

## **PLANNING COMMITTEE**

**Monday, 24th April, 2023**

Present:-

Councillor Callan (Chair)

Councillors Bingham  
Borrell  
Brady  
Brittain

Councillors Caulfield  
Davenport  
Marriott  
Miles

The following site visit took place immediately before the meeting and was attended by the following Members:

**CHE/22/00749/FUL** – Demolition of derelict cottage and erection of one dwelling with associated infrastructure, access, parking and gardens (revised plans received 28/01/2023) at 1 Ralph Road, Staveley, Chesterfield, Derbyshire, S43 3PY for Mr and Mrs Easson.

Councillors Borrell, Brady, Callan, Caulfield, Davenport and Marriott.

**CHE/22/00748/OUT** – Outline application (means of access submitted) for the erection of two dwellings with associated infrastructure, access, parking and gardens (revised plans received 28/01/2023) at 1 Ralph Road, Staveley, Chesterfield, Derbyshire, S43 3PY for Mr and Mrs Easson.

Councillors Borrell, Brady, Callan, Caulfield, Davenport and Marriott.

**CHE/22/00808/FUL** – Conversion of brick-built former garage into a 2 bedroomed dwelling on land at rear of 127 Newbold Road, Newbold, Chesterfield, S41 7PS for K Hicking and M Edwards.

Councillors Borrell, Brady, Callan, Caulfield, Davenport and Marriott.

**CHE/23/00016/FUL** – Change of use of and alterations to building for conversion to dwelling (revised location plan received 22.02.2023 with new red line boundary) at 99 Foljambe Road, Chesterfield, Derbyshire, S40 1NJ for G Spencer.

Councillors Borrell, Brady, Callan, Caulfield, Davenport and Marriott.

Councillors Bingham and Miles were unable to attend on site and received relevant site information by other means as a reasonable adjustment.

\*Matters dealt with under the Delegation Scheme

**132 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Barr, Catt, G Falconer and T Gilby.

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

No declarations of interest were received.

**134 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/23/00016/FUL - CHANGE OF USE OF AND ALTERATIONS TO BUILDING FOR CONVERSION TO DWELLING (REVISED LOCATION PLAN RECEIVED 22.02.2023 WITH NEW RED LINE BOUNDARY) AT 99 FOLJAMBE ROAD, CHESTERFIELD, DERBYSHIRE, S40 1NJ FOR G SPENCER

In accordance with Minute No. 299 (2001/2002) Mr Stephen Haslam (applicant's agent, Mitchell Proctors) addressed the meeting.

**\*RESOLVED –**

A. 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. The development hereby approved shall only be carried out in full accordance with the approved plans and documents (listed below) with the exception of any approved non-material amendment. All external dimensions and elevational treatments shall be as shown on the approved plan/s (listed below).

- Plans as Proposed, drawing number 22-901-02

3. No construction or demolition works, movement of construction traffic, or deliveries to and from the premises, shall occur other than between 0800 and 1800 hours weekdays, and 0800 and 1300 hours on Saturdays, and at no time on Sundays or Public Holidays. The term 'construction work' shall include mobile and fixed plant/machinery, (e.g. generators) radios and the delivery of construction materials.

4. Prior to the occupation of the development hereby approved plans for a new brick boundary wall to partially enclose the western boundary of the site shall be submitted to and approved in writing by the Local Planning Authority. The brick boundary wall shall be erected on site in accordance with the approved plans prior to the occupation of the development and thereafter retained.

5. Prior to occupation of the development hereby approved details of facilities for the storage and collection of waste and refuse within the curtilage of the site shall be submitted to and approved by the Local Planning Authority. Development shall be carried out and thereafter maintained in accordance with the approved details.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or in any Statutory Instrument revoking or re-enacting that Order with or without modification) no fences, gates, walls or other means of enclosure shall be erected within the curtilage of the dwelling without the prior written approval of the Local Planning Authority upon an application submitted to it.

7. No individual dwelling hereby approved shall be occupied until the optional requirement for water consumption (110 litres use per person per day) in Part G of the Building Regulations has been complied with for that dwelling.

8. Prior to the occupation of the development a scheme for biodiversity and ecological enhancement measures comprising of a bird and bat box shall be submitted to and approved in writing by the Local Planning Authority. The approved biodiversity and ecological enhancement measures shall be installed in accordance with the approved plans prior to the occupation of the development and thereafter be retained and maintained throughout the life of the development.

9. Prior to ordering and installation a window and door schedule shall be submitted to the Local Planning Authority for written approval. The schedule shall include all new and replacement windows and doors and include profile detail, colour of frames and materials. A section shall be provided to show the depth of reveal for the windows. The doors and windows shall then be installed in accordance with the approved detail.

B. That a CIL liability notice be issued for £5,331 as per section 5.10 of the officer's report.

CHE/22/00749/FUL - DEMOLITION OF DERELICT COTTAGE AND ERECTION OF ONE DWELLING WITH ASSOCIATED INFRASTRUCTURE, ACCESS, PARKING AND GARDENS (REVISED PLANS RECEIVED 28/01/2023) AT 1 RALPH ROAD, STAVELEY, CHESTERFIELD, DERYSHIRE, S43 3PY FOR MR AND MRS EASSON

In accordance with Minute No. 299 (2001/2002) Mr R Buck (Objector) addressed the meeting.

In accordance with Minute No. 299 (2001/2002) Mrs Charlotte Stainton (Applicant's Agent, Stainton Planning) addressed the meeting.

**\*RESOLVED –**

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A. That the officer recommendation be upheld and the application be approved subject to the following conditions and that a CIL liability notice be issued for £5,867 as per section 5.13 of the officer's report:-

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

2. The development hereby permitted shall only be carried out in full accordance with the approved plans (listed below) with the exception of any approved non-material amendment. All external dimensions and

elevational treatments shall be as shown on the approved plan/s (listed below):

- Site location plan, drawing 2022-214-01 Rev P01, 1:250 @ A4, August 2022
- Proposed block plan, drawing 2022-214-04 Rev P02, 1:200 @ A3, September 2022
- Proposed elevations, drawing 2022-214-12 Rev P01, 1:100 @ A3, September 2022
- Proposed floor plans, drawing 2022-214-10 Rev P01, 1:100 @ A3, September 2022
- Proposed roof plan, drawing 2022-214-11 Rev P01, 1:100 @ A3, September 2022
- Tree planting plan, drawing 1436-001, 1:250 @ A3, February 2023
- Proposed Ecological Mitigation and Enhancement Scheme, drawing 2022-214-06, Rev P01, 1:200 @ A3, December 2022

3. The biodiversity measures shown in the following approved plans / documents:

- Tree planting plan, drawing 1436-001, 1:250 @ A3, February 2023
- Proposed Ecological Mitigation and Enhancement Scheme, drawing 2022-214-06, Rev P01, 1:200 @ A3, December 2022

And detailed in the:

- Preliminary Ecological Appraisal, Rev A, July 2022
- CIEEM Basic Measurement Summary Report, April 2023

shall be implemented, retained and maintained thereafter in accordance with the scheme and programme so approved.

4. All works shall proceed strictly in accordance with the measures outlined in Part 5, Ecological Constraints and Opportunities of the Preliminary Ecological Appraisal (Weddle Landscape Design, Rev A, July 2022) and Part 4, Project Implementation and Construction Plan of the CIEEM Basic Measurement Summary Report (Weddle Landscape Design, April 2023). These shall comprise precautionary methods for site clearance to safeguard and manage animal and plant species. A short statement of compliance shall be submitted to the Local Planning Authority and approved in writing upon completion of the works.

5. A detailed landscaping plan shall be submitted to the Local Planning Authority for approval in writing. The site shall be landscaped strictly in accordance with the approved details in the first planting season after

completion or first occupation of the development, whichever is the sooner. Details shall include:

- a) a scaled plan showing trees and plants to be planted including species and planting density. The plan shall include indications of all existing trees, hedgerows and other vegetation on the land to be retained and detail measures for the protection of retained vegetation during the course of development, including details of ecologically beneficial landscaping to provide a biodiversity enhancement.
- b) proposed hardstanding surfacing materials and shall include elevational drawings of boundary treatments including materials, types of fencing and treatment/colour. The proposed boundary treatments shall include the provision at least one hedgehog gap at the base of each of the boundary fences measuring 130mm x 130mm.
- c) a schedule detailing sizes and numbers of all proposed trees/plants
- d) Sufficient specification to ensure successful establishment and survival of new planting.

6. The landscaping provided shall be retained and maintained as follows:

- a) In accordance with section 4, Project Implementation and Construction Plan, of the CIEEM Basic Measurement Summary Report (Weddle Landscape Design, April 2023);
- b) All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner;
- c) All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock.
- d) Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.
- e) All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

7. No construction or demolition works, movement of construction traffic, or deliveries to and from the premises, shall occur other than between 0800 and 1800 hours weekdays, and 0800 and 1300 hours on Saturdays, and at no time on Sundays or Public Holidays. The term 'construction work' shall include mobile and fixed plant/machinery, (e.g. generators) radios and the delivery of construction materials.

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. There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to:

a) Evidence to demonstrate that surface water disposal via watercourse is not reasonably practical;

- b) Evidence of existing 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 30% reduction, based on the existing peak discharge rate during a 1 in 1 year storm event, to allow for climate change.

10. The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed in writing by the Local Planning Authority.

11. No individual dwelling hereby approved shall be occupied until the optional requirement for water consumption (110 litres use per person per day) in Part G of the Building Regulations has been complied with for that dwelling.

12. A residential charging point shall be provided for each new dwelling with an IP65 rated domestic 13amp socket, directly wired to the consumer unit with 32 amp cable to an appropriate RCD. The socket shall be located where it can later be changed to a 32amp EVCP. Alternative provision to this specification must be approved in writing, by the local planning authority. The electric vehicle charging points shall be provided in accordance with the stated criteria prior to occupation and shall be maintained for the life of the approved development.

13. A new vehicular access shall be formed to Ralph Road in accordance with the approved plans, laid out, constructed and maintained in perpetuity free from any impediment to its designated use and the entire site frontage shall be maintained clear of any obstruction exceeding 1m in height (0.6m in the case of vegetation) relative to the road level for a distance of 2.4m into the site from the carriageway edge in order to maximise the visibility available to drivers emerging onto the highway.

14. The development hereby approved shall not be occupied until the works to provide a 2m wide footway along the site frontage to Ralph Road in accordance with the revised application drawing – Proposed block plan, drawing no. 2022-214-04 Rev P02 have been constructed and completed.

15. The premises, the subject of the application, shall not be occupied until space has been provided within the site for the parking of resident's vehicles, in accordance with the approved plans, laid out, constructed and maintained throughout the life of the development free from any impediment to its designated use.



16. From the first occupation of the development hereby approved, there shall be no gates or other barriers across the vehicular access points into the site within 5m of the nearside highway boundary and any gates shall open inwards only.

17. 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.

18. Samples / details of all materials, including all new windows and doors, to be used in the construction of the external surfaces of the proposed development shall be submitted to and approved in writing by the Local Planning Authority before any work to any external surface is carried out. The development shall thereafter be constructed in accordance with the approved details.

19. No development, including demolition, shall take place until a written scheme of investigation (WSI) for archaeological work has been submitted to and approved in writing by the local planning authority. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives; and:

- a) The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; and
- b) The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material.

This part of the condition shall not be discharged until these elements of have been fulfilled in accordance with the programme set out in the WSI.

20. No development, including demolition, shall take place until a Written Scheme of Investigation (WSI) for historic building recording has been submitted to and approved in writing by the local planning authority. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives; and

- a) The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; and
- b) The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements of have been fulfilled in accordance with the programme set out in the WSI.

21. Prior to the removal of the demolished cottage taking place on site, a scheme, in the form of a 'salvage statement' shall be submitted to and approved in writing by the Local Planning Authority to seek to re-use the historic fabric of the cottage, including any natural brick, natural stone, roof pantiles and any primary structural timbers. Material shall be salvaged in accordance with the agreed details.

B. That a CIL liability notice be issued for £5,867 as per section 5.13 of the officer's report.

CHE/22/00748/OUT - OUTLINE APPLICATION (MEANS OF ACCESS SUBMITTED) FOR THE ERECTION OF TWO DWELLINGS WITH ASSOCIATED INFRASTRUCTURE, ACCESS, PARKING AND GARDENS (REVISED PLANS RECEIVED 28/01/2023) AT 1 RALPH ROAD, STAVELEY, CHESTERFIELD, DERYSHIRE, S43 3PY FOR MR AND MRS EASSON

In accordance with Minute No. 299 (2001/2002) Mr R Buck (Objector) addressed the meeting.

In accordance with Minute No. 299 (2001/2002) Mrs Charlotte Stainton (Applicant's Agent, Stainton Planning) addressed the meeting.

**\*RESOLVED –**

A. That the officer recommendation be upheld and the application be approved subject to the following conditions and that a CIL liability notice be issued as per section 5.13 of the officer's report:

1. Approval of the details of the appearance, landscaping, layout and scale of the proposal (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

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

3. 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.

4. The development hereby permitted shall only be carried out in full accordance with the approved plans (listed below) with the exception of any approved non-material amendment. All external dimensions and elevational treatments shall be as shown on the approved plan/s (listed below):

- Site location plan, drawing 2022-214-01 Rev P01, 1:250 @ A4, August 2022
- Access plan for outline planning application, drawing 2022-214-07, Rev P01, 1:200 @ A3, February 2023
- Tree planting plan, drawing 1436-001, 1:250 @ A3, February 2023
- Proposed Ecological Mitigation and Enhancement Scheme, drawing 2022-214-06, Rev P01, 1:200 @ A3, December 2022

5. Concurrent with the submission of landscaping details as part of a reserved matters application, plans/drawings shall be submitted to the Local Planning Authority for approval in writing demonstrating the creation of a suitable habitat which enhances the ecological interest of the site with a maintenance plan. This shall include but not be limited to the proposals shown in the following approved plans / documents:

- Tree planting plan, drawing 1436-001, 1:250 @ A3, February 2023
- Proposed Ecological Mitigation and Enhancement Scheme, drawing 2022-214-06, Rev P01, 1:200 @ A3, December 2022

And detailed in the:

- Preliminary Ecological Appraisal, Rev A, July 2022
- CIEEM Basic Measurement Summary Report, April 2023

The biodiversity measures shall be implemented, retained and maintained thereafter in accordance with the scheme and programme so approved.

6. All works shall proceed strictly in accordance with the measures outlined in Part 5, Ecological Constraints and Opportunities of the Preliminary Ecological Appraisal (Weddle Landscape Design, Rev A, July 2022) and Part 4, Project Implementation and Construction Plan of the

CIEEM Basic Measurement Summary Report (Weddle Landscape Design, April 2023). These shall comprise precautionary methods for site clearance to safeguard and manage animal and plant species. A short statement of compliance shall be submitted to and approved in writing upon completion of the works.

7. Within the reserved matters application a detailed landscaping plan shall be submitted to the Local Planning Authority for approval. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:

- a) a scaled plan showing trees and plants to be planted including species and planting density. The plan shall include indications of all existing trees, hedgerows and other vegetation on the land to be retained and detail measures for the protection of retained vegetation during the course of development, including details of ecologically beneficial landscaping to provide a biodiversity enhancement.
- b) proposed hardstanding surfacing materials and shall include elevational drawings of boundary treatments including materials, types of fencing and treatment/colour. The proposed boundary treatments shall include the provision at least one hedgehog gap at the base of each of the boundary fences measuring 130mm x 130mm.
- c) a schedule detailing sizes and numbers of all proposed trees/plants
- d) Sufficient specification to ensure successful establishment and survival of new planting.

8. The landscaping provided shall be retained and maintained as follows:

- a) In accordance with section 4, Project Implementation and Construction Plan, of the CIEEM Basic Measurement Summary Report (Weddle Landscape Design, April 2023);
- b) All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner;
- c) All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock.
- d) Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

e) All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

9. No construction or demolition works, movement of construction traffic, or deliveries to and from the premises, shall occur other than between 0800 and 1800 hours weekdays, and 0800 and 1300 hours on Saturdays, and at no time on Sundays or Public Holidays. The term 'construction work' shall include mobile and fixed plant/machinery, (e.g. generators) radios and the delivery of construction materials.

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 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.

11. There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to:
- a) Evidence to demonstrate that surface water disposal via watercourse is not reasonably practical;
  - b) Evidence of existing 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 30% reduction, based on the existing peak discharge rate during a 1 in 1 year storm event, to allow for climate change.
12. The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed.
13. No individual dwelling hereby approved shall be occupied until the optional requirement for water consumption (110 litres use per person per day) in Part G of the Building Regulations has been complied with for that dwelling.
14. A residential charging point shall be provided for each new dwelling with an IP65 rated domestic 13amp socket, directly wired to the consumer unit with 32 amp cable to an appropriate RCD. The socket shall be located where it can later be changed to a 32amp EVCP. Alternative provision to this specification must be approved in writing, by the local planning authority. The electric vehicle charging points shall be provided in accordance with the stated criteria prior to occupation and shall be maintained for the life of the approved development.
15. Before any other operations are commenced, a new/modified vehicular access shall be formed to Lowgates, located, designed, laid out, constructed and provided with 2.4m x 43m visibility splays in either direction, as shown on the submitted Access Plan, the area in advance of the sightlines being maintained throughout the life of the development clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to the adjoining nearside carriageway channel level.
16. Prior to the commencement of any other operations, the existing footway to the West of the proposed vehicular access shall be widened to

2m and extended for a distance of 5m to the east of the proposed access to Lowgates including a dropped kerb and tactile crossing point, laid out and constructed in accordance with the submitted Access Plan.

17. Prior to the occupation of the development hereby approved, the existing accesses to Lowgates made redundant by the proposal shall be permanently closed and the existing vehicular crossover shall be reinstated as footway.

18. The development hereby approved shall not be occupied until the works to provide a 2m wide footway along the site frontage to Ralph Road in accordance with the Access Plan – drawing 2022-014-07, Rev P01, 1:200 @ A3, February 2023, have been laid out and constructed.

19. The premises, the subject of the application, shall not be occupied until space has been provided within the site for the parking of residents' vehicles, in accordance with the plans approved under the Reserved Matters submission(s), laid out, constructed and maintained throughout the life of the development free from any impediment to its designated use.

20. From the first occupation of the development hereby approved, there shall be no gates or other barriers across the vehicular access points into the site within 5m of the nearside highway boundary and any gates shall open inwards only.

21. Details of arrangements for storage of bins and collection of waste shall be submitted to and approved by the Local Planning Authority as part of the Reserved Matters submission(s). The development shall be carried out in accordance with the agreed details and the facilities retained for the designated purposes at all times thereafter.

22. No development shall take place until a written scheme of investigation (WSI) for archaeological work has been submitted to and approved in writing by the local planning authority. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives; and:

a) The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; and

b) The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements of have been fulfilled in accordance with the programme set out in the WSI.

B. That a CIL liability notice be issued as per section 5.13 of the officer's report:

CHE/22/00808/FUL - CONVERSION OF BRICK-BUILT FORMER GARAGE INTO A 2 BEDROOMED DWELLING ON LAND AT REAR OF 127 NEWBOLD ROAD, NEWBOLD, CHESTERFIELD, S41 7PS FOR K HICKING AND M EDWARDS

In accordance with Minute No. 299 (2001/2002) Mrs Janette Wajs (Objector) addressed the meeting.

**\*RESOLVED –**

A. 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. The development hereby approved shall only be carried out in full accordance with the approved plans (listed below) with the exception of any approved non-material amendment. All external dimensions and elevational treatments shall be as shown on the approved plan/s (listed below).

- Drawing No. LA-GP-0001 REV A – Proposed Floor Plans
- Drawing No. LA-GP-0002 REV B – Site Plan
- Drawing No. LA-GE-0001 REV A – Proposed Elevations
- Structural Inspection Report, prepared by Robert Morton Consulting, dated 29<sup>th</sup> November 2022

3. Prior to the ordering of materials, details of all proposed materials to be used in the construction of the dwelling hereby approved, shall be submitted to the Local Planning Authority for consideration. Only the



materials approved in writing shall be used in the development and retained throughout its lifetime.

4. Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees on the adjacent land, 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. A tree survey will also be required to provide the information required for the TPP.

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

- a) Location and installation of services/ utilities/ drainage.
- b) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees.
- c) Details of construction within the RPA or that may impact on the retained trees.
- d) a full specification for the installation of boundary treatment works.
- e) Detailed levels and cross-sections to show that the existing levels of surfacing, within the existing tree's Root Protection Areas can be accommodated where they meet with any adjacent building damp proof courses without the need for any excavations and severance of tree roots.
- f) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
- g) a specification for scaffolding and ground protection within tree protection zones.
- h) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.
- i) 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. These should be outside the trees RPA's unless tree protection measures are implemented.

The development thereafter shall be implemented in strict accordance with the approved details.

5. A residential charging point shall be provided for the dwelling with an IPD65 rated domestic 13amp socket, directly wired to the consumer unit with 32-amp cable to an appropriate RCD. The socket shall be located where it can later be changed to a 32amp EVCP. Alternative provision to this specification must be approved in writing, by the Local Planning Authority. The electric charging point shall be provided in accordance with the stated criteria prior to occupation and shall be maintained for the life of the approved development.
6. There shall be no gates or other barriers on the access/driveway, which shall be always left free from obstruction.
7. Prior to the occupation of the development hereby approved, details of hard & soft landscaping, and a scheme for biodiversity and ecological enhancement measures shall be submitted and approved in writing by the Local Planning Authority. The landscaping and ecological enhancement measures shall thereafter be retained and maintained throughout the life of the development.
8. No construction or demolition works, movement of construction traffic, or deliveries to and from the premises, shall occur other than between 0800 and 1800 hours weekdays, and 0800 and 1300 hours on Saturdays, and at no time on Sundays or Public Holidays.
9. Before any other operations are commenced, 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; to be laid out, constructed and retained free from any impediment to their designed use throughout the construction period.
10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), any change of use which would otherwise be permitted by Class L of Part

3 of Schedule 2 to that Order shall not be carried out without the prior written consent of the Local Planning Authority

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or in any Statutory Instrument revoking or re-enacting that Order with or without modification) no buildings, structures, extensions, fences, gates, walls or other means of enclosure, other than those expressly authorised in this permission, shall be erected within the curtilage of any dwelling without the prior written approval of the Local Planning Authority upon an application submitted to it.

B. That a CIL liability notice be issued for £2,958 as per section 6.6 of the officer's report.

**135 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.

**136 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.