

PLANNING COMMITTEE

Monday, 14th May, 2018

Present:-

Councillor Brittain (Chair)

Councillors	Hill	Councillors	Miles
	Callan		Davenport
	Elliott		P Barr
	Simmons		Brady
	Caulfield		Sarvent

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

CHE/18/00136/FUL - New multi-storey car park providing 530 No. spaces over five storeys, including 2 No. late pay spaces, 32 No. disabled parking spaces, 15 No. parent and child spaces, 6 No. active electric vehicle charging spaces and 10 No. passive (for future activation) electric vehicle charging spaces, with staff office and welfare facilities on the ground floor, and associated landscaping and public realm works to the immediate surroundings - revised plans received and description changed 18/04/2018 at site of former Saltergate Multi Storey Car Park, Saltergate, Chesterfield, Derbyshire for Chesterfield Borough Council

Councillors P Barr, Brady, Brittain, Callan, Caulfield, Davenport, Elliott, Hill, Miles, Sarvent and Simmons.

*Matters dealt with under the Delegation Scheme

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bingham, Catt, T Gilby and Wall.

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

No declarations of interest were received.

3 MINUTES OF PLANNING COMMITTEE

RESOLVED -

That the Minutes of the meeting of the Planning Committee held on 23 April, 2018 be signed by the Chair as a true record.

4 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/18/00136/FUL - NEW MULTI-STOREY CAR PARK PROVIDING 530 NO. SPACES OVER FIVE STOREYS, INCLUDING 2 NO. LATE PAY SPACES, 32 NO. DISABLED PARKING SPACES, 15 NO. PARENT AND CHILD SPACES, 6 NO. ACTIVE ELECTRIC VEHICLE CHARGING SPACES AND 10 NO. PASSIVE (FOR FUTURE ACTIVATION) ELECTRIC VEHICLE CHARGING SPACES, WITH STAFF OFFICE AND WELFARE FACILITIES ON THE GROUND FLOOR, AND ASSOCIATED LANDSCAPING AND PUBLIC REALM WORKS TO THE IMMEDIATE SURROUNDINGS - REVISED PLANS RECEIVED AND DESCRIPTION CHANGED 18/04/2018 AT SITE OF FORMER SALTERGATE MULTI STOREY CAR PARK, SALTERGATE, CHESTERFIELD, DERBYSHIRE FOR CHESTERFIELD BOROUGH COUNCIL

In accordance with Minute No. 299 (2001/2002) Mr J Forde (objector), Mr Tony Vickery (objector), Fiona Petch (architect of applicant) and Mr Patrick Middleton (applicant) addressed the meeting.

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

Time Limit etc.

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.

- 90001 P1 - Site Location Plan
- 91100 P2 - Existing Site Plan
- 91101 P2 - Existing North Elevation
- 91102 P2 - Existing East Elevation
- 91103 P2 - Existing South Elevation
- 91104 P2 - Existing West Elevation
- 91200 P7 - Proposed Site Plan
- 30001 P5 - Proposed Ground Level Floor Plan
- 30002 P6 - Proposed Level 1 Floor Plan
- 30003 P6 - Proposed Level 2 Floor Plan
- 30004 P6 - Proposed Level 3 Floor Plan
- 30005 P6 - Proposed Level 4 Floor Plan
- 30006 P6 - Proposed Roof Level Floor Plan
- 36501 P4 - Proposed North Elevation
- 36502 P4 - Proposed East Elevation
- 36503 P4 - Proposed South Elevation
- 36504 P4 - Proposed West Elevation
- 30601 P5 - Proposed Section A
- 30602 P5 - Proposed Section B
- 30603 P5 - Proposed Section C
- 30604 P5 - Proposed Section D
- Design & Access Statement (prepared by Fatkin)
- Archaeological Desk Based Assessment (prepared by ArchHeritage)
- Heritage Statement (prepared by ArchHeritage)
- Coal Mining Risk Assessment (prepared by DTS Raeburn Limited)
- Preliminary Ecological Appraisal & Preliminary Appraisal for Roosting Bats (prepared by Peak Ecology)
- Geo-Environmental Appraisal (prepared by DTS Raeburn Limited)
- UXO Risk Assessment (prepared by 1st Line Defence)
- Preliminary Risk Assessment Report

Drainage

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

4. Surface water run-off from hardstanding (equal to or greater than 800 square metres) and/or communal car parking area (s) of more than 49 spaces must pass through an oil, petrol and grit interceptor/separator of adequate design that has been submitted to and approved by the Local Planning Authority, prior to any discharge to an existing or prospectively adoptable sewer.

5. No development shall take place until details of the proposed means of disposal of surface water drainage, including but not exclusive to :-

- a) evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical ;
- b) evidence of existing positive drainage to public sewer and the current points of connection; and
- c) the means of restricting the discharge to public sewer to the existing rate less a minimum 50% reduction, based on the existing peak discharge rate during a 1 in 1 year storm event, to allow for climate change 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.

Highways

6. No development shall take place including any works of demolition until a construction management plan or construction method statement has been submitted to and been approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:

- Parking of vehicles of site operatives and visitors
- routes for construction traffic
- hours of operation
- method of prevention of debris being carried onto highway
- pedestrian and cyclist protection
- proposed temporary traffic restrictions
- arrangements for turning vehicles

Archaeology

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.

Ecology/Trees

8. Prior to the commencement of development, a biodiversity enhancement strategy as outlined in the ecology report shall be submitted to and approved in writing by the Council, to ensure no net loss for biodiversity and aim for a net gain (NPPF 2012). Such approved measures should be implemented in full and maintained thereafter. Measures may include:

- bird boxes (positions/specification/numbers). Swift boxes at the upper levels would be suitable or a raptor ledge/box.
- native tree and shrub planting.
- green walls/climbers.
- relaxed mowing regime in grassed areas and use of flowering lawn mixture.

9. No vegetation clearance works 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.

10. Prior to the commencement of the development, a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be implemented in strict accordance with the approved details.

Specific issues to be dealt with in the TPP and AMS inc:

- a) Location and installation of services/utilities/drainage.
- b) Details of construction within the RPA or that may impact on the retained trees.
- c) a full specification for the construction of any hard landscaping and footways, including details of any no-dig specification and extent of the areas hard landscaping and footpaths to be constructed using a no-dig specification. Details shall include relevant sections through them.
- d) A specification for protective fencing to safeguard trees during construction phases and a plan indicating the alignment of the protective fencing.
- e) a specification for scaffolding and ground protection within tree protection zones.
- f) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.
- g) details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires

11. Prior to completion of the development hereby approved, details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion of the development, whichever is the sooner. Details shall include:

- 1) a scaled plan showing all existing vegetation and landscape features to be retained and trees and plants to be planted;
- 2) location, type and materials to be used for hard landscaping including specifications, where applicable for:
 - a) permeable paving
 - b) tree pit design
 - c) underground modular systems
- 3) a schedule detailing sizes and numbers/densities of all proposed trees/plants;
- 4) specifications for operations associated with plant establishment and maintenance that are compliant with best practice.

All soft landscaping shall have a written five year maintenance programme following planting. Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details.

12. Before any development or construction work begins, a pre-commencement meeting shall be held on site and attended by the developers appointed arboricultural consultant, the site manager/ foreman and a representative from the Local Planning Authority to discuss details of the working procedures and agree either the precise position of the approved tree protection measures to be installed OR that all tree protection measures have been installed in accordance with the approved tree protection plan. The development shall thereafter be carried out in accordance with the approved details or any variation as may subsequently be agreed in writing by the Local Planning Authority.

Others

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. 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.

15. 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.

16. Upon commencement of development the applicant shall submit a 'Percent For Art' scheme which details the commissioning and provision of public art (up to the value of 1% of the overall development costs) within the application site boundary. Only the approved piece of public art shall be installed on site in accordance with the approved scheme and an approved timescale agreed in writing by the Local Planning Authority. The approved artwork installed on site shall be retained in situ as such for the life of the development.

Additional Condition

17. Prior to the development being brought into first use at least 6 no. electric vehicle charging spaces shall be provided and thereafter throughout the life of the development they shall be maintained fully operational and free from any obstruction to their intended use.

B That the applicant be advised that it is the committee's view that in complying with the requirements of condition 11 detailed above, temporary provision should be made within the area of the former MSCP entrance for the retention of the existing hard surfacing to facilitate the necessary manoeuvring of large vehicles into the access point of the

adjacent Allen & Orr Ltd Timber Yard until such time that the adjacent use has relocated or alternative means of access has been provided.

5 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/18/00009/REM | Approval of reserved matters of CHE/15/00594/OUT(Construction of up to 10 dwellings) for erection of one dwelling - Information received 14.02.18 - Revised Drawing received 27.03.18 at land surrounding 146 to 152 Hady Lane Hady Derbyshire for Darren, Natalie, Kevin and Katrina Harbour and Bailey |
| CHE/18/00015/FUL | Drop curb and creation of concrete driveway inc, drainage for off street parking at 87 Ringwood Road Brimington Chesterfield S43 1DF for Mrs Claire Clay |
| CHE/18/00047/ADV | Replacement of 2 high level existing signs to new brand. Replacement of 2 car park totem signs (main ground level entrance signs to use existing frames) at Simply Gym Sheffield Road Whittington Moor S41 8LF for Places For People Leisure |
| CHE/18/00068/FUL | Extension of existing beer garden, including relocation of 2 parking spaces, demolition of existing access stairs and installation of customer lift at The Portland Hotel West Bars Chesterfield S40 1AY for J D Wetherspoon |
| CHE/18/00074/REM1 | Variation of condition 1 of CHE/0196/0021 to allow servicing of supermarket on Sundays Condition Number(s): 1 Conditions(s) Removal: |

- See supporting statement Deliveries to the foodstore shall be made only between the hours of 5.00am and 11.00pm Monday to Sunday at Morrisons Superstore Chatsworth Road Chesterfield S40 3BQ for Wm Morrison Supermarkets plc
- CHE/18/00085/FUL Demolition of detached garage and erection of a two storey side and rear extension (revised plans received 13.04.2018) at 3 Newhaven Close Walton S40 3DX for Dr Sujata Sharma
- CHE/18/00100/FUL Proposed rear two storey extension at 41 Ashgate Road Chesterfield Derbyshire S40 4AG for Mr Jon Ward
- CHE/18/00101/FUL Single/two storey extension at 36 Springfield Avenue Chesterfield Derbyshire S40 1DJ for Mrs Lindsey Buxton
- CHE/18/00102/FUL Two storey rear extension (revised drawings received 17.04.2018) at 34 Herriot Drive Chesterfield S40 2UR for Mr R Barley
- CHE/18/00104/FUL Two storey extension at 2 Wolfe Close Walton Chesterfield S40 2DF for Mr and Mrs Melen
- CHE/18/00109/FUL Demolition of existing garage and erection of a two storey side extension at 38 Calver Crescent Staveley Chesterfield S43 3LZ for Mr Julian Haynes
- CHE/18/00115/FUL Entrance porch to ground floor flat at A Albert Road New Whittington Derbyshire S43 2BH for Mr Bill Heard
- CHE/18/00135/REM1 Variation/removal of condition 1 (discontinuance of use) of CHE/17/00233/COU - Change of use from A1 shops to D1 non-residential institutions at 20 The Green Hasland S41 0LJ for Mr Roy Smith
- CHE/18/00138/TPO Beech trees (T8 and T9) reduction in size in

accordance with the report of John Booth. (Dated August 2017) at Oaklands 25A Storrs Road Chesterfield Derbyshire S40 3QA for Mr David Pogson

- CHE/18/00159/TPO Cut back hedge along boundary to prevent overhang on to the public footpath at 6 Westfield Close Chesterfield Derbyshire S40 3RS fFor Derby Diocesan Board of Finance
- CHE/18/00166/TPO T49 - Hawthorn: Fell and grind stump (Split scaffold limb and extensive dieback to crown), T46 - Cherry: Fell and grind stump (Dead) T52 - Silver Birch: Fell (leaning into highway, dieback to crown, Betulinis polyporus bracket to stem) and T60 - Ash: Crown clean deadwood (large deadwood over at War Memorial Victoria Park Duke Street Staveley for Chesterfield Borough Council
- CHE/18/00212/CA Lime Tree - To re-pollard to previous points at 86 Saltergate Chesterfield Derbyshire S40 1LG for Mr Steven Jenkins
- (b) Discharge of Planning Condition
- CHE/18/00116/DOC Discharge of Planning Condition Nos. 12 ,22, 23, 29, 30, 40 and 42 - Planning application No. CHE/15/00116/OUT (Development of up to 146 residential dwellings with approval of access from Dunston Road - additional information received 16/10/2015) at Cammac Coal Dunston Road Chesterfield S41 9RL for c/o Agent
- CHE/18/00118/DOC Discharge of planning conditions 3 (storage of plant etc) 4 (parking provision) 5 (retention of parking spaces) 6 (materials) and 9 (landscaping) of CHE/17/00661/FUL - erection of two semi-detached houses. Amended boundary treatments at 51 Chesterfield Road Staveley Chesterfield S43 3QG for Bellfield Construction

CHE/18/00179/DOC Discharge of planning conditions 2 (Employment and Training Scheme), 3 (Delivery management Plan), 5 (access control for hotel lobby), 6 (internal partition walls), 11 (details of new plant) and 12 (storage of materials on site) from application CHE15/00676/FUL - Change of use and internal refurbishment of former department store to hotel (C1), independent ground floor units (A1/A3/A4) and basement gym (D2) including new external courtyard and alterations to servicing, demolition of bridge, fire escape stair tower and single storey link block and erection of a single storey rear extension at Chesterfield and District Co-operative Society Elder Way Chesterfield Derbyshire S40 1UR for Mr Ian Scott

CHE/18/00186/DOC Discharge planning conditions - 5 (site investigations) 9 (Desk Top study) and 10 (materials), in respect of planning application CHE16/00769/FUL - Demolition of existing retail unit; 1 x Proposed detached residential dwelling; and 1 x Shop/retail unit with accommodation above at 26A Circular Road Staveley Derbyshire S43 3QX for Mrs Daljit Kaur

(c) Prior notification approval

CHE/18/00180/TPO Rear single storey extension at 173 Boythorpe Road Boythorpe Derbyshire S40 2NB for Mr Steve Richards

(d) Other Council no objection without comments

CHE/18/00162/CPO Removal or variation of condition 4 of CW2/0317/110 - Proposed retention of and amendments to existing green waste recycling facility including the chipping of wood and retrospective planning permission for an extension of the existing concrete waste reception pad, new weighbridge and weighbridge office at Sheepbridge Works Sheepbridge Lane Sheepbridge Derbyshire S41 9RX for Hall Plant

Hire Ltd

(e) Prior Notification Demolition Approved

CHE/18/00177/DEM Prior notification of demolition of national grid former gasworks site at Gas Holder Station Chester Street Chesterfield Derbyshire for National Grid

(f) Other Council no objection with comments

CHE/18/00239/CPO Demolition of existing school office/entrance pitch roof and gable wall, erection of a flat roof secure entrance lobby and reception linking to new pitched roof school office extension at Woodthorpe C of E Primary School Seymour Lane Woodthorpe Derbyshire S43 3DA for Derbyshire County Council

6 **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/18/00066/TPO Consent is granted to the felling of two trees which include one dead Sycamore and one Sycamore which is one sided and leaning towards the property and the pruning of eight trees which include six Sycamore trees and two Beech trees within W1 on the Order Map and which are situated along the wooded area on Hady Hill for Mr Smith of 139 Hady Hill.

CHE/18/00090/TPO Consent is granted to the pruning of one Beech tree within G3 and two Limes reference T23 and T24 on the Order map for Mr Metham of 161 Walton Back Lane, Somersall.

- CHE/18/00156/TPO Consent is granted to the felling of one small Larch tree which has movement of the root plate, with a condition to plant one new tree in the next available planting season, and the pruning of eight Larch trees within G4 on the Order map for Mr Wilson of 26 Netherleigh Road.
- CHE/18/00157/TPO Consent is granted to the pruning of one Field Maple tree reference T2 on the Order map for A+J Arb Access on behalf of Mrs Vaughan of 22 Foxbrook Drive, Walton.
- CHE/18/00107/TPO Consent is granted to the pruning of one Maple tree reference T3 on the Order map for Miss Sophie Wellhausen of 21 Yew Tree Drive, Somersall.
- CHE/18/00114/TPO Consent is refused to the pruning of two trees within G1 on the Order map in the rear garden of 14 and 12 Booker Close, Inkersall for Mrs Roe of 14 Booker Close.
- CHE/18/00131/TPO Consent is granted to the pruning of two Cedar trees within A1 on the Order map for Mr McKittrick of 15 The Dell, Ashgate.
- CHE/18/00138/TPO Consent is granted to the pruning of two Beech trees reference T8 and T9 on the Order map for Mr Pogson of 31 Storrs Road. The trees are located in the gardens of 25 and 25a Storrs Road and overhang the property.
- CHE/18/00159/TPO Consent is granted to the pruning of one overgrown hedgerow reference A1 on the Order map at 6 Westfield Close, Brampton for the Derby Diocesan Board of Finance Ltd.
- CHE/18/00166/TPO Consent is granted to the felling of 3 trees reference T46 Cherry, T49 Hawthorn and T52 Silver Birch, with a condition to plant 3

replacement trees in the next available planting season, and the pruning of 1 Ash reference T60 on the Order map for Ted Firth on behalf of Chesterfield Borough Council at The Staveley Memorial Gardens, Duke Street, Staveley.

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

CHE/18/00185/CA

The felling of one Sycamore tree and the pruning of one Ash for Miss C Roe of 14a High Street, Brimington.

Agreement to the felling of 1 Sycamore tree and the pruning of 1 Ash tree. The felling and pruning will have no adverse effect on the amenity value of the area. A replacement Birch tree or Mountain Ash is to be planted as a replacement tree in the same location.

The trees are within the Brimington Conservation Area and the applicant wishes to remove the Sycamore tree because it is directly against a boundary wall and cracking a small retaining wall to the property. The pruning of the Ash tree is to remove a large overhanging branch into the neighbouring property and re-shape the tree.

CHE/18/00212/CA

The re-pollarding of one Lime tree for Ken Portas Landscaping and Tree Surgery at 86 Saltergate, Chesterfield.

Agreement to the pruning of 1 Lime tree. The pruning will have no adverse effect on the amenity value of the area.

The tree is within the Town Centre Conservation Area and the applicant wishes to re-pollard the Lime tree for routine maintenance.

7 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.

8 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.