

**PLANNING COMMITTEE**

**Monday, 6th August, 2018**

Present:-

Councillor Simmons (Vice-Chair in the Chair)

Councillors P Barr Bingham Callan Catt	Councillors Caulfield T Gilby Sarvent Miles
-------------------------------------------------	------------------------------------------------------

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

**CHE/17/00359/FUL** - Alterations and change of use from public house to residential use comprised of 9 flats and a separate 4 bed dwelling at Victoria Hotel, Lowgates, Staveley, Derbyshire S43 3TR for Kat Homes Ltd – amended description and plans received 10.07.2018 and 23.07.2018, arboricultural impact assessment received 23.07.2018.

Councillors P Barr, Bingham, Callan, Catt, Caulfield, T Gilby, Miles, Sarvent and Simmons.

**CHE/18/00200/MA** - Material amendments to plot 1 (re-siting of bungalow and bungalow to be single storey) of previously approved application CHE/07/00117/FUL at Fox's Place, Brampton, Chesterfield for Mr P Bissett.

Councillors P Barr, Bingham, Callan, Catt, Caulfield, T Gilby, Miles, Sarvent and Simmons.

**CHE/18/00224/REM** - Re-submission of all matters reserved application CHE/17/00281/REM - approval of reserved matters of CHE/15/00594/OUT - construction of up to ten dwellings at land surrounding No's 146 to 152 Hady Lane, Chesterfield S41 0DE for Mr Joe Stone, Mr Kevin Bailey and Mrs Katarina Bailey.

Councillors P Barr, Bingham, Callan, Catt, Caulfield, T Gilby, Miles, Sarvent and Simmons.

**CHE/18/00377/FUL** - Proposed wrap around industrial shed extension to east and south of existing factory unit and extension of existing car park cutting into and including retaining wall in existing bank side At Carrwood House, Carrwood Road, Sheepbridge Ind. Estate, Chesterfield, Derbyshire S41 9QB for Mintdale Engineering Ltd.

Councillors P Barr, Bingham, Callan, Catt, Caulfield, T Gilby, Miles, Sarvent and Simmons.

**CHE/18/00349/FUL** - Proposed residential development to form 2 no, 3 bed detached dwellings with off road parking (revised drawings received 19.07.2018) at 12 Cavendish Street North, Old Whittington S41 9DH for Mr P Kitchen.

Councillors P Barr, Bingham, Callan, Catt, Caulfield, T Gilby, Miles, Sarvent and Simmons.

\*Matters dealt with under the Delegation Scheme

## 27 **APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Brady, Brittain, Davenport, Hill and Wall.

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

No declarations of interest were received.

## 29 **MINUTES OF PLANNING COMMITTEE**

### **RESOLVED -**

That the Minutes of the meeting of the Planning Committee held on 16 July, 2018 be signed by the Chair as a true record.

## 30 **FIVE YEAR HOUSING SUPPLY POSITION 2018/19**

The Strategic Planning and Key Sites Manager submitted a report to provide an update on the current Five Year Housing Supply position of the Council and the implications of the position for decision making on planning applications.

A revised National Planning Policy Framework (NPPF) was published by the Ministry of Housing, Communities and Local Government on 24 July, 2018. The NPPF continued to require local planning authorities to identify and annually update a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing.

There were a number of changes to the calculation of the housing supply introduced. An adopted local plan older than five years would need to be calculated against the Local Housing Need using the new methodology contained in the NPPF. The definition of deliverable has been changed. Previously all sites with planning permission which were deliverable in five years were included, unless there was evidence to the contrary. The new definition states any site with outline planning permission or allocation in a local plan may only be included if there is clear evidence that housing completions would begin on site within five years.

**\*RESOLVED –**

1. That the report be noted.
2. That the Planning Committee takes account of the updated position with regard to the five year supply of housing within Chesterfield Borough when determining future planning applications.

**31 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/17/00359/FUL - ALTERATIONS AND CHANGE OF USE FROM PUBLIC HOUSE TO RESIDENTIAL USE COMPRISED OF 9 FLATS AND A SEPARATE 4 BED DWELLING AT VICTORIA HOTEL, LOWGATES, STAVELEY, DERBYSHIRE S43 3TR FOR KAT HOMES LTD – AMENDED DESCRIPTION AND PLANS RECEIVED 10.07.2018 AND 23.07.2018, ARBORICULTURAL IMPACT ASSESSMENT RECEIVED 23.07.2018

In accordance with Minute No. 299 (2001/2002) Mr Richard Piggott (applicant's agent) addressed the meeting.

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

(A) 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 with the exception of any approved non material amendment.

3. Before construction works commence or ordering of external materials takes place, precise specifications or samples of the 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.

4. No development shall take place until full details of both hard and soft landscape works, bin storage and boundary treatments including the retention of the freestanding pub sign have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

5. Unless otherwise agreed in writing by the local planning authority, development shall not commence until details of the proposed windows and doors with cross sections have been submitted to the Local Planning Authority for consideration and written approval. Only the approved details shall be incorporated as part of the development, unless otherwise agreed in writing by the Local Planning Authority.

6. 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.

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 development hereby approved without the prior written agreement of the Local Planning Authority.

8. The rooflights shall be laid flush with the roof and the boundary wall to the South East of the site shall be removed.

9. 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.

10. Before any operations are commenced, space shall be provided within the site curtilage for site accommodation, storage of plant and materials, parking and manoeuvring of site operative's and visitor's vehicles together with the loading / unloading and manoeuvring of goods vehicles, 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.

11. All parking spaces shall be formally demarcated on the ground in permanent marking materials and allocated to specific residential units. The approved scheme shall be implemented in full prior to occupation of any residential unit.

12. The parking and turning layout as shall be maintained free from any impediment to its designated use.

13. Prior to the occupation, details shall be provided to the local authority for approval in writing showing adequate bin storage and a bin dwell area for use on refuse collection days clear of the public highway, within the site curtilage clear of all access and parking and turning provision and retained thereafter free from impediment to designated use.

14. Notwithstanding the details contained within the Arboricultural Impact Assessment by Jon Coe Tree Services Ltd dated the 23rd July 2018 the 2 no. protected Cherry trees which lie adjacent to the boundary with Wateringbury Grove shall be retained as part of the scheme hereby approved. Prior to any development commencing a revised Arboricultural Impact Assessment shall be submitted to the Local Planning Authority, for approval in writing, which considers and proposes measures to protect the 2 no. protected Cherry trees that are to be retained alongside the details of the site layout as agreed. The development thereafter shall be implemented in strict accordance with the approved details within the

revised assessment.

15. Before any development or construction work begins, a pre-commencement meeting shall be held on site and attended by the developers appointed arboricultural consultant or the site manager/foreman and a representative from the Local Planning Authority to discuss details of the working procedures within the revised Arboricultural Impact Assessment (as per condition 14 above) 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.

16. There shall be no excavation or raising or lowering of levels within the prescribed root protection area as agreed under the provisions of condition 14 above, unless agreed in writing by the Local Planning Authority.

(B) That a CIL Liability Notice be served for £12,944 detailed in section 16 of the officer's report.

CHE/18/00200/MA - MATERIAL AMENDMENTS TO PLOT 1 (RE-SITING OF BUNGALOW AND BUNGALOW TO BE SINGLE STOREY) OF PREVIOUSLY APPROVED APPLICATION CHE/07/00117/FUL AT FOX'S PLACE, BRAMPTON, CHESTERFIELD FOR MR P BISSETT

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

(A) 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

3. 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 history of the site.
  - II. A site investigation/Phase 2 report where the previous 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 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.
4. Before construction works commence or ordering of external materials takes place, precise specifications or samples of the walling and roofing materials to be used shall be submitted to the Local Planning Authority for consideration. Only those materials approved in writing by the Local Planning Authority shall be used as part of the development unless otherwise agreed by the Local Planning Authority in writing.
  5. Unless otherwise agreed in writing by the local planning authority, no development shall take place until space is provided within the site curtilage, for site accommodation, storage of plant and materials, parking and manoeuvring of site operative's and visitor's vehicles together with the loading/unloading and manoeuvring of goods vehicles. The space

shall be constructed and laid out to enable vehicles to enter and leave the site in a forward gear, in surface materials suitable for use in inclement weather and maintained free from impediment throughout the duration of construction works.

6. No part of the development hereby approved shall be occupied until space has been laid out within the site in accordance with the approved plan for cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. Unless otherwise agreed in writing by the Local Planning Authority, these areas shall be retained as such thereafter free from any impediment to their designated use.

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 (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.

8. Unless otherwise agreed in writing by the Local Planning Authority 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.

9. In the event it is proposed to import soil onto site in connection with the development the proposed soil shall be sampled at source and analysed in a MCERT certified laboratory, the results of which shall be submitted to the Local Planning Authority for consideration. Only the soil approved in writing by the Local Planning Authority shall be used on site.

10. Upon commencement of development, details of signs advising drivers that vehicles entering the site have priority shall be submitted to the Local Planning Authority for consideration. Only those details approved in writing by the Local Planning Authority shall be implemented as part of the development and shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

11. All external dimensions and elevational treatments shall be as shown on the approved plans:

- Site Layout. Drawing no. DSC.695.A3.07 A (received July 2<sup>nd</sup> 2018),



- Email correspondence received July 19th 2018 regarding materials and parking,
  - Email correspondence received 21st May 2018 regarding walls.
  - Site Location Plan,
  - Proposed Plans, Elevations and Typical Section ;
- with the exception of any approved non material amendment.

(B) That further consideration of the CIL liability calculation be delegated to officer's.

CHE/18/00224/REM - RE-SUBMISSION OF ALL MATTERS RESERVED APPLICATION CHE/17/00281/REM - APPROVAL OF RESERVED MATTERS OF CHE/15/00594/OUT - CONSTRUCTION OF UP TO TEN DWELLINGS AT LAND SURROUNDING NOS 146 TO 152 HADY LANE, CHESTERFIELD S41 0DE FOR MR JOE STONE, MR KEVIN BAILEY AND MRS KATARINA BAILEY

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

1. All external dimensions and elevational treatments, as well as landscaping and the drainage schemes, shall be as shown on the approved plans.
2. Development shall not commence until details of the access onto Hady Lane have been submitted to the Local Planning Authority for consideration and have been approved in writing. No building shall be occupied until that junction has been constructed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. This will be laid out, constructed and provided with visibility sightlines extending from a point 2.4m from the carriageway edge, measured along the centre line of the access, to the extremities of the site frontage abutting the highway in each direction. The land in advance of the sightlines shall be maintained in perpetuity clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to the adjoining nearside carriageway edge.
3. The premises, the subject of the application, shall not be occupied until the on-site parking spaces have been provided for in accordance with the application drawings laid out and constructed as may be agreed with the Local Planning Authority and maintained thereafter free from any impediment to designated use.

4. Upon commencement of development, details of all proposed tree and hedge planting, and the proposed times of planting shall be submitted to the Local Planning Authority for consideration. Those details, or any amendments to those details as may be required, which have received the written approval of the Local Planning Authority, shall be carried out in accordance with the approved details and times. Those trees shall be native trees to the United Kingdom.

5. Prior to the undertaking of any works in the rear garden areas of plots 1, 8 and 9 full details of the geotextile reinforcement proposed around the zone of influence of the adjacent mine entries shall be submitted to the Local Planning Authority for consideration. Only the mitigation measures and details agreed in writing by the local planning authority, following consultation with the Coal Authority, shall be constructed on site. The approved mitigation measures shall have been installed prior to the first occupation of plots 1, 8 or 9 and which shall be retained thereafter.

6. 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.

7. The proposed bin storage areas shall be provided as shown as in the plans and maintained as such thereafter, with any changes to these areas requiring a further planning application to the Local Planning Authority.

8. Upon commencement of development details of the fencing style shall be submitted to the Local Planning Authority for consideration and those details, or any amendments to those details as may be required, will not be installed until the agent/applicant has received the written approval of the Local Planning Authority.

9. Within 2 months of commencement of development, unless otherwise agreed in writing by the Local Planning Authority, full details of soft landscaping works for the approved development shall be submitted to the Local Planning Authority for consideration. The required soft landscaping scheme shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers; densities where appropriate, or any implementation programme and a schedule of landscape maintenance for a minimum

period of five years. Those details, or any approved amendments to those details shall be carried out in accordance with the implementation programme.

CHE/18/00377/FUL - PROPOSED WRAP AROUND INDUSTRIAL SHED EXTENSION TO EAST AND SOUTH OF EXISTING FACTORY UNIT AND EXTENSION OF EXISTING CAR PARK CUTTING INTO AND INCLUDING RETAINING WALL IN EXISTING BANK SIDE AT CARRWOOD HOUSE, CARRWOOD ROAD, SHEEPBRIDGE IND. ESTATE, CHESTERFIELD, DERBYSHIRE S41 9QB FOR MINTDALE ENGINEERING LTD.

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

A. 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.

001 Existing Plans

002 Existing Site Plan

003 Existing Elevations

005B Proposed GF Plan

006B Proposed FF Plan

007A Proposed Elevations

008 Location Plan

009 Site Sections as Existing

010 Site Sections as Proposed

Design and Access Statement

Geological and Mining Risk Assessment by Sub Surface North East Ltd

3. No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved in writing by The Local Planning Authority. The site shall be developed with separate systems of drainage for foul and surface water on and off site.

4. 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 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 stability of the site. Only those details which receive the written approval of the Local Planning Authority shall be carried out on site.

5. 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.

6. 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.

7. No development shall take place until space is provided within the site curtilage, for site accommodation, storage of plant and materials, parking and manoeuvring of site operative's and visitor's vehicles together with the loading/unloading and manoeuvring of goods vehicles. The space shall be constructed and laid out to enable vehicles to enter and leave the site in a forward gear, in surface materials suitable for use in inclement weather and maintained free from impediment throughout the duration of construction works.

8. Within 2 months of commencement of development, unless otherwise agreed in writing by the Local Planning Authority, further details of a package of ecological enhancement measures to be implemented on site to provide compensation for the loss of soft landscaping shall be submitted to the Local Planning Authority for consideration.

Ecological enhancement measures shall include bird and bat boxes and the formation of habitat piles (created from the felled broad leaved trees to be removed to facilitate the development). Only those details agreed in writing shall be implemented on site prior to the development hereby approved being brought into first use.

B. That authority to consider any representations received between 6 August and 9 August, 2018 in response to the public notice placed in the local press be delegated to the Principle Planner.

CHE/18/00349/FUL - PROPOSED RESIDENTIAL DEVELOPMENT TO FORM 2 NO, 3 BED DETACHED DWELLINGS WITH OFF ROAD PARKING (REVISED DRAWINGS RECEIVED 19.07.2018) AT 12 CAVENDISH STREET NORTH, OLD WHITTINGTON S41 9DH FOR MR P KITCHEN

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

- (A) 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
- 'Site Survey' Drawing number S9026, dated January 2018 produced by Haycock + Todd Land Survey Consultants Architectural Surveyors
  - Revised 'Site layout' Drawing number PL33, dated 18.05.2018
  - Revised 'House Type' Drawing number PL34, dated 18.05.2018
  - 'Street Elevation' Drawing number PL35, dated 18.05.2018
3. 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.
4. Before construction works commence or ordering of external materials takes place, precise specifications or samples of the walling and roofing materials to be used shall be submitted to the Local Planning Authority for consideration. Only those materials approved in writing by the Local Planning Authority shall be used as part of the development unless otherwise agreed by the Local Planning Authority in writing.
5. The premises, the subject of the application, shall not be occupied until space has been provided within the application site in accordance with the approved application drawings for the parking/ loading and unloading/ manoeuvring of residents/ visitors/ service and delivery vehicles, laid out,

surfaced and maintained throughout the life of the development free from any impediment to its designated use.

6. 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 car parking spaces hereby permitted shall be retained as such and shall not be used for any purpose other than the 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.

7. An Electric Vehicle Charging Point which shall be installed as part of the build phase and which shall be retained available for use for the life of the development.

8. 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 contamination. Ground gas, ground water and chemical analysis, identified as being appropriate 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.

9. Prior to the occupation of the development hereby approved, details of all boundary treatments shall be provided to the Local Planning Authority for written approval. The approved boundary treatments shall be maintained at all times in that position, unless written approval to any variation is given by the Local Planning Authority.

10. Notwithstanding the details shown on the approved plan Revised 'House Type' Drawing number PL34, dated 18.05.2018 the first floor windows proposed in the north (side) elevation, serving the landing and side (south) elevation serving the en-suite bathroom shall be installed obscurely glazed and shall only be with an opening above 1.7m high relative to internal floor level and shall thereafter be retained as such in perpetuity.

11. 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.

(B) That a CIL Liability Notice be served for £10,401, detailed in section 5.11.2 of the officer's report.

(A) CHE/17/00569/FUL - PROPOSED EARTHWORKS ON DEVELOPMENT LAND (FURTHER INFORMATION REGARDING LANDSCAPING, DRAINAGE AND BIODIVERSITY RECEIVED 11.07.2018)

(B) CHE/17/00645/FUL - PROPOSED BODYSHOP, WASH AND VALET BUILDINGS (FURTHER INFORMATION REGARDING LANDSCAPING, DRAINAGE, LIGHTING AND BIODIVERSITY RECEIVED 11.07.2018)

(C) CHE/17/00647/FUL - PROPOSED VEHICLE SALES AND SERVICE CENTRES FOR THE SALE, SERVICE AND M.O.T OF MOTOR VEHICLES (REVISED DRAWING RECEIVED 14.05.2018, AMENDED

PLANS FOR SALES BUILDING RECEIVED 11.07.2018 AND 24.07.2018, FURTHER INFORMATION REGARDING LANDSCAPING, DRAINAGE AND BIODIVERSITY RECEIVED 11.07.2018 AND 25.07.2018)

AT LAND OFF EASTSIDE PARK, EASTSIDE ROAD, CHESTERFIELD S41 9BU FOR PENDRAGON PLC

That the officer recommendation be upheld and the revisions to the scheme as detailed are accepted and the revisions should be incorporated into the decisions issued subject to the satisfactory completion of the S106 agreement and the amended conditions below as follows:-

(A) CHE/17/00569/FUL

4. Delete

5. The submitted Biodiversity Management Plan and Biodiversity Enhancement Strategy (REC reference 104379EC1R1, dated July 2018) are hereby approved. The hereby approved Biodiversity Management Plan and Biodiversity Enhancement Strategy shall be implemented on site in accordance with the submitted details on commencement of development.

6. Delete.

10. Development shall be undertaken in accordance with the submitted written scheme of investigation as detailed in Eastside Park Archaeological Evaluation, Report No. Y341/18, produced by Jamie Walker on behalf of CFA Archaeology. The hereby approved written scheme of investigation incorporates the following;

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.



12. Ref. changed from A to 10.

15. Delete

16. Delete

(B) CHE/17/00645/FUL

5. Delete

6. The submitted Biodiversity Management Plan and Biodiversity Enhancement Strategy (REC reference 104379EC1R1, dated July 2018) are hereby approved. The hereby approved Biodiversity Management Plan and Biodiversity Enhancement Strategy shall be implemented on site in accordance with the submitted details on commencement of development.

13. The soft landscaping scheme shown on drawings UJPPCH-WW-02 dated 14<sup>th</sup> March 2018 is hereby approved. Full details of the remaining northern section of the site (bodyshop) including planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers and densities where appropriate shall be submitted within 2 months of commencement of the development on this part of the site. An implementation programme and a schedule of landscape maintenance for a minimum period of five years shall have been submitted prior to first occupation of the site and shall have been approved in writing prior to the carrying out of the scheme. Those details, or any approved amendments to those details shall be carried out in accordance with the implementation programme.

14. The hard landscape works for the approved development on the application site shown on drawing Site Plan 2879/21A dated August 2017 is hereby approved. The agreed works shall be carried out on the particular plot, as approved, prior to the occupation of the buildings hereby approved.

(C) CHE/17/00647FUL

2. All external dimensions and elevational treatments shall be as shown on the approved plans (including the revised drawing listed below) with the exception of any approved non material amendment.

- 'Floor Plans as proposed' Drawing number 2878/100, dated July 2018
- 'Elevations as proposed' Drawing number 2878/101, dated July 2018
- 'Wash and Valet Bay as proposed' Drawing number 2878/102, dated June 2018
- 'Sales Site Plan as proposed' Drawing number 2878/44D, dated 4<sup>th</sup> July 2018
- Revised site plan 2878/21/A Revision A
- Revised site plan 2878/22/A Revision A
- Revised plans and elevations 2878/24/A Revision A
- Valet bay proposed 2878/25
- Site details proposed 2878/26

## 5. Delete

6. The submitted Biodiversity Management Plan and Biodiversity Enhancement Strategy (REC reference 104379EC1R1, dated July 2018) are hereby approved. The hereby approved Biodiversity Management Plan and Biodiversity Enhancement Strategy shall be implemented on site in accordance with the submitted details on commencement of development.

14. The soft landscaping scheme shown on drawings UJPPCH-WW-01-C dated 15<sup>th</sup> December 2017 and UJPPCH-WW-03 dated 25<sup>th</sup> July 2018 are hereby approved. An implementation programme and a schedule of landscape maintenance for a minimum period of five years shall have been submitted prior to first occupation of the site and shall have been approved in writing prior to the carrying out of the scheme. Those details, or any approved amendments to those details shall be carried out in accordance with the implementation programme.

15. The hard landscape works for the approved development on the application site shown on drawings Sales Site Plan 2878/44D dated 4<sup>th</sup> July 2018 and 2878/22/A dated 4<sup>th</sup> December 2017 are hereby approved. The agreed works shall be carried out on the particular plot, as approved, prior to the occupation of the buildings hereby approved.

## 32 **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

18/03563/DEXBN	Kitchen extension to include downstairs toilet at 107 Hucknall Avenue Loundsley Green Chesterfield S40 4BZ
18/03708/DEXBN	Removal of internal wall at 48 St Thomas Street Chesterfield S40 3AH
18/03724/DEXBN	Single storey conservatory to the rear at 131A Station Road Brimington Chesterfield S43 1LJ
18/03746/DEXBN	Conversion of existing garage, store room and WC to bedroom and wet room for disabled person's use at 1 Peak View Road Loundsley Green Chesterfield S40 4NW
18/03749/DEXBN	Upgrade of thermal element (re-roof) at Grove Hill 136 St Johns Road Newbold Chesterfield S41 8TW
18/03781/DEXBN	Removing internal wall and chimney stack at 6 New Queen Street Chesterfield S41 7EU
18/03709/DEXFP	Two storey side extension at 35 Purbeck Avenue Brockwell Chesterfield S40 4NP
18/03699/DEXRG	Removal of internal wall and creation of side window opening at 596A Chatsworth Road Chesterfield S40 3JX
18/03784/DEXRG	Replacement windows and doors at 633 Chatsworth Road Chesterfield S40 3NT
18/03594/IND	Two storey and single storey rear extension at 36 Springfield Avenue Chesterfield Derbyshire S40 1DJ
18/03602/IND	Side single storey extension at 7 Spital Brook Close Spital Chesterfield S41 0GD
18/03635/IND	Removal of internal walls, chimney and new beams at 22 Norwood Avenue Hasland Chesterfield S41

ONW

- 18/03649/IND Conversion of an existing conservatory into a habitable space, with a small extension forming a utility room, single storey at 59 Yew Tree Drive Somersall Chesterfield S40 3NB
- 18/03693/IN Industrial building at land adjacent to IMI SSF Ltd Broombank Road Sheepbridge Industrial Estate Chesterfield Derbyshire
- 18/03688/IND Ground floor extension and conversion of outhouse to utility room at 42 Blandford Drive Newbold Chesterfield S41 8QT
- 18/03704/IND Conservatory roof replacement with Supa-Lite roof system at 31 Springfield Avenue Chesterfield S40 1HL
- 18/03717/IND Single storey rear extension at 147 Langer Lane Birdholme Chesterfield S40 2JP
- 18/03718/IND Rear detached garage block (single storey) at 135 High Street Old Whittington Chesterfield S41 9LQ
- 18/03750/IND Single storey rear extension at 3 Pine Street Hollingwood Chesterfield S43 2LG
- 18/03795/IND Proposed mezzanine to rear of property at 178 Handley Road New Whittington Chesterfield S43 2ER
- 18/03803/IND Two storey side extension and single storey rear extension at 8 Newbold Drive Newbold Chesterfield S41 7AP

\*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/18/00150/FUL | Erection of 5 bed dwelling house and garage - CMRA received at land to the east of 14A Spital Lane Spital S41 0HJ for Mr Taylor                                                                            |
| CHE/18/00195/FUL | Two storey rear extension at 26 Malvern Road Brockwell Chesterfield for Mr and Mrs Garner                                                                                                                  |
| CHE/18/00223/FUL | Raised mezzanine/patio decking and access steps at 178 Handley Road New Whittington S43 2ER for Mrs D Smith                                                                                                |
| CHE/18/00246/FUL | Erection of new close boarded wooden fence on existing stone wall to eastern boundary at 35 Ashgate Valley Road Chesterfield S40 4AX for Mr Brian A Jones                                                  |
| CHE/18/00259/FUL | Proposed demolition of existing single storey outhouse with new single storey rear extension to form kitchen/dining room and a new decking area at 79 Hawksley Avenue Chesterfield S40 4TJ for Mr Ian Looe |
| CHE/18/00262/FUL | Single storey rear extension to form garden room, new front porch extension and balcony doors (revised plans received 06.07.2018) at 36 Brookside Glen Chesterfield S40 3PF for Mr Matthew Ward            |
| CHE/18/00263/FUL | Two storey structure at side of property to provide additional first floor bedroom (revised plans received 05.07.2018) at 3 Private Drive Hollingwood S43 2LB for Mrs Nicola Loughlin                      |
| CHE/18/00289/FUL | Single storey rear extension to form additional surgery and patient waiting area (revised drawings provided 28/06/18) at 38 High Street Staveley S43                                                       |

3UX for Mr Vasileios Orliaklis

- CHE/18/00300/FUL Re-submission of CHE/17/00870/FUL - Two storey side extension, single storey rear extension with new front porch (revised materials 22/06/18) at 7 High Street Old Whittington S41 9JS for Mr Steve Clarke
- CHE/18/00301/FUL Extension and alteration to existing dwelling at 4 Miriam Avenue Somersall S40 3NF for Mr and Mrs E Totty
- CHE/18/00309/FUL Two storey side and single rear extension (revised drawing and parking plan received 12.07.2018) at 8 Newbold Drive Newbold S41 7AP for Mr Jordan
- CHE/18/00314/FUL Two storey side extension at 11 Bodmin Way Loundsley Green Chesterfield S40 4LR for Mr Mark Simms
- CHE/18/00323/FUL Single storey side and rear extension, including demolition of existing garage at 45 Broomfield Avenue Hasland S41 0LU for Mr S Corbett
- CHE/18/00326/FUL Demolition of existing conservatory and erection of ground floor rear extension at 126 Hady Hill Hady S41 0EF for Mr Neil Bouden
- CHE/18/00327/OUT Outline application for erection of a dwelling and attached garage at 34 Queen Street Brimington Derbyshire for Mr David Banister
- CHE/18/00329/FUL Ground floor extension to side and rear at 42 Blandford Drive Newbold Derbyshire S41 8QT for Mr Paul Rothwell
- CHE/18/00330/FUL Two storey side extension forming garden store at lower level with garage over at 20 Cromford Drive Staveley S43 3TB for Mr and Mrs Webster
- CHE/18/00331/FUL New conservatory on the side of the house at 20A Gloucester Road Stonegravels Chesterfield S41

- 7EQ for Mrs Jane Bradley
- CHE/18/00339/FUL Single storey side and rear extension and detached double at 14 Milford Road Inkersall S43 3ET for Mr Patterson
- CHE/18/00340/LB Single storey rear extension to form additional surgery and patient waiting area (revised drawings provided on 28/06/18 and email correspondence 04/07/18) at 38 High Street Staveley S43 3UX for Mr Vasileios Orliaklis
- CHE/18/00341/FUL Porch, conversion of garage to habitable room including raising of garage roof at 42 Glenthorne Close Chesterfield S40 3AR for Mr and Mrs Pearson
- CHE/18/00342/FUL Installation of a NatSol Compus Twin full access composting toilet at Mastin Moor Community Garden Bolsover Road Mastin Moor for Mr John Hempshall
- CHE/18/00347/TPO Proposed work is to allow natural light into the garden and allow further regrowth of trees Cherry Tree - Pruning and removal of deadwood branches, Oak Tree - Crown lift and crown thin and Alder Trees - Removal of three lower branches overhanging property at Care Centre 9 Victoria Street Brimington for Mr Jon Lawson
- CHE/18/00357/FUL Single storey side extension at 17 Darwent Road Tupton S41 0UE for Miss Jodie Lane
- CHE/18/00358/FUL Single storey rear extension at 558 Chatsworth Road Chesterfield S40 3JS for Mrs Judy Jones Gill
- CHE/18/00362/FUL Extension to south west elevation of the existing building at Aldi Foodstore Lockoford Road Whittington Moor S41 7EW for Aldi Stores Ltd
- CHE/18/00364/FUL Two storey rear extension at 49 Circular Road

- Staveley S43 3QX for Mr and Mrs P Crookes
- CHE/18/00369/FUL Proposed rear sunroom at 10 Ringwood View  
Brimington S43 1PW for Mr and Mrs Pass
- CHE/18/00380/FUL Ground floor rear family room extension and front  
porch at Pebble House 30 Ralph Road Staveley  
for Mr and Mrs Hollinshead
- CHE/18/00393/FU Two storey side extension to include new living  
room at ground floor and master bedroom with en  
suite bathroom at first floor, demolition of existing  
rear conservatory and creation of a new rear  
single storey flat roof open plan kitchen/dining  
area to the rear, new alignment of access steps to  
the front entrance, with re-configuration of the  
front window/door arrangement and new pitched  
roof to be formed over existing double garage at  
11 Sandiway Walton Chesterfield S40 3HG for Mr  
Paul Berresford
- CHE/18/00395/ADV 1 hanging swing sign - black wrought iron swing  
brakes with a 700 x 580 x 20mm double sided  
swing panel, vinyl window decals and lettering on  
arch at front at 86 Saltergate Chesterfield S40  
1LG for Mr Stephen Jenkins
- CHE/18/00419/TPO One Ash Tree - Crown lift and crown clean at 22  
Ulverston Road Newbold S41 8EW for Mrs Mavis  
Radford
- CHE/18/00454/TPO Crown lift sycamore, crown lift lime, dead wood  
and crown lift low branches of field maple, crown  
lift low branches of lime and crown lift low  
branches of sycamore all of which over hang  
school playground at Brampton Primary School  
School Board Lane Chesterfield S40 1DD for  
Derbyshire County Council
- CHE/18/00457/TPO Blue Cedar - Crown lift and removal of dead  
branches at 303 Ashgate Road Chesterfield  
Derbyshire S40 4DB for Mr Christopher Booth



CHE/18/00466/TPO Crown thinning and crown lifting to the whole of G1 at former Ringwood Centre Victoria Street Brimington S43 1HY

**34 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 the felling and pruning of trees:-

- CHE/18/00347/TPO Consent is granted to the pruning of 4 trees reference T18 Cherry, T20 Oak and T22 and T24 Alder on the Order map for Mr Jon Lawson of 2 Ringwood Meadows, Brimington.
- CHE/18/00454/TPO Consent is granted to the pruning of five trees reference T4, T6 and T8 Lime and T5 and T7 Maple on the Order Map and which are situated in the grounds of Brampton Primary School, Brampton for Derbyshire County Council.
- CHE/18/00457/TPO Consent is granted to the pruning of one Cedar tree reference T36 on the Order map for Mr & Mrs Booth of 303 Ashgate Road.
- CHE/18/00429/TPO Consent is refused to the pruning of six trees reference T4 Lime, T8 and T11 Horsechestnut and T12 Maple on the Order Map and which are situated in the grounds 5 and 7 Hedley Drive, Brimington.
- Consent is granted to crown lift, crown thin and reduce branches growing towards the property.
- CHE/18/00446/TPO Consent is granted to the pruning of 7 trees within G1 on the Order map for Mr Gaduzo of William Saunders at the former Ringwood Centre now known as Ringwood Meadows.

CHE/18/00440/TPO Consent is granted to the felling of two Ash trees reference T56 and G13 on the Order map for Dronfield Tree Services on behalf of Mrs Ashton of 18 Lancaster Road.

A condition has been attached to plant two new trees on the south boundary of the site in the next available planting season.

CHE/18/00459/TPO Consent is granted to the felling of one purple Plum tree reference T18 on the Order map for Mr Jefferies of 39 Vincent Crescent, Brampton.

The duty to plant a replacement tree has been dispensed with on this occasion due to insufficient room and other trees in the garden.

### 35 **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.

### 36 **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.

### 37 **LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF PUBLIC**

**RESOLVED –**

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 involved the likely disclosure of exempt information as defined in Paragraph 6a of Part 1 of Schedule 12A of the Act.

**38 UNAUTHORISED VENDING MACHINES AT 1 YORK STREET, HASLAND, CHESTERFIELD**

The Development Management and Conservation Manager submitted a report on the unauthorised developments at 1 York Street, Hasland.

**\*RESOLVED –**

1. That authority be granted for the issue of an Enforcement Report requiring the removal of the two vending machines from the forecourt of the property at 1 York Street, Hasland, Chesterfield, Derbyshire.
2. That the period for compliance be 28 days.