

## PLANNING COMMITTEE

Monday, 11th September, 2023

Present:-

Councillor Brittain (Chair)

Councillors B Bingham  
J Bingham  
Brady  
Caulfield

Councillors Davenport  
Falconer  
Yates

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

**CHE/22/00852/FUL** - Erection of a detached dwelling with integral garage at 366 Brimington Road, Tapton, Chesterfield for Mr Peter Lythgoe.

Councillors J Bingham, Brady, Brittain, Caulfield, Davenport, Falconer and Yates.

**CHE/23/00097/FUL** - Proposal: two-storey extension (amended scheme submitted 31.07.2023) at Hasland Medical Centre, 1 Jepson Road, Hasland, Chesterfield for Inspire Health.

Councillors J Bingham, Brady, Caulfield, Davenport, Falconer and Yates.

**CHE/22/00617/FUL** - New dwelling to rear of existing dwelling - revised drawings and documents received 20.10.2022, 02.11.2022, 13.12.22, 13.02.23, 12.05.23, 30.05.23, 30.06.23 and 21.07.23 – land to rear of 82 Walton Road, Walton, Chesterfield, S40 3BY for Ms Andrea Collins.

Councillors J Bingham, Brady, Brittain, Caulfield, Davenport, Falconer and Yates.

Councillor B Bingham was unable to attend on site and received relevant site information by other means as a reasonable adjustment.

\*Matters dealt with under the Delegation Scheme

45 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Callan, Miles, Ridgway and Stone.

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

**CHE/23/00097/FUL** - Proposal: two-storey extension (amended scheme submitted 31.07.2023) at Hasland Medical Centre, 1 Jepson Road, Hasland, Chesterfield for Inspire Health.

Councillor Brittain declared an interest in this item.

47 **MINUTES OF PLANNING COMMITTEE**

**RESOLVED** - That the Minutes of the meeting of the Planning Committee held on 24 July, 2023 be amended to include the following site visit details:

**CHE/22/00437/LBC & CHE/22/00436/FUL** - Renovation and Conversion of part of Grade II Listed Barn to create two dwellings with associated landscaping work - Park Hall Farm, Walton Back Lane, Walton, Chesterfield for Mr M Taylor.

Councillors were unable to attend on site and received a full briefing.

The minutes to then be signed by the Vice Chair of that meeting, Councillor Brittain, as a true record.

That the Minutes of the meeting of the Planning Committee held on 21 August, 2023 be brought to the next meeting to be signed by the Chair of that meeting, Councillor Callan, as a true record.

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

\*The Committee considered the under-mentioned applications in light of reports by the Group Leader, Development Management and resolved as follows:-

Councillor Brittain declared an interest in this item as a patient of the medical practice and left the meeting at this point.

Councillor Brady took the chair for this item.

CHE/23/00097/FUL - TWO-STOREY EXTENSION (AMENDED SCHEME SUBMITTED 31.07.2023) AT HASLAND MEDICAL CENTRE, 1 JEPSON ROAD, HASLAND, CHESTERFIELD FOR INSPIRE HEALTH

In accordance with Minute No. 299 (2001/2002) Dr Anne Marie Spooner (on behalf of the applicant) addressed the meeting.

**\*RESOLVED**

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: Site Location plan and block plan, Existing Elevations and Floor plans, Proposed floor plans and Elevations (revised 31/07/23); with the exception of any approved non-material amendment.
3. Within 2 months of the commencement of the development hereby approved, a scheme for biodiversity enhancement shall be installed on site. The enhancement measures shall thereafter be retained and maintained throughout the life of the development. With informative note 2 providing options.
4. 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.

5. No development shall start until a Highway Construction Management Statement / Plan has been submitted to and approved in writing by the Local Planning Authority. The statement / plan shall include details specifically relating to:

- parking for vehicles of site personnel, operatives and visitors
- site accommodation
- storage of plant and materials
- routes for construction traffic to and from the site and measures to ensure adherence to the approved routing plan for vehicles under the applicant's / developer's control
- provision of roadside boundary hoarding behind any visibility zones
- any proposed temporary traffic management.
- Dust suppression to neighbouring residents.

Only the approved details shall be implemented, which shall be maintained throughout the construction period.

6. No development shall commence until;

a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;

b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

7. Prior to the occupation of the development a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

8. Before the 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.

9. Obscure glazing to a Pilkington Scale level 4 shall be utilised in the additional windows on the western and southern elevations of the proposed development. These windows, shall be installed and retained obscurely glazed thereafter unless otherwise agreed in writing by the Local Planning Authority.

10. Notwithstanding the provisions of the Town and Country Planning (Uses Classes) Order 1987, and The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting these Orders with or without modifications), the premises shall be used as a doctors surgery only and for no other purpose, including any other activity within the same class of the schedule to that Order.

Councillor Brittain rejoined the meeting and resumed the chair.

CHE/22/00617/FUL - NEW DWELLING TO REAR OF EXISTING DWELLING - REVISED DRAWINGS AND DOCUMENTS RECEIVED 20.10.2022, 02.11.2022, 13.12.22, 13.02.23, 12.05.23, 30.05.23, 30.06.23 and 21.07.23 AT 82 WALTON ROAD, WALTON, CHESTERFIELD. DERBYSHIRE, S40 3BY FOR MS ANDREA COLLINS

In accordance with Minute No. 299 (2001/2002) Mr Jack O'Brien (objector) addressed the meeting.

**\*RESOLVED**

A. That the officer recommendation be upheld and the application be approved subject to the following conditions and a CIL liability notice issued as per section 5.9 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 approved shall only be carried out in full accordance with the approved plans:
  - Site Location Plan,
  - Site plan, Floor plans, elevations (as provided 21<sup>st</sup> July 2023)
  - Notwithstanding the dwelling elevations and footprint, the site section and boundary treatment details. (as provided 30<sup>th</sup> June 2023) with the exception of any approved non-material amendment.

3. Construction work shall only be carried out between the hours of 8:00 am to 6:00 pm Monday to Friday and 9:00 am to 5:00 pm on a Saturday. Construction work shall not be carried out 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 commencement of operations on site (excluding demolition/ site clearance), space shall be provided within the site curtilage for storage of plant and materials, site accommodation, loading and unloading of goods vehicles, parking and manoeuvring of site operatives and visitors' vehicles and maintained throughout the contract period in accordance with the approved designs free from any impediment to its designated use.

5. A residential charging point shall be provided for the proposed 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.

6. No development above floor-slab/D.P.C level shall take place until details for the 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 or first occupation of the development, whichever is the sooner. Details shall include:

- a scaled plan showing plants and trees to be planted:
- proposed hardstanding and boundary treatment:
- a schedule detailing sizes and numbers of all proposed plants and trees:
- Sufficient specification to ensure successful establishment and survival of new planting.

Any new plant(s) and tree (s) that die(s), are/is removed, 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 shall be replaced. Replacement planting shall be in accordance with the approved details.

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

8. 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:

- i) evidence that other means of surface water drainage have been properly considered and why they have been discounted; and
- ii) the means of discharging to the public sewer network at a maximum rate of 3.5 litres per second.

9. The dwelling hereby approved shall not be occupied until the requirement for water consumption (110 litres use per person per day) in Part G of the Building Regulations has been complied with.

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

11. The scheme shall be laid out as presented in the revised site plan including the arrangements for storage of bins and collection of waste. The facilities shall be retained for their designated purposes at all times thereafter.

12. Before any other operations are commenced (excluding Condition 4 above), a new vehicular access shall be formed to Delves Close in accordance with the application drawings and provided with maximum visibility sightlines extending from a point 2.4m from the carriageway edge, measured along the centreline of the access, in either direction. The area in advance of the visibility sightlines shall be retained throughout the life of the development free of any object greater than 1m in height (0.6m in the case of vegetation) relative to the adjoining nearside carriageway level.

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

14. Obscure glazing to a Pilkington Scale level 4 shall be utilised in the eastern and western side Velux windows of the proposed dwelling. These windows shall be installed and retained obscurely glazed thereafter unless otherwise agreed in writing by the Local Planning Authority.

15. Before the 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.

16. The development shall not commence above floor-slab/D.P.C level until details of a sustainable drainage scheme 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. This shall include the calculations of soakaway rates on site, and it should be designed to be in accordance with BRE Digest 365 and to not flood during a 1 in 30 year rainfall event or allow flooding of properties during a 1 in 100 year rainfall event, including an allowance for climate change.

17. Notwithstanding the provision of the Town and Country Planning (General Permitted) Development Order 1995 (as amended) there shall be no gates or other barriers within 5m of the nearside highway boundary and any gates shall open inwards only on site hereby approved without the prior written agreement of the Local Planning Authority.

18. No development shall commence until;

- a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;
- b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.



The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

19. Prior to the occupation of the development a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

20. To ensure the site is 'suitable for use' the below is required:-

- a) a Phase 1/desk study, and then, if necessary,
- b) a Phase 2/intrusive site investigation, and then, if necessary,
- c) a Remediation Strategy and the, if necessary,
- d) a Validation report.

All the reports a) to d) shall be submitted to the Council and approved in writing by the Local Planning Authority prior to the development commencing.

21. All lighting used on site shall be designed so as to control glare and overspill onto nearby residential properties. The applicant shall submit details of all the lights they intend to use to the Council and approved in writing by the Local Planning Authority prior to the occupation of the dwelling.

B. That a CIL liability notice be issued for £6,705 as per section 5.9 of the officer's report.

CHE/22/00852/FUL - PROPOSAL: ERECTION OF A DETACHED DWELLING WITH INTEGRAL GARAGE AT 366 BRIMINGTON ROAD, TAPTON, CHESTERFIELD FOR MR PETER LYTHGOE

**\*RESOLVED**

A. That the officer recommendation be upheld and the application be approved subject to the following conditions and a CIL liability notice issued as per section 5.10 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 approved shall only be carried out in full accordance with the approved plans:

- Site Location Plan,
- Proposed Site Plan (submitted 13/07/23),
- Proposed Ground Floor Plan (submitted 13/07/23),
- Proposed First Floor Plan (submitted 13/07/23),
- Proposed Elevations (submitted 14/07/23),
- Existing Tree and Vegetation plan (submitted 29/03/23);

with the exception of any approved non-material amendment.

3. Construction work shall only be carried out between the hours of 8:00 am to 6:00 pm Monday to Friday and 9:00 am to 5:00 pm on a Saturday. Construction work shall not be carried out 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 commencement of operations on site (excluding demolition/ site clearance), space shall be provided within the site curtilage for storage of plant and materials, site accommodation, loading and unloading of goods vehicles, parking and manoeuvring of site operatives and visitors' vehicles and maintained throughout the contract period in accordance with the approved designs free from any impediment to its designated use.

5. A residential charging point shall be provided for the proposed 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.

6. No development above floor-slab/D.P.C level shall take place until details for the 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 or first occupation of the development, whichever is the sooner. Details shall include:

- a scaled plan showing plants and trees to be planted:
- proposed hardstanding and boundary treatment:
- a schedule detailing sizes and numbers of all proposed plants and trees:
  - Sufficient specification to ensure successful establishment and survival of new planting.
  - Details of bird boxes, bug hotels, hedgehog holes and other planting as detailed in the biodiversity statement, including the relocating of plant on site.

Any new plant(s) and tree (s) that die(s), are/is removed, 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 shall be replaced. Replacement planting shall be in accordance with the approved details.

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

8. 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:

- i) evidence that other means of surface water drainage have been properly considered and why they have been discounted; and
- ii) the means of discharging to the public sewer network at a maximum rate of 3.5 litres per second.

9. The dwelling hereby approved shall not be occupied until the requirement for water consumption (110 litres use per person per day) in Part G of the Building Regulations has been complied with.

10. The premises, the subject of the application, shall not be occupied until space has been provided within the site curtilage for the parking and manoeuvring of residents and delivery vehicles, located, designed, laid out and constructed all as agreed in writing with the Local Planning Authority and maintained throughout the life of the development free from any impediment to its designated use. Existing off-street parking levels for No 366 Brimington Road shall be maintained, any displaced off-street parking shall be replaced accordingly.

11. 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 their designated purposes at all times thereafter.
12. The proposed and existing drives serving the proposed and existing dwellings shall remain unsegregated for at least the first 20m into the site measured from the highway boundary.
13. Before any other operations are commenced a new vehicular access shall be created to Brimington Road in accordance with the application drawings and shall be laid out, constructed and maintained in perpetuity free from any impediment to its designated use.
14. No vegetation clearance shall take place between 1st March and 31st August inclusive, unless preceded by a nesting bird survey undertaken by a competent ecologist no more than 48 hours prior to clearance. If nesting birds are present, an appropriate exclusion zone will be implemented and monitored until the chicks have fledged. No works shall be undertaken within exclusion zones whilst nesting birds are present.
15. Notwithstanding the provision of the Town and Country Planning (General Permitted) Development Order 1995 (as amended) there shall be no extensions, outbuildings or garages constructed, or additional windows erected or installed at or in the dwellings hereby approved without the prior written agreement of the Local Planning Authority.
16. Obscure glazing to a Pilkington Scale level 4 shall be utilised in the rear velux windows of the proposed dwelling. These windows, shall be installed and retained obscurely glazed thereafter unless otherwise agreed in writing by the Local Planning Authority.
17. Before the 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.

18. The development shall not commence above floor-slab/D.P.C level until details of a sustainable drainage scheme 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. This shall any include the calculations of soakaway rates on site, and it should be designed to be in accordance with BRE Digest 365 and to not flood during a 1 in 30 year rainfall event or allow flooding of properties during a 1 in 100 year rainfall event, including an allowance for climate change.

B. That a CIL liability notice be issued for £13,251 as per section 5.10 of the Officer's report.

49 **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/21/00706/REM	Variation of approved Plans (Condition 1) of application CHE/17/00375/REM for retrospective re-siting of units 1 and 2 on the site frontage; revise siting of units 3, 4 & 5 and widening of access to unit 6 at Hady Miners Welfare Club, Houldsworth Drive, Hady S41 0BS for Mr Mark Noakes
CHE/23/00078/FUL	Change of use of restaurant unit to a Sui Generis use consisting of a coffee shop / restaurant for consumption on and off the premises. Installation of a drive-thru lane, partial demolition and reconfiguration of unit), provision of new bin store, and other external works at Alma Leisure Park, Unit 1, Derby Road, Chesterfield S40 2EZ for TH UK & Ireland/Canada Life Ltd
CHE/23/00144/ADV	"V-Stack" signage (description revised 19.07.23)

at Land to the East of Linacre Road, Holme Hall, Chesterfield S40 4WA for Tilia Homes Ltd

- CHE/23/00152/RET      Erection of a detached garage at 16 Parwich Close, Holme Hall, Chesterfield S40 4XG for Mr Benjamin Hille
- CHE/23/00248/FUL      Revised scheme three roof lights to north elevation roof plane for loft conversion at Ponds Yard Farm, Renishaw Road, Mastin Moor, Chesterfield S43 3DW for Mr & Mrs Lee
- CHE/23/00258/FUL      Demolition of existing garage and covered area and construction of single storey extension to create bedrooms and shower/WC at 5 Southmoor Close, Brimington, Chesterfield S43 1PY for Ms Nicola Brown
- CHE/23/00264/ADV      Totem Sign at Petrol Filling Station and Premises, High Street, Brimington S43 1DE for Motor Fuel Group Ltd
- CHE/23/00274/FUL      Demolition of detached garage and erection of replacement garage and single storey rear/side extension at 70 Whitecotes Lane, Walton, Chesterfield S40 3HL for Mr Martin Burns
- CHE/23/00308/FUL      Two storey side extension and single storey rear extension at 33 Peak View Road, Brockwell, Chesterfield S40 4NN for Mr Pendleton
- CHE/23/00309/FUL      Partial demolition of the existing property due to subsidence, creation of a double storey side/rear extension at 392 Ashgate Road, Chesterfield S40 4DD for Richard Crampton
- CHE/23/00310/FUL      Hip-to-Gable roof extension to dwelling, and associated installation of bedroom window to gable wall facing 57 Yew Tree Drive at 59 Yew Tree Drive, Somersall, Chesterfield S40 3NB for Mr Wayne Hedley

- CHE/23/00317/FUL Single storey front porch and two storey side extension at 14 Whinfell Road, Newbold, Chesterfield S41 8BF for Mr and Mrs Gibbs
- CHE/23/00329/REM Variation of condition 16 (Retention of T3 Sycamore of TPO 73) of application CHE/21/00303/FUL- Demolition of existing residential annex and construction of new 4-bedroom house - to remove T3 Sycamore and replace it with a Dawyck's beech tree at The Oaks, 534 Chatsworth Road, Chesterfield S40 3AY for A-Rock Construction
- CHE/23/00341/FUL Single storey side extension and new bi-fold doors to the rear elevation at 11 Somersby Avenue, Walton, Chesterfield S42 7LY for Mr David Meech and Mrs Deborah Lesko
- CHE/23/00372/FUL Front extension and increase in roof height to facilitate first floor internal alterations and render and timber cladding to walls on front elevation at Oakdale, 10 Oakfield Avenue, Chesterfield S40 3LE for Mr & Mrs Maclean
- CHE/23/00386/FUL Change of use from cadet centre to Use Class B8 (storage or distribution) with ancillary offices at Cadet Centre, Inkersall Road, Staveley, Chesterfield S43 3JL for Mrs Claire Fletcher
- CHE/23/00389/FUL Front porch and single storey rear extension at 7 Newbridge Drive, Brimington, Chesterfield S43 1LF for Mr and Mrs Patterson
- CHE/23/00391/FUL Erection of a 2.4m weldmesh fence - resubmission of CHE/23/00033/FUL at Netherthorpe School, Ralph Road, Staveley, Chesterfield S43 3PY for Mr David Williams
- CHE/23/00394/FUL Single storey rear and side extension at 14 Medlock Roa, Walton, Chesterfield S40 3NH for

Mr Ian Young

- CHE/23/00402/FUL Garage conversion (Restricted by condition 4 of CHE/1100/622) at 35 Redbrook Avenue, Hasland, Chesterfield S41 0RL for Mr Kris Wigfield
- CHE/23/00406/FUL Demolition of existing lean to & erection of single storey rear extension at 133 Station Road, Brimington, Chesterfield S43 1LJ for Mr and Mrs Gascoigne
- CHE/23/00431/TPO Oak Tree raise to 3m, plum tree to trim back from the house by 1m. Lime to remove dead wood raise to 3m. Cherry to reduce previous cuts. All trees to remove dead wood at 41 Brockwell Lane, Brockwell, Chesterfield S40 4EA for Mrs Liz Watkins
- CHE/23/00438/TPO Four ash trees to be felled in G1 (ash die back). One sycamore in G1 to be felled for safety. Two Ash trees to be felled in G3 (ash die back). Replant with alder and rowan trees at Brookside Farm, Chesterfield Road, Brimington for Mr Simon Parker
- CHE/23/00444/REM Removal of condition 6 (Restriction to respite care use) of application CHE/0997/0473 (Erection of respite care unit)- To allow for use as a residential care home (Use Class C2) for children with disabilities at Action For Children, 45 Queen Street, Chesterfield S40 4SF for Action For Children
- CHE/23/00457/TPO Cut a clearance of 5m from the property shown on the first photograph with T1 (Lime). Crown lift on both T1(Lime) and T2 (Lime) to the heights indicated as well as cleaning the stem of the small epicormic growth that has occurred at 27 Gladstone Road, Chesterfield S40 4TE for Chatsworth Settlement Trustees



CHE/23/00492/TPO T63 Ash - Significant evidence of Inonotus hispidus brackets throughout the canopy. Crown reduce by 25%. Remove dead wood. Cut back from the highway to suitable growing points. T61 Ash - Remove major deadwood and shorten by 25% those limbs with evidence of Inonotus hispidus brackets to suitable growing points. T62 Ash - Remove major deadwood and shorten by 25% those limbs with evidence of Inonotus hispidus brackets to suitable growing points at Victoria Park, War Memorial, Duke Street, Staveley, Chesterfield S43 3PD for Mr Gary McCarthy

CHE/23/00503/TPO Reduction of one Lime tree within G1 of TPO 212  
At Land Adjacent Harehill Road, Grangewood for Vistry Partnership

(b) Refusals

CHE/23/00426/TPO Fell T7 Sycamore as it is too close to the house and of low amenity value and shades the garden, and plant suitable replacement at 7 Abercrombie Street, Chesterfield S41 7LW for Mrs Carole Joynes

(c) Discharge of Planning Condition

CHE/23/00212/DOC Discharge of conditions 8 (Partial- Cleaning methodology), 9 (Partial-Specification of works), 12 (Means of surface water disposal from roof), 13  
(Cross section showing relationship between extension and four gables), 20 (Specifications for doorways and openings), 21 (Details of new doors and screens) and 22 (Reuse of original library racks within building) of application  
CHE/21/00802/LBC-Refurbishment of the Grade II Listed Stephenson Memorial Hall - a theatre,

museum and art gallery in Chesterfield town centre. The proposal offers a transformative vision to create an integrated cultural centre through the integration of the existing auditorium and museum spaces. The key alterations include: the reallocation of the original historic building entrance, the development of accessible routes and lifts servicing all floors, improved capacity and comfort to auditorium, new bar and cafe spaces, improved staff and performer facilities within Station Back Lane extension and the creation of a 'sense of arrival' to Chesterfield through the creation of a Corporation St Link Gallery extension at Pomegranate Theatre, Corporation Street, Chesterfield S41 7TX for Mr Anthony Radford

- CHE/23/00251/DOC Submission of further details to discharge condition 6 (Landscaping) of application CHE/17/00685/REM - Application for approval of reserved matters of CHE/14/00404/OUT for residential development of 120 dwellings at Land North-East of Sainsburys Roundabout, Rother Way, Chesterfield for Mr Simon Dunne
- CHE/23/00269/DOC Discharge of conditions 3 (Site investigations) ,4 (Declaration of site safety), 5 (Partial- Site investigation/Phase 2 report) , 6 (Location and depth of tunnel on site), 7 (Employment and Training Scheme), 12 (Prevention of discharge of water onto highway), 13 (Construction Method Statement), 17 (Surface water disposal from roof extension) and 18 (Relationship between extension and retained gables) of application CHE/21/00801/FUL- The proposed development includes the refurbishment of the Grade II Listed Stephenson Memorial Hall - a theatre, museum & art gallery in Chesterfield town centre. The proposal offers a transformative vision to create an integrated cultural centre through the integration of the existing auditorium and

museum spaces. The key alterations include: the reallocation of the original historic building entrance, the development of accessible routes and lifts servicing all floors, improved capacity and comfort to auditorium, new bar and cafe spaces, improved staff and performer facilities within Station Back Lane extension and the creation of a 'sense of arrival' to chesterfield through the creation of a Corporation St Link Gallery extension  
at Pomegranate Theatre, Corporation Street,  
Chesterfield S41 7TX for Chesterfield Borough  
Council

(d) Partial Discharge of Conditions

CHE/23/00328/DOC Discharge of conditions 10 (Biodiversity), 12 (Surface water drainage works), 13 (Sustainable drainage scheme), 16 (Partial- Tree protection plan and arboricultural method statement) and 22 (Materials) of application CHE/21/00303/FUL- Demolition of existing residential annex and construction of new 4-bedroom house at The Oaks, 534 Chatsworth Road, Chesterfield S40 3AY for A-Rock Construction

(e) Prior approval not required

CHE/23/00477/TPD Single storey rear extension at 7 Danby Avenue, Old Whittington, Chesterfield S41 9NH for J Fish

(f) Planning Permission required

CHE/23/00443/PA Change of use of existing commercial unit into a mixed use commercial unit with two flats at 31 West Bars, Chesterfield S40 1AG for Mr James Steers

(g) Split decision with conditions

CHE/23/00442/TPO T22- Sycamore- fell or reduce tree by 50% at

Norbriggs Primary School, Norbriggs Road,  
Woodthorpe, Chesterfield S43 3BW for Mr Paul  
Scragg

(h) Unconditional permission

CHE/23/00424/CA To be removed 3 Silver Birch Trees - causing damage to number 1 and 2 properties Grove Farm Close. Not intending to replant as too close to houses at 2 Grove Farm Close, Brimington, Chesterfield S43 1QA for Mrs Pauline Millership

**50 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/23/00431/TPO Consent is granted to the pruning of two trees of TPO 126 reference T1 Lime and T3 Cherry and the pruning of one Oak tree reference T1 of TPO 313 on the Order maps at 41 Brockwell Lane.

CHE/23/00438/TPO Consent is granted to the felling of seven trees (x4 Ash & x1 Sycamore within G1 and x2 Ash within G3) on the Order Map and which are situated in the field off Chesterfield Road, adjacent to the crematorium, Brimington with a condition to plant x2 Oaks, x2 Rowan, and x3 Alder as replacement trees in the same location.

CHE/23/00492/TPO Consent is granted to the pruning of 3 Ash trees reference T61, T62 & T63 on the Order map for Chesterfield Borough Council at Staveley Memorial Gardens, Duke Street, Staveley.

- CHE/23/00503/TPOEXP Consent is granted to the crown reduction of one Lime tree within G1 on the Order map at land to the south of Walton Hospital adjacent to Harehill Road. Urgent works are required to make safe one dangerous tree
- CHE/23/00457/TPO Consent is granted to the pruning of two Lime trees reference T1 & T2 on the Order Map and which are situated in the grounds of 27 Gladstone Road
- CHE/23/00442/TPO Consent is refused to the felling or crown reduction of one Sycamore tree reference T22 on the Order map at Norbriggs Primary School, Norbriggs Road, Mastin Moor.
- Consent is granted to a 25% crown reduction to reduce the load on the upper and outer branches with an advice note that the tree should be monitored for any further decline or risk once the approved works have been carried out.
- CHE/23/00426/TPO Consent is refused to the felling of T7 Sycamore on the Order Map and which is situated in the grounds of 7 Abercrombie Street

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

- CHE/23/00424/CA Agreement to the felling of 3 Birch trees. The felling of the trees will have some adverse effect on the character and amenity of the area, but it is clear after an inspection of the trees and properties that the roots are clearly lifting the paved area and there is evidence of cracking in the garage floor. The trees are also only 5 metres from the properties casting shade and causing other nuisance problems within the small garden areas.

The trees are within the Brimington

Conservation Area and the applicant wishes to fell the trees as the roots are lifting the neighbour's paving slabs, causing light issues and dropping debris.

**51 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.

**52 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.