch to the front elevation with replacement single storey sunroom extension to the rear At Beehive Cottage Beehive Road Chesterfield S40 2RD For Mr S Johnson	CP	25/05/2017
CHE/17/00243/FUL 1802	Loundsley Green	Construction of single storey rear extension and dormer window on front elevation At 9 Kennet Vale Chesterfield S40 4EW For Mr Peter Oldfield	CP	30/05/2017
CHE/17/00248/FUL 5586	Walton	Single storey side extension At 44 Foxbrook Drive S40 3JR For M Sullivan	CP	26/05/2017

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/17/00249/FUL 354 354	Barrow Hill and New Whittington	Two storey rear extension At 8 Dixon Croft New Whittington S43 2GA For Mrs Delma Ewer	CP	26/05/2017
CHE/17/00250/DOC 2101	Dunston	Discharge of condition 3 of CHE/16/00778/FUL At 2 Kendal Road Newbold S41 8HY For Sarah Bradbury		25/05/2017
CHE/17/00253/FUL 2041	St Leonards	Extension to side of dwelling for use as a garage (revised drawings received 22.05.17) At 86 Hady Crescent S41 0EA For Mr and Ms Harwood and Raybould	CP	05/06/2017
CHE/17/00258/FUL 22	Hasland	Single storey extension to front of property and re-form roof to align with existing At 109 Meadowhill Road Hasland S41 0BG For Mr Bown	CP	25/05/2017
CHE/17/00260/FUL 5162	Walton	Single storey rear extension, raised terrace and fencing surrounding rear garden (revised description 03.05.17) At 22 Orchards Way Walton S40 3BZ For Mr and Mrs J Baldwin	CP	13/06/2017
CHE/17/00262/FUL 3082	Brockwell	Detached hipped roof garage At 249 Newbold Road Newbold S41 7AQ For Mr N-Glover	CP	26/05/2017

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/17/00264/ADV 1604	St Leonards	New totem sign At Unit 1 Spire Walk Business Park Chesterfield S40 2WG For Malcolm Hollis	CP	30/05/2017
CHE/17/00265/FUL 1073	Hollingwood and Inkersall	Two storey rear extension At 20 Lilac Street Hollingwood S43 2JG For Mr Paddison	CP	26/05/2017
CHE/17/00266/FUL 5634	Linacre	Single storey rear extension At 80 Brushfield Road Holme Hall S40 4XE For Mr Beynon	CP	30/05/2017
CHE/17/00267/FUL 5884	Hasland	Two storey front extension - revised drawing received 1 6 2017 At 110 Broomfield Avenue Hasland S41 0ND For Mr & Mrs Wilson	CP	05/06/2017
CHE/17/00269/FUL 3015	Brockwell	Two storey side extension and single storey rear extension - Re-submission of application CHE/17/00032/FUL At 16 Morris Avenue Newbold S41 7BA For Mr Paul Markham	CP	31/05/2017
CHE/17/00271/FUL 2161	Hollingwood and Inkersall	Erection of 3 residential dwellings At Land Adjacent To Troughbrook Road Hollingwood For Buywise	CP	30/05/2017

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/17/00279/FUL 1255 5113	Middlecroft And Poolsbrook	Demolition of a detached garage and storage building and the erection of a detached dwelling with an integral garage and a detached garage. Amended plans received 26/5/17. At 25 Porter Street Staveley S43 3UY For Mr & Mrs Brighton	CP	13/06/2017
CHE/17/00285/DOC 4204 4069	Dunston	Dishcharge of conditions 3, 4 and 5 of CHE/14/00335/FUL At Sudbrook Hall Barlow Road Chesterfield S18 7TB For Mr Derek Mapp		02/06/2017
CHE/17/00289/FUL 5828	Brimington South	Porch At 143 Manor Road Brimington S43 1NP For Mr Wilson	CP	12/06/2017
CHE/17/00310/FUL 2/2451	St Leonards	Erection of a boundary fence exceeding 2m in height At 10 Bryn Lea Hady S41 0EP For Mr Allan Cullumbine	CP	13/06/2017
CHE/17/00314/CPO 312	Hasland	Erection of a 2.4m fence to front elevation with double gate and pedestrian gates At Hasland Hall Community School Broomfield Avenue Hasland S41 0LP For Derbyshire County Council	OW	23/05/2017

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/17/00339/DOC 4072	Dunston	Discharge condition 5 (soft landscaping) from previously approved application CHE/15/00451/FUL At Dunston Park Farm Dunston Road S41 9RW For Mr Philip Baines	DPC	30/05/2017
CHE/17/00348/NMA 2/2316	Brockwell	Non material amendment to CHE/16/00830/FUL At 24 Gladstone Road S40 4TE For Mr Brammer	UP	30/05/2017
CHE/17/00358/DOC 2106	St Leonards	Discharge of condition 3 of CHE/17/00180/COU - Change of use to retail area from A1 to A3 At Market Hall Market Place S40 1AR For James Hobson	DPC	30/05/2017
CHE/17/00366/TPO 623	Barrow Hill and New Whittington	T89 Maple Crown lift. Crown clean. To remove dead wood, stumps. Clear street lights and telephone wire. At 1 Green Farm Croft 159 High Street Old Whittington S41 9LH For Mrs Susan Hudson	CP	30/05/2017
CHE/17/00373/TPO	Linacre	Lime (T2) Crown lift to 5.2m and Lime (T32) Crown Lift At Site Of Former Newbold Community School Newbold Road Newbold For Mr Stephen Jones	CP	23/05/2017

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/17/00399/CA	West	Fell one Ash tree At Glenholm 544 Chatsworth Road Chesterfield S40 3AY For Mr David Brooks	UP	12/06/2017
CHE/17/00409/TPO	Lowgates And Woodthorpe	Fell one horsechestnut and one sycamore tree At Staveley Hall Church Street Staveley S43 3TN For Chesterfield Borough Council	CP	06/06/2017
CHE/17/00418/CA	Walton	Removal of 1 Hawthorn, 1 Elder and 25 Beech trees and crown lift 6 Horsechestnut trees at Coronation Gardens, Chatsworth Road. At Coronation Gardens 328 Chatsworth Road Chesterfield S40 2BY For Robinson plc	UP	13/06/2017

This page is intentionally left blank

Delegated List
Planning Applications

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/16/00719/FUL 284	Old Whittington	Commercial use and erection of a new unit for storage and valeting (revised plans received 28.02.2017) At Unit Adjacent To Unit 3 Whitting Valley Road Old Whittington Derbyshire For Xenetek Engineering Ltd	CP	14/06/2017
CHE/16/00722/FUL 6364	West	Dormer style loft conversion to rear elevation to create new master bedroom and en-suite facility At 482 Chatsworth Road Chesterfield Derbyshire S40 3BD For Mr Tom Clayton	REF	05/07/2017
CHE/17/00028/DOC 1637, 463,	St Helens	Creation of a temporary surface car park and enabling earthworks to create a development platform on land to the north of Brewery Street. Discharge of condition no 9 for CHE/16/00188/FUL and as amended by additional information received on 3.5.17 At Land At East Of A61Known As Chesterfield Waterside Brimington Road Tapton Derbyshire For Chesterfield Waterside Ltd	DPC	27/06/2017
CHE/17/00141/DOC 308	West	Discharge of conditions 3, 4, 5 and 6 of CHE/16/00245/FUL and as amended by additional information received on 23.05.2017 and 01.06.2017 At 6 The Dell Ashgate Chesterfield Derbyshire S40 4DL For A Rock Construction Ltd	DPC	22/06/2017

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/17/00144/FUL 1317	Hasland	Workshop extension with two storey kitchen office and w/c block and as amended by coal mining risk assessment received on 31.5.17 At Spectrum House Turnoaks Business Park Mcgregors Way Chesterfield For Spectrum Welding Supplies	CP	03/07/2017
CHE/17/00154/FUL 5507	Moor	Proposed roof dormer window to front elevation At 108 Peveril Road Newbold Derbyshire S41 8SG For Mr and Mrs Robertson	CP	15/06/2017
CHE/17/00156/OUT 1704	Middlecroft And Poolsbrook	Erection of one house. Description and plans amended on 08.06.2017 and coal mining risk assessment received on 06.06.2017 At 158 Middlecroft Road Staveley Derbyshire S43 3NG For Ian Lowe Building and Roofing	CP	06/07/2017
CHE/17/00216/FUL	Rother	Retention of an ATM installed through brickwork to the right of the store entrance on Bacons Lane At ATM At 137 - 139 Derby Road Birdholme Derbyshire S40 2ES For New Wave Installations Cardtronics UK Ltd	CP	16/06/2017

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/17/00217/ADV 4372	Rother	Retention of ATM - illuminated polycarbonate black and green top sign with illuminated white lettering "free cash withdrawals" halo illumination to polycarbonate sign Illuminated signage to ATM fascia. Green acrylic sign with white lettering "cashzone" and accepted card logos. ATM At 137 - 139 Derby Road Birdholme Derbyshire For New Wave Installations Cardtronics UK Ltd	CP	16/06/2017
CHE/17/00226/FUL 1073	Hollingwood And Inkersall	Erection of a conservatory to the rear of the property and use of front driveway of property for parking At 33 Elm Street Hollingwood Derbyshire S43 2LW For Mr Robert Bates	CP	15/06/2017
CHE/17/00255/DEM Whittington	Barrow Hill And New	Demolition of premises At Chiswick Court Romford Way Barrow Hill Derbyshire For Chesterfield Borough Council	PANR	19/06/2017
CHE/17/00260/FUL 5162	Walton	Single storey rear extension, raised terrace and fencing surrounding rear garden (revised description 03.05.17) At 22 Orchards Way Walton Derbyshire S40 3BZ For Mr and Mrs J Baldwin	CP	13/06/2017
CHE/17/00268/FUL 2539	Middlecroft And Poolsbrook	Change of use from C3 (dwellinghouse) to B1 (office) classification At Swift House 16A High Street Staveley Derbyshire S43 3UX For Space4Work Limited	CP	05/07/2017

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/17/00272/LBC 554	Barrow Hill And New Whittington	The proposal is for the removal of the existing non-load bearing blockwork that divides the existing kitchen and the living room At 7 Brearley Hall Woodmere Drive Old Whittington Derbyshire For Mr Dominic Sandivasci	CP	21/06/2017
CHE/17/00273/OUT 4686	Old Whittington	Detached dwelling with access and parking and alterations to fenestration of existing dwelling At 12 Cavendish Street North Old Whittington Derbyshire S41 9DH For Exors Of Frank E Davies	REF	22/06/2017
CHE/17/00274/FUL 1073	Hollingwood And Inkersall	Proposed side two storey extension At 59 Laurel Crescent Hollingwood Derbyshire For Mr Kirkwood	CP	20/06/2017
CHE/17/00276/FUL 4338	Walton	Proposed two storey side extension and replacement front porch At 191 Whitecotes Lane Walton Derbyshire For Mr Roger Brailsford	CP	26/06/2017
CHE/17/00279/FUL 1255	Middlecroft And Poolsbrook	Demolition of a detached garage and storage building and the erection of a detached dwelling with an integral garage and a detached garage. Amended plans received 26/5/17. At 25 Porter Street Staveley Derbyshire S43 3UY For Mr & Mrs Brighton	CP	13/06/2017

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/17/00282/RET 1700	Hollingwood And Inkersall	Retrospective consent for retention of vehicular access At 70 Inkersall Green Road Inkersall Derbyshire For Mrs Lyn Kidger	CP	06/07/2017
CHE/17/00296/FUL 4496	Brimington South	Kitchen extension to side of house At 30 Lansdowne Road Brimington Derbyshire S43 1BG For Mr and Mrs Nick Wigston	CP	19/06/2017
CHE/17/00298/FUL 3262	West	Extension to existing kitchen at rear of rear of property At 281 Ashgate Road Chesterfield Derbyshire For Mr Gerald McGowan	CP	29/06/2017
CHE/17/00299/LBC 3384	Brimington South	Install biomass boiler stove in kitchen, replacing the existing Aga, fit new water tank, replacing existing, install pipe work and radiators throughout the property Where possible the pipe work will run under the floors. All exposed heating pipes will be copper. For the ground floor, pipes will be run from above, no walls will be breached for pipes. New traditional style column radiators to be fitted in all rooms. There is no need to drill any walls or interfere with any character features. At Crewe Cottage Unnamed Road From Balmoak Lane To Manor / Tapton Cottages Chesterfield For Mrs Lisa Sutton	CP	26/06/2017

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/17/00300/DOC 1637 163 5171	St Helens	Discharge of condition 12 of CHE/16/00188/FUL and as amended by revised plans received 24.05.2017 At Land At East Of A61Known As Chesterfield Waterside Brimington Road Tapton For Civic Engineers	DPC	20/06/2017
CHE/17/00301/FUL 5819	West	Erection of conservatory to rear of property At 86 Manor Road Brampton S40 1HZ For Mr Tony Church	CP	28/06/2017
CHE/17/00306/FUL 714	Walton	Two storey side extension and demolition of existing single storey offshots to rear of dwelling At 36 Moorland View Road Walton S40 3DF For Mr and Mrs Santoro	CP	22/06/2017
CHE/17/00310/FUL 2/2451	St Leonards	Erection of a boundary fence exceeding 2m in height At 10 Bryn Lea Hady Derbyshire S41 0EP For Mr Allan Cullumbine	CP	13/06/2017

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/17/00312/TPO	West	<p>Sweet Chestnut (T7) - Dead wood, remove crossing branches. Remove 6 ft from east side as it is entangled with T8. We will remove the non listed tree to enable even growth of both listed trees. Remove 6 ft from branches on south side rubbing against the wall of 34 Netherleigh to enable regrowth and prevent damage to tree and listed building.</p> <p>Copper Beech (T13) Crown lift and thin. Remove dead wood and crossing branches. Reduce eastern lower branches back at least 6 ft to suitable and appropriate node. To improve health of the tree and improve amenity value.</p> <p>Lime (T15) Crown lift and thin. Remove dead wood and crossing branches. removal of potentially dangerous branches over number 40, please see supporting pictures and documentation from Mr & Mrs Reynolds</p> <p>Horse Chestnut (T5) Remove dead wood and crown thin.</p> <p>It has been a number of years since these trees were managed and I feel it would be sensible to protect the trees that we undertake this maintenance project.</p> <p>At Netherleigh 34 Netherleigh Road Ashgate Chesterfield</p> <p>For Mr Ashley Kirk</p>	SC	28/06/2017
CHE/17/00313/COU 162	Hollingwood And Inkersall	<p>Change of use of existing dwelling to 2 separate dwellings</p> <p>At 7 Erin Road Poolsbrook Derbyshire S44 5HQ</p> <p>For Mr and Mrs Coleman</p>	CP	03/07/2017

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/17/00315/FUL	Loundsley Green	Erection of a two storey side extension At 11 Buckden Close Chesterfield Derbyshire For Mrs A Herring	CP	19/06/2017
CHE/17/00319/FUL 4990	West	Removal of conservatory, proposed single storey rear extension to form kitchen and utility At 294 Old Road Chesterfield S40 3QN For Mr and Mrs Shaun Dakin	CP	28/06/2017
CHE/17/00322/TEL 905	Dunston	Erection of a 17.5m mast to support 3no. telecommunications antennae for use by Telefonica and Vodafone, which together with the installation of 2no dishes and 2no ground based equipment cabinets will provide 2G, 3G and 4G mobile electronic communication services from the installation At Chesterfield Panthers Rugby Football Club 2012 Dunston Road Chesterfield S41 9BF For Shared Access Ltd	PA	23/06/2017
CHE/17/00329/TPO	Barrow Hill And New Whittington	London Planes -T1 prune by approximately 4 metres; T2 remove; T3 and T4 prune by approximately 4 metres At 5 Station Road Barrow Hill S43 2PG For Minotaur Group	CP	19/06/2017

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/17/00332/FUL 283	Old Whittington	Proposed porch and conversion of car port into habitable room At 7 Langtree Avenue Old Whittington S41 9HW For Mr Mark Redhead	CP	29/06/2017
CHE/17/00333/FUL 3521	West	Single storey rear extension At 7 Mayfield Road Chesterfield S40 3AJ For Mr R Brooks	CP	26/06/2017
CHE/17/00349/NMA 1990	Linacre	Non material amendment to CHE/16/00518/FUL At Former Newbold Community School Newbold Road Newbold For Miller Homes	UP	21/06/2017
CHE/17/00354/TPD	Dunston	Proposed single storey rear extension At 415 Newbold Road Newbold S41 8AG For Mr Lee Davis	PANR	14/06/2017
CHE/17/00355/TPO 355	St Leonards	Pruning of 2 Sycamore Trees (Ref: T15 and T16) - Crown lift to a maximum of 5m and crown thin to include the pruning of outer canopy situated to the rear of 90 Hady Crescent At St Peter and St Paul School Hady Hill Hady S41 0EF For Mr Tim Duncan	CP	15/06/2017

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/17/00356/TPD	Middlecroft And Poolsbrook	Extension for a sun room At 53 Fern Avenue Staveley S43 3RA For Miss J Smith	PANR	14/06/2017
CHE/17/00364/DOC 136	Barrow Hill And New Whittington	Discharge of condition 3 (materials) of CHE/16/00380/FUL - Build above existing garage to create additional bedrooms At 11 Highland Road New Whittington S43 2EZ For Mr Walters	DPC	29/06/2017
CHE/17/00368/TPO	Brimington North	T1 (lime) - sever ivy round butt and root collar, remove epicormic growth and elder, clean out deadwood from crown, shorten lever arm extending over garage by 2m to growth points, prune to give 1m clearance from electrical cables. T2 (laburnum) - lift branches overhanging rectory grounds by 2m T3 (lime) - prune back epicormic growth rooted in churchyard T4 (buddleia) - prune back branches overhanging boundary line T5 (beech) - reduce northern section of crown by 4-5m to clear from adj norway maple, prune out deadwood from crown retaining any crossing/fused branches acting as bracing for compression forks further down crown T6 (lime) - clean out deadwood from crown and crown lift to 3m At 717 The Rectory Church Street Brimington For Derby Diocesan Board Of Finance Ltd	UP	16/06/2017

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/17/00369/DOC 1113	Walton	Discharge of condition 3 (materials) of CHE16/00826/FUL - front extension to bungalow At 8 Kingsmede Avenue Walton S40 3EG For Mr and Mrs J Cook	DPC	29/06/2017
CHE/17/00382/NMA 131	Loundsley Green	Amendment to CHE/10/00529/FUL (erection of a concrete sectional shed (3.81m x 2.28m) with steel door) to reduce width size of shed by 80cm At 22 Quantock Way Loundsley Green Chesterfield For Mr Steven Heptinstall	UP	19/06/2017
CHE/17/00388/DOC 636	Middlecroft And Poolsbrook	Discharge planning conditions 3, 4, 5, 6 and 7 on application CHE/16/00540/FUL At Old Rectory Guest House 8 Church Street Staveley S43 3TL For Mr Bill Cooney	DPC	23/06/2017
CHE/17/00393/TPO 3195	Brockwell	Lime T17 / Horsechestnut T16 / Horsechestnut T15 / Lime T14 crown - A light crown thin along with a crown lift to clear the highway and proposed parking area (approx 5.5m) At 45 Brockwell Lane Brockwell Chesterfield For Mr and Mrs Rix	CP	19/06/2017
CHE/17/00404/TPD	Walton	Proposed Conservatory At 9 Richmond Close Walton S40 3JH	PANR	30/06/2017

Code No. FileNo	Ward	Proposal	Decision	Decision Date
CHE/17/00406/TPD	West	Single storey pitched roof extension to rear to replace existing extension At 316 Ashgate Road Chesterfield For Mr Criag Croft-Rayner	PANR	30/06/2017
CHE/17/00410/NMA	St Leonards	Non material amendment for additional window to bedroom in west elevation to CHE/14/00156/FUL (Change of use from documents store to self-contained residential unit) At 19A West Bars Chesterfield For Mr N Moxon	UP	03/07/2017
813				
CHE/17/00412/TPO	Brockwell	Oak T33 - Remove branches that overhang plot 55 to allow scaffold to be erected and plot built without obstruction At Newbold Back Lane Chesterfield For Mr Stephen Jones	CP	15/06/2017
CHE/17/00415/TPO	St Leonards	Oak (T1) - Crown lifting to 5m - prevents low branches that encroach into garden being hazard to persons, allow more light into garden, prevents low branches obstructing use of garden. At 94 Hady Crescent Hady S41 0EA For Mr Stanyard	CP	15/06/2017

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/17/00417/TPO 2811	Hasland	Crown lift and crown thinning (25%) of two trees (T1 and T2) overhanging 3 parking bays At Penmore House Hasland Road Hasland For Salt and Pritchard Properties	CP	22/06/2017
CHE/17/00418/CA	Walton	Removal of 1 Hawthorn, 1 Elder and 25 Beech trees and crown lift 6 Horsechestnut trees at Coronation Gardens, Chatsworth Road. At Coronation Gardens 328 Chatsworth Road Chesterfield For Robinson plc	UP	13/06/2017
CHE/17/00419/TPO 2852	Moor	T1 London Plane - Reduce/re-pollard crown back to pollard heads. Pruning required as cyclical management of pollarded tree At Unit 1 Stand Park Industrial Estate Sheffield Road Whittington Moor S41 8JT For FAW Ltd	CP	22/06/2017
CHE/17/00428/DEM 876	Barrow Hill And New Whittington	Duewell Court is a two storey building which formerly housed 28 residential flats At Duewell Court Station Road Barrow Hill S43 2PS For Chesterfield Borough Council	PANR	06/07/2017

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/17/00440/NMA 4794	Brockwell	Non material amendment of CHE/16/00363FUL (ground floor bedroom and shower room extension) to reposition the access ramp from side to rear of property and reposition access door to property from one side elevation to other. At 98 Ashgate Road Chesterfield For Mr Higginbottom	DPC	04/07/2017
CHE/17/00443/TPO 1048	Old Whittington	Crown lift various trees and remove small sapplings along proposed fence line of Brearley Wood At Birch Hall Golf Club Sheffield Road Sheepbridge Derbyshire S18 4DB For Mr Rupert Carr	CP	20/06/2017

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

This page is intentionally left blank

COMMITTEE/SUB	Planning Committee
DATE OF MEETING	17 TH JULY 2017
TITLE	DELEGATION
PUBLICITY	For Publication
CONTENTS	Items approved by the Development Management and Conservation Manager 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
-------------------------------------	-------------	--------

This page is intentionally left blank

SECTION 1**APPLICATION TO FELL OR PRUNE TREES**

<u>CODE NO</u>	<u>DESCRIPTION OF PROPOSAL</u>	<u>TERMS OF DECISION</u>
CHE/17/000366/TPO TPO 4901.149 30/05/17	The pruning of one Maple tree reference T89 on the Order map for Mrs Susan Hudson of 1 Green Farm Croft, Old Whittington. The tree has recently been pruned without consent and the works are to rebalance the crown and rectify the poor pruning cuts.	Consent is granted to the crown lifting of the tree to rebalance the crown giving a height clearance of 5.2 metres when measured from the highway and the pruning back of long stubs. Also the pruning of branches to clear the street lamp head and telephone wires.
CHE/17/000409/TPOEXP TPO 4901.152 06/06/17	The felling of one Horsechestnut tree reference T120 which has severe dieback of the crown and one dead Sycamore tree reference T127 for William Thornhill on behalf of Chesterfield Borough Council at Staveley Hall Stables, Staveley Hall, Staveley.	Consent is granted to the felling of two trees 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. The replacement trees are to be a two Lime trees and planted as near as possible to the original tree.

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/17/00399/CA The felling of 1 Ash tree for Mr David Brooks of 544 Chatsworth Road.	The tree is within the Chatsworth Road Conservation Area and the applicant wishes to remove the trees because the tree is close to the boundary wall and neighbouring properties.	Agreement to the felling of 1 Ash tree. The felling of the Ash tree will have no adverse effect on the amenity value of the area.	12/06/17
CHE/17/00418/CA The felling of 25 Beech trees, 1 Hawthorn and 1 Elder and the crown lifting of 6 Horsechestnut trees for Mr Guy Robinson of Robinson PLC at Coronation Gardens, Chatsworth Road.	The trees are within the Chatsworth Road Conservation Area and the applicant wishes to remove the trees because they are next to the banking of the River Hipper and close to the Listed building at Walton Works. The crown lifting of the trees is to gain access into the gardens and clear the highway.	Agreement to the felling of 27 trees and the crown lifting of 6 Horsechestnut trees. The felling and pruning of the trees will have no adverse effect on the amenity value of the area.	13/06/17

SECTION 1**APPLICATION TO FELL OR PRUNE TREES**

Page 105

<u>CODE NO</u>	<u>DESCRIPTION OF PROPOSAL</u>	<u>TERMS OF DECISION</u>
CHE/17/00412/TPO TPO 4901.266 15/06/17	The pruning of one Oak tree reference T33 on the Order map for English tree care on behalf of Miller Homes at the former Newbold Community School off Newbold Road, Newbold. The pruning works are to clear the adjacent building.	Consent is granted to the reduction of one branch growing towards the corner of the new build to give a 2 metre clearance pruning back to suitable replacement branches.
CHE/17/00355/TPO TPO 4901.117 15/06/17	The pruning of one Sycamore tree reference T15 and one Oak tree reference T16 on the Order map for Mr Duncan of 90 Hady Crescent, Hady.	Consent is granted to the crown lifting and crown thinning of the trees to remove low branches and allow more light into the garden of 90 Hady Crescent.
CHE/17/00415/TPO TPO 4901.117 15/06/17	The pruning of one Oak tree reference T19 on the Order map for Mr Stanyard of 94 Hady Crescent, Hady.	Consent is granted to the crown lifting of the tree to remove low branches and allow more light into the garden of 94 Hady Crescent.

<p>CHE/17/00393/TPO</p> <p>TPO 4901.126</p> <p>19/06/17</p>	<p>The pruning of 4 trees reference T14 & T17 Lime and T15 & T16 Horsechestnut for Mr & Mrs Rix of 45 Brockwell Lane. The tree pruning is to facilitate the proposed car port and to clear the lower branches over the highway.</p>	<p>Consent is granted to the crown lifting by 5.2 metres of 4 trees and the light crown thinning by 15% to remove dead wood and open up the canopy.</p>
<p>CHE/17/00329/TPO</p> <p>TPO 4901.267</p> <p>19/06/17</p>	<p>The felling of one London Plane tree reference T2 and the pruning of three London Plane trees reference T1, T3 & T4 on the Order map for Anderson Tree Care on behalf of Minotaur Group at 5 Station Road, Barrow Hill.</p>	<p>Consent is granted to the crown reduction by 4 metres of 3 London Plane trees and the removal of one London Plane tree with is close to the boundary wall and competing with the two neighbouring trees. The trees removal will allow the other trees to grow.</p> <p>The duty to replant a replacement tree has been dispensed with on this occasion due to insufficient room.</p>
<p>CHE/17/00443/TPO</p> <p>TPO 4901.02</p> <p>20/06/17</p>	<p>The removal sapling trees and the crown lifting of various tree species along the woodland edge of Brierley wood reference W1 on the order map for Rupert Carr at Birchall Golf Course, Unstone.</p>	<p>Consent is granted to the removal of small saplings and the crown lifting of various trees to a height of 3 metres to install a boundary security fence.</p>

<p>CHE/17/00419/TPO</p> <p>TPO 4901.307</p> <p>22/06/17</p>	<p>The pruning of one London Plane tree reference T1 on the Order map for Trueman Tree Services on behalf of Mr Alan Wilkinson of FAW Ltd at Stand Park Industrial Estate, Whittington Moor.</p>	<p>Consent is granted to the pollarding of one London Plane tree, pruning back to previous pollarding points.</p>
<p>CHE/17/00417/TPO</p> <p>TPO 4901.160</p> <p>22/06/17</p>	<p>The pruning of two Sycamore trees reference T1 & T2 on the Order map for Mr Salt at Penmore House, Hasland Road, Hasland</p>	<p>Consent is granted to the crown lifting and crown thinning of two Sycamore trees to remove the lower branches over the car parking area and thin out the tree by 25%.</p>
<p>CHE/17/00312/TPO</p> <p>TPO 4901.14</p> <p>28/06/17</p>	<p>The pruning of four trees reference T5 Horsechestnut, T7 Sweet Chestnut, T13 Beech and T15 Lime on the Order map for Mr Kirk at Netherleigh 34 Netherleigh Road, Brampton.</p>	<p>Consent is refused to the removal of one lower limb on T15 Lime because no supporting evidence has been submitted with the application to justify its removal and the tree is covered in Ivy hindering any visual inspection.</p> <p>Consent is granted to the crown lifting, crown thinning and dead wooding of four trees and the reduction of branches of T7 Sweet Chestnut to clear any structures and T13 Beech to reduce the overhang into the neighbouring property.</p> <p>An advice note has also been attached to remove the Ivy on T15 Lime and re-inspect the tree.</p>

		<p>Consent is granted to the felling of one Cedar 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 Mountain Ash and planted as near as possible to the original tree.</p>
--	--	---

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/17/00368/CA The pruning of 5 trees for The Derby Diocesan Board of Finance at The Rectory, Church Street, Brimington.	The trees are within the Brimington Conservation Areas and the applicant wishes to prune the trees for general maintenance and clearance of structures.	Agreement to the pruning of 5 trees within the grounds of the Rectory, Church Street, Brimington. The pruning works will have no adverse effect on the amenity value of the area.	16/06/17

This page is intentionally left blank

AGENDA ITEM

APPEALS REPORT

MEETING: PLANNING COMMITTEE
DATE: 17TH JULY 2017
REPORT BY: DEVELOPMENT MANAGEMENT AND
CONSERVATION MANAGER

FOR PUBLICATION

BACKGROUND PAPERS FOR PUBLIC REPORTS

TITLE

LOCATION

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
DEVELOPMENT MANAGEMENT AND CONSERVATION
MANAGER**

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.

This page is intentionally left blank

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>
2/4071	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	
2/3559	St Leonards	Mr Paul Roberts	CHE/17/00077/COU Change of Use to gymnasium at unit 26 Storforth Lane Trading Estate – Refusal	Officer delegated	25/4/17	Written Reps	
2/1002	Rother ward	Mr M Kirby	CHE/17/00017/OUT Dwelling on land at 1 Branton Close – Refusal	Planning Committee – against officer advice	27/4/17	Written Reps	
2/2404	Lowgates & Woodthorpe	Mr and Mrs Hall	CHE/16/00804/FUL – Conversion of Goat Shed to Holiday let at 23 Bridle Road – Refusal	Officer Delegated	30/4/17	Written Reps	
2/310	West ward	Mr Keith Aston	CHE/17/00119/MA – Material Amendment of plots 1 and 2 at 246a Ashgate Road - Refusal	Planning Committee – against officer advice	2/5/17	Written Reps?	

2/1192	Brockwell ward	Mr S Priestnall & T Cordin	CHE/16/00591/FUL – Redevelopemnt of 46 Newbold Road (The shrubberies) for 13 dwellings – Refusal	Planning Committee – against officer advice	22/5/17	Written Reps	
2/1286	Walton ward	Mr A James	CHE/17/00240/FUL – Dwelling on land adj 2 Hazel Drive – Refusal	Officer Delegated	22/6/17	Written Reps	
2/2880	St Leonards ward	Mr Baljinder Singh-Sall	15 Lincoln Street Raising ground levels and use. Enforcement Notice (Grounds (c) and (g) – There has been no breach and time for compliance is too short	Planning Committee	30/06/17	Written Reps	

ENFORCEMENT REPORT

MEETING: PLANNING COMMITTEE

DATE: 17th JULY 2017

REPORT BY: LOCAL GOVERNMENT AND REGULATORY LAW MANAGER
DEVELOPMENT MANAGEMENT & 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
& 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: 9

ENFORCEMENT REPORT

07 July 2017

Address	Authorised <small>days from</small>	Breach	CHE/	Issued <small>days to issue</small>	Effective <small>days to (-) /from</small>	Comply <small>days to (-) /from</small>	Notes	update <small>last update</small>	Ward
Enforcement Notice		<i>Total currently Authorised: 6 Authorised to Issue Average: 48.67 days</i>							
Hady Lane	15/10/12 <small>1,727</small>	occupation of land					Resubmitted application for relocation site granted 06/10/14, and details on conditions submitted. Outcome of Village Green Inquiry - DCC rejected the applications on 25/07/16. Currently moving to authorised site.	<input type="checkbox"/> <small>11/11/16</small>	Ha
Lincoln Street	13/03/17 <small>117</small>	use of materials to extend hardsurfacing		17/05/17 <small>65</small>	30/06/17 <small>8</small>	30/09/17 <small>-84</small>	Use of materials to extend hardsurfacing. Issued.	<input type="checkbox"/> <small>17/05/17</small>	
Lincoln Street	13/03/17 <small>117</small>	change of use from agriculture to storage of scrap vehicles		17/05/17 <small>65</small>	30/06/17 <small>8</small>	30/09/17 <small>-84</small>	Change of use from agriculture to storage of scrap vehicles. Issued.	<input type="checkbox"/> <small>17/05/17</small>	
Pottery Lane West	10 09/01/17 <small>180</small>	excavation - engineering works		25/01/17 <small>16</small>			Appeal.	<input type="checkbox"/> <small>02/05/17</small>	

Page 16

Address		Authorised <i>days from</i>	Breach	CHE/ <i>days to issue</i>	Issued <i>days to issue</i>	Effective <i>days to (-) /from</i>	Comply <i>days to (-) /from</i>	Notes	update <i>last update</i>	Ward
Tapton View Road	47	24/04/17 75	unauthorised extension	16/00648				Application for retention dismissed on appeal. Enforce removal. Waiting for instructions.	<input type="checkbox"/> 02/04/17	SH

Walton Works		27/06/16 376	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 approval for Section 106 planning obligation to regulate unauthorised use. Comments on draft from agents.	<input checked="" type="checkbox"/> 05/06/17	Wa
--------------	--	-----------------	------------------------------------	--	--	--	--	--	--	----

Stop Notice

Walton Works		27/06/16 376	use for war and horror style games of game play					See notes for Enforcement Notice.	<input type="checkbox"/> 03/03/17	Wa
--------------	--	-----------------	---	--	--	--	--	-----------------------------------	-----------------------------------	----

TPO Prosecution

Total currently Authorised: 2 Authorised to Issue Average: days

Address	Authorised <i>days from</i>	Breach	CHE/	Issued <i>days to issue</i>	Effective <i>days to (-) /from</i>	Comply <i>days to (-) /from</i>	Notes	update <i>last update</i>	Ward
Dock Walk	24/10/16 <i>257</i>	felling 9 TPO trees					In court initially 16/03/17. Hearing 25/05/17> Guilty plea: £10000 fine £200 costs, £170 victim surcharge	<input checked="" type="checkbox"/> <i>20/03/17</i>	
Newbold Road	04/07/17 <i>4</i>	damage / removal of trees					multiple offences by various parties	<input type="checkbox"/>	N

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

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

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

Document is Restricted

This page is intentionally left blank