



Please ask for Liz Athorn
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The Chair and Members of Planning
Committee

Councillors Brady, Brittain and
Serjeant – Site Visit 1

22 September 2023

Dear Councillor,

Please attend a meeting of the PLANNING COMMITTEE to be held on MONDAY, 2 OCTOBER 2023 at 1.00 pm in Committee Room 1, the agenda for which is set out below.

AGENDA

Part 1(Public Information)

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

Planning Committee Members should assemble in Committee Room 1 at 11:30am. Ward members wishing to be present should attend on site as indicated below:-

1. 11:50am The Green, Hasland CHE/23/00348/FUL

Members are reminded that only those attending on site will be eligible to take part in the debate and make a decision on these items, unless a reasonable adjustment is in place by prior arrangement. Members intending to declare a Disclosable Pecuniary Interest, or any other matter which would prevent them taking part in discussions on an item, should not attend the site visit for it.

Ward members are invited to attend on site and should confirm their attendance by contacting Liz Athorn on tel. 01246 959612 or via e-mail: Liz.Athorn@chesterfield.gov.uk by 9.00 a.m. on Monday 2 October, 2023. If you do not confirm your attendance, it will be assumed that you will not be attending on site.

A reasonable adjustment meeting will take place at 11:15am in Committee Room 1 for those not able to attend site visits.

Please ensure that all mobile phones are switched off during site visits and at the meeting at the Town Hall.

1. Apologies for Absence
2. Declarations of Members' and Officers' Interests Relating to Items on the Agenda
3. Minutes of Planning Committee (Pages 5 - 26)
4. Applications for Planning Permission - Plans Determined by the Committee (Pages 27 - 48)
5. Applications for Planning Permission - Plans Determined by the Development Management and Conservation Manager (P140D) (Pages 49 - 64)
6. Applications to Fell or Prune Trees (P620D) (Pages 65 - 74)
7. Appeals Report (P000) (Pages 75 - 84)
8. Enforcement Report (P410) (Pages 85 - 88)
9. Local Government Act 1972 - Exclusion of Public

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

Part 2 (Non Public Information)

10. Grade II Brampton House (Pages 89 - 100)

Yours sincerely,

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

Head of Regulatory Law and Monitoring Officer

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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 21st July 2023)

- Notwithstanding the dwelling elevations and footprint, the site section and boundary treatment details. (as provided 30th 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 Whinfall 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

The felling of 3 Silver Birch trees in the rear garden of 2 Grove Farm Close, Brimington.

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.

Agenda Item 4

COMMITTEE/SUB	Planning Committee
DATE OF MEETING	2 nd October 2023
TITLE	DETERMINATION OF PLANNING APPLICATIONS
PUBLICITY	*For Publication
CONTENTS SUMMARY	See attached index
RECOMMENDATIONS	See attached reports
LIST OF BACKGROUND PAPERS	For each of the attached reports, the background papers consist of the file specified in the top right hand corner on the front page of the report. Those background papers on the file which do not disclose exempt or confidential information are open to public inspection at the office of the Development Management and Conservation Manager – Planning Services. Additional background papers (if any) will be separately listed in the report.

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**INDEX TO DEVELOPMENT MANAGEMENT AND CONSERVATION
MANAGER'S REPORT ON THE 2nd October 2023**

ITEM 1	CHE/23/00348/FUL - RETROSPECTIVE APPLICATION FOR THE ERECTION OF PORTABLE CLASSROOM BUILDING FOR A TEMPORARY PERIOD - REVISED PLANS RECEIVED, NEW FENCE PROPOSED AT BOUNDARY WITH EVERGREEN TRELLIS TO PROVIDE SCREENING AT HASLAND SUPPORT CENTRE, 38 THE GREEN, HASLAND, CHESTERFIELD, DERBYSHIRE, S41 0LN FOR ESTEEM MULTI-ACADEMY TRUST.
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ITEM 1

RETROSPECTIVE APPLICATION FOR THE ERECTION OF PORTABLE CLASSROOM BUILDING FOR A TEMPORARY PERIOD - REVISED PLANS RECEIVED, NEW FENCE PROPOSED AT BOUNDARY WITH EVERGREEN TRELLIS TO PROVIDE SCREENING AT HASLAND SUPPORT CENTRE, 38 THE GREEN, HASLAND, CHESTERFIELD, DERBYSHIRE, S41 0LN FOR ESTEEM MULTI-ACADEMY TRUST

1.0 CONSULTATIONS

Ward Members	Comments from Councillor Brady and Councillor Serjeant
Strategic Planning	No comments received
Environmental Health	No comments received
The Coal Authority	Development is exempt from requirement for Coal Mining Risk Assessment
Local Highways Authority	Comments received – see report
Tree Officer	Comments received – see report
Representations	Representations received from four neighbours, including multiple letters

2.0 THE SITE

- 2.1 The application site is located on the west side of The Green in Hasland. The applicant for the scheme is the Esteem Multi-Academy Trust. The site is run as an Educational Support Centre and is the main school for permanently excluded pupils in North Derbyshire.
- 2.2 The original school building is largely single storey in character, faced in stone with a slate roof and later brick built addition. The immediate streetscene is residential in character. The allocated Hasland Local Service Centre is situated 150m to the north centred around the junction with Hasland Road.



Extract of submitted location plan ©



Aerial photo of site taken from google maps ©

2.3 On the site frontage there is a mature oak tree protected by tree preservation order 4901.160 Hasland Road/Mansfield Road/The Green, Hasland (1996).

3.0 SITE HISTORY

- 3.1 CHE/23/00378/TPO - Crown lift T71 Oak by 5m to allow access of a vehicle and container – **CONDITIONAL PERMISSION (19.07.2023)**
- 3.2 CHE/12/00720/CPO - Proposed installation of ball catch netting to the top of existing security fence – **NO OBJECTION AND NO COMMENTS (19.12.2012)**
- 3.3 CHE/10/00129/CPO - Installation of a powder coated steel framed pram and pushchair shelter, storage shed and re-location of existing powder coated steel pedestrian gate - **NO OBJECTION AND NO COMMENTS (17.03.2010)**

4.0 THE PROPOSAL

Background to application

4.1 The agent provided a statement to set out the requirement for the development;

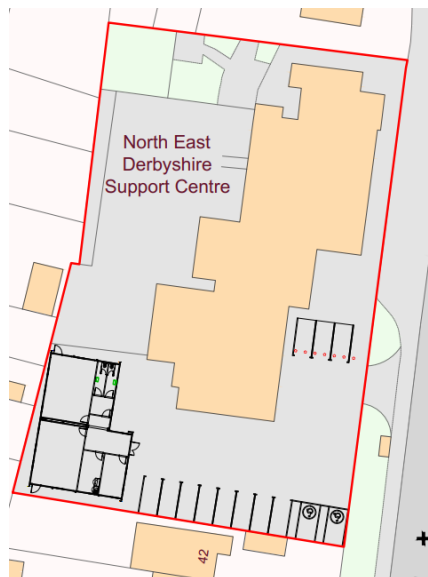
‘The County has seen an unprecedented increase in the number of excluded pupils (120%) and they have had to put a number of projects in place to deal with the upsurge. This is due to behaviours arising from covid with increasing mental health issues in vulnerable students

particularly affecting years 10 upwards. The county council has identified the need for immediate short term measures to address the increase from September and expects that once the boom has been addressed, numbers of excluded pupils are likely to return to the pre-covid levels and the cabin can then be removed from the site (hence the request for the temporary 3 year position). The cabin is needed for this September, hence the installation on site. ‘

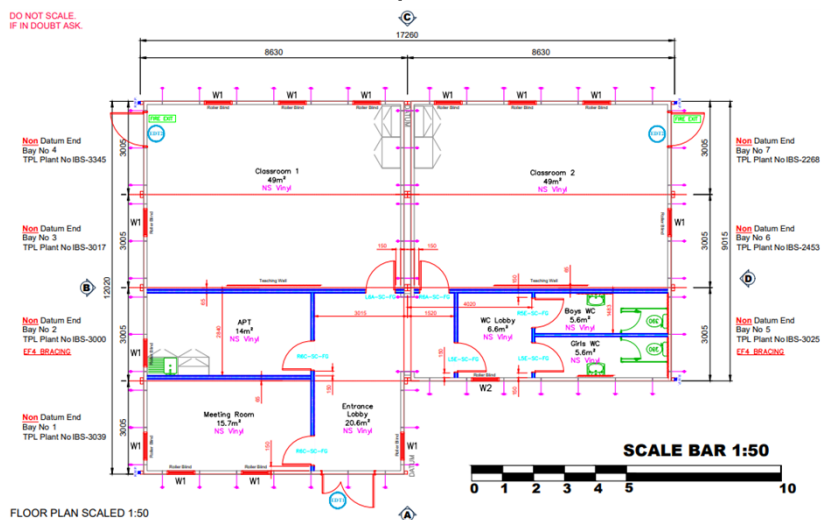
4.2

The application seeks consent for the installation of a temporary classroom in the south western corner of the site in car park, sited in close proximity to the boundary. The building is formed of an L-shaped design with a footprint of 17m x 12m overall. The structure comprises of two classrooms, toilet facilities, meeting room and kitchen space. The plans indicated almost all windows for the classrooms would be located within the west elevation facing directly towards the boundary. The building is formed of a flat roof and pale grey in colour with white upvc windows.

Revised Site plan



Floorplan



4.3 Concerns were raised by officers prior to the delivery of the building due to its close proximity to residential properties and position of the proposed classroom windows. The Case officer requested a revised plan and amended scheme, altering the layout and siting of the development to limit the impact on the amenity of the surrounding neighbours. The agent subsequently confirmed that the design of the building was fixed as it was already under construction.

4.4 The Case Officer undertook a site visit and noted that supporting plinths had already been installed on site to create a level platform for the building. Due to the sloping nature of the car park the largest plinth in the south western corner of the site measured 0.8m in height. The plinths were not shown on the original submitted plans and would result in the structure being elevated considerably above ground level, and as a result the windows would be located above the timber boundary fence and the visibility of the structure would be significantly increased for the neighbours. Revised plans were requested as a matter of urgency to accurately reflect the development including plans for mitigation and further detail on access ramps.



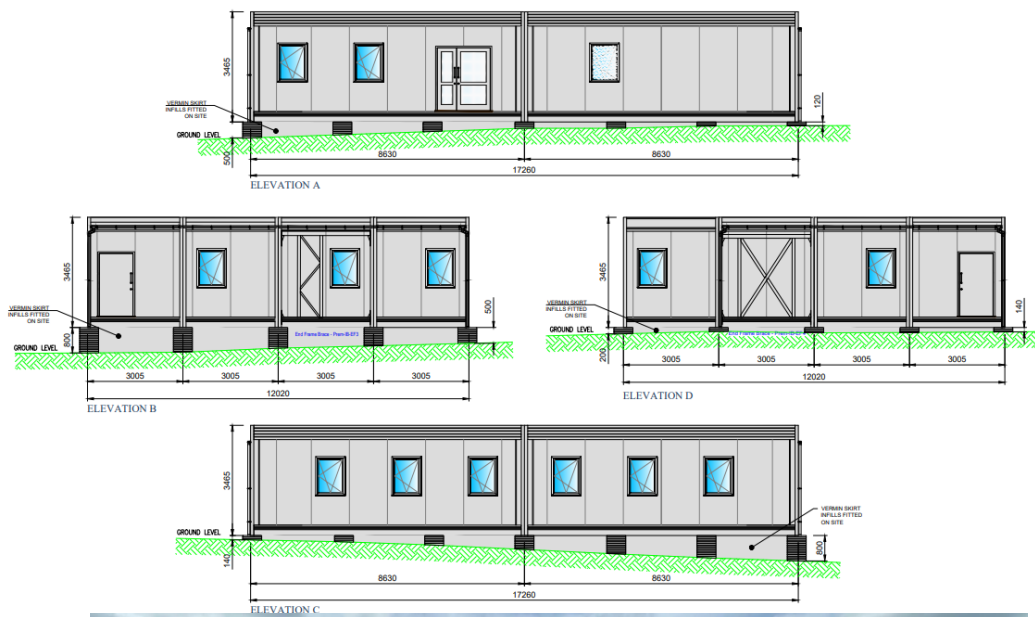
4.5 The classroom building has since been delivered to the site. The scheme is now being considered as retrospective.

Retrospective application

4.6 Revised plans have been submitted to reflect the works as undertaken on site. Ongoing discussions have taken place to agree an appropriate

scheme of mitigation. A revised site plan was also provided with the provision of 3 new car parking spaces within the car park.

Revised elevations showing supporting plinths





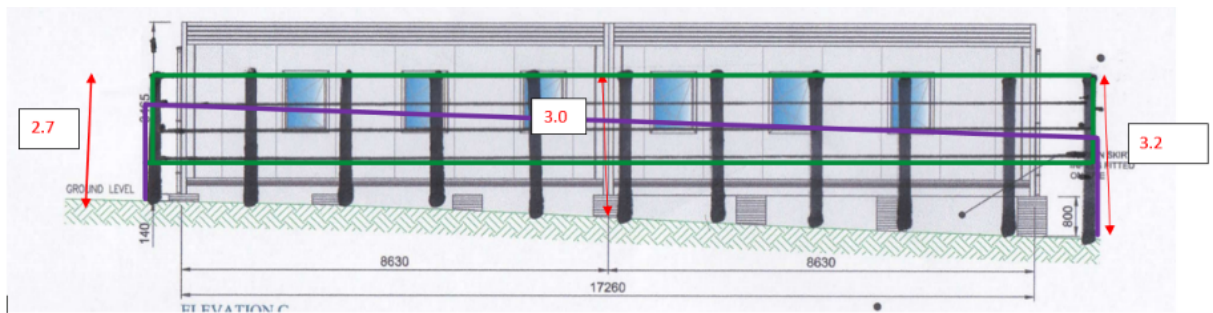
4.7

To screen the windows which overlook the neighbouring properties a trellis screen is proposed with a dense faux evergreen screening to prevent overlooking. Obscure film has been installed to all windows in the west elevation facing the residential properties on Smithfield Avenue. The screening will be attached to posts within the school boundary and extend across the full width of the car park from the existing fencing surrounding the play ground and wrap around the south western corner of the building.

Proposed trellis screening



Annotated plan showing existing fence height and location of trellis



Red Arrows show the height of the posts and trellis work in meters

Purple lines denote the height of the neighbour's fence approximately 1.8m

The green line denotes the size of the artificial hedge which will be 2m high, as you can see the screening will come well below the fence line

Proposed artificial ivy screen



5.0 CONSIDERATIONS

5.1 Planning Policy

5.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that, ‘applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise’. The relevant Development Plan for the area comprises of the Chesterfield Borough Local Plan 2018 – 2035.

5.2 Chesterfield Borough Local Plan 2018 – 2035

- CLP1 Spatial Strategy (Strategic Policy)
- CLP2 Principles for Location of Development
- CLP10 Social infrastructure
- CLP14 A Healthy Environment
- CLP15 Green Infrastructure
- CLP16 Biodiversity, Geodiversity and the Ecological Network
- CLP20 Design
- CLP22 Influencing the Demand for Travel

5.3 Other Relevant Policy and Documents

- National Planning Policy Framework (NPPF) 2023

5.4 Principle of Development

Relevant Policies

5.4.1 Local Plan policies CLP1, CLP2 and CLP10 are considered to be relevant to the principle of development.

Considerations

5.4.2 The application site is unallocated and is within the built-up area of Hasland. The site is located approximately 150m walking distance from Hasland Local Centre therefore the proposal accords with policy CLP1 Spatial Strategy which seeks to concentrate new development to within walking distance of a range of facilities and services. As the proposal seeks temporary facilities to the existing school site it is considered that it would meet the criteria for exceptions CLP2 (i) as it needs to be in a specific location in order to serve a defined local need and access specific resources or facilities at the existing school. Policy CLP10 also supports improvements to existing facilities and new facilities in accessible locations or where it meets an identified need.

5.4.3 The principle of development is therefore considered to be acceptable in accordance with Local Plan policies CLP1, CLP2 and CLP10 on a temporary basis.

5.5 Design the Proposal

Relevant Policies

5.5.1 Local Plan policy CLP20 requires all development to respond positively to the character of the site and surroundings and respect the local distinctiveness of its context respect the character, form and setting of the site and surrounding area

Considerations

5.5.2 The design of the building is typical of temporary ‘portakabin’ buildings, utilitarian in design and single storey in character. The siting, location and position of the windows is poorly designed and the elevated nature of the building results in an overbearing impact. The school has set out the urgent need for additional classroom space and it is considered a pragmatic approach is required. A scheme of mitigation with obscure glazing film to the windows and faux evergreen screening is considered to provide a sufficient degree of mitigation for this temporary proposal. This is not an acceptable long-term solution and if additional classroom space is required in the longer term the school will need to create a plan for a permanent extension to the existing building to enable the removal of the temporary classrooms.

5.5.3 Subject to conditions ensuring the screening is installed in accordance with a set timescale and the scheme is for a temporary period only, the proposal will accord with Local Plan policy CLP20.

5.6 Impact on Residential Amenity

Relevant Policies

5.6.1 Local Plan policies CLP14 and CLP20 requires consideration of the impact on the amenity of residential occupiers including overlooking.

Considerations

5.6.2 The application site is bound by a mixture of residential dwellings immediately to the north and south. As set out in section 5.5 above, the design of the scheme is poor, however a proposal for mitigation

which includes dense faux evergreen trellis and obscure glazing film to the windows is considered to provide an acceptable level of mitigation on a temporary basis.

- 5.6.3 The structure is pale (goosewing) grey in colour and appears overly dominant when viewed from the residential properties. It has been suggested that the applicant explores opportunities to paint the rear (west) elevation of the building a dark green colour to make the building appear more recessive. However the applicant is renting the building from a company and painting may not therefore be an option.
- 5.6.4 The retrospective scheme is not an acceptable long-term solution, it is recommended that within 12 months of the date of the decision the Trust provides a summary on student number and anticipated numbers for the following year. If the numbers of students are not decreasing as anticipated a management plan for long term provision should be then provided to ensure that any capacity can be accommodated within a purpose built extension on the site (if required) with timescales for implementation to ensure that the temporary building can be removed at the end of the consent period.
- 5.6.5 Subject to conditions as set out above including management plan, screening to be installed in accordance with a set timescale and a temporary consent period, the proposal will accord with Local Plan policies CLP14 and CLP20.

5.7 Highways Safety and Parking Provision

Relevant Policies

- 5.7.1 Local Plan policy CLP20 and CLP22 require consideration of parking and highway safety

Considerations

- 5.7.2 The application results in the loss of approximately 6 parking spaces within the car park. A revised site plan was submitted with a scheme for the provision of 3 new parking spaces, which will result in an overall loss of 3 parking spaces.
- 5.7.3 The Local Highway Authority were consulted on the scheme and provided comments on the proposal. The Highways Officer noted the existing parking restrictions on The Green to the north of the school and commented on the loss of parking spaces as a result of the

scheme and asked what measures will be put in place for the displaced vehicles.

- 5.7.4 The applicant subsequently provided a revised plan proposing three new car parking places. The bollards have already been removed on site to provide the additional parking. It is acknowledged that the scheme will result in the overall loss of parking and a further intensification of the use of the site which may generate an increased demand. Any staff or visitors who are unable to park on the site will likely park on the surrounding adopted highways. It is recommended that the Trust actively and collaboratively work with staff/visitors to ensure parking in the surrounding area does not result in adverse impacts on local residents and this can be promoted in a parking management plan. On balance the social benefit arising from the scheme and urgent requirement for the additional classroom space at the site, it is considered that the proposal is acceptable on a temporary basis.
- 5.7.5 It is recommended that a condition be imposed requiring the three new parking places to be provided free from obstruction during the temporary consent period. The proposal will therefore comply with the provisions of local Plan policy CLP20 and CLP22.

5.8 Impact on Protected Oak Tree and Biodiversity

Relevant Policies

- 5.8.1 Local Plan policy CLP16 requires consideration on biodiversity impact and net gain.

Considerations

- 5.8.2 The Councils Tree Officer was consulted on the scheme and highlighted that no tree survey or Arboricultural Impact Assessment have been submitted with the application but a separate TPO tree pruning application reference CHE/23/00378/TPO has been received for the crown lifting of the lower branches of the tree to facilitate the delivery of the classroom units. Application CHE/23/00378/TPO has been granted and the works undertaken. The Tree Officer raised no objections recommended a tree protection condition be imposed to prevent accidental damage to the tree during delivery. As the application is now retrospective and pruning works already undertaken it is recommended that the wording of the condition be amended to ensure the soft landscaped area under the tree canopy be protected

from the storage of materials and prevent any excavations within 8m of the tree for the extent of the temporary permission.

5.8.3 The classroom is located on an area of existing hardstanding with no biodiversity value. As the scheme is also for a temporary period there is considered to be no requirement for a net gain in this instance.

5.8.4 Subject to the condition as recommended above the development accords with the requirements of CLP16 and the NPPF.

5.9 Other Matters

5.9.1 The application site is located in flood zone 1 and is therefore considered to be at low risk of flooding. The site is located in an area at high risk of coal mining legacy. The Coal Authority were consulted on the scheme and confirmed that the temporary development was exempt from requirements for Coal Mining Risk Assessment and no further consultation would be required. The development would therefore comply with Local Plan policies CLP13 and CLP14.

6.0 REPRESENTATIONS

6.1 The application has been publicised by neighbour notification letters. A brief summary of the main points raised by 4 local residents is set out below (see website for full letters)

- **Loss of privacy and security for residents** – the building is located adjacent to the boundary with a number of windows overlooking gardens creating a privacy and security risk
- **Nuisance and disturbance for residents** – increased noise and disturbance experienced already due to increasing number of pupils attending the Centre. The development will enable an additional 25 pupils to attend the Centre. Noise and disturbance such as balls being kicked into gardens is already an issue
- **Impact on parking** – scheme will reduce the number of parking spaces on site and given the growth in pupil numbers it is expected that additional staffing will be requiring resulting in additional vehicles requiring space. Parking in the local area is already at capacity as most do not have off-street parking. Concern that this will push staff to park on the already full Smithfield Avenue to the detriment of residents. Examples provided of Smithfield Avenue showing cars parking on the road
- **Increased traffic volumes** – increase in pupil numbers will increase traffic volume with no designated drop off area and next to a T-junction and bus stop. Any increase in traffic has an

environmental impacts on local residents and no traffic/environmental impact assessment has been undertaken

- **Insufficient capacity on site** – centre should move to a property which is fit for long term use. Application is submitted as temporary however there is no plan provided for long term use. If approved should be granted on the basis that permanent accommodation or alternative provision must be sought
- **Security and safeguarding concerns**
- **Concern about timeline for application** – submission and neighbour consultation period is extremely short, particularly given the applicant seeks to undertake the work in September giving them only 6 weeks and there is a concurrent application to raise the crown of the oak tree to provide vehicular and container access it appears the application is pre-determined.
- **Building installed on site prior to determination of application** – Building installed with windows overlooking the neighbouring properties. The building is also higher than as shown on the plans. Plans submitted originally were misleading
- **Lighting** – lights have been left on all night creating a nuisance for neighbours.
- **Obscure film damaged** – The obscure glazing film has been damaged meaning students can overlook gardens
- **Number of concerned residents** - The erection of the building has rightly generated a number of objections from neighbours as it has highlighted the revised height of the construction and the number of windows which, at the new height, have a greater impact on the neighbouring properties. The safety, security, safeguarding and privacy of residents is a significant concern and photographs provided with the objections clearly demonstrate this impact.

Comments have also been raised by Councillor Brady and Councillor Serjeant

- Contacted by local residents on Smithfield Avenue regarding inappropriate and inconsiderate parking by contractors and staff working in the project. At times the road which is narrow is completely blocked and cars cannot pass. Residents have also had access to their drives blocked and cannot "swing in" due to the large vans parked on there. Is this something you can also raise with the support centre please?
- Visited residents on Smithfield Avenue who, although are not demanding the somewhat over large and grey concrete type spare classroom be refused the retrospective planning application, they are concerned that the screening that the school have stated they will provide to help the planning application, actually happens. I

would be grateful for any comments you can offer and also comment on the screening issue.

6.2

Officer comments – the comments have been noted.

As set out in the report the building has already been installed prior to determination and the scheme is now being considered retrospectively with revised plans submitted to accurately show the development on site. The siting of the structure and number of windows in the rear (west) elevation is considered to have an adverse impact on the amenity of the residents on Smithfield Avenue therefore a mitigation scheme is required. Planning permission is required for the screening in its own right due to the required height of the structure, therefore this was added to the application and description amended. To give neighbours time to make comments on the revised plans a further full 21 day consultation period was allowed. The trust is waiting for permission to be granted before installing the trellis screening to avoid further works being undertaken without the benefit of planning permission. It is recommended an enforceable condition be imposed on the decision requiring the trellis screen to be installed within a set timeframe.

The revised scheme will provide three new parking spaces however it is accepted that the scheme will result in a loss of parking overall. Staff and visitors to the school are able to park on the adopted highway (the same as other highway users), this is outside of the control of the Local Planning Authority however a condition seeking a parking management plan can be required. Cars/vehicles should still be parked safely and without obstruction to other highway users. Lighting should be turned off at night and it is anticipated that the trellis screening will prevent undue light pollution during hours of darkness when the classrooms are in use.

7.0

HUMAN RIGHTS ACT 1998

7.1

Under the Human Rights Act 1998, which came into force on 2nd October 2000, an Authority must be in a position to show:

- Its action is in accordance with clearly established law
- The objective is sufficiently important to justify the action taken
- The decisions taken are objective and not irrational or arbitrary
- The methods used are no more than are necessary to accomplish the legitimate objective
- The interference impairs as little as possible the right or freedom

7.2 The action in considering the application is in accordance with clearly established Planning law and the Council's Delegation scheme. It is considered that the recommendation accords with the above requirements in all respects.

8.0 STATEMENT OF POSITIVE AND PROACTIVE WORKING WITH APPLICANT

8.1 In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 and paragraph 38 of 2021 National Planning Policy Framework (NPPF) as the proposed development does not conflict with the NPPF or with 'up-to-date' policies of the Local Plan, it is considered to be 'sustainable development' to which the presumption in favour of the development applies.

8.2 The Local Planning Authority have worked with the applicant during the consideration of this application to amend the scheme through a positive and proactive dialogue in order to achieve a positive outcome for the application.

9.0 CONCLUSION

9.1 The proposal is considered to accord with the planning policies as set out in the report above.

10.0 RECOMMENDATION

10.1 It is therefore recommended that the application be **GRANTED** subject to the following:

Conditions

Temporary permission

1. The development hereby permitted is granted for a limited period only expiring on 2nd October 2026. On or before this date, the development carried out in pursuance of this permission shall be removed from the site and the land restored to its former condition.

Reason - The hereby approved use is not considered to be suitable development on a permanent basis having regard to Local Plan policies CLP14 and CLP20.

Approved plans and documents

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).
 - Revised Proposed Site Block Plan, drawing number 713.172061 (00) 002 (received 31.07.2023)
 - General Arrangement Modular Accommodation, drawing number 36791-PML-B1-XX-DR-A-0001 Revision P7
 - Building Elevations Modular Accommodation, drawing number 36791-PML-B1-XX-DR-A-0060 Revision P3
 - FENCING DRAWING, (received 24.08.2023)
 - SCREENING FENCE DETAILS (received 24.08.2023)
 - Email with link to green evergreen trellis (received 24.08.2023)

Reason - In order to clarify the extent of the planning permission

Installation of Trellis

3. The trellis screening shall be installed in accordance with the approved plans set out in condition 2, within two months of the date of the decision and shall thereafter be maintained in place for the life of the development.

Reason – To protect the amenity of the residential neighbours in accordance with Local Plan policies CLP14 and CLP20.

Obscure film

4. Obscure film shall be installed to all windows in the west (rear) elevation of the building within one week of the date of the decision and shall thereafter be maintained for the life of the development.

Reason – to protect the amenity of the residential neighbours in accordance with Local Plan policies CLP14 and CLP20.

Management plan for removal of classroom

5. Within 12 months of the date of the decision a detailed assessment of current and anticipated student number with a long term management plan shall be submitted to the Local Planning Authority for written approval. The details shall include an assessment of pupil numbers up to the end of the temporary consent period and include clarification as to whether additional classroom space will be required after the expiry of the temporary consent period. If additional classroom space is required then a plan for the removal of the building and works extend or alter the

existing building shall be submitted to show comprehensive long term management of the site.

Reason – to protect the amenity of the residential neighbours in accordance with Local Plan policies CLP14 and CLP20.

Oak Tree

6. Tree protection measures
 - a. There shall be no excavations for services within 8 metres of the Oak tree and no storage of materials or machinery in the soft landscaped area underneath the canopy of the tree T71 Oak.
 - b. The delivery, off-loading and subsequent removal of the classroom units shall be clear of the outermost parts of the Oak tree T71 canopy and supervised by a competent banksman who shall be present when the units are delivered and removed to make sure that the delivery vehicle and crane off-loading of the units does not come into contact with any part of the protected tree.

Reason – to protect tree T71 protected by tree preservation order.

Retention of parking

7. Space shall be provided within the application site in accordance with the approved application drawings for the parking and manoeuvring of vehicles, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.

Reason - In the interests of providing adequate off-street parking provision in accordance with CLP20 and CLP22.

Parking Management Plan

8. Within 2 months of the decision a car parking management plan including any green travel initiatives to be provided, shall be submitted to the local planning authority for consideration. The development shall only proceed on the basis of the car park management plan which is subsequently agreed in writing by the local planning authority.

Reason - In the interests of mitigating on street parking in the interests of residential amenity and in accordance with CLP14, CLP20 and CLP22.

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Agenda Item 5

COMMITTEE/SUB	Planning Committee
DATE OF MEETING	2 nd October 2023
TITLE	DELEGATION
PUBLICITY	For Publication
CONTENTS	Items approved by Development Management and Conservation Manager under the following Delegation references:- Planning Applications P020D, P200D to P250D, P270D to P320D, P350D to P370D, P390D, P420D to P440D Agricultural and Telecommunications P330D and P340D
RECOMMENDATIONS	Not applicable
LIST OF BACKGROUND PAPERS	Relevant applications

These are reported to Planning Committee for information only.
Anyone requiring further information on any of the matters
contained in this report should contact:-

Planning Applications	Paul Staniforth	345781
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Delegated List *Planning Applications*

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/20/00860/FUL	Staveley North	Demolition and alteration of existing buildings to create 5 additional new dwellings with associated landscaping, car parking, access and sewage treatment plant. (Amended scheme 21.10.2022 and description 16.01.2023) At White Lodge Farm Breck Lane Barrow Hill S43 2NP For Mr M Hewitt	CP	20/09/2023
CHE/22/00368/DOC	Dunston	Discharge of planning conditions 2 (land PDOC levels) and 9 (surface water) of CHE/18/00805/REM - Reserved Matters submission for the erection of 200 dwellings and associated landscaping At Land To The West Of Dunston Lane Newbold For William Davis		01/09/2023
CHE/22/00716/FUL	Walton	Erection of a dwelling At 62 Walgrove Road Walton Chesterfield S40 2DR For Peppermint Grove Ltd	CP	07/09/2023
CHE/22/00811/FUL	Spire	Resurfacing of parking areas and additional parking spaces, soft landscaping and speed management measures. Rendering, new windows, doors and balcony panels. (Updated description and plans 30.03.2023) At Ashford Court Newland Dale Newbold Chesterfield S41 7QQ For Chesterfield Borough Council	CP	07/09/2023

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/23/00074/RET	Staveley North	Change of use of land to agricultural/education and siting of associated units and vehicles At Land South Of Netherthorpe Flash Nature Reserve Netherthorpe Staveley Chesterfield For Mrs Sharon Edwards	REF	07/09/2023
CHE/23/00106/FUL	Brimington South	Two storey rear extension and erection of a single storey detached garage (description amended and revised drawings received 13/07/23) At 366 Brimington Road Tapton Chesterfield S41 0TF For Mr Peter Lythgoe	CP	12/09/2023
CHE/23/00196/DOC	Brockwell	Discharge of condition 14 of (Site Remediation) of CHE/19/00385/FUL - Erection of 72 bed carehome with associated private amenity space and parking facilities, including change of use from "sui generis" car park At Goldwell Rooms Car Park Ashgate Road Chesterfield For Mr Ryan Day	DPC	14/09/2023
CHE/23/00235/NMA	Brimington South	Non material amendment to application CHE/17/00685/REM- Application for approval of reserved matters of CHE/14/00404/OUT for residential development of 120 dwellings- For the removal of footpath link between plot no 5 & 38 all the way to the turning head and footpath adjacent to plot 34 At Land North-East Of Sainsburys Roundabout Rother Way Chesterfield For Harron Homes	WDN	01/09/2023

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/23/00263/RET	Whittington Moor	Retention of existing garden structures / CP gazebos At 36 St Chads Way Chesterfield S41 8RN For Mrs Bui		06/09/2023
CHE/23/00267/FUL	Brockwell	New boundary fence At 131 Brockwell Lane Brockwell Chesterfield S40 4EH For Mr Jack Mathison	REF	12/09/2023
CHE/23/00298/ADV	Brampton West & Loundsley	Retention of 11 flagpoles At 464 Chatsworth Road Chesterfield S40 3BD For Vertu Motors plc	CP	06/09/2023
CHE/23/00360/OUT	Whittington Moor	Outline application for a one bedroom bungalow with all matters reserved. Resubmission of CHE/22/00448/OUT At Adj 214 Tipton View Road Newbold Chesterfield S41 7LB For Mr Mark Pendleton	REF	20/09/2023
CHE/23/00373/FUL	Brockwell	New render panels, new areas of cladding, new windows, and resurfacing of paths to existing blocks of flats At Burbage Court , Howden Court, Longshaw Court, Rivelin Court, Wheston Court, Winyard Court, White Edge Close Brockwell Chesterfield S40 4JJ For Chesterfield Borough Council	CP	11/09/2023

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/23/00374/FUL	Brockwell	Two storey side extension (revised drawings received 21.07.23) At 15 Holmebank Close Brockwell Chesterfield S40 4AU For Mr David Ford	CP	20/09/2023
CHE/23/00376/DOC	Walton	Discharge of condition 27 (Detail of grasscrete installation and arboricultural method statement) of application CHE/22/00116/REM1- Variation of conditions 2 (approved drawings), 5 (works around RPAs) and 6 (hard and soft landscaping) of CHE/20/00305/FUL -Erection of new residential dwellings at the sites off Whitecotes Lane and Harehill Road with associated access, parking and open space to allow for construction of a sub station to Whitecotes Lane and for the introduction of a YWA in the s/western corner off Harehill Road At Land South Of Walton Hospital Harehill Road Grangewood Chesterfield For Vistry Partnership	DPC	01/09/2023
CHE/23/00428/FUL	Brimington North	Ground and first floor side extension At 11 Station Road Brimington Chesterfield S43 1JH For Mr Damien Spencer	CP	06/09/2023
CHE/23/00430/SOL	Staveley South	Installation of 230kWp of Solar panels on the existing roof at the site At Holdsworth Cold Store Ltd Greaves Close Duckmanton Chesterfield S44 5FB For Holdsworth Foods	CP	06/09/2023

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/23/00434/TPO 05/09/2023	Rother	T5 Sycamore - Fell and plant two native replacement trees At 2 Summerfield Place Park Road Chesterfield S40 2LG For Mr John Collins		REF
CHE/23/00439/TPO	Spire	Oak tree- Remove lower branch touching the house, crown lift over field to allow light to 4m, 25% thin- to include shortening of branches going toward property At 281 Hady Hill Hady Chesterfield S41 0BL For Mr Rose	CP	01/09/2023
CHE/23/00449/DOC	Brampton West & Loundsley	Discharge of conditions 12 (Materials) and 14 (Land levels) of application CHE/22/00607/FUL- Demolition of 20 and 22 Somersall Lane and erection of three replacement dwellings with associated parking and turning areas (existing accesses retained) At 20 Somersall Lane Somersall Chesterfield S40 3LA For Rutland UK Property Ltd	DPC	01/09/2023
CHE/23/00450/LBC	Whittington	Replace 4 windows with single glazed timber sash style windows At 10 Church Street North Old Whittington Chesterfield S41 9QW For Ms Justine Dronfield	CP	20/09/2023

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/23/00453/TPO 07/09/2023	Brampton West & Loundsley	T1- Oak- 40-50% reduction of the tree to encourage new growth and remove all dead and existing affected branches At 21 Hucknall Avenue Loundsley Green Chesterfield S40 4BY For Mr Stephen Raybould		CP
CHE/23/00461/FUL	Rother	Construction and operation of a micro energy storage facility At Land To The North Of Storforth Lane Substation Storforth Lane Chesterfield For AMP Clean Energy	CP	20/09/2023
CHE/23/00462/TPO	Linacre	Oak tree- crown reduction, crown thinning and cut back from the building At 21 Pearson Croft Upper Newbold Chesterfield S41 8WX For Mrs Carol Sanders	SC	13/09/2023
CHE/23/00468/CLO	Rother	Construction of 3m-deep ground and first floor extensions, hip-to-gable roof extension and rear dormer extension, addition of 3no. rooflights to the front roof plane and internal alterations At 37 Kingsley Avenue Birdholme Chesterfield S40 2SZ For Taylor Mottershead Limited	RF	06/09/2023

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/23/00478/DOC	Staveley North	Discharge of conditions 9 (Surface water drainage) and 10 (separate foul and surface water drainage) of CHE/22/00749/FUL- Demolition of derelict cottage and erection of one dwelling with associated infrastructure, access, parking and gardens At 1 Ralph Road Staveley Chesterfield S43 3PY For Mr and Mrs Easson	DPC	07/09/2023
CHE/23/00481/TPD	Brampton West & Loundsley	Single storey rear extension At 691 Chatsworth Road Chesterfield S40 3PE For Mr Jon Richardson	PANR	06/09/2023
CHE/23/00482/FUL	Dunston	Two storey office side extension At P A R Insulations and Wires Ltd Foxwood Close Sheepbridge Chesterfield S41 9RB For P A R Insulations and Wires Ltd	CP	11/09/2023
CHE/23/00485/AGR	Brimington South	Agricultural track At Land To The North Of Balmoak Lane Tapton Chesterfield For Meadowland Holdings Limited	PANR	01/09/2023

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/23/00486/DOC	Staveley South	<p>Discharge of conditions 4 (Phasing for vehicular and pedestrian accesses to Enterprise Way), 5 (Highway Construction Management Plan) and 8 (Tree protection plan and arboricultural method statement) of CHE/22/00272/FUL- Erection of electric vehicle charging station with ancillary uses including retail and food and drink with associated electrical infrastructure, car parking and landscaping</p> <p>At Land At Enterprise Way Enterprise Way Duckmanton Chesterfield</p> <p>For GRIDSERVE Sustainable Energy Ltd</p>	DPC	12/09/2023
CHE/23/00494/TPO	Dunston	<p>T4 Beech Tree- Fell and completely remove the tree. The tree has many dead branches and appears to be diseased/dying. I would like to apply for an exemption to planting a replacement tree as I feel the loss of this tree will not have a negative effect on the amenity value of the area. There are several existing very large protected trees in close locality. There is very little space to plant a replacement tree without encroaching on neighbour's property or our existing lawn</p> <p>At 146 St Johns Road Newbold S41 8PE For Ms Sue Atkin</p>	UP	08/09/2023
CHE/23/00495/TPO	Linacre	<p>Ash tree - fell and replace with an oak</p> <p>At 11 Woodland Walk Holme Hall Chesterfield S40 4YB</p> <p>For Mrs Samantha Meadows</p>	REF	15/09/2023

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/23/00496/TPO	Hasland	T59 Copper Beech crown lift to 4.8m Crown then by 10%. Prune back from building by 3.5m for 2 light issues At 96 The Green Hasland Chesterfield S41 0JU For Mr Stephen Hollingworth	CP	07/09/2023
CHE/23/00507/DOC	Whittington	Discharge of condition 4 (materials) of CHE/22/00828/FUL- Erection of single storey annex to be used in conjunction with existing house At 277 Handley Road New Whittington Chesterfield S43 2ES For Mrs J Knight	DPC	11/09/2023
CHE/23/00510/TPO	Spire	T1 - Beech, Fagus sylvatica- Crown reduction of the southern crown extent up to 2.5m, cutting back (reduction) of the western crown to provide up to 1m clearance from the north and east elevations of the Property to leave a balanced crown At Pine Bank Day Centre 9 Abercrombie Street Chesterfield S41 7LW For Mr Andrew Barnes	CP	08/09/2023
CHE/23/00512/TPO	Walton	Tree references T15 (Wild Cherry), T17 (Locust tree), T18 (Locust tree) & T19 (Wild Cherry)- Crown lift to circa 3m from existing ground level to clear visibility splay for vehicle junction and off public highway/footpath At Land South Of Walton Hospital Harehill Road Grangewood Chesterfield For Countryside Partnerships South East Midlands	CP	

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/23/00518/DOC	Staveley North	Discharge of Condition 8a-b (Site investigation) of application CHE/22/00749/FUL- Demolition of derelict cottage and erection of one dwelling with associated infrastructure, access, parking and gardens At 1 Ralph Road Staveley Chesterfield S43 3PY For Mr and Mrs Easson	PDOC	11/09/2023
CHE/23/00519/DOC	Staveley North	Discharge of Condition 10a-b (Site investigation) of CHE/22/00748/OUT- Outline planning application (means of access submitted) for the erection of two dwellings with associated infrastructure, access, parking and gardens At 1 Ralph Road Staveley Chesterfield S43 3PY For Mr and Mrs Easson	PDOC	11/09/2023
CHE/23/00523/DOC	Brampton West & Loundsley	Discharge of condition 3 (biodiversity) of DPC CHE/22/00353/FUL- Proposed front, side and rear two storey extension, with new front porch canopy and render to front and rear elevations At 35 Brookside Glen Chesterfield S40 3PG For Mr Logan Mantle		07/09/2023
CHE/23/00524/CA	Brimington South	Complete removal of silver birch identified by T1 on sketch plan. The tree is too large for the plot by approx 8m high. It grows at an angle and predominantly encroaches on At 18 Grove Farm Close Brimington Chesterfield S43 1QA For Mr Alan Smith	UP	12/09/2023

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/23/00525/TPO	Whittington Moor	Maple tree- Cut back, prune out some of the density and reduce the height At Maple Court Avenue Road Whittington Moor Chesterfield For John Semple	SC	12/09/2023
CHE/23/00530/TPO	Whittington	T1 Oak- to be dead wooded and low branches over garden raised to 3 meters and T2 Sycamore- to be dead wooded and 3 lowest limbs overhanging road to be taken off At 16 Church Street North Old Whittington Chesterfield S41 9QW For Mr Dan Witham	CP	13/09/2023
CHE/23/00532/CA	Whittington	T3 Holly- left hand stem to be taken off to leave one single standing stem and up to 1-2 meter reduction and T4 Yew- to be reduced in height and spread by up to 1.5 meter At 16 Church Street North Old Whittington Chesterfield S41 9QW For Mr Dan Witham	UP	13/09/2023

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Delegated List - Planning Applications

Key to Decisions

Code	Description
AC	Historic
AP	Historic
APPRET	Application returned to applicant
CI	Called in by secretary of state
CIRNO	Circular 18/84 no objection
CNOCO	Circular 18/84 no objs but conditions
CONCOM	Confirmation Compliance with Conditions
CP	Conditional permission
CPEOTZ	Conditional Permission Extension of Time
CPMAZ	Conditional consent for material amendment
CPRE1Z	Conditional Permission Vary Conditions
CPRET	Conditional Approval Retrospective
DPC	Discharge of Planning Conditions
FDO	Finally Disposed Of
GR CLOPUD	CLOPUD Granted
GRANT CLUD	CLUD Granted
GRNTEX	Permission Granted with Exemption
ND	Non Development
OBJ	Other Council objection
OC	Other Council no obj with comments
OW	Other Council no obj without comments
PA	Prior Notification Approval
PADEM	Prior Notification Demolition Approve
PD	Found to be Permitted Development
PR	Prior Notification Refusal
RAP	Retrospective Application Refused
RARETZ	Retrospective Application Approved
RC	Application Refused
REF	Refused
RETAP	DO NOT USE
RETRFZ	Retrospective Application Refused
RF CLODUP	CLOPUD Refused
RTN	Invalid Application Returned
S106	S106 Approved pending planning obligation
SC	Split decision with conditions
SU	Split decision - approval unconditional
UP	Unconditional permission
UPRET	Unconditional Approval Retrospective
WDN	Withdrawn
XXXXXX	Recommendation Pending

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COMMITTEE/SUB	Planning Committee
DATE OF MEETING	2 nd October 2023
TITLE	DELEGATION
PUBLICITY	For Publication
CONTENTS	Items approved by the Development Management and Conservation Manager under the following Delegation references:- Felling and Pruning of Trees P100D, P120D, P130D
RECOMMENDATIONS	Not applicable
LIST OF BACKGROUND PAPERS	Relevant applications

These are reported to Planning Committee for information only. Anyone requiring further information on any of the matters contained in this report should contact:-

Applications to Fell or Prune Trees	Steve Perry	345791
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SECTION 1**APPLICATION TO FELL OR PRUNE TREES**

<u>CODE NO</u>	<u>DESCRIPTION OF PROPOSAL</u>	<u>TERMS OF DECISION</u>
CHE/23/00439/TPO TPO 4901.200 01/09/23	The pruning of one Oak tree reference T1 on the Order Map and which is situated at 281 Hady Hill, Hady.	Consent is granted to crown lift by 4 metres, crown thin by 20%, crown clean to remove dead wood and the reduction of branches growing towards the property to give a 2 metre clearance from the structure pruning back to suitable replacement branches.
CHE/23/00434/TPO TPO 4901.243 04/09/23	The felling of one Sycamore tree reference T3 on the Order map at Summerfield Place, Park Road, Boythorpe.	Consent is refused to the felling of one Sycamore tree. An inspection of the tree found it to be in a good condition. Although the tree does have an unbalanced crown this is due to competition from the adjacent Beech tree. The tree contributes to the character of the area and streetscene and an assessment using the Tree Evaluation Method for Preservation Orders concluded that the tree has good Amenity value and should therefore be retained in the Order.
CHE/23/00453/TPO TPO 4901.137 07/09/23	The pruning of one Oak tree reference T1 on the Order Map and which is situated in the rear garden of 21 Hucknall Avenue, Ashgate. The tree has major dead wood within the crown.	Consent is granted to crown reduce the tree by 30% pruning back to suitable replacement branches and leaving a well-balanced crown. To include the removal of dead wood.

<p>CHE/23/00496/TPO</p> <p>TPO 4901.160</p> <p>07/09/23</p>	<p>The pruning of one Beech tree reference T59 on the Order Map and which is situated in the grounds of 96 The Green, Hasland.</p>	<p>Consent is granted to the pruning of one Beech tree to crown lift by 4.8 metres, crown thin by 10% and the reduction of branches growing towards to clear the property by 3.5 metres pruning back to suitable replacement branches.</p>
<p>CHE/23/00494/TPO</p> <p>TPO 4901.34</p> <p>08/09/23</p>	<p>The felling of one Beech tree reference T4 on the Order Map and which is situated in the grounds of 146 St Johns Road. The tree has severe dieback of the crown.</p>	<p>Consent is granted to fell the tree. The duty to plant a replacement tree has been dispensed with on this occasion due to other trees in the locality and no loss of amenity to the frontage of the property.</p>
<p>CHE/23/00510/TPO</p> <p>TPO 4901.19</p> <p>08/09/23</p>	<p>The pruning of one Beech reference T14 on the Order Map and which is situated in the grounds of 9 Abercrombie Street.</p>	<p>Consent is granted to crown reduce the lateral branches to the south of the crown by a maximum of 2.5 metres. A reduction of the lateral branches of the western crown to give a 1-2 metres clearance from the property structure and pruning the remainder of the crown to create a well-balanced crown, pruning back to suitable replacement branches.</p> <p>Crown lift 5.2 metres to clear the highway and the removal of dead wood.</p>

<p>CHE/23/00525/TPO</p> <p>TPO 4901.197</p> <p>11/09/23</p>	<p>The pruning of one Maple tree reference T1 on the Order Map and which is situated to the frontage of Maple Court, Avenue Road, Whittington Moor.</p>	<p>Consent is refused to the crown reduction of one Maple because this is considered neither necessary or justified and would reduce the natural appearance and visual amenity of the tree.</p> <p>The upper crown is clear of the property and the reduction of the crown would induce new growth lower down the trees crown creating further light issues and an ongoing maintenance issue to reduce the tree in the future.</p> <p>The tree is very prominent in the streetscene and has good amenity value. The reduction of the crown would remove the trees natural shape and would therefore reduce its amenity value.</p> <p>Consent is granted to crown thin the tree by 20%, reduce branches growing towards the property and 51 Avenue Road to clear the structures by 1.5 metres and to crown lift by 2.5 metres.</p>
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<p>CHE/23/00512/TPO TPO 4901.132 11/09/23</p>	<p>The pruning of four trees reference T26 & T32 Cherry and T25 & T31 Acacia on the Order Map and which are situated on the entrance to Woodcote Way, Whitecotes Lane</p>	<p>Consent is granted to the crown lifting of four trees by 3 metres to provide a visibility splay to the new access to Woodcote Way off Whitecotes Lane.</p>
<p>CHE/23/00530/TPO TPO 4901.187 12/09/23</p>	<p>The pruning of one Sycamore tree reference T54 and one Oak tree reference T55 on the Order Map and which is situated in the garden of 16 Church Street North, Old Whittington</p>	<p>Consent is granted to remove 3 lower branches on one Oak tree and crown lift the Sycamore by 3 metres over the garden area.</p>
<p>CHE/23/00462/TPO TPO 4901.213 12/09/23</p>	<p>The pruning of one Oak tree reference T1 on the Order map at 21 Pearson Croft, Newbold.</p>	<p>Consent is refused to an all-round crown reduction of the tree because its current size is suitable for the rear garden and the selling of the property is not a justifiable reason to crown reduce the tree which would reduce its visual amenity.</p> <p>Consent is granted to the crown lifting of the tree, crown thin by 20% which includes the removal of dead wood and pruning out of old poor pruning cuts to BS3998 Tree Works and the reduction of any branches to clear the main dwelling by 3 metres and the conservatory by 2 metres pruning back to suitable replacement branches.</p>

<p>CHE/23/00495/TPO</p> <p>TPO 4901.191</p> <p>14/09/23</p>	<p>The felling of one Ash tree reference T4 on the Order Map and which is situated in the rear garden of 11 Woodland Walk, Holmehall</p>	<p>Consent is refused to the felling of one Ash tree reference T4 on the Order map because this is considered to be neither necessary nor justified.</p> <p>The tree has been inspected and it is accepted that there is a small crack in the limb which has recently lost a branch just above the crack, but it is considered that felling is an excessive action in order to overcome the perceived problem and it is further considered that a degree of pruning to crown reduce the tree and reduce the damaged limb to the point of the crack is more acceptable.</p> <p>At the time of inspection on the 13th September the tree was in full leaf with only minor dieback of the crown which is typical of Ash trees. There was no evidence of the tree being in poor health and no evidence has been provided with the application to indicate fungal growth is affecting the tree. A further application is therefore invited to reduce one limb to just below the crack point and crown reduce the remainder of the tree by 25%</p>
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SECTION 2**NOTIFICATION OF INTENT TO AFFECT TREES IN A CONSERVATION AREA**

<u>CONTENTS OF NOTICE</u>	<u>SUMMARY OF CONSIDERATIONS</u>	<u>TERMS OF DECISION</u>	<u>DATE OF DECISION</u>
CHE/23/00524/CA The felling of one Silver Birch tree at 18 Grove Farm Close, Brimington.	The tree is within the Brimington Conservation Area and the applicant wishes to fell the tree due to its size and small garden with the constant dropping of debris.	Agreement to the felling of one Birch tree. The felling of the tree will have no adverse effect on the character and amenity of the area.	11/09/23
CHE/23/00532/CA The pruning of 2 trees, 1 Holly tree & 1 Yew at 16 Church Street North, Old Whittington.	The trees are within the Old Whittington Conservation Area and the applicant wishes to prune the trees to reshape and restrict future growth.	Agreement to the pruning of trees at 16 Church Street North. The pruning of the trees will have no adverse effect on the character and amenity of the area.	13/09/23

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APPEALS REPORT

MEETING: PLANNING COMMITTEE

DATE: 2nd October 2023

REPORT BY: DEVELOPMENT MANAGEMENT AND
CONSERVATION MANAGER

FOR PUBLICATION

BACKGROUND PAPERS FOR PUBLIC REPORTS

<u>TITLE</u>	<u>LOCATION</u>
Non exempt papers on files referred to in report	Development Management Section Planning Service Town Hall Chesterfield

1.0 PURPOSE OF REPORT

- 1.1 To inform Members regarding the current status of appeals being dealt with by the Council.

PAUL STANIFORTH
DEVELOPMENT MANAGEMENT AND CONSERVATION
MANAGER

These are reported to Planning Committee for information only. Anyone requiring further information on any of the matters contained in this report should contact Paul Staniforth on 01246 345781.

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APPEALS

<u>FILE NO.</u>	<u>WARD</u>	<u>APPELLANT</u>	<u>CASE</u>	<u>MEMBER OFFICER</u>	<u>DATE REC</u>	<u>TYPE AND DATE</u>	<u>DECISION AND DATE</u>
2/4150	West ward	Mr D Pogson of 31 Storrs Road	CHE/22/00250/TPO – Felling 2 Beech trees at 25a Storrs Road Refusal	Officer delegation	21/06/22	Hearing 23/08/23	Dismissed 11/09/23 see appendix A
2/2581	Middlecroft & Poolsbrook ward	Mr T Singh	CHE/21/00381/FUL Extension at 26A Circular Road – Refusal	Officer delegation	23/2/23	Written Reps	
2/1257	Middlecroft & Poolsbrook ward	Mrs V Zheng	CHE/21/00778/FUL Change of Use and new build to create 20 apartments at Elm Tree Inn, High Street, Staveley – Refusal	Planning Committee against officer advice	28/04/23	Written Reps	
2/3583	St Helens ward	Woodall Homes Ltd	CHE/22/00604/FUL – Residential Development of land at Brimington Road, Waterside – 145 units – Non Determination	n/a	11/05/23	Public Inquiry	
2/1209	Moor ward	Plumco Ltd	CHE/23/00090/ADV – 48 sheet illuminated signage Refused	Officer delegation	23/05/23	Written Reps	
2/2150	Old Whittington Ward	Chris Eaton	CHE/23/00001/FUL Dwelling at 7 Ashcroft Drive, Old Whittington – Refusal	Officer delegation	9/6/23	Written Reps	
2/2403	Holmebrook ward	Mr Paul Servante	CHE/19/00534/RET – Play Equipment at 94	Committee authorised	9/6/23	Written Reps	

			Chester Street – appeal against planning refusal dated 19/11/19 rather than Enforcement Notice	Enforcement Notice			
2/1118	Whittington ward	Mr Paul Hardy (Vivid Outdoor Media Ltd	CHE/23/00026/ADV – Illuminated 48 sheet hoarding at Station Road, Whittington Moor - Refusal	Officer delegation	19/07/23	Written Reps	
2/	Brampton West and Loundsley Green	Mr Richard Ogle at	CHE/23/00167/FUL – Vehicle access at 192 Old Road. - Refusal	Officer delegation	29/8/23	Written Reps	

Appendix A

Appeal by Mr D Pogson (of 31 Storrs Road)
Felling Protected Trees at 25a Storrs Road, Brampton,
Chesterfield.
CHE/22/00250/TPO

1. Planning permission was refused on 1st June 2023 for felling two protected Beech trees to the rear of 25a Storrs Road for the following reasons:
 - Trees not unreasonably burdensome;
 - No evidence of damage to property;
 - The trees is in sound condition and have good amenity value and felling is an excessive action.
2. An appeal against the decision has been determined at a hearing and has been dismissed. The main issue was whether the appeal trees have sufficient public amenity value to warrant their continued protection under the TPO.
3. The inspector saw on his visit that Storrs Road is a fairly well-used residential throughroad, classified as the B6150. In the southern section, where the appeal site is located, there is a moderate amount of visible tree cover, mainly in a small number of discrete groups, set within individual gardens and in the grounds of the Westfield School. The seven or eight surviving trees covered by the present TPO form one such group, of mixed species, focussed around No 25A and the private driveway shared by that property and No 25.
4. T8 and T9 are a pair of reasonably large, mature Beeches, situated in the rear garden No 25A. In terms of public views, they are most clearly visible from the section of Storrs Road between the driveway to Nos 25 and 25A and the flank wall of No 29, across No 29's side garden. In this view, whilst the trunks are hidden, the tree crowns are seen in full. Although this section of road is quite short, it is nevertheless more than sufficient for the trees to be noticed and appreciated by passers-by, especially those travelling on foot or by bicycle. From this angle, T8 and T9 are seen slightly apart from the remaining trees within the TPO group, and this separation adds somewhat to their prominence in the street scene.

5. As the appellant pointed out, visibility alone is not sufficient to warrant the making of a TPO. However, the Planning Practice Guidance (PPG)¹ does make it clear that visibility is one of the key criteria, along with a range of other factors, including size and form, and future potential. In the present case, despite some asymmetrical and poorly-executed pruning in the early 2000s, the trees have since been subject to remedial works and regular maintenance, which has helped them to recover their appearance as well as their health. As a result, when in leaf, both trees now appear reasonably evenly-shaped and well balanced. Seen together, in their present condition, they are in the inspectors mind not simply a visual presence but also a highly attractive feature in views from the street.
6. The inspector appreciated the appellant's view that the appeal trees are not out of the ordinary. But as far as the legislation is concerned, the only requirement in Section 198 of the 1990 Act is whether the trees' protection is expedient in the interests of amenity, and in the PPG the test is whether their removal would have a significant negative impact. In neither case is it necessary to show that the trees in question are exceptional. In the present case, it is notable that the appeal trees, due to their size, clearly stand out from the many smaller, ornamental and fruit-bearing species, which tend to make up the great majority of trees in any residential setting. Given the contribution that the appeal trees currently make to the street scene, as discussed above, their loss would cause a substantial adverse impact.
7. With regard to their physical condition, the severe pruning of the past has left some large wounds in both trees, but these have occluded over time, and do not now appear to present any obvious passage for pathogens. Both trees show some signs of die-back, but on the scale that currently exists, this does not indicate any serious threat to the trees' health. It is not disputed that the trees are healthy and stable, and in a sound structural condition.
8. Turning to their future potential, the trees' further life expectancy is estimated by the Council as 40-100 years, based on their current age and condition, and the species' known characteristics. The appellant, in contrast, suggests

only 5- 40 years, but this is based on the contention that within that time they will have outgrown their location, and thus require felling. In the inspectors view this argument is flawed because it appears to discount the role of good arboricultural management. From the evidence given at the hearing, it is clear that over recent years the trees have been reduced periodically, in a sympathetic manner, to prevent them from becoming over-large. This treatment does not appear to have damaged the trees' health or appearance. If a similar regime were to be continued, there seems no reason why the trees could not continue to offer significant public amenity value. Such on-going management would be subject to the need for further tree works consents, but it appears that the Council would be likely to look favourably on applications in accordance with this approach. On this basis, the Council's assessment of 40- 100 years' life expectancy seems to me realistic. Even at the lowest end of that scale, a future life of 40 years would be a significant period.

9. The PPG advises authorities to use a structured and consistent method to assess amenity value, and the inspector noted the appellant's criticisms of the 'TEMPO' system used by the Council. But the PPG does not prescribe any particular method, and whatever its shortcomings, TEMPO does meet these stated requirements. Given the inspectors findings above as to the appeal trees' condition, longevity and visibility, the inspector saw no reason to disagree with the Council's scoring. Even if the 'expediency' element of the assessment were omitted, the trees would justify protection based on their scores in the remaining categories. The Helliwell system favoured by the appellant is also a recognised method, but in the light of the above matters, the inspector considered the scores suggested on this basis somewhat low in several categories. Looked at alongside my own observations, the inspector found that the Council's TEMPO assessment reinforces the conclusions that he had come to.
10. There is little doubt that if the planning permission for a first-floor side extension to No 31 Storrs Road is implemented, this will largely obscure views of the appeal trees from directly in front of the property. However, the view from just beyond No 29, would not be affected. Given the greater field

of view from this latter point, with the trees being seen in a wider context, the inspector considered this by far the more important view, with the greatest impact on the street scene. He also agreed with the appellant that the limited views from Spruce Close, Westfield Close and Westfield School would not on their own justify the TPO, but this did not change his view that such protection is warranted because of the view that he had identified originally, from Storrs Road.

11. In the appeal that was dismissed in 2017, the inspector found that T8 and T9 enhanced the visual amenity of their surroundings, and that their removal would cause significant harm. That decision is not binding on any future appeals, including this one, but it is a material consideration which was taken into account. It is not known to what extent the trees' amenity value was contested, but it is evident that in order to reach his findings on that matter, the inspector clearly made his own assessment. The inspector appreciated that the appellant disagreed with some of the judgements made, but there is no suggestion that the inspector's assessment was flawed by any factual error or omission. Since the date of that decision, the permission for the extension to No 31 has been granted, which is a new factor, but for the reasons already explained, the inspector did not find this to be decisive. The trees are said to have been pruned subsequently, in 2018, but there is no clear evidence as to whether their size now is materially different from at the time of the last appeal. None of the evidence suggests any significant change of circumstances of a magnitude that could be said to undermine the previous inspector's conclusions on the matter of amenity.
12. The appellant made clear his willingness to carry out replacement planting, either in the garden of No 29A, or at No 31. Notwithstanding the Council's reservations, the inspector saw no reason why such planting could not be secured by condition, with the actual positions to be approved prior to planting. But given the nature of the location, where lower level views are screened by boundary walls and fences, it would take some years before any such new planting would be publicly visible, and very many more before it could make any real visual impression on the street

scene. The prospect of replacement planting would therefore not compensate for the loss of the existing appeal trees.

13. Having regard to all of the above, and in particular the two Beech trees' size, form, condition, life expectancy, and contribution to public views in Storrs Road, the inspector concluded that the trees have substantial amenity value, justifying the degree of protection given to them by the TPO.

Other matters

14. In view of this conclusion regarding the trees' amenity value, felling would only be justified if the reasons for that course of action were compelling. The inspector noted the appellant's view that TPOs are not suited to trees located in private gardens, but the legislation allows for Orders to be made in any situation where such protection is judged to be in the interests of amenity, and nothing in the relevant guidance discourages their use in domestic gardens. The inspector fully accepted that, in such cases, statutory protection will often impose additional financial burdens on the owner, and also that sometimes protected trees can unfortunately become a source of tension between neighbours, and consequent stress. Such unintended impacts, where they occur, are clearly regrettable. However, having regard for the purposes underlying the TPO regime, it seems to me that matters of this kind will very rarely outweigh the public interest that is served by enabling trees of high amenity value to remain. In the absence of any exceptional circumstances, there seems no clear reason why the present appeal should be any different in this respect. These considerations therefore do not justify the felling of the trees.
15. At the hearing, various other matters were raised by other parties, regarding the trees' impacts on other neighbouring properties. These matters included the effects on light, damage to a boundary wall, moss growth, the need to clear large volumes of leaves and debris from lawns and gutters, and fears for the safety of children and others from falling branches. Clearly these are all matters to be taken seriously, and the inspector had considerable sympathy for those who attended and spoke about them. However, in the present case none of these points were raised in written submissions, either at the application or appeal stages. The

Council therefore had no notice, prior to the hearing, that these matters were to be raised, and no opportunity to give them proper consideration. In the circumstances, were the inspector to attempt to reach a definitive conclusion on any of these, in the context of the present appeal, there would be a risk that this would cause procedural unfairness.

16. Having said this, it seems that whilst some of these issues might be considered as potential grounds for seeking a reduction in the trees' size, most would be unlikely to justify their complete removal. In the present appeal, the appellant has made it clear that the consent that he seeks is for felling, and not for any lesser works, and the decision deals with that proposal only. The inspectors decision with regard to this appeal does not preclude any party from making any further applications, and any such application would be for the Council to consider in the first instance.
17. As far as this appeal is concerned, the inspector found that none of the matters raised, by either the appellant or the other parties, outweighs the desirability of protecting the trees in question for their amenity value to the public.
18. For the reasons set out above, the inspector found that the two Beeches at the appeal site, T8 and T9, are trees of significant amenity value, whose removal would result in a significant negative impact on the local environment. As such, the trees justify the protection given by the TPO. No adequate reasons have been advanced to override that protection. The appeal is therefore dismissed.

FOR PUBLICATION Agenda Item 8

ENFORCEMENT REPORT

MEETING: PLANNING COMMITTEE
DATE: 2ND OCTOBER 2023
REPORT BY: HEAD OF REGULATORY LAW
DEVELOPMENT MANAGEMENT & CONSERVATION MANAGER
WARD: As listed in the report

FOR PUBLICATION

TITLE: Non-exempt papers (if any) on relevant files

BACKGROUND PAPERS

LOCATION: LEGAL SERVICES

1.0 PURPOSE OF REPORT

1.1 For non-exempt information about current formal enforcement progress.

2.0 BACKGROUND

2.1 The table summarises formal planning enforcement by the Council.

3.0 INFORMAL ACTION

3.1 Formal enforcement is a last resort, with most planning problems resolved without formal action (in accordance with government guidance). More information on informal enforcement is available from the Enforcement team.

4.0 MORE INFORMATION ABOUT THE TABLE

4.1 A summary of the main types of planning enforcement action available to the Council and penalties for non-compliance is available from Legal Services.

5.0 RECOMMENDATION

5.1 That the report be noted.

GERARD ROGERS
HEAD OF REGULATORY LAW

PAUL STANIFORTH
DEVELOPMENT MANAGEMENT
& CONSERVATION MANAGER

Further information on this report from Gerard Rogers, Regulatory Law
Tel 01246 936471 or email gerard.rogers@chesterfield.gov.uk

ENFORCEMENT REPORT

Enforcements currently Authorised: 10

22 September 2023

Address	Authorised <small>days from</small>	Breach	CHE/ <small>days to issue</small>	Issued <small>days to issue</small>	Effective <small>days to (-) /from</small>	Comply <small>days to (-) /from</small>	Notes	update <small>last update</small>	Ward
Breach of Condition Notice		<i>Total currently Authorised: 2</i>		<i>Authorised to Issue Average: 540 days</i>					
Dunston Road	Dunston Hall 25/05/23 <small>120</small>	Loud music in marquee	23/00228/DOC				Authorised by Development Management and Conservation Manager	<input type="checkbox"/>	D
York Street	2 23/09/19 <small>1,460</small>	balcony, canopy and french door	17/00800/FUL	16/03/21 <small>540</small>	16/03/21 <small>920</small>	16/04/21 <small>889</small>	Issued. One month to submit details. Then 6 months after approval to carry out works. Not complied. Prosecution being prepared.	<input type="checkbox"/> <small>18/03/21</small>	Ha
Enforcement Notice		<i>Total currently Authorised: 5</i>		<i>Authorised to Issue Average: 65 days</i>					
Chester Street	94 20/02/23 <small>214</small>	wooden play structure		30/05/23 <small>99</small>	29/06/23 <small>85</small>	29/07/23 <small>55</small>	removal within 28 days. Issued 30/05/23. Owners indicated they would appeal refusal of planning permission and might also appeal enforcement notice. However no appeals registered before notice took effect.	<input type="checkbox"/> <small>30/08/23</small>	B

Address		Authorised <i>days from</i>	Breach	CHE/	Issued <i>days to issue</i>	Effective <i>days to (-) /from</i>	Comply <i>days to (-) /from</i>	Notes	update <i>last update</i>	Ward
Markham Road	Markham House	18/02/08 5,695	storage of commercial vehicles		20/03/08 31	18/04/08 5635	20/10/08 5450	Complied by 2009. Unauthorised use has started again. Prosecute - awaiting instructions.	<input type="checkbox"/> 14/11/19	HI
Park Hall Avenue	2	12/12/22 284	timber fencing and stone columns on frontage					Awaiting instructions	<input type="checkbox"/> 21/12/22	Wa
Pottery Lane West	10	18/07/22 431	Storage of vehicles					About to be issued.	<input type="checkbox"/> 20/10/22	Mo
York Street	2	09/10/17 2,174	conversion and extension of roof space	17/00800/FUL				Flat conversion approved 03/04/18, conditions requiring removal of balcony, canopy, french windows appealed, but dismissed 18/12/18. Not complied with conditions. BCN served - see separate entry.	<input type="checkbox"/> 19/12/18	Ha

Section 215 Amenity Notice

Total currently Authorised: 3 Authorised to Issue Average: days

Address		Authorised <i>days from</i>	Breach	CHE/	Issued <i>days to issue</i>	Effective <i>days to (-) /from</i>	Comply <i>days to (-) /from</i>	Notes	update <i>last update</i>	Ward
Edinburgh Road	12	10/10/22 <i>347</i>	unroadworthy vehicle, trailer and miscellaneous building materials etc.					Did not comply within 3 months given. Instructed.	<input type="checkbox"/> <i>28/10/22</i>	SH
Highfield Road	80	05/10/20 <i>1,082</i>	Removal of debris and waste					Update report 15/02/21. Working with occupier and representative with view to progress without formal action.	<input type="checkbox"/> <i>15/02/21</i>	SH
Tapton Terrace	26	05/10/20 <i>1,082</i>	removal of Heras fencing and erection of new boundary fence, removal of vans, debris and waste					Update report 15/02/21. Progressing without formal action.	<input type="checkbox"/> <i>15/02/21</i>	SL

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

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

SJP - single justice procedure: prosecutions dealt with by the Magistrates Court on paper without a hearing in open court

CV-19 - coronavirus implications for enforcement or compliance

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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