



Please ask for Liz Athorn
Direct Line: 01246 959612
Email democratic.services@chesterfield.gov.uk

The Chair and Members of Planning
Committee

Councillors J Bingham and Jacobs –
Site Visit 1

19 January 2024

Dear Councillor,

Please attend a meeting of the PLANNING COMMITTEE to be held on MONDAY, 29 JANUARY 2024 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 11:25. Ward members wishing to be present should attend on site as indicated below:-

- | | | |
|----|---------|---|
| 1. | 11:45am | Barrow Hill Engine Shed
CHE/23/00650/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.

A reasonable adjustment meeting will take place at 11.10am in Committee Room 1 for those not able to attend the site visits.

Ward members are invited to attend on site and should confirm their attendance by contacting Liz Athorn on e-mail: Liz.Athorn@chesterfield.gov.uk by 9.00 a.m. on Monday 29 January, 2024. If you do not confirm your attendance, it will be assumed that you will not be attending on site.

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 - 40)
4. Applications for Planning Permission - Plans Determined by the Committee (Pages 41 - 82)
5. Applications for Planning Permission - Plans Determined by the Development Management and Conservation Manager (P140D) (Pages 83 - 94)
6. Applications to Fell or Prune Trees (P620D) (Pages 95 - 100)
7. Appeals Report (P000) (Pages 101 - 110)
8. Enforcement Report (P410) (Pages 111 - 114)
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 of Part I of Schedule 12A of the Act.”

Part 2 (Non Public Information)

10. Enforcement Notice Regarding Unauthorised Development at 10 Pottery Lane West, Chesterfield (Pages 115 - 120)

Yours sincerely,

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

Head of Regulatory Law and Monitoring Officer

This page is intentionally left blank

PLANNING COMMITTEE**Monday, 8th January, 2024**

Present:-

Councillor Callan (Chair)

Councillors	B Bingham	Councillors	Davenport
	J Bingham		Miles
	Brady		Stone
	Caulfield		Yates

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

CHE/22/00268/REM1 - Variation of Condition 2 (Approved Drawings) and Condition 17 (Electric Vehicle Charging Points) of Application CHE/19/00729/FUL at Plymouth Brethren Christian Church, 135 Littlemoor, Newbold, Derbyshire, S41 8QP for Plymouth Brethren Christian Church.

Councillors J Bingham, Brady, Callan, Caulfield, Davenport, Stone and Yates.

CHE/18/00688/OUT - Re-submission of CHE/17/00390/OUT - Outline Application for Residential Development of up to 17 New Build Dwellings along with the retention of existing Farmhouse, the conversion of existing Stone Barn to residential use and conversion of existing Cart Shed to Garaging (amended description 28.04.22) at Pondhouse Farm, 2 Troughbrook Road, Hollingwood for Chatsworth Settlement Trustees.

Councillors J Bingham, Brady, Callan, Caulfield, Davenport, Stone and Yates.

CHE/18/00491/OUT - Re-submission of CHE/17/00225/OUT - Outline Planning Application for Residential Development of up to 6 Dwellings with all matters reserved at Land to the East of Troughbrook Road, Hollingwood for Chatsworth Settlement Trustees.

Councillors J Bingham, Brady, Callan, Caulfield, Davenport, Stone and Yates.

CHE/22/00815/FUL - Two Storey Side and Single Storey Rear Extension at 1 Stanier Court, Hasland, Chesterfield for Mr D Owen.

Councillors J Bingham, Brady, Callan, Caulfield, Davenport, Stone and Yates.

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

*Matters dealt with under the Delegation Scheme

92 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Brittain, Falconer and Ridgway.

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

No declarations of interest were received.

94 MINUTES OF PLANNING COMMITTEE

RESOLVED - That the Minutes of the meeting of the Planning Committee held on 4th December, 2023 be signed by the Chair as a true record.

95 APPLICATIONS FOR PLANNING PERMISSION - PLANS DETERMINED BY THE COMMITTEE

*The Committee considered the under-mentioned applications in light of reports by the Development Management and Conservation Manager and resolved as follows:

CHE/22/00815/FUL - TWO STOREY SIDE AND SINGLE STOREY REAR EXTENSION AT 1 STANIER COURT, HASLAND, CHESTERFIELD FOR MR D OWEN.

In accordance with Minute No. 299 (2001/2002) Mr Owen (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 (listed below) with the exception of any approved non-material amendment:

- 012 Site Location and Block Plans
- 002 Existing Ground Floor Plan
- 003 Existing First Floor Plan
- 004 Existing Loft Floor Plan
- 005 Existing Roof Plan
- 006 Existing Elevations
- 007 Proposed Ground Floor Plan
- 008 Proposed First Floor Plan
- 009 Proposed Loft Floor Plan
- 010 Proposed Roof Plan
- 0011 Proposed Elevations

3. Within 2 months of the completion of the development hereby approved, biodiversity enhancement measures shall be implemented on site. These measures shall be retained and maintained thereafter in accordance with the scheme so approved. The acceptable measures can be one or more of the options labelled in informative note 2, as shown below.

**CHE/18/00491/OUT - RE-SUBMISSION OF CHE/17/00225/OUT -
OUTLINE PLANNING APPLICATION FOR RESIDENTIAL
DEVELOPMENT OF UP TO 6 DWELLINGS WITH ALL MATTERS
RESERVED AT LAND TO THE EAST OF TROUGH BROOK ROAD,
HOLLINGWOOD FOR CHATSWORTH SETTLEMENT TRUSTEES.**

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

***RESOLVED**

A. That the officer recommendation be upheld, subject to the amendments to condition numbers as detailed at the committee, and the application be approved subject to the following conditions.

S106 agreement

To secure 10% affordable housing at a split of 90/10 social rented and shared ownership in line with policy CLP4 and joined together with application CHE/18/00688/OUT. This can include an off site contribution for part of the provision.

Conditions

1. Application for approval of all reserved matters must be made not later than the expiration of three years from the date of this permission. The development hereby permitted must be begun not later than the expiration of two years from the final approval of the reserved matters, or in the case of approval of such matters on different dates, the date of the final approval of the last such matter to be approved.
2. An application for details of the following matters (hereafter referred to as the “reserved matters”) shall be submitted to and approved in writing by the Local Planning Authority before the commencement of any works:-
 - a) the scale of the development;
 - b) the layout of the development;
 - c) the external appearance of the development;
 - d) details of access arrangements;
 - e) the landscaping of the site.

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

3. The development hereby approved shall only be carried out in accordance with the following approved plan:

- Site location plan 15.060/09 received 16.07.2018

The following plans are illustrative or informative only and should be taken into consideration in any reserved matters application:

- Illustrative layout plan 15.060/11 received 16.07.2018
- Illustrative block plan 15.060/12 received 16.07.2018
- Opportunities and constraints plan 15.060/10 received 16.07.2018

4. No construction or demolition works, movement of construction traffic, or deliveries to and from the premises, shall occur other than between 0800 and 1800 hours weekdays, and 0800 and 1300 hours on Saturdays, and at no time on Sundays or Public Holidays.

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

6. The reserved matters submission shall include existing and proposed site levels demonstrated through sectional plans.

7. a) Prior to work commencing on site, the application site shall be subjected to a detailed scheme for the investigation and recording of contamination and a report has been submitted to and approved in writing by the Local Planning Authority.

b) Prior to works commencing on site, detailed proposals in line with current best practice for the removal, containment or otherwise rendering harmless such contamination (the 'Contamination Proposals') shall be submitted to and approved in writing by the Local Planning Authority.

c) For each part of the development, 'Contamination Proposals' relevant to that part shall be carried out either before or during such development as appropriate.

d) If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the 'Contamination Proposals' then the revised 'Contamination Proposals' shall be submitted to and approved in writing by the Local Planning Authority.

- e) If during development work site contaminants are found in areas previously expected to be clean then their remediation shall be carried out in line with the agreed 'Contamination Proposals';
- f) Prior to the commencement of any construction works in any area that has been subject to remediation, a verification report shall be submitted to and approved in writing by the Local Planning Authority.

8. a) No development shall take place until a Written Scheme of Investigation for archaeological work has been submitted to and approved by the local planning authority in writing, and until any pre-start element of the approved scheme has been completed to the written satisfaction of the local planning authority. The scheme shall include an assessment of significance and research questions; and

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.

b) No development shall take place other than in accordance with the archaeological Written Scheme of Investigation approved under condition (a).

c) The development shall not be occupied until the site investigation and post investigation reporting has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under condition (a) and the provision to be made for publication and dissemination of results and archive deposition has been secured.

9. No removal of hedgerow, scrub or trees shall take place between 1st March and 31st August inclusive, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and details of measures to protect the nesting bird

interest on the site have first been submitted to and approved in writing by the Local Planning Authority and then implemented as approved.

10. A survey for any recently excavated badger setts on the site or within 30 metres of the site boundary shall be undertaken prior to the commencement of any groundworks on the site. The survey shall then be submitted to and agreed in writing by the Local Planning Authority with any necessary mitigation measures all of which shall be undertaken in line with the agreed works and before the commencement of works on site.

11. Construction Environmental Management Plan (Biodiversity):
No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of “biodiversity protection zones”.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements for badger and reptiles).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

12. The reserved matters submission shall include:

- details of 6 integrated swift bricks bird boxes will be clearly shown on a plan (positions/specification/numbers).
- hedgehog connectivity measures will be clearly shown on a plan, such as small fencing gaps (130 mm x 130 mm), railings or hedgerows.

These shall be installed prior to final occupation.

13. The reserved matters submission for landscaping shall include:

- 1) location, type and materials to be used for hard landscaping including specifications,
- 2) a schedule detailing sizes and numbers/densities of all proposed trees/plants, to include fruit trees to encourage foraging, all with the aim of enhancing biodiversity;
- 3) specifications for operations associated with plant establishment and maintenance that are compliant with best practise,

All in line with the Biodiversity Net Gain Assessment by Penny Anderson Assoc. Ltd dated May 2021 and the net gains identified therein.

There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority.

The site shall be landscaped strictly in accordance with the details approved under the reserved matters within the first planting season after completion or first occupation of the development, whichever is the sooner.

14. A Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The LEMP shall cover all retained and created habitats within the red and blue edged land, as identified in the Biodiversity Net Gain Assessment by Penny Anderson Assoc. Ltd dated May 2021 to meet the percentage and numerical unit habitat gains set out therein and the landscaping of the site agreed under condition 13 as part of the reserved matters submission for landscaping.

The content of the LEMP shall include the following;

- a) Description and evaluation of features to be managed;
- b) Ecological trends and constraints on site that might influence management;
- c) Aims and objectives of management;
- d) Appropriate management options for achieving aims and objectives;
- e) Prescriptions for management actions;
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a thirty-year period);
- g) Details of the body or organization responsible for implementation of the plan;

h) Ongoing monitoring and remedial measures,

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term (30 Years +) implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan shall be implemented in accordance with the approved details.

15. The site shall be developed with separate systems of drainage for foul and surface water on and off site. If sewage pumping is required, the peak pumped foul water discharge must not exceed 3 (three) litres per second.

16. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.

17. No development shall be commenced until a temporary access for construction purposes has been provided in accordance with a detailed design first submitted to and approved, in writing, by the Local Planning Authority. The access shall be retained in accordance with the approved scheme throughout the construction period, or such other period of time as may be agreed, in writing, by the Local Planning Authority, free from any impediment to its designated use.

18. Before any other operations are commenced, excluding construction of the temporary access referred to in Condition 17 above, space shall be provided within the site for storage of plant and materials, site accommodation, loading, unloading and manoeuvring of goods vehicles, parking and manoeuvring of employees and visitors' vehicles, laid out and constructed. Once implemented the facilities shall be retained free from any impediment to their designated use throughout the construction period.

19. The reserved matters submission shall include a detailed scheme of highway improvement works for the provision of vehicular access(es) with visibility splays of 2.4m x 50m and a footway across the entire site frontage with Troughbrook Road, together with a programme for the implementation and completion of the works, to be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be

occupied until the required highway improvement works have been constructed in accordance with the approved details.

20. The land in advance of the approved exit visibility sightlines from the new vehicular access(es) with Troughbrook Road, the subject of Condition 19 above, 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 nearside carriageway channel level.

21. No dwelling shall be occupied until space has been laid out within the site curtilage for the parking/manoeuvring of residents/visitors vehicles, located, designed, laid out and constructed all as agreed with the Local Planning Authority through the reserved matters submission, and maintained throughout the life of the development free from any impediment to its designated use.

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or in any Statutory Instrument revoking or re-enacting that Order with or without modification), there shall be no gates or other barriers within 6.0m of the nearside highway boundary.

23. The proposed access(es)/driveway(s) to Troughbrook Road shall be no steeper than 1 in 14 for the first 6.0m from the nearside highway boundary and 1 in 10 thereafter.

CHE/18/00688/OUT - RE-SUBMISSION OF CHE/17/00390/OUT - OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT OF UP TO 17 NEW BUILD DWELLINGS ALONG WITH THE RETENTION OF EXISTING FARMHOUSE, THE CONVERSION OF EXISTING STONE BARN TO RESIDENTIAL USE AND CONVERSION OF EXISTING CART SHED TO GARAGING (AMENDED DESCRIPTION 28.04.22) AT PONDHOUSE FARM, 2 TROUGH BROOK ROAD, HOLLINGWOOD FOR CHATSWORTH SETTLEMENT TRUSTEES.

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

***RESOLVED**

A. That the officer recommendation be upheld and the application be approved subject to the following conditions of the officer's report:-

S106 agreement

To secure 10% affordable housing at a split of 90/10 social rented and shared ownership in line with policy CLP4 and joined together with application CHE/18/00491/OUT. This can include an off site contribution for part of the provision.

Conditions

1. Application for approval of all reserved matters must be made not later than the expiration of three years from the date of this permission. The development hereby permitted must be begun not later than the expiration of two years from the final approval of the reserved matters, or in the case of approval of such matters on different dates, the date of the final approval of the last such matter to be approved.
2. An application for details of the following matters (hereafter referred to as the "reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before the commencement of any works:-
 - a) the scale of the development;
 - b) the layout of the development;
 - c) the external appearance of the development;
 - d) the landscaping of the site.

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

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

- Site location plan 15.060/13 received 08.10.2018
- Topographical Survey 21496_06_170_01.1 to 01.4 received 8.10.2018
- Driveway visibility splays 245165-01 Rev P01 received 07.01.2022
- Site entrance general arrangement PHF-004 Rev C received 05.07.2022

- Vertical Profiles PHF-006 Rev B received 07.01.2022

The following plan is illustrative only and should be taken into consideration in any reserved matters application:

- Illustrative Layout Plan 15.060/07h received 05.09.2022

4. No construction or demolition works, movement of construction traffic, or deliveries to and from the premises, shall occur other than between 0800 and 1800 hours weekdays, and 0800 and 1300 hours on Saturdays, and at no time on Sundays or Public Holidays.

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

6. The reserved matters submission shall include existing and proposed site levels demonstrated through sectional plans..

7. The reserved matters submission in relation to the conversion of the barn shall set out in detail a schedule of required works to be undertaken to secure the conversion of the building.

8.a) Prior to work commencing on site, the application site shall be subjected to a detailed scheme for the investigation and recording of contamination and a report has been submitted to and approved in writing by the Local Planning Authority;

b) Prior to works commencing on site, detailed proposals in line with current best practice for the removal, containment or otherwise rendering harmless such contamination (the 'Contamination Proposals') shall be submitted to and approved in writing by the Local Planning Authority;

c) For each part of the development, 'Contamination Proposals' relevant to that part shall be carried out either before or during such development as appropriate;

d) If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the 'Contamination Proposals'

then the revised 'Contamination Proposals' shall be submitted to and approved in writing by the Local Planning Authority;

e) If during development work site contaminants are found in areas previously expected to be clean then their remediation shall be carried out in line with the agreed 'Contamination Proposals';

f) Prior to the commencement of any construction works in any area that has been subject to remediation, a verification report shall be submitted to and approved in writing by the Local Planning Authority.

9. a) No development shall take place until a Written Scheme of Investigation for archaeological work has been submitted to and approved by the local planning authority in writing, and until any pre-start element of the approved scheme has been completed to the written satisfaction of the local planning authority. The scheme shall include an assessment of significance and research questions; and

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.

b) No development shall take place other than in accordance with the archaeological Written Scheme of Investigation approved under condition (a).

c) The development shall not be occupied until the site investigation and post investigation reporting has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under condition (a) and the provision to be made for publication and dissemination of results and archive deposition has been secured.

10. The development shall include at least a 15m buffer area of landscaping to the woodland located to the south of the site and this shall

be as detailed on the Illustrative Layout Plan 15.060/07h received 05.09.2022 or as otherwise to be demonstrated on a revised layout plan to be submitted as part of the reserved matters.

11. The reserved matters submission shall demonstrate at least 25% of the dwellings on site to be M4(2) accessible and adaptable homes.

12. No removal of hedgerow, scrub or trees shall take place between 1st March and 31st August inclusive, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and details of measures to protect the nesting bird interest on the site have first been submitted to and approved in writing by the Local Planning Authority and then implemented as approved.

13. A survey for any recently excavated badger setts on the site or within 30 metres of the site boundary shall be undertaken prior to the commencement of any groundworks on the site. The survey shall then be submitted to and agreed in writing by the Local Planning Authority with any necessary mitigation measures all of which shall be undertaken in line with the agreed works and before the commencement of works on site.

14. Construction environmental management plans (Biodiversity): No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements for badger and reptiles).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

15. The reserved matters submission shall include:

- details of 6 integrated swift bricks bird boxes will be clearly shown on a plan (positions/specification/numbers).
- hedgehog connectivity measures will be clearly shown on a plan, such as small fencing gaps (130 mm x 130 mm), railings or hedgerows. These shall be installed prior to final occupation.

16. Prior to building works commencing above foundation level, a detailed lighting strategy shall be submitted to and approved in writing by the LPA to safeguard bats and other nocturnal wildlife. This should provide details of the chosen luminaires and any mitigating features such as dimmers, PIR sensors and timers. A lux contour plan shall be provided to demonstrate acceptable levels of lightspill to any sensitive ecological zones/features. Guidelines can be found in Guidance Note 08/18 - Bats and Artificial Lighting in the UK (BCT and ILP, 2018). Such approved measures will be implemented in full.

17. The landscaping reserved matters shall include:

1) a scaled plan showing all existing vegetation and landscape features to be retained and trees and plants to be planted;

2) location, type and materials to be used for hard landscaping including specifications, where applicable for:

- a) permeable paving
- b) tree pit design
- c) underground modular systems
- d) Sustainable urban drainage integration
- e) use within tree Root Protection Areas (RPAs);

3) a schedule detailing sizes and numbers/densities of all proposed trees/plants;

- 4) specifications for operations associated with plant establishment and maintenance that are compliant with best practise; and
- 5) types and dimensions of all boundary treatments.

There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority. Unless required by a separate landscape management condition, all soft landscaping shall have a written five year maintenance programme following planting. Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details,

The site shall be landscaped strictly in accordance with the details approved under the reserved matters within the first planting season after completion or first occupation of the development, whichever is the sooner.

18. A Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The LEMP shall cover all retained and created habitats within the red and blue edged land, as identified in the Biodiversity Net Gain Assessment by Penny Anderson Assoc. Ltd dated May 2021 to meet the percentage and numerical unit habitat gains set out therein and the landscaping of the site agreed under condition 17 as part of the reserved matters submission for landscaping.

The content of the LEMP shall include the following;

- a) Description and evaluation of features to be managed;
- b) Ecological trends and constraints on site that might influence management;
- c) Aims and objectives of management;
- d) Appropriate management options for achieving aims and objectives;
- e) Prescriptions for management actions;
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a thirty-year period);
- g) Details of the body or organization responsible for implementation of the plan;

h) Ongoing monitoring and remedial measures,
The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term (30 Years +) implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan shall be implemented in accordance with the approved details.

19. Prior to the commencement of the development hereby approved (including land clearance, demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.

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

- a) Location and installation of services/ utilities/ drainage.
- b) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees.
- c) Details of construction within the RPA or that may impact on the retained trees.
- d) a full specification for the installation of boundary treatment works.
- e) a full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them.
- f) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.
- g) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
- h) a specification for scaffolding and ground protection within tree protection zones.
- i) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.

- j) details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires
- k) Boundary treatments within the RPA
- l) Methodology and detailed assessment of root pruning
- m) Arboricultural supervision and inspection by a suitably qualified tree specialist
- n) Reporting of inspection and supervision
- o) Methods to improve the rooting environment for retained and proposed trees and landscaping
- p) Ancient woodland protection and management.

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

20. The site shall be developed with separate systems of drainage for foul and surface water on and off site. If sewage pumping is required, the peak pumped foul water discharge must not exceed 3 (three) litres per second.

21. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.

22. No development shall take place until a detailed design and associated management and maintenance plans of the surface water drainage for the site, in accordance with the principles outlined within:
a. 'PROPOSED RESIDENTIAL DEVELOPMENT, PONDHOUSE FARM, HOLLINGWOOD, CHESTERFIELD FLOOD RISK AND DRAINAGE STATEMENT' May 2017, report ref 21730/05-17/4902, including any subsequent amendment or updates to those documents as approved by the Flood Risk Management Team.

b. And DEFRA's Non-statutory technical standards for sustainable drainage systems (March 2015),
Have been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved detailed design, prior to the use of the building commencing.

23. No development shall take place until a detailed assessment has been provided to and approved in writing by the Local Planning Authority, to demonstrate that the proposed destination for surface water accords with the drainage hierarchy as set out in para 80 of the Planning Practice Guidance.

24. Prior to commencement of development, the applicant shall submit for approval to the LPA details indicating how additional surface water run-off from the site will be avoided during the construction phase. The applicants may be required to provide collection, balancing and/or settlement systems for these flows. The approved system shall be operating to the satisfaction of the LPA, before the commencement of any works, which would lead to increased surface water run-off from the site during the construction phase.

25. New vehicular and pedestrian accesses in connection with properties with direct access to Troughbrook Road shall be formed prior to occupation of dwellings and provided with visibility sightlines extending from a point 2.4 metres back from the carriageway edge, measured along the centreline of the access, for a distance of 50 metres in both directions measured along the nearside carriageway edge in accordance with a scheme first submitted to and approved, in writing, by the Local Planning Authority. 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 adjoining nearside carriageway channel level.

26. Before any other operations are commenced in respect of dwellings to be served via a new road, a new vehicular and pedestrian junction shall be formed to Troughbrook Road and provided with visibility sightlines extending from a point 2.4 metres from the carriageway edge, measured along the centreline of the access, for a distance of 50 metres in both directions measured along the nearside carriageway edge in accordance with a scheme first submitted to and approved in writing by the Local Planning Authority. 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) above ground level.

27. Before any other operations are commenced (excluding demolition/site clearance), space shall be provided within the site curtilage for the storage of plant and materials, site accommodation, loading and unloading of goods vehicles, parking and manoeuvring of site operatives and visitors

vehicles, laid out, constructed and maintained throughout the contract period free from any impediment to its designated use.

28. The premises, the subject of the application, shall not be occupied until the proposed new estate street within the application site has been designed and laid out in accordance with the latest design guidance from DCC Highways, and constructed to base level to adoptable standards all as agreed in writing with the Local Planning Authority.

29. The premises, the subject of the application shall not be occupied until a minimum 2.0m wide footway has been provided across the site frontage in accordance with details first to be submitted and agreed, in writing, by the Local Planning Authority in consultation with the Highway Authority.

30. The premises, the subject of the application, shall not be occupied until space has been provided within the site curtilage for the parking and where appropriate manoeuvring of 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.

31. The proposed access(es)/driveway(s) to Troughbrook Road shall be no steeper than 1 in 14 for the first 6.0m from the nearside highway boundary and 1 in 10 thereafter.

32. Prior to development commencing, an Employment and Training Scheme shall be submitted to the Local Planning Authority for consideration and written approval. The Scheme shall include a strategy to promote local supply chain, employment and training opportunities throughout the construction of the development.

33. The reserved matters submission shall be accompanied by a statement to set out how the development will mitigate climate change and seek to reduce emissions both through construction and post occupation.

CHE/22/00268/REM1 - VARIATION OF CONDITION 2 (APPROVED DRAWINGS) AND CONDITION 17 (ELECTRIC VEHICLE CHARGING POINTS) OF APPLICATION CHE/19/00729/FUL AT PLYMOUTH BRETHERN CHRISTIAN CHURCH, 135 LITTLEMOOR, NEWBOLD, DERBYSHIRE, S41 8QP FOR PLYMOUTH BRETHERN CHRISTIAN CHURCH.

***RESOLVED**

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

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

- Site location plan, drawing number 1622-540 (dated Nov 2019, received 22.11.2019)
- Proposed plan (church layout), drawing number 560 -1622 (dated 15.11.2019, received 22.11.2019)
- Proposed elevations drawing number 1622 -570 revision A (dated 14.11.2019, received 22.11.2019)
- Proposed layout & surfacing plan/sections, drawing number 1622-500 revision F (dated 19.01.2020, received 23.01.2020)
- Hard surfacing & Levels, Revision 11 (dated 23.03.2021)
- External Drainage Plan, Revision 10 (received 25.01.2021)
- Soakaway calculations produced by Onn-Point Engineering Job number OP1116, C/01, C/02, C/03, C/04, C/05, C/06, C/07 (Dated 27.10.2020)
- Drainage maintenance strategy, produced by Onn Point Engineering, reference 20-OP-1116 (dated November 2020)
- Soft Landscaping Schedule, reference Littlemoor version 3 – 201018
- General arrangement, revision 16
- EXTERIOR LIGHTING CAR PARK LIGHTING, ASD-DN-13936-DWG-SHEET 1 of 1, revision R07
- Littlemoor Planning Conditions Detail
- Levels, Revision 11 (dated 23.03.2021)

2. The development shall be carried out in full accordance with the approved plans and documents for the means of disposal of foul and surface water drainage (listed below).

- External Drainage Plan, Revision 10 (received 25.01.2021)
- Soakaway calculations produced by Onn-Point Engineering Job number OP1116, C/01, C/02, C/03, C/04, C/05, C/06, C/07 (Dated 27.10.2020)

- Drainage maintenance strategy, produced by Onn Point Engineering, reference 20-OP-1116 (dated November 2020)

3. Lighting shroud:

All the lighting units shall be appropriately shrouded to prevent glare or dazzle to adjacent residential properties.

4. The lighting hereby agreed shall not be used between the hours of 22:00 and 07:00 on any day.

5. Tree protection:

There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority.

6. Replacement planting within 5 years:

If, within a period of five years from the date of the planting of any tree or plant, that tree or plant, or any tree or plant planted as a replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

7. 6 Cycle stands shall be retained on site for the life of the new car park in accordance with approved plan General Arrangement, Revision 16.

8. Electric charging points shall be provided in accordance with the approved site layout plan 'General Arrangement, Revision 16' for at least 3 no car parking spaces. The Charging points shall be available for use concurrent with the first use of the car park hereby approved. Thereafter the EVCPs shall be retained and maintained operational for the lifetime of the development.

9. The fencing installed in accordance with drawing 'General Arrangement, Revision 10 (dated 23.01.2021)' and document 'Littlemoor Planning Conditions Detail' shall be retained for the life of the development.

*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/21/00684/RET	Retention of decking built in the corner of garden with a summer house on top, and a canopy across the rear of the house. (revised description 26.10.23 - additional trellis fencing placed on top of fencing in corner of garden) at 8 Ullswater Place, Newbold, Chesterfield S41 8ER for Mrs Susan Hinde
CHE/22/00655/ADV	Erection of illuminated and non-illuminated signs to the exterior of the building at County Hotel, 83 Saltergate, Chesterfield S40 1JS for Admiral Taverns
CHE/23/00357/FUL	Alterations to existing conservatory roof. Detached garage to front drive including associated alterations to levels at 15 Sandiway, Walton, Chesterfield S40 3HG for Mr & Mrs Chris Armstrong
CHE/23/00459/FUL	Replace existing fence and wall with a new fence and gate at 24 Healaugh Way, Chesterfield S40 2UU for Mr Andrew Bonar
CHE/23/00463/FUL	Single storey concrete block shed at 110 Tapton View Road, Newbold, Chesterfield S41 7LA for Mr Michael Bend
CHE/23/00517/FUL	Rear extension at 14 Dorset Drive, Brimington, Chesterfield S43 1DS for Mr and Mrs Boice
CHE/23/00535/FUL	Erection of a two storey side extension, one/two storey rear extension, front entrance porch, alteration to playroom front roof and porch canopy to proposed garage- Resubmission of CHE/22/00643/FUL at 18 Bridle Road,

Woodthorpe, Chesterfield S43 3BY for Mr Nathan Townsley and Mrs Charlotte Townsley

- CHE/23/00537/FUL First floor side extension in cladding and extension to existing front canopy - revised drawings received 04.12.23 at 30 Hillman Drive, Inkersall, Chesterfield S43 3SJ for Mr and Mrs Partridge
- CHE/23/00587/FUL Change of use from HGV depot with office and maintenance garage to mixed use (HGV depot, HGV truckstop with office and maintenance garage) including construction of facilities block and associated works including alteration to site levels and installation of retaining walls at Richard Lester Transport, Fan Road, Staveley, Chesterfield S43 3PT for Richard Lester Transport
- CHE/23/00604/FUL Erection of a garden tool and garden furniture storage shed at 1 Bank Road, Stonegravels, Chesterfield S41 7JT for Ms Lesley Newborough
- CHE/23/00606/REM Variation of condition wording of conditions 12, 14 and 15 of CHE/20/00420/FUL - Restoration of the Chesterfield Canal between Eckington Road and Hague Lane, including lifting level of existing earth embankment, installation of aqueduct over river Doe Lea, construction of two vehicular access bridges, two pedestrian/cycle bridges, a new lock and associated infrastructure at Eckington Road to Hague Lane, Eckington Road, Staveley for Chesterfield Canal Trust Ltd
- CHE/23/00630/FUL Re-submission of application CHE/23/00309/FUL with revised plans at 392 Ashgate Road, Chesterfield S40 4DD for Richard Crampton
- CHE/23/00633/TPO T71 - Beech - Crown lift and crown reduction. T72 - oak - Crown lift and removal of dead or damaged branches. T73,74,76 - in The

Rookery, removal of dead and damaged branches. T1 Coppice one Goat Willow. T2 Reduction of lateral branches of one Oak. T3 Crown reduce one dead Ash. T4 Fell one Oak in the group of 3 Oaks. T5 Fell one leaning Oak tree to the rear of group of 3 Oaks at 51 Woodmere Drive, Old Whittington, Chesterfield S41 9TE for Ms Victoria Southgate

- CHE/23/00634/FUL Single storey flat roofed rear extension to existing dwelling at 63 Ulverston Road, Newbold, Chesterfield S41 8ED for Mr Adam Cocker
- CHE/23/00642/FUL Replacement and raising of existing rear extension roof at 25 Ringwood Avenue, Newbold, Chesterfield S41 8RA for Mr and Mrs Hall
- CHE/23/00643/REM Variation of condition 8 (occupation of dwellings) of CHE/22/00669/FUL - Demolition of existing church hall and toilet block, erection of replacement church and erection of 9 new dwellings with associated car parking, landscaping, boundary treatments and external lighting at Former Inkersall Methodist Church, Summerskill Green, Inkersall, Chesterfield S43 3SR for OSCO Homes Ltd
- CHE/23/00644/TPO T1 to T52, all trees within property curtilage - general trunk clean, crown lift and pruning at West Garth, 27 Church Street North, Old Whittington, Chesterfield S41 9QN for Mrs Fleurdeliza Wisternoff
- CHE/23/00703/TPO Lime Tree Ref T1 - Additional root pruning and root barrier installation at Chesterfield Lawn Tennis Club, Hawksley Avenue, Chesterfield S40 4TW for Robert Swatton
- CHE/23/00706/TPO Reduce branches around street lighting on T118 Sycamore of TPO 149 and crown lift and reduce lower branches on T2 Cherry of TPO 325 at

Tesco Express, High Street, Old Whittington,
Chesterfield S41 9LQ for Tesco

- CHE/23/00733/TPO Deodor Ceder overextending garden and neighbouring Property- Crown reduce by 1-2m leaving a crown of approximately 18m at 3 Pine View, Ashgate, Chesterfield S40 4DN for Spencer Hoskin
- CHE/23/00756/TPO 4 Cedar trees - crown lift over highway by 5m, clean out dead/broken branches at 1 Treeneuk Gardens, Chesterfield S40 3FH for Mr John Monk
- CHE/23/00762/TPO Fell storm damaged Sycamore T1 of TPO 165 at Ashgate Court Mews, Fairfield Road, Brockwell, Chesterfield S40 4TU for COUNTY ESTATES (BAKEWELL) LIMITED
- CHE/23/00776/TPO Tree preservation order 161, T19 Maple - Requires felling due to dangerous storm damage at Land At Cuttholme Road To Rear Of 37 Greenbank Drive, Loundsley Green, Chesterfield for J Frederick and L Taaffe
- (b) Refusals
- CHE/23/00502/DOC Discharge of conditions 16 (Highway Construction Management Statement/Plan), 24 (Construction Environment Management Plan) and 25b (Contamination proposals) of application CHE/22/00109/OUT- Outline application for the demolition of existing office premises and erection of residential dwellings, with all matters reserved except access at Manor Offices, Old Road, Chesterfield S40 3QT for Balfour Beatty Homes
- CHE/23/00599/FUL New boundary fence at 89 St Philips Drive, Hasland, Chesterfield S41 0RG for Heather Haigh

CHE/23/00628/DOC Discharge of conditions 10 (drainage discharge) and 11 (surface water drainage) of 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

CHE/23/00676/TPO Removal an ash tree located in a drainage ditch between 38 Foxbrook Drive (my house) and 15 Sandstone Avenue due to ash die back at 38 Foxbrook Drive, Walton, Chesterfield S40 3JR for Mrs Sarah Walker

(c) Discharge of Planning Condition

CHE/22/00376/DOC Discharge of conditions 6 (water consumption), 11 (affordable housing) and 18 (bin and waste storage) of CHE/20/00869/REM - Approval of reserved matters for 150 dwellings of CHE/18/00532/OUT at Land To The North Of Northmoor View, Brimington, Chesterfield for Vistry Yorkshire Ltd

CHE/22/00487/DOC Discharge of conditions 7 (northern boundary treatment) and 8 (landscaping, levels, hard and soft surface treatments & boundary treatments) relating to application CHE/20/00869/REM - Approval of reserved matters for 150 dwellings. (Re-submission of CHE/22/00310/DOC) at Land to The North Of Northmoor View, Brimington for Vistry (Yorkshire)

CHE/23/00133/DOC Discharge of planning conditions 4 (Biodiversity Enhancement), 7 (materials), 8 (Sustainability Statement), 9 (Highway construction Management Plan) and 10 (Employment and Training scheme) of CHE/22/00195/FUL - Erection of third storey to create 13 residential apartments at Burlington House, Burlington Street, Chesterfield S40 1RX for G.A.P.E Equity

Limited

- CHE/23/00169/DOC Discharge of conditions 4 (Biodiversity enhancement plan), 5 (Installation of lift), 8 (Details of materials), 9 (Sustainability statement), 10 (Highway construction management statement) and 11 (Employment and training scheme) of application CHE/22/00194/FUL- Change of use of existing building to create 42 residential apartments (Use Class C3) and associated external alterations at Burlington House, Burlington Street, Chesterfield S40 1RX for G.A.P.E Equity Limited
- CHE/23/00277/DOC Discharge of condition 3 (Employment and Training Scheme) of application CHE/22/00813/FUL- External alterations, changes to frontage parking layout, relocated fence and gates and change of use of workshop to showroom at 464 Chatsworth Road, Chesterfield S40 3BD for Bristol Street Motors
- CHE/23/00447/DOC Discharge of conditions 5 (Communal door specification, CCTV and cycle storage details) and 6 (Tenure and property management and maintenance plan) and of application CHE/22/00195/FUL- Erection of third storey to create 13 no. residential apartments (Use Class C3) at Burlington House, Burlington Street, Chesterfield S40 1RX for Swish Architecture
- CHE/23/00582/DOC Discharge of conditions 3 (Landscaping) and 4 (Cycle parking) of application CHE/22/00555/FUL-Installation of new external prefabricated electricity substation and generator units for critical infrastructure upgrades and associated works to existing adjacent building at Chesterfield and North Derbyshire Royal Hospital, Chesterfield Road, Chesterfield S44 5BL for DSFS Ltd on behalf Of Chesterfield Royal Hospital NHS Fou...

- CHE/23/00597/DOC Discharge of condition 10 (Landscaping) of CHE/22/00413/REM1- Variation of condition 30 (external dimensions and elevational treatments) of application CHE/12/00028/FUL- Redevelopment of Manor Syck Farm, including conversion of three barns, refurbishment of existing farmhouse and new build detached farmhouse garage and detached property. (Amended plan 08.09.22 removing upper floor rear window from plot 4) at Manor Syck Farm, 132 Church Street North, Old Whittington, Chesterfield S41 9QP for D J Atkinson Construction Ltd
- CHE/23/00646/DOC Discharge of condition 4 (materials) of CHE/22/00434/FUL (First floor extension and two storey side and front extension with double pitched dormer. Rendering to front and side elevations) at 16 Selby Close, Walton, Chesterfield S40 3HA for Mr Gavin Atkin
- CHE/23/00691/DOC Discharge of planning conditions 3 (biodiversity), 4 (water consumption) and 5 (shop front details) of CHE/22/00248/FUL - Conversion and refurbishment of first and second floors to create four residential units with associated access at 43 Knifsmithgate, Chesterfield S40 1RL for Mr Adeal Ali
- CHE/23/00696/DOC Discharge of Condition 3 (Door and window specifications) of application CHE/23/00343/REM1- Variation of condition 2 (approved plans) of CHE/21/00338/FUL - Demolition of garage and porch; erection of side extension containing; glazed link and double garage; erection of a single-storey extension attached to the rear of the garage (providing utility, WC and garden room), and alterations to front wall at Long Cottage, 79 High Street, Old Whittington, Chesterfield S41 9LA for Lomas and Mitchell Architects

CHE/23/00697/DOC Discharge of Condition 3 (Window and doors specifications) of application CHE/23/00344/LBC- Works to dwelling, garage and boundary wall in conjunction with CHE/23/00343/REM1 at Long Cottage, 79 High Street, Old Whittington, Chesterfield S41 9LA for Mr Richard Carr

CHE/23/00705/DOC Discharge of condition 3 (Bat Licence) of 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

(d) Partial Discharge of Conditions

CHE/21/00857/DOC Discharge of planning conditions 13 (S28 works) and 14 (highway layout) of CHE/20/00869/REM at Land To The North Of Northmoor View, Brimington for Vistry (Yorkshire) Ltd

CHE/22/00706/DOC Discharge of conditions: 3 (Highway improvement works), 4 (Development program), 6 (Highway Construction Management Statement/Plan), 7 (Vehicular access junctions), 8 (Construction details of the estate streets and footways), 11 (Travel plan), 12 (Junction visibility sightlines), 17 (Employment and Training Scheme), 19 (Implementation of coal mining remediation work), 21 (Construction Environmental Management Plan), 22 (Scheme for the investigation and recording of contamination), 25 (Ecological Enhancement Plan), 31 (Tree protection plan and arboricultural method statement), 36 (Proposed street scene), 37 (Contour and attenuation pond details), 38 (Detailed design and associated management and maintenance plan of the surface water for the site), 39 (Assessment to demonstrate that the proposed destination for surface water

accords with the drainage hierarchy) and 40 (Additional surface water run-off during construction phase), 41 (Associated management and maintenance plan in line with CIRIA SuDS Manual C753) and 46 (Carbon release reduction scheme) of application CHE/21/00707/FUL- Erection of 301 dwellings including the provision of public open space, landscaping and associated infrastructure and works at Land To The East Of Linacre Road, Holme Hall, Chesterfield for Tilia Homes LTD

CHE/23/00441/DOC Discharge of conditions 6 (Communal door specification, CCTV and cycle storage details), 7 (Tenure and property management and maintenance plan), 12 (Housing Certification Table) and 15 (Scheme for outdoor amenity space) of application CHE/22/00194/FUL- Change of use of existing building to create 42 residential apartments (Use Class C3) and associated external alterations at Burlington House, Burlington Street, Chesterfield S40 1RX for Swish Architecture

CHE/23/00621/DOC Discharge of conditions 4 (Construction Management Plan), 5 (Site investigations), 6 (Declaration of site safety), 7 (Biodiversity) and 8 (Contamination) of application CHE/20/00601/FUL- Extension to existing residential care home for the elderly to include an extended dining/lounge and 3 extra bedrooms at Langdale Lodge, 56 Selhurst Road, Newbold Chesterfield S41 7HR for Mr Nadeem Sadiq

(e) Conditional Consent for Non-Material Amendment

CHE/23/00732/NMA Non-material amendment to conditions 2 (approved drawings), 10 (soft landscaping) 15 (lighting) and 16 (materials) of HE/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 to facilitate changes to layout of the scheme at Land At Enterprise Way, Enterprise Way, Duckmanton, Chesterfield S44 5FD for GRIDSRVE Sustainable Energy Ltd

(f) CLOPUD granted

CHE/23/00651/CLO Certificate of Lawfulness for a proposed loft conversion with dormer boxing to rear at 101 Brockwell Lane, Brockwell, Chesterfield S40 4EG for Mr & Mrs Gunn

(g) Prior approval not required

CHE/23/00647/TPD Single storey with mono pitched roof at 76 Highfield Lane, Newbold, Chesterfield S41 8AY for Mr B. Brace

CHE/23/00659/TPD Conservatory at 33 Bond Street, Staveley, Chesterfield S43 3QR for Mrs Helen Corfield

(h) Other Council no objection with comments

CHE/23/00682/CPO Construction of the initial approximately 160 m stretch of link road from the junction of Hollis Lane and Spa Lane, the works will include; the realignment of the Spa Lane/Hollis Lane junction, new pedestrian crossings and a shared foot/cycleway along the eastern boundary of the carriageway, demolition of the buildings associated with the former Jewson's builders merchants and associated works at Hollis Lane and Spa Lane, Chesterfield for Derbyshire County Council

(i) Unconditional Permission

CHE/23/00645/NMA Non-material Amendment of CHE/22/00434/FUL (First floor extension and two storey side and front extension with double pitched dormer.

Rendering to front and side elevations) to render the rear elevation of the extension at 16 Selby Close, Walton, Chesterfield S40 3HA for Mr Gavin Atkin

CHE/23/00760/CA Removal of three oak trees in car park at 40 Clarence Road, Chesterfield S40 1LQ for John Pope

CHE/23/00761/CA Works to T1- T9 Hornbeam - Crown Thin T10- Ash - Reduction At Stirling Court, Lister Close, Chesterfield S41 7NZ for Mr Sharpe

(j) Withdrawn

CHE/23/00538/TEL 15m high slim-line monopole, supporting 6 no. antennas, 3 no. equipment cabinets and ancillary development thereto at Verge On Newbold Road North West Of Junction With Ladywood Drive, Upper Newbold, Chesterfield for CK Hutchinson Networks (UK) Ltd

97 **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/23/00703/TPO Consent is granted to the pruning of one Lime tree reference T1 on the Order Map and which is situated in the grounds of the Chesterfield Lawn Tennis Club, Hawksley Avenue

CHE/23/00644/TPO Consent is granted to the pruning of 48 trees reference T1-T8, T10 & T13 Sycamore, T9, T14 & T41 Horsechestnut, T11, T12, T15-T40 & T43–T48 Lime and T42 Beech on the Order

Map and which are situated in the garden of 27 Church Street North, Old Whittington

- CHE/23/00706/TPO Consent is granted to the pruning of one Maple reference T2 and one Ash reference T3 of TPO 325 and one Sycamore tree reference T118 of TPO 149 on the Order Map and which are situated in the grounds of Tesco Express, High Street, Old Whittington
- CHE/23/00733/TPO Consent is granted to the pruning of one Cedar tree reference T20 on the Order Map and which is situated in the rear garden of 3 Pine View, Ashgate
- CHE/23/00756/TPO Consent is granted to the pruning of 4 Cedar trees within G1 on the Order Map which are situated to the frontage of 1 Treeneuk Gardens
- CHE/23/00762/TPOEXP Consent is granted to the felling of one Sycamore reference T1 on the Order map at Ashgate Court, Ashgate Road with a duty to plant one new Small Leaved Lime tree as a replacement this planting season
- CHE/23/00633/TPO Consent is granted to the pruning of 5 trees reference T71 & T76 Beech, T72 & T73 Oak and T74 Sycamore on the Order Map and which are situated to the rear of 51 Woodmere Drive, Old Whittington
- CHE/23/00776/TPOEXP Consent is granted to the felling of one Maple tree reference T19 on the Order map at land off Cuttholme Road and to the rear of 37 Greenbank Drive, Ashgate with a duty to plant one new Small Leaved Lime tree as a replacement this planting season
- CHE/23/00676/TPO Consent is refused to the felling of one Ash tree reference T7 on the Order Map and which is situated in the garden of 38 Foxbrook Drive,

Walton. It is, however recommended that the tree is monitored, and an aerial inspection carried out and if required a further application submitted with a detailed tree report

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

CHE/23/00760/CA

The felling of two Oak trees and the removal of one failed Oak which is blocking the rear car park at 40 Clarence Road, Chesterfield

Agreement to the removal of 3 Oak trees. The felling of the trees will have no adverse effect on the character and amenity of the area due to their location in the rear car park

The trees are within the Town Centre Conservation Area and the applicant wishes to remove one Oak tree which has failed in the recent storms and damaged and compromised the safety of the two trees which remain. The trees are of poor condition and poor amenity value

CHE/23/00761/CA

The pruning of 10 trees (9 Hornbeam & 1 Ash) at Stirling Court, Lister Close, Chesterfield

Agreement to the pruning of 10 trees. The pruning of the trees will have no adverse effect on the character and amenity of the area

The trees are within the Abercrombie Street Conservation Area and the applicant wishes to prune to trees by crown lifting and crown thinning due to dense shade and to clear the adjacent property by 2 metres and clear street furniture

98 **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.

99 **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.

100 **REVIEW OF PROCESS AND PROCEDURES AT PLANNING COMMITTEE**

The Development Management and Conservation Manager presented this item to consider a review and amendment of the processes and procedures applicable to planning committee meetings in the light of safety risks and concerns.

***RESOLVED -**

That the report be approved with Committee Rooms 1 and 2 used as seating use and that the updated guidance and leaflets attached at Appendix A and B be agreed and used immediately.

- A - Planning Committee process and procedure guidance note
- B – “Your View Your Voice” leaflet.

That the invitation letters sent to potential attendees of planning committee be amended in line with Appendix C.

That the Risk Assessment matrix at Appendix D be accepted.

Agenda Item 4

COMMITTEE/SUB	Planning Committee
DATE OF MEETING	29 th January 2024
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.

This page is intentionally left blank

**INDEX TO DEVELOPMENT MANAGEMENT AND CONSERVATION
MANAGER'S REPORT ON THE 29th JANUARY 2024**

ITEM 1	CHE/23/00650/FUL - ERECTION OF A RAIL-RELATED RESEARCH, DEVELOPMENT, INNOVATION AND TRAINING CENTRE INCLUDING ASSOCIATED INFRASTRUCTURE, ANCILLARY WORKS AND ELECTRICITY SUB STATION AT BARROW HILL RAILWAY CENTRE, CAMPBELL DRIVE, BARROW HILL FOR CHESTERFIELD BOROUGH COUNCIL
---------------	--

This page is intentionally left blank

ITEM 1**Erection of a rail-related research, development, innovation and training centre including associated infrastructure, ancillary works and electricity sub station at Barrow Hill Railway Centre, Campbell Drive, Barrow Hill for Chesterfield Borough Council**

Local Plan: CLP6 Economic Growth and RP1 Regeneration priority area

Ward: Staveley North

Plot No:

Committee Date: 29th January 2024**CONSULTATIONS**

CBC Environmental Health	I note that there has been an assessment made on possible contaminated land issues at the site. I note the conclusions reached, and agree with the recommendations. I look forward to receiving the Materials Management Plan regarding the reuse of soils on the site.
Derbyshire Fire and Rescue	No objection
CBC Conservation Officer	Comments made see report
CBC Economic Development	Local labour/supply chain condition requested
Yorkshire Water	Conditions recommended
Highway Authority	Comments made see report
Archaeology	Comments made see report
Derbyshire Constabulary	No objection
Coal Authority	Comments made and conditions recommended.
Transition Chesterfield	Comments made see report
Trans Pennine Trail	Comments made see report
Chesterfield Cycle Campaign	No response received
CBC Urban Design Officer	No response received

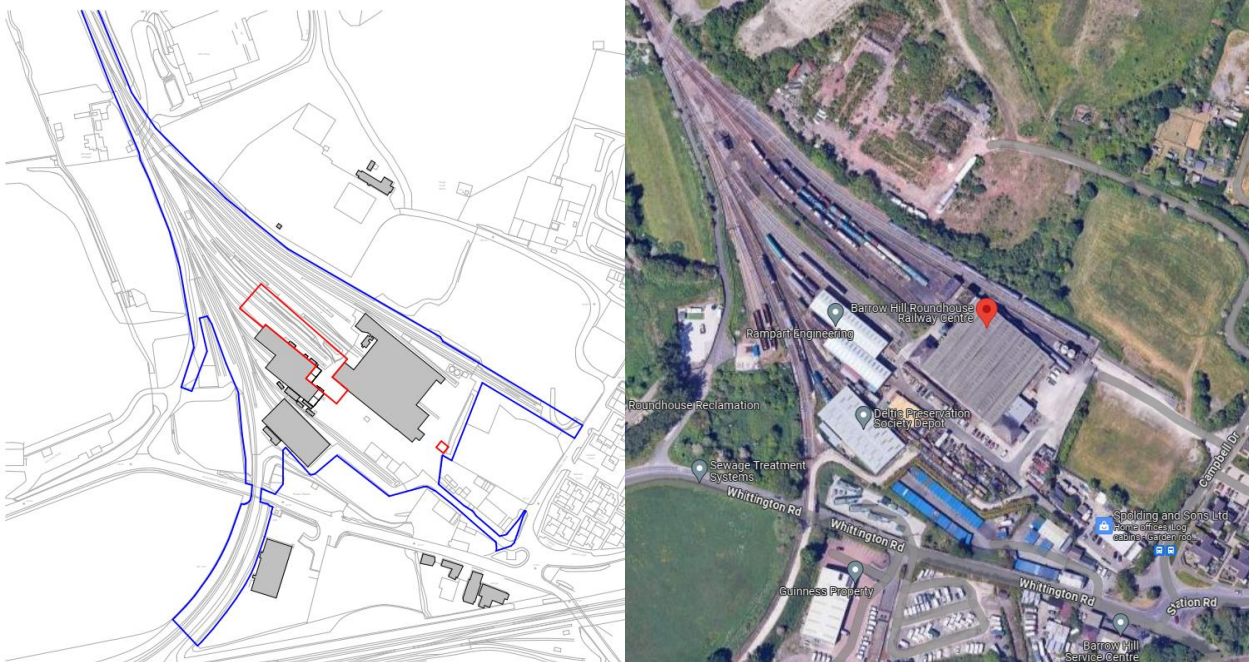
CBC Climate Change Officer	No response received
Derbyshire Wildlife Trust	No response received
CBC Design Services Drainage	No response received
Historic England	No comment to make
CBC Strategic Planning	No response received
LLFA	No response received
Staveley Town Council	No response received
Representations	None received in response to neighbour letter, site and press notice

2.0 **THE SITE**

- 2.1 The application site is the Barrow Hill Roundhouse Railway Centre, specifically the area between the existing modern red brick engine shed and the historic coal stage. The application site includes the Barrow Hill roundhouse which is the last surviving operational locomotive turntable in the UK with an which was built in 1870. There is a museum and café on site.
- 2.2 To the south of the site are commercial buildings with residential uses to the south east. The site is well contained with gated access and parking to the front of the café building and along the access road to the west of the main roundhouse building. There are 50 parking spaces on site which will remain following the development.
- 2.3 The existing engine shed on site is a Grade II listed building, the listing notes:
 “Locomotive 'roundhouse' or. engine shed. Circa 1870s, built for the Staveley Coal and Iron Company. Iron-framed, clad in brick with renewed part-glazed roof (originally lead sheeting) to roundhouse, Welsh slate to ancillary buildings. Plan completely intact. The roundhouse (in fact rectangular on plan) shelters the turntable with 22 tracks (or 'stalls'), 9 with service pits. Within the S and W corners are the fitters' workshop and office. Attached to the E corner is the general office, to the N corner the sand-dryer (in a tower over a kiln); to the W corner a watertank above a general workshop. Detached to the SW are the mess and lamp shed, the machine shop and, at the entrance a later (possibly 1940s) sander unit (to enable the locomotives to grip

the rails). All ancillary buildings of brick with simple detailing (windows under cambered arches, some with original frames with small panes) except the lamp shed which is timber. The machine shop has a prominent louvred roof. Principal roundhouse with H-section iron or steel uprights, the valley gutters issuing into attached downpipes. 6 x 5 unequal bays. Cobbled floor. Extractor fan fittings (the fans removed). Turntable renewed C1931 by Cowans, Sheldon & Co Ltd, Carlisle). The building functioned both as a workshop and a turning place for locomotives serving the local coal mines and iron works. It is (1990) the last operational roundhouse in Britain and is notable for retaining its full complement of associated buildings.”

2.4 Location plan and google view of the site:



2.5 Site images:





3.0 SITE HISTORY

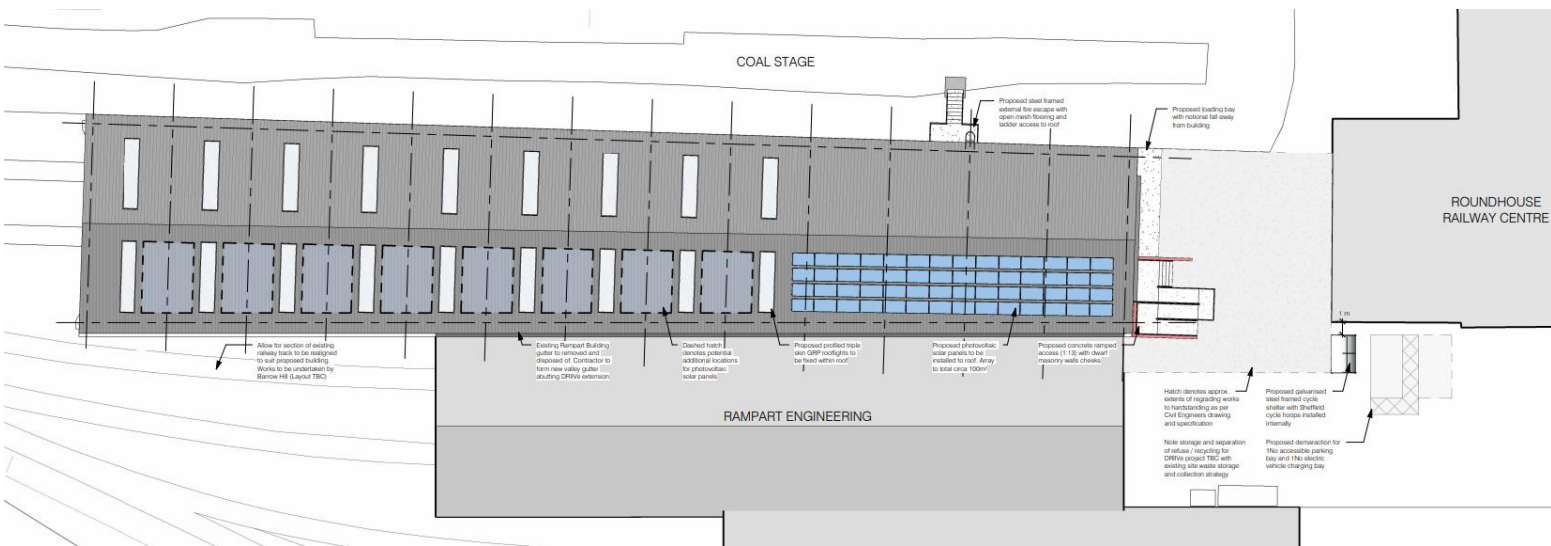
3.1 Numerous applications over the years relating to the general growth of the site, however no specific history relevant to this application.

4.0 THE PROPOSAL

4.1 Planning permission is sought for the erection of a rail related research, development, innovation and training centre with associated infrastructure including a sub station to be located to the site frontage.

4.2 The building will host the Derbyshire Rail Industry Innovation Vehicle (DRIIve), supporting the delivery of a modern rail innovation and training centre. The project is sponsored by Chesterfield Borough Council and funded through the Staveley Town Deal.

- 4.3 it is anticipated that the scheme will create an estimated 22 jobs for local people and a hub from which to increase awareness of rail-related career opportunities and develop Science Technology Engineering and Maths (STEM) skills required to access them through a community outreach programme that will reach an expected 1,000 individuals per year. It is hoped that the development will make Chesterfield and Barrow Hill a prominent location for rail technology through the creation of a rail innovation hub focused on green technologies including energy optimisation, smart maintenance and digital. It is also hoped it will provide a catalyst for growth by allowing the rail related supply chain to have access to the very latest rail research and innovation enabled by partnerships with the University of Derby and New Rail, part of the University of Newcastle.
- 4.4 Briefly the application comprises; the rail building, alterations to the coal stage to allow the new building, surface water storage with attenuation tank underground, new electricity sub station near the site entrance, cycle parking and EV charging points.
- 4.5 The proposed site plan of the new slightly tapering building showing the increased width to the rear/west of the structure, with solar panels, associated cycle, EV and accessible parking, stair and access ramp:



4.6 A 3D image of the proposed building:



PROPOSED SITE ISOMETRIC VIEW

4.7 The building will accommodate a main hall on the ground floor with inspection pits with office and associated mess facilities. On the upper floor to the east side of the building there will be toilets, 2 classrooms, breakout space and digital experience lab.

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.

5.1.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that; In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

5.2 **Chesterfield Borough Local Plan 2018 – 2035**

CLP1 Spatial Strategy (Strategic Policy)

CLP2 Principles for Location of Development (Strategic Policy)

CLP6 Economic Growth (Strategic Policy)

CLP7 Tourism and the Visitor Economy

CLP13 Managing the Water Cycle
CLP14 A Healthy Environment
CLP15 Green Infrastructure
CLP16 Biodiversity, Geodiversity and the Ecological Network
CLP20 Design
CLP21 Historic Environment
CLP22 Influencing the Demand for Travel
RP1 Regeneration Priority Areas (Strategic Policy)

5.3 **Other Relevant Policy and Documents**

National Planning Policy Framework (NPPF):

Part 2. Achieving sustainable development

Part 4. Decision-making

Part 6. Building a strong, competitive economy

Part 8. Promoting healthy and safe communities

Part 9. Promoting sustainable transport

Part 12. Achieving well-designed places

Part 14. Meeting the challenge of climate change, flooding and coastal change

Part 15. Conserving and enhancing the natural environment

Part 16. Conserving and enhancing the historic environment

5.4 **Key Issues**

- **Principle of development**
- **Heritage and Design**
- **Impact on residential amenity;**
- **Highway safety**
- **Biodiversity**
- **Ground conditions**
- **Drainage**

5.5 **Principle of Development**

- 5.5.1 The application site is within the defined area for economic growth and regeneration. Policy CLP6 states in part that:
Development should deliver sustainable economic growth by supporting existing jobs and businesses and delivering inward investment. Proposals that facilitate a mix of uses will be encouraged. Planning permission will be granted for new employment developments where they accord with the council's overall spatial strategy as set out c) B1(b&c) and B2 Industrial uses within

Established Business Areas (as shown on the Policies Map) and at areas at Markham Vale, the Staveley and Rother Valley Corridor, and the Chatsworth Road Corridor.

For all major development proposals, the council will seek to negotiate agreements with developers and occupiers covering recruitment, training and procurement to benefit the local economy and supply chain, so as to contribute to the sustainability of the borough and the surrounding area, both during construction and on a long-term basis.

5.5.2 Policy RP1 states in part:

Within the Barrow Hill Regeneration Priority Area, development is expected to:

iii. support the activities of Barrow Hill Roundhouse as a visitor attraction and centre for employment.

5.5.3 The proposed development is looking to create jobs, promote training and employment opportunities in connection with sustainable travel as part of a valued local facility. The sustainable aims of the proposal and regeneration benefits are in line with the wider aims of the Local Plan. On this basis the proposal, subject to a condition to support local labour, skills and supply chain, is considered to meet the requirements of Policies CLP6 and RP1.

5.5.4 In terms of climate matters it is clear that the scheme has sustainability aims in terms of climate change but there is limited detail included within the application. Solars are to be incorporated into the roof design. It is therefore considered reasonable to impose a pre commencement condition for a statement setting out climate aims to be submitted in line with the aims of Policy CLP20 of the Adopted Local Plan.

5.6 Heritage and design

5.6.1 In terms of heritage matters there is the setting of the Grade II listed round house to consider along with the wider archaeology and historic integrity of the site.

5.6.2 Policy CLP21 sets out that;
In assessing the impact of a proposed development on the significance of a designated heritage asset, the council will give great weight to the conservation of designated heritage assets and their setting and seek to enhance them wherever possible.

- 5.6.3 This is in line with the NPPF para 205: When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 5.6.4 Para 208 states: Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 5.6.5 In addition, para 209 states: The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 5.6.6 The Council's Conservation Officer has commented on the scheme as follows:
"The proposed development would be located within the boundaries of the grade II listed Barrow Hill Engine Shed (aka Roundhouse), which was constructed in 1870 for the Staveley Coal and Iron Company and is the last surviving railway roundhouse in the UK with an operational turntable. The Engine Shed is located within a complex of industrial buildings and railway sidings - the building itself is something of a hybrid structure with Victorian brick elevations (including ornate brickwork and timber arched windows with keystones typical of railway architecture), a modern corrugated roof and a contemporary brick and glass extension building on the eastern elevation (which operates as a café and meeting area).
- The applicant's proposed elevation drawing shows a large rectangular industrial building abutting the existing 'Rampart Engineering' building, which in turn abuts the 'Harry Needle Railroad' building. The new building would be similar in design, scale, style and massing to these two buildings, albeit slightly larger in height, and with a different fenestration arrangement and elevation materials. The new development would be located north-west of the Engine Shed, closest to a smaller hipped roof Victorian building which is separate to, but abuts the main shed. I don't see any separate buildings or structures

on the applicant's elevations or site plans that might be 'associated infrastructure, ancillary works and electricity substation' so cannot comment on that part of the scheme. I would view the proposed new building as an extension or addition to the existing non-listed modern 'Rampart Engineering' and 'Harry Needle Railroad' buildings which are a major part of the existing complex. The proposed new building will have something of an impact on the setting of the listed Engine Shed, given its height and close proximity, including the smaller Victorian hipped roof building, but it should be recognised that the complex is already a diverse mix of historic, modern and industrial buildings and structures all in close proximity. Overall, I would consider the impact on historic setting to cause less than substantial harm, hence in accordance with the NPPF (para 205), any harm should be balanced against the public benefits of the proposals, which in this case I would say are significant, i.e. the continued economic sustainability and regeneration of the site and local area. On that basis I would have no objections to the proposals as shown."

5.6.7

The County Archaeologist has commented that:

"The proposed application area lies hard up against The Barrow Hill Roundhouse which is "notable for being the last surviving railway roundhouse (locomotive storage and maintenance shed) in the United Kingdom with an operational turntable...In recognition of its historic and architectural significance, it is designated as a Grade II Listed Building" (Heritage Assessment submitted with application) recorded on the Derbyshire HER (DDR1120). I note too that the "Coal Stage" is both contemporary with the Roundhouse and will be physically impacted by the proposals. It is my opinion that the coal stage is a heritage asset in its own right and that it and the Roundhouse have group value. The proposed development then will have both a direct harmful impact on the coal stage itself and will have an impact on the setting of the Roundhouse itself, as the two structures retain an historic relationship and are an authentic survival of industrial infrastructure "...significant not only for this locality but for the entire country" (Heritage Statement p12).

The proposed development proposal therefore in my opinion, and here I disagree with the submitted Heritage Statement, that the proposed development represents harms to extant heritage assets and to the setting of a nationally and internationally important survival of the Industrial revolution.

In this context I advise that these proposals should be considered in the light of:

1. Para 199 of NPPF where “great weight should be given to the asset’s conservation...irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”

2. Para 200 of NPPF where “Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: (a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;...)

3. Para 202 of NPPF “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.” However, should you be of a mind to grant this application then a programme of recording works pre-commencement will be necessary under Para 205 of NPPF, and this should comprise:

- Archaeological recording of the upstanding “coal stage” and associated siding to include metric earthwork survey. Metric survey possibly using 3D photogrammetry of the upstanding stone and brick fabric (suitably cleaned to reveal detail of sequences) revetments of the “coal stage”, reporting to include an evidence based narrative account of the development of the coal stage and its alteration over time.
- Archaeological monitoring and recording of the impacts of development to the “coal stage” and the production of record and an evidence based narrative. These works can be secured by attaching a suitable condition to planning consent, the wording of which should read.

All works should be in accordance with a pre-approved WSI, compiled by the contractors engaged to undertake the work in the field, in consultation with this office. All works should be undertaken by archaeologists suitably and demonstrably experienced and be to current national industry standards.”

5.6.8

The proposed development of a new contemporary design building nestled between the existing red brick modern engine shed and the coal stage will result in adverse impacts on the setting of the Grade II listed Roundhouse and the non-designated heritage asset which is the coal stage, through change to the historic environment. This level of harm is considered less than substantial harm.

5.6.9

The Coal stage is clear on maps data from 1897 with a building apparent as part of the structure, although this no longer exists. The Coal Stage is a substantial bank located between the rail tracks with stone walling to the north eastern elevation. To the south western side it appears more of an earth bank with ramped pedestrian access from the rear of the Roundhouse and which is a modern alteration of the coal stage.



The Coal Stage

5.6.10

Images of the Coal Stage:



Top with development site to left



Path leading up coal stage



View from south

- 5.6.11 In terms of the Coal Stage the Heritage Statement sets out:
“The coal stage is an historic feature associated with the operation of steam-powered locomotives. The raised structure allowed coal to be tipped into the tenders of steam locomotives. Coal was loaded into small wagons which were hauled along a narrow gauge trackway (since removed) up to the highest point of the embankment. The wagons were then upturned from a loading platform, allowing the coal to be dropping into the coal tenders of steam locomotives. The lower levels of the coal stage feature retaining structures, being a mix of stone wall, brick wall and (on the southern side) metal sheet piling, the latter being a relatively recent introduction (post-dating the restoration of the overall site’s use for railway purposes). Above these retaining structures is a steeply sloping grass covered embankment. Railings and fencing have been installed along the top of the coal stage for safety reasons. At its eastern end, a pedestrian ramp has been created to allow visitor access to the top of the coal stage. This ramp also post-dates the site’s restoration to active use. Historically, there was no such pedestrian access from the eastern end.”
- 5.6.12 The Heritage Statement concludes:
“The construction of the DRIIVe building will require the ‘toe’ of the eastern end of the coal stage to be reduced, with a replacement retaining structure constructed. The coal stage in that area will consequently be narrower than at present. The height of the structure and its overall form will remain unchanged. The part of the coal stage to be removed is not entirely original, having been modified in recent years to accommodate the pedestrian ramp, with a mix of retaining materials deployed, not all consistent with the age or character of the coal stage (such as modern concrete paving slabs). The material that will be removed as part of these works is not considered to hold any

specific heritage value (it is understood to comprise a mix of made ground). Following the completion of the works, the coal stage will continue to be 'read' as it is now. Visitors will continue to be able to understand the form and related function of the coal stage.

The removal of the pedestrian ramp from the eastern end of the coal stage will preclude the ability of visitors to gain access to the top of the coal stage in the way that is currently possible. It will remain possible to access the top of coal stage from the western end, but as that would require access through the active rail yard, it will only be available to visitors with escort. The reduced visitor access to the top of the coal stage will restrict the ability of visitors to experience elevated views across the rail yard and towards the Roundhouse. This will limit the positive experience of the setting of the Roundhouse and the coal stage. Such an experience has, however, only recently come about, as the ramp access is not an original feature of the coal stage and could be argued as an inappropriate incursion in its own right. Such elevated views are also not fundamental to the understanding of the setting of the coal stage or the Roundhouse. It is understood that Barrow Hill Limited are developing proposals for alternative ramped access, to be progressed outside of the DRIVE process. Subject to those proposals coming to fruition and being implemented, the setting of the heritage assets derived from the aforesaid visitor experience will be restored."

- 5.6.12 The proposed building is purposely contemporary in its design and of a clad finish rather than brick so that the evolution of the site can be clearly seen from the style of the buildings. In this regard the proposed building does not seek to compete in prominence through its design. This is considered to be an appropriate approach to the development of the site in line with policy CLP20 which requires that; All development should identify and respond positively to the character of the site and surroundings and respect the local distinctiveness of its context. The proposed substation is to be located to the site frontage close to the gated access which is considered to be appropriate, details of the substation are to be provided via condition as no details of this essential element of the scheme have been provided.
- 5.6.13 The construction of the building will be in close proximity to the Coal Stage and impact on it through the construction of the building and an emergency stepped access from the upper floor of the proposed building being provided in the form of a stair and link onto the Coal Stage. Therefore the development will result in changes being made to this historic structure. This structure is not listed in its own right but is a

non-designated asset due to its historical connection to the wider site. Whilst the structure has been altered over time, the proposed works to this will have a less than substantial harmful impact on this asset. However, the overall benefits arising from the development, not only securing the long term operation of the wider site, but also bringing forward social benefits of training and employment in an area of needed regeneration, are considered to outweigh the less than substantial harm to both the designated (Listed Building) and non-designated (Coal Stage) assets in line with policy CLP21 of the Adopted Local Plan and Para 208 of the NPPF.

5.7 Impact on Residential Amenity

- 5.7.1 Policy CLP14 requires that; All developments will be required to have an acceptable impact on the amenity of users and adjoining occupiers, taking into account noise and disturbance, dust, odour, air quality, traffic, outlook, overlooking, shading (daylight and sunlight) and glare and other environmental impacts.
- 5.7.2 The application site is substantially separated from nearby residential properties such that the operations to be undertaken within the building once constructed will have no greater impact than that of the existing operations on site.
- 5.7.3 Due to this it is not considered necessary to restrict the hours of operation or the construction process.

5.8 Highways Safety and Parking Provision

- 5.8.1 Policy CLP22 sets out that; To reduce congestion, improve environmental quality and encourage more active and healthy lifestyles, the Council will seek to maximise walking, cycling and the use of public transport through the location and design of development and parking provision. Priority will be given to measures to encourage more sustainable travel choices.
The policy goes on to note that;
Development proposals will not be permitted where they would have an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.8.2 The Highway Authority has commented on the case:
“Details of the specific land use classification are not provided; therefore, it is assumed that the applicant is applying under the

category of sui generis. However, according to the schedule of accommodation provided, the proposal's floor space is primarily used for educational / training use. This is considered to be under class D1 (Non-residential institutions), it would therefore be beneficial if the applicant could confirm the land use classification of the proposal. The applicant also states that the proposal will lead to an increase of 5 – 25 employees on site, this estimate is too broad to accurately assess the traffic impact that the proposal will have on site. To assess the amount of traffic generated from the proposal, the applicant will need to provide further information on the number of users accessing the site. Specifically, a smaller employee range, clarification on whether this includes the trainees/students on site and if not, how many students will be accessing the site. While it is understood that currently there are approximately 50 car parking spaces, these will need to be represented on a plan to provide a satisfactory assessment. The applicant should be informed that for the relocation of stored equipment to provide increased car parking space to be considered, this must also be represented on a plan within the application. Also, that the overspill car park referred to in the 'Design and Access Statement' cannot be considered within the proposal as it is outside the applicant's site boundary. For the highway authority to fully assess the potential implications of the proposal, further details are required based on the aforementioned comments. I request that you could ask the applicant to provide a transport statement addressing the concerns highlighted and in the meantime, please hold the application in abeyance until the appropriate information is submitted."

5.8.3

Transition Chesterfield have commented on this:

"Firstly, we welcome the investment of £4.9 million from the Staveley Town Deal for this Derbyshire Rail Industry Innovation Vehicle (DRIVE) at Barrow Hill and the local training and jobs it will provide in a sustainable transport industry. Given the possibility of the reopening of the rail passenger line to Barrow Hill and a new station, this could provide a much needed boost to the area, as well as a more sustainable way of accessing the site. We also welcome the fabric-first design of the building, and the installation of PV panels and air source heat pumps. The Design and Access statement does not indicate whether it will aim to achieve BREAAAM accreditation, but as a publicly funded high profile building we hope that it will meet at least a BREEAM Excellent rating. We also hope that the construction of the building will also be used as a training opportunity for local contractors to learn more about sustainable construction techniques. We welcome the cycle parking, but our only concern with this development is the

lack of consideration given to promoting walking and cycling to this site and Barrow Hill as a whole. The briefing section on 'parking and access' in the Design and Access statement talks mainly about car access, despite the fact that this is a railfocused development that is designed to be sustainable. The canal towpath, a popular walking and cycling route for families and part of the Trans Pennine Trail, is less than 200m from the Roundhouse, but exiting onto Works Road at Hollingwood Hub, it is a dangerous and dispiriting walk or cycle from there to the Roundhouse. The pavement is narrow, discontinuous and crosses wide entrances/exits with no safe crossing points (eg at Station Road). While this is outside the current planning application we hope that the Council will be using some of the Staveley Town Fund to provide a much better experience for people walking and cycling from Hollingwood Hub, including wider continuous pavements and good signage to/from the Roundhouse. For residents and visitors to Chesterfield this could be an attractive and popular recreational walk/cycle from Chesterfield rail station all the way to the Roundhouse. However, the last 200m of that walk needs serious improvement to make that vision a reality."

5.8.4

The Trans Pennine Trail have commented:

"It is acknowledged that the Trans Pennine Trail / National Cycle Network (NCN67) is not directly adjacent to the development, however it is a major sustainable transport route locally, regionally and nationally and will enable future employees to access the site using sustainable means. The Design and Access Statement notes cycle parking but does not show the location or number.

Pg 6 of the Design and access statement - Will the cycle parking accommodate all cycle types? The proposed site plan does not indicate the location of cycle parking and the Design & Access Statement does not state the number of cycle spaces to be provided. Pg 12 of the Design and access statement - Large emphasis on extending the number of parking bays, is this needed if an overspill car park is already available? It would enhance the sustainable transport offer of this site if this section could highlight the close proximity of the Trans Pennine Trail / National Cycle Network to the site.

In terms of the Trans Pennine Trail / National Cycle Network there has been an aspiration to upgrade to bridleway status which is supported by our partners at both Derbyshire County Council and Chesterfield Borough Council. It is hoped the development could attribute some funding to sustainable transport, in particular the access controls along Works Road to the TPT/NCN which will not allow full access,

particularly for equestrians or people with larger mobility units. We would also like to seek contributions to upgrading the surfacing of the Trail. Signage could be included from the access points at Works Road and the development (both ways) as a directional aide for those using sustainable means to get to/from the site. There is a further opportunity to look at interpretation and potential artwork that could be funded to highlight the heritage of this development to raise awareness by users of the TPT/NCN.”

5.8.5 There are noted to be 50 parking spaces as existing on site and this will remain unchanged following the development.

The submission notes: It is estimated that daily occupation would fall within the following ranges:

- Workshop 2 to 20
- Teachers and Trainers 2 to 3
- Trainees 36 to 42
- Support Staff 1 to 2

The submission also notes that; the operator of the overall site intends over time to reconfigure some existing hardstanding areas, removing or relocating stored equipment and rail paraphernalia, so as to provide additional parking capacity. This will be undertaken outside of the formal planning process. Furthermore, Barrow Hill Roundhouse has access to overspill parking on land immediately to the front of the site. This is typically used when the site hosts events, but can be made available at any time. It is also noted that trainees are hoped to come from the local area.

Further information has been submitted by the applicants agent including a plan showing where the 50 spaces are located at the site. The additional information notes:

The scheme aims to deliver a rail-related training and innovation centre. The building will therefore provide opportunities for in-classroom learning and practical experience within an engineering setting. The ‘use’ of the site will be mixed, combining elements of what the Use Classes Order might define as Classes B2, E and F1, as well as sui generis. The number of people making use of the DRiive facility will vary according to its intensity of use, projects and other taskings, and learning and training being undertaken. It is estimated that daily occupation would fall within the following ranges.

The theoretical maximum capacity of the first floor classrooms and laboratories, based on the number of desks shown on the submitted

plans, would be 62. That number is, however, unlikely to be reached on a regular basis, if at all.

The aspiration is that the DRIIVe scheme will provide an estimated 1,680 days of training per year. Breaking this down to daily occupation, assuming a 'syllabus year' when the training facilities were open and in-use of 40 weeks, that would give 42 'training days' per week. Across the working week, that would result in eight or nine students/trainees being on site each day. Assuming an intensive training programme involving one tutor/trainer to two students/trainees, this would result in around 12 people being on the site for 'training' purposes each day. At the same time, there could be additional people engaged on other matters in the workshop/innovation area. Operation of the DRIIVe facility will be delivered in partnership with educational service partner(s), input from whom has informed the design of the scheme. A full educational syllabus will not be published until the programme for construction and completion of the DRIIVe facility has been established following the grant of planning permission and letting of the build contract. The above can therefore only remain as estimates at this time. Clearly, however, there will be variation in the number of people occupying the DRIIVe facility on a daily basis.

It is expected that a high proportion of the trainees will live within the boundaries of the Borough, or otherwise live within relative close proximity in the surrounding districts and cities. The operator of the DRIIVe facility, along with Barrow Hill Limited, will be keen to encourage sustainable choices of transport to and from the site. There is the prospect with the intention to re-establish a railway station at Barrow Hill with passengers services along the line between Chesterfield and Sheffield that users could also access the site by rail.

Parking demand on the site does become under pressure during special events and when necessary, the over flow parking area, located to the front of the site, is made available. The applicant is therefore confident that adequate parking for the DRIIVe facility is available and will continue to be available over the long term.

- 5.8.6 Access to the site is controlled by a security gate at the end of a private track and therefore it would not be possible to cause traffic issues with parking within the site as this is controlled. There are two main parking areas on site, in front of the café area and to the south west of the roundhouse building. In these areas the spaces are not lined out and there are areas which could be cleared to create

additional spaces. It appears that on none event days these parking areas are not used to capacity and therefore would be able to accommodate additional staff and students as a result of this development without issue. Event parking is separately controlled on an adjacent parcel of land and thereby does not impact on the day to day parking needs.

- 5.8.7 The bus stop outside the site operates the 90, 90a and 90b bus routes to Markham Vale, Cresswell and Chesterfield, these appear to run around twice an hour. There are also cycle routes in the area and cycle parking will be provided on site. Subject to a condition detailing the cycle parking it is therefore considered that the proposed development which has sustainable travel options will not result in adverse parking impacts that would harm highway safety in any way. Whilst improvements to local footpath and cycle routes would be welcome, the need for these is not considered to be reasonably required as a result of this specific development which is expansion of an existing enterprise. Local improvements will be sought under other more substantial applications for development in the area. On this basis the proposal meets the requirements of Policy CLP22.

5.9 **Biodiversity, impact on protected species, enhancement and Trees**

- 5.9.1 Local Plan policy CLP16 states that all development will “protect, enhance, and contribute to the management of the boroughs ecological network of habitats, protected and priority species ... and avoid or minimise adverse impacts on biodiversity and geodiversity and provide a net measurable gain in biodiversity.”
- 5.9.2 An ecological survey has been submitted which notes that there is potential for bats within the Roundhouse building, however no works are proposed to this structure and therefore there should be no impact on bats. In this regard lighting on site will be important to consider and a condition is needed for this.
- 5.9.3 The survey also notes that there are patches of open mosaic priority habitat on site supporting invertebrates, this is at the nearest point 310m from the site boundary. It is recommended to retain the dense ephemeral/short perennial vegetation present at the south-western edge of the site, where this is possible, to provide a range of pollen/nectar sources for invertebrates, or, if not possible, to replace the removed habitat with flower-rich grassland of a range of species

suitable for invertebrates. Good working practice during construction would include covering any holes or trenches overnight to prevent mammals, such as hedgehog, from falling in and being unable to escape. This is to be secured via condition.

- 5.9.4 The report also notes that; There are opportunities for biodiversity enhancement within the site, including:
- Enhancing the existing grassland habitat to increase the species diversity and grassland structure; and
 - Creating native habitat within the patch of vegetated garden, such as species-rich grassland, or mixed scrub.
- The submitted metric and enhancement plan relate only to the red edge area of the site which is restricted in terms of allowing for new planting and results in a below 10% net gain at 0.34%.
- 59.5 It is therefore considered reasonable to secure via condition a landscaping scheme for the wider controlled site along with an updated metric to achieve a 10% gain across the site. On this basis the proposed is considered to meet the requirements of policy CLP16.

5.10 Ground conditions

- 5.10.1 Policy CLP14 requires that; Proposals for development on land that is, or is suspected of being, contaminated or unstable will only be permitted if mitigation and/or remediation are feasible to make the land fit for the proposed use.
- 5.10.2 The application is accompanied by a Coal Mining Risk Assessment and Phase 1 and Phase 2 Geotechnical report. These conclude: A Coal Mining Risk Assessment (CMRA) has been undertaken and indicates a moderate risk of subsidence associated with probable shallow workings within the Second Ell seam. A moderate risk from mine gas has also been identified given the above, and the proximity of recorded shafts associated within workings within the Deep Soft and Pindar Park seams, anticipated at >50m depth, and which may provide a pathway for mine gas migration. A ground investigation and mine gas risk assessment is recommended to confirm the requirements for remedial works. A ground investigation is recommended in order to confirm the risks to human health.
- 5.10.3 The Coal Authority have commented that;
“The application site falls within the High Risk Area. The Coal Authority records indicate that within the application site and surrounding area

there are coal mining features and hazards which need to be considered in relation to the determination of this planning application, specifically probable shallow coal mine workings. Voids and broken ground associated with such workings can pose a risk of ground instability and may give rise to the emission of mine gases. The Coal Authority notes the submitted Phase 2 Interpretative Ground Investigation Report (May 2023, prepared by Rodgers Leask Ltd), which accompanies the planning application. Along with appropriate and up-to-date coal mining information for the proposed development site the Report has been informed by a preliminary intrusive site investigations. Based on this review of existing mining information, and whilst the Report confirms that no coal seams were encountered, the Report goes on to confirm that further investigations will be required to establish whether the shallowest coal seam has been worked and to establish any necessary remedial measures. The Coal Authority therefore has no objection, subject to the LPA imposing a suitable condition to ensure the investigations and any necessary remedial measures. The following further works are recommended:

- An Earthworks Specification will be required for any proposed earthworks.
- A BH is recommended to be drilled in the south eastern most site extents for confirmation that the Second Ell coal seam is absent in this locality.
- A CL:AIRE approved Materials Management Plan (MMP) will likely be required for the re-use of soils on Site.”

5.10.4 The Councils Environmental Health Officer has commented that; I have inspected the above application and note that there has been an assessment made on possible contaminated land issues at the site. I note the conclusions reached and agree with the recommendations. I look forward to receiving the Materials Management Plan regarding the reuse of soils on the site. Along with the Coal Authority conditions, a further condition is recommended to secure the reports recommendations. On this basis the proposal is considered to meet the requirements of policy CLP14.

5.11 Drainage

5.11.1 Policy CLP13 requires that; The council will require flood risk to be managed for all development commensurate with the scale and impact of the proposed development so that developments are made safe for their lifetime without increasing flood risk elsewhere. Sustainable Drainage Systems (SuDS) and clear arrangements for their ongoing

maintenance over the lifetime of the development should be incorporated into all major development, unless it can be demonstrated that this is not appropriate in a specific location. The council will seek the maximum possible reduction in surface water run-off rates based on the SFRA or most recent national guidance. Development proposals will be expected to demonstrate that water is available to support the development proposed and that they will meet the optional Building Regulation water efficiency standard of 110 litres per occupier per day.

5.11.2 The submitted drainage strategy notes:

“The site is currently an industrial yard/ railway which is classed as brownfield. Surface water runoff generated by the site currently drains via a combination of infiltration through gravelled areas and an existing surface water pipe network, which is discharged into a private culvert that outfalls to a nearby watercourse, located outside of the site boundary.

The foul water generated by the site will be discharged into an existing private foul water system which connects to a public sewer, located outside of the site boundary, operated and maintained by Yorkshire Water.

The Phase 2 Ground Investigation report by Rodgers Leask identifies that the site is entirely underlain by made ground and thus recommends against the use of soakaways as a means of surface water disposal. Therefore, in accordance with the hierarchy of SuDS, it is proposed that the surface water for the site will be discharged via a connection to the existing private surface water system on site, discharging via a culvert into a nearby watercourse, located off site. Discussions have been held with Derbyshire County Council as the Lead Local Flood Authority (LLFA), to agree an acceptable discharge rate for the proposed development. Refer to Appendix B for correspondence with the LLFA. The Greenfield run-off rate for the site was calculated as 0.6l/s, however it was considered that a restriction to this rate would give a rise to an unacceptable risk of blockages due to the small orifice size required.

Rodgers Leask has therefore agreed an increased rate of 2l/s with Derbyshire County Council’s Flood Team to mitigate the risk of blockages within the system. It is proposed that the surface water system to serve the site will provide sufficient attenuation to ensure that there is no flooding for return periods up to and including the 1 in 100 years plus 40% climate change event. This will ensure that post development flooding does not occur within the site and will therefore reduce the risk to adjacent properties.

It is proposed to attenuate flows on site via two attenuation tanks. The yard area in front of the proposed DRIVE building has been utilised to accommodate as large a tank as possible, in order to minimise the dimensions of the second tank, located beneath the main access route; this aims to reduce the impact on operations for the existing Rampart building during construction as far as practicable. The overall storage volume of approximately 83m³ has been determined via an InfoDrainage model, the results of which are contained within Appendix C.

The on-site surface water pipe network will remain private, and a private management company will be appointed to maintain it. Overland flow routes will be carefully considered for blockage and exceedance events to ensure that routing is away from both existing and proposed properties.

A copy of the Finished Levels and Drainage Strategy drawings (22214-RLL-23-XX-DR-C-2001 & 22214-RLL-23-XX-DR-C-2002) are contained within Appendix D.

Several SuDS features were considered for the site, including swales, filter strips, detention basins and permeable paving. Due to the constrained nature of the site, all these options were ultimately discounted.

It is anticipated that the unit will receive relatively infrequent deliveries and that therefore the external areas will receive low volumes of trafficking; the associated pollutant load is therefore considered sufficiently low to negate the need for explicit water treatment provision.

The channel drains will feature sump units to intercept any sediment within the surface water run-off prior to out falling to the receiving watercourse.

It is therefore considered that by adhering to the SuDS strategy above, the necessary treatment will be provided to allow compliance with CIRIA C753 guidance.”

5.11.3

Yorkshire Water has recommended conditions and note that;
1.) The submitted 'Drainage Strategy' 22214- RLL - 23- XX- RP- C- 0001 (rev P02) prepared by RLRE, dated 14/09/2023 requires amendments, but if planning permission is granted, the matter can be dealt with via condition. In summary, the report states that
a.) Foul water will discharge to public combined water sewer
b.) Sub- soil conditions do not support the use of soakaways
c.) A watercourse is remote from the site

d.) Surface water will discharge to public combined sewer via storage with restricted discharge of 2 litres/ second.

5.11.4 Whilst it is noted that the LLFA have not replied to the application, it is clear from the drainage report that pre application discussion have been held. On this basis it is considered reasonable to impose the Yorkshire Water conditions and a condition to secure the drainage scheme as detailed. On this basis the proposal meets the requirements of Policy CLP14.

5.12 Development Contributions and CIL Liability.

5.12.1 The proposed development is not liable for the Community Infrastructure Levy (CIL).

6.0 REPRESENTATIONS

6.1 Following neighbour notification, site and press notices no comments have been received.

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 It is considered that the recommendation is objective and in accordance with clearly established law.

7.3 The recommended conditions are considered to be no more than necessary to control details of the development in the interests of amenity and public safety and which interfere as little as possible with the rights of the applicant.

8.0 STATEMENT OF POSITIVE AND PROACTIVE WORKING WITH APPLICANT

- 8.1 The following is a statement on how the Local Planning Authority (LPA) has adhered to the requirements of the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015 in respect of decision making in line with paragraph 38 of 2023 National Planning Policy Framework (NPPF).
- 8.2 Given that the proposed development does not conflict with the NPPF or with 'up-to-date' Development Plan policies, it is considered to be 'sustainable development' and there is a presumption on the LPA to seek to approve the application. The LPA has used conditions to deal with outstanding issues with the development and has been sufficiently proactive and positive in proportion to the nature and scale of the development applied for.
- 8.3 The applicant /agent and any objectors/supporter will be notified of the Committee date and invited to speak, and this report informing them of the application considerations and recommendation /conclusion is available on the website.

9.0 CONCLUSION

- 9.1 The proposed development whilst resulting in low level harm to heritage assets will bring forward public benefits which outweigh that harm in line with Policy CLP21 and Part 16 of the NPPF. The principle of development is in line with the allocation of the site in the local plan as employment land under CLP6 within the regeneration priority area RP1. Matters of residential amenity, highway safety, drainage, ecology and ground conditions have been considered and found to be acceptable subject to conditions.

10.0 RECOMMENDATION

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

Conditions

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

Reason: The condition is imposed in accordance with section 51 of the Planning and Compulsory Purchase Act 2004

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

Proposed roof plan 22048-FSA-XX-00-DR-A-1802 received
24.10.2023

Existing location plan 22048-FSA-XX-XX-DR-A-0800 received
24.10.2023

Existing site plan 22048-FSA-XX-XX-DR-A-0801 received
24.10.2023

Proposed location plan 22048-FSA-XX-XX-DR-A-0802 received
24.10.2023

Proposed site plan 22048-FSA-XX-XX-DR-A-0803 received
24.10.2023

Existing elevations 22048-FSA-XX-XX-DR-A-2800 received
24.10.2023

Proposed elevations 22048-FSA-XX-XX-DR-A-2801 received
24.10.2023

Proposed typical sections 22048-FSA-XX-XX-DR-A-3800 received
24.10.2023

Proposed site isometric 22048-FSA-XX-XX-DR-A-7800 received
24.10.2023

Finished levels plan 22214-RLL-23-XX-DR-C-2001 REV P02
received 24.10.2023

Proposed ground floor plan 22048-FSA-XX-00-DR-A-1800-P01
received 26.10.2023

Proposed first floor plan 22048-FSA-XX-01-DR-A-1801-P01
received 26.10.2023

Reason: In order to clarify the extent of the planning permission in the light of guidance set out in "Greater Flexibility for planning permissions" by CLG November 2009.

3. a) No development shall take place until a Written Scheme of Investigation for archaeological work has been submitted to and approved by the local planning authority in writing, and until any pre-start element of the approved scheme has been completed to the written satisfaction of the local planning authority. The scheme shall include an assessment of significance and research

- questions; and 1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation;
5. Provision to be made for archive deposition of the analysis and records of the site investigation; and
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

b) No development shall take place other than in accordance with the archaeological Written Scheme of Investigation approved under part (a).

c) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under part (a) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure appropriate consideration of non-designated heritage asset(s) and any potential below ground archaeology in line with Policy CLP21 of the Adopted Local Plan and Part 16 of the NPPF.

4. No development shall commence until:

a) a scheme of further intrusive investigations has been carried out on the 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 safe and stable for the development proposed.

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

Reason: To ensure appropriate consideration of former coal mining activity on site in accordance with Policy CLP14 of the Adopted Local Plan.

5. Prior to the occupation of the development, or it being taken into beneficial use, 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.

Reason: To ensure appropriate consideration of former coal mining activity on site in accordance with Policy CLP14 of the Adopted Local Plan.

6. Prior to the development commencing above slab level, details of the proposed cycle parking facilities shall be submitted to and agreed in writing by the local planning authority. The agreed cycle parking shall be installed on site prior to the building being brought into use.

Reason: To ensure appropriate cycle parking facilities in line with policy CLP22 of the Adopted Local Plan.

7. The proposed development work shall be undertaken in accordance with good working practice for ecology, including the covering overnight of any holes or trenches during construction works to prevent mammals, such as hedgehogs, from falling in and being unable to escape.

Reason: To ensure appropriate consideration of habitat and species in accordance with Policy CLP16 of the Adopted Local Plan.

8. Prior to first occupation of the development hereby approved; details of treatment of soft landscaping within the red and blue edged area, which will achieve a net gain (ideally as close to 10% as is possible) in biodiversity 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:

- 1) an updated metric to align with the proposed soft landscaping and/or enhancement measures.
- 2) a scheme of biodiversity enhancement measures (other than soft landscaping)
- 3) a scaled plan showing all soft landscaping including trees and plants to be planted; detailing sizes and numbers/densities of all proposed trees/plants, to include fruit trees to encourage foraging, all with the aim of enhancing biodiversity;

Reason: Required to secure a net gain in biodiversity in accordance with policy CLP16 of the Adopted Local Plan.

9. A Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The LEMP shall cover all retained and created habitats within the red and blue edged land, based on the updated Biodiversity metric calculation and landscaping of the site to be agreed under condition 8 above. The content of the LEMP shall include the following;
 - a) Description and evaluation of features to be managed;
 - b) Ecological trends and constraints on site that might influence management;
 - c) Aims and objectives of management;
 - d) Appropriate management options for achieving aims and objectives;
 - e) Prescriptions for management actions;
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a thirty-year period);
 - g) Details of the body or organization responsible for implementation of the plan;
 - h) Ongoing monitoring and remedial measures,
 - i) Details of the company to be set up to manage the any private highways areas and the landscaped areas of the site in perpetuity,
 The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term (30 Years +) implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The

approved plan shall be implemented in accordance with the approved details.

Reason: To ensure the long term management of the site including highways and open spaces and the protection of wildlife and habitat objectives, to secure opportunities for enhancing the site's biodiversity value in the long term in accordance policy CLP16 of the Adopted Local Plan

10. Prior to the commencement of development potential ground condition matters shall be further investigated in line with the recommendations of the Phase II Interpretive Ground Investigation report dated May 2023 ref: P22-214 Rev P_02 22214-RL-23-00-RP-O-4002, which recommended:
- submission of an Earthworks Specification
 - a bore hole shall be drilled in the south eastern most site extents for confirmation that the Second Ell coal seam is absent in this locality, the results of which shall be submitted
 - A CL:AIRE approved Materials Management Plan (MMP) shall be submitted for the re-use of soils on Site
- All to be submitted to and agreed in writing by the Local Planning Authority and any further mitigations measures implemented in full.

Reason: To ensure appropriate consideration of potential below ground contamination in line with Policy CLP14 of the Adopted Local Plan.

11. Prior to the external cladding being affixed to the building details of the cladding material and its junctions to openings and eaves shall be submitted to and approved in writing. The agreed details shall be installed on the building prior to it being brought into use.

Reason: To ensure an appropriate finished form of development in accordance with policy CLP20 of the Adopted Local Plan.

12. The development shall be carried out in accordance with the details shown on the submitted report, "'Drainage Strategy' 22214-RLL-23-XX-RP-C-0001 (rev P02) prepared by RLRE, dated 14/09/2023", unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of satisfactory and sustainable drainage in line with policy CLP13 of the Adopted Local Plan.

13. Prior to the installation of services and lighting fixtures, a detailed lighting strategy shall be submitted to and approved in writing by the Local Planning Authority to safeguard bats, badgers and other nocturnal wildlife. The Strategy should provide details of the chosen luminaires, their locations and any mitigating features such as dimmers, PIR sensors and timers. A lux contour plan will be required to demonstrate acceptable levels of lightspill to sensitive ecological zones/features. Guidelines can be found in Guidance Note 08/18 - Bats and Artificial Lighting in the UK (BCT and ILP, 2018). Such approved measures will be implemented in full.

Reason: In the interest of protecting habitats and species throughout the construction process in accordance with Policy CLP16 of the Adopted Local Plan.

14. Prior to development commencing, an Employment and Training Scheme shall be submitted to the Local Planning Authority for consideration and written approval. The Scheme shall include a strategy to promote local supply chain, employment and training opportunities throughout the construction of the development.

Reason: This is a pre commencement condition in order to support the regeneration and prosperity of the Borough, in accordance with the provisions of Policy CLP6 of the Adopted Local Plan.

15. Prior to the development being brought into use details of the Electric Vehicle Charging to be provided on site shall be submitted to and agreed in writing by the Local Planning Authority and installed as agreed.

Reason: To ensure the appropriate provision for Electric Vehicle Charging is made.

16. Prior to works commencing on the proposed substation details of this structure shall be submitted to and agreed in writing by the Local Planning Authority, the substation shall be installed as agreed.

Reason: For clarity and to ensure an appropriate finished form of development in accordance with Policy CLP16 of the Adopted Local Plan.

17. Prior to the commencement of development a statement to set out how the development will mitigate climate change and seek to reduce emissions both through construction and post occupation shall be submitted to and agreed in writing by the Local Planning Authority. Works shall be completed in accordance with the agreed details.

Reason: To accord with the climate aims of policy CLP20 of the Adopted Local Plan.

Informatives:

The Local Planning Authority have prior to the consideration of this application engaged in a positive and proactive dialogue with the applicant in order to achieve a positive outcome for the application.

1.Coal Authority:

Ground Investigations

Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission to enter or disturb our property will result in the potential for court action. In the event that you are proposing to undertake such work in the Forest of Dean local authority area our permission may not be required; it is recommended that you check with us prior to commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at:www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

Shallow Coal Seams

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

To check your site for coal mining features on or near to the surface the Coal Authority interactive map viewer allows you to view selected coal mining information in your browser graphically. To check a particular location either enter a post code or use your mouse to zoom in to view the surrounding area.

2. The following statement provides the justification why the Coal Authority considers that a pre-commencement condition is required in this instance:

The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework.

3. The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a

Coal Authority Permit for such activities is trespass, with the potential for court action.

Property-specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com or a similar service provider.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

4. When you carry out the work, you must not intentionally kill, injure or take a bat, or intentionally or recklessly damage, destroy or block access to any structure or place that a bat uses for shelter. These would be offences under the Wildlife and Countryside Act 1981, the Habitats Regulations 1994 and the Countryside and Rights of Way Act 2000. Planning consent for a development does not provide a defence against prosecution under European and UK wildlife protection legislation.

5. Lead Local Flood Authority:

Advisory/Informative Notes (It should be noted that the information detailed below (where applicable), will be required as an absolute minimum in order to discharge any of the drainage conditions set by the LPA):

A. The County Council does not adopt any SuDS schemes at present (although may consider ones which are served by highway drainage only). As such, it should be confirmed prior to commencement of works who will be responsible for SuDS maintenance/management once the development is completed.

B. Any works in or nearby an ordinary watercourse may require consent under the Land Drainage Act (1991) from the County Council. For further advice, or to make an application please contact Flood.Team@derbyshire.gov.uk.

C. No part of the proposed development shall be constructed within 5-8m of an ordinary watercourse and a minimum 3 m for a culverted watercourse (increases with size of culvert). It should be noted that DCC have an anti-culverting policy.

D. The applicant should be mindful to obtain all the relevant information pertaining to proposed discharge in land that is not within their control, which is fundamental to allow the drainage of the proposed development site.

E. The applicant should demonstrate, to the satisfaction of the Local Planning

Authority, the appropriate level of treatment stages from the resultant surface water discharge, in line with Table 4.3 of the CIRIA SuDS Manual C753.

F. The County Council would prefer the applicant to utilise existing landform to manage surface water in mini/sub-catchments. The applicant is advised to contact the County Council's Flood Risk Management team should any guidance on the drainage strategy for the proposed development be required.

G. Surface water drainage plans should include the following:

- Rainwater pipes, gullies and drainage channels including cover levels.
- Inspection chambers, manholes and silt traps including cover and invert levels.
- Pipe sizes, pipe materials, gradients, flow directions and pipe numbers.
- Soakaways, including size and material.
- Typical inspection chamber / soakaway / silt trap and SW attenuation details.
- Site ground levels and finished floor levels.

H. On Site Surface Water Management;

- The site is required to accommodate rainfall volumes up to the 1% probability annual rainfall event (plus climate change) whilst ensuring no flooding to buildings or adjacent land.
- The applicant will need to provide details and calculations including any below ground storage, overflow paths (flood routes), surface detention and infiltration areas, etc, to demonstrate how the 100 year + 40% Climate Change rainfall volumes will be controlled and accommodated. In addition, an appropriate allowance should be made for urban creep throughout the lifetime of the development as per 'BS 8582:2013 Code of Practice for Surface Water Management for Developed Sites' (to be agreed with the LLFA).
- Production of a plan showing above ground flood pathways (where relevant) for events in excess of the 1% probability annual rainfall event, to ensure exceedance routes can be safely managed.
- A plan detailing the impermeable area attributed to each drainage asset (pipes, swales, etc), attenuation basins/balancing ponds are to be treated as an impermeable area.

Peak Flow Control

- For greenfield developments, the peak run-off rate from the development to any highway drain, sewer or surface water body for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event, should never exceed the peak greenfield run-off rate for the same event.
- For developments which were previously developed, the peak run-off rate from the development to any drain, sewer or surface water body for the 100% probability annual rainfall event and the 1% probability annual rainfall event must be as close as reasonably practicable to the greenfield run-off rate from the

development for the same rainfall event, but should never exceed the rate of discharge from the development, prior to redevelopment for that event.

Volume Control

- For greenfield developments, the runoff volume from the development to any highway drain, sewer or surface water body in the 6 hour 1% probability annual rainfall event must not exceed the greenfield runoff volume for the same event.
- For developments which have been previously developed, the runoff volume from the development to any highway drain, sewer or surface water body in the 6 hour 1% probability annual rainfall event must be constrained to a value as close as is reasonably practicable to the greenfield runoff volume for the same event, but must not exceed the runoff volume for the development site prior to redevelopment for that event. *Note:- If the greenfield run-off for a site is calculated at less than 2 l/s, then a minimum of 2 l/s could be used (subject to approval from the LLFA).*
- Details of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure the features remain functional.
- Where cellular storage is proposed and is within areas where it may be susceptible to damage by excavation by other utility contractors, warning signage should be provided to inform of its presence. Cellular storage and infiltration systems should not be positioned within the highway.
- Guidance on flood pathways can be found in BS EN 752.
- The Greenfield runoff rate which is to be used for assessing the requirements for limiting discharge flow rates and attenuation storage for a site should be calculated for the whole development area (paved and pervious surfaces - houses, gardens, roads, and other open space) that is within the area served by the drainage network, whatever the size of the site and type of drainage system. Significant green areas such as recreation parks, general public open space, etc., which are not served by the drainage system and do not play a part in the runoff management for the site, and which can be assumed to have a runoff response which is similar to that prior to the development taking place, may be excluded from the greenfield analysis.

I. All Micro Drainage calculations and results must be submitted in .MDX format, to the LPA. (Other methods of drainage calculations are acceptable.)

J. The applicant should submit a comprehensive management plan detailing how surface water shall be managed on site during the construction phase of the

development ensuring there is no increase in flood risk off site or to occupied buildings within the development.

Agenda Item 5

COMMITTEE/SUB	Planning Committee
DATE OF MEETING	29 th January 2024
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
-----------------------	-----------------	--------

This page is intentionally left blank

Delegated List
Planning Applications

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/21/00846/DOC	Brimington South	Discharge of condition 5 (surface and foul drainage proposals) of planning application CHE/18/00532/OUT At Land To The North Of Northmoor View Brimington For Vistry (Yorkshire) Ltd	DPC	03/01/2024
CHE/23/00326/FUL	Whittington Moor	1 three storey apartment block containing 9 one bedroom flats and associated communal areas, and 3 one bedroom bungalows plus car parking, pedestrian and cycle access and landscaped garden areas At Former Site Of Avenue House Avenue Road Whittington Moor Chesterfield For Dignus Healthcare	CP	12/01/2024
CHE/23/00327/FUL	Staveley North	Installation of 2.4m fencing/gating and replacement of external steps and doors as amended by drawings received 6th December 2023. At Ks2 Support Centre Station Road Barrow Hill Chesterfield S43 2PG For Esteem Multi-Academy Trust	CP	21/12/2023

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/23/00337/DOC	Whittington Moor	<p>Discharge of conditions 3 (Land contamination), 4 (Coal mining), 5 (Declaration of site safety), 7(Surface water drainage), 8 (Compliance with separate systems for foul and surface water on site) ,9 (Biodiversity Enhancement Plan), 10 (Landscaping), 12 (Boundary treatment to northern boundary) and 13 (Compliance with closing off of access from Sheffield Road) of application</p> <p>CHE/21/00926/FUL- Erection of a new care home facility with separate detached day units and creation of new access and auxiliary car parking areas</p> <p>At Former Site Of Avenue Villa Avenue Road Whittington Moor Chesterfield</p> <p>For Dignus</p>	DPC	09/01/2024
CHE/23/00500/ADV	Spire	<p>2 no. projecting signs and 2 no. fascia signs</p> <p>At Unit 25 Vicar Lane Chesterfield S40 1PY</p> <p>For Coffee#1 Limited</p>	CP	10/01/2024
CHE/23/00509/FUL	Walton	<p>Erection of wall and gate to front boundary - revised drawing received 27.10.23</p> <p>At 37 Walton Road Walton Chesterfield S40 3DN</p> <p>For Mr S Keca</p>	REF	22/12/2023
CHE/23/00571/RET	Staveley South	<p>Retrospective change of use of un-used agricultural land into caravan storage</p> <p>At Middle Farm Rectory Road Duckmanton S44 5JW</p> <p>For Mr John Cantrill</p>	CP	05/01/2024

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/23/00574/FUL	Walton	Demolition of existing outbuilding and provision of new generator and transformer and relocation of the electrical connection point for the mobile CT and MRI vehicles At Walton Hospital Whitecotes Lane Walton Chesterfield Derbyshire S40 3HW For Derbyshire Community Health Services NHS Foundation Trust	CP	17/01/2024
CHE/23/00580/FUL	Whittington	Two storey rear and side extension, two storey front extension and garden remodelling, including alterations to levels and extension of existing garage to form garden room At 189 Handley Road New Whittington Chesterfield S43 2ES For Mr Mark Rogers	CP	08/01/2024
CHE/23/00605/FUL	Brampton West & Loundsley	Demolition of existing rear conservatory, erection of a single storey rear extension and first floor side extension At 8 Welwyn Close Chesterfield S40 1HH For Mr Darren Bradshaw	CP	10/01/2024
CHE/23/00609/ADV	Spire	Replacement illuminated and non illuminated signage At 32-38 Rose Hill Chesterfield S40 1LR For Nationwide Building Society	CP	10/01/2024

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/23/00616/FUL	Staveley North	Installation of a steel container for the use of MMGA members and the provision of a part time cafe At Mastin Moor Gardens and Allotments Bolsover Road Mastin Moor Chesterfield For Mr John Hempshall	CP	08/01/2024
CHE/23/00626/FUL	Staveley North	Extension, alterations and change of use to existing garage from B8 - storage/ garage to Class E - beauty studio - revised drawings received 31.10.23 and 01.11.23 At 9 Woodthorpe Road Woodthorpe Chesterfield S43 3BZ For Green	WDN	11/01/2024
CHE/23/00627/ADV	Staveley North	Non-illuminated signage to the front elevation on 2 external walls At 9 Woodthorpe Road Woodthorpe Chesterfield S43 3BZ For Green	WDN	11/01/2024
CHE/23/00631/FUL	Brockwell	Erection of a garage - re-submission of CHE/23/00319/FUL At 6 Hartside Close Loundsley Green Chesterfield S40 4LB For Mr Paul Wilson	CP	22/12/2023
CHE/23/00640/FUL	Linacre	Residential development of 3 detached bungalows At 3 Water Meadow Lane Upper Newbold Chesterfield S41 8XP For Mr J L Wilson	CP	05/01/2024

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/23/00655/FUL	Spire	Installation of new bin store, AC plant equipment and general plant equipment At Spire House Spire Walk Chesterfield S40 2WG For Fisher German	CP	05/01/2024
CHE/23/00656/FUL	Staveley North	Garage conversion and replacing flat roof with a pitched roof At 10 Spencer Avenue Woodthorpe Chesterfield S43 3BX For Mr Jamie Metcalfe	CP	03/01/2024
CHE/23/00664/FUL	Hasland	Single storey rear extension At 43 Broomfield Avenue Hasland Chesterfield S41 0LU For Mr Stephen Turner	CP	16/01/2024
CHE/23/00667/FUL	Whittington	Single storey front extension At 26A Victoria Street North Old Whittington Chesterfield S41 9DW For Audrey Maris	CP	22/12/2023
CHE/23/00673/ADV	Brockwell	1 externally illuminated fascia, 1 non-illuminated projecting sign and 2 non-illuminated wall mounted signs At 276 Newbold Road Newbold Chesterfield S41 7AJ For Co-op Funeralcare	CP	10/01/2024

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/23/00678/FUL	Walton	Single storey rear extension and front entrance porch At 33 Miriam Avenue Somersall Chesterfield S40 3NF For Mr Ian Ridley	CP	09/01/2024
CHE/23/00680/SOL	Brampton East & Boythorpe	Installation of photovoltaic array consisting of 366 panels across two split level roof surfaces in four arrays At The Surgery At Wheatbridge 30 Wheatbridge Road Chesterfield S40 2AB For Assura plc	PNRZ	21/12/2023
CHE/23/00695/FUL	Staveley North	Detached garage At Woodward Eckington Road Staveley Chesterfield S43 3XZ For Mr Christian Greaves	CP	10/01/2024
CHE/23/00713/FUL	Walton	Two storey side extension and hardstanding At 6 Delves Close Walton Chesterfield S40 2BU For Mr and Mrs Nash	CP	18/01/2024
CHE/23/00716/FUL	Dunston	Warehouse extension to the south east At P A R Insulations and Wires Ltd Foxwood Close Sheepbridge Chesterfield S41 9RB For P A R Insulations and Wires Ltd	CP	17/01/2024

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/23/00774/TPO	Spire	<p>4 London Plane Trees - crown raise all CP up to 6m, remove ivy from trunks, light prune any branches that are encroaching on the building. Crown raise and shape weeping ash</p> <p>At Durrant House 47 Holywell Street Chesterfield S41 7SJ</p> <p>For Mr Scott Booker</p>		21/12/2023
CHE/23/00775/CA	Spire	<p>Remove self set and mature Ash trees, UP prune and shape Rowan and smaller Birch</p> <p>At Durrant House 47 Holywell Street Chesterfield S41 7SJ</p> <p>For Mr Scott Booker</p>		21/12/2023
CHE/23/00779/TPO	Spire	<p>Crown lifting of one lime tree to the rear CP</p> <p>At 2 Hazlehurst Avenue Stonegravels Chesterfield S41 7LZ</p> <p>For Mr Andrew Shore</p>		21/12/2023
CHE/23/00781/NMA	Spire	<p>Non material amendment to CHE/22/00068/FUL - Temporary car park on former chesterfield hotel site</p> <p>At Former Chesterfield Hotel Malkin Street Chesterfield S41 7UA</p> <p>For Chesterfield Borough Council</p>	CPNMAZ	21/12/2023

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/23/00784/TPO	Brampton East & Boythorpe	Tree Preservation Order 90 Alder tree within G1 Storm damaged and removed At Morrisons Chatsworth Road Chesterfield S40 3BQ For Ground Control LTD	UP	21/12/2023
CHE/23/00785/TPO	Brockwell	Removal of one windblown Lombardy Poplar tree within G1 of TPO 281 At To Rear Of 23 Pomegranate Road Newbold S41 7BL For property owner/occupier	CP	22/12/2023
CHE/23/00790/TPO	Spire	Removal of T175 Beech and T205 Sycamore and removal of hanging branches of T206 Ash At St Peter and St Paul School Hady Hill Hady Chesterfield S41 0EF For Sally Moorwood	CP	03/01/2024
CHE/24/00009/TPO	Dunston	TPO 112, T66 Monkey Puzzle - Tree has died and requires felling in stages due to size and position, replacement tree to be planted At 92 Littlemoor Newbold Chesterfield S41 8QQ For Mrs Cheryl Mee	CP	10/01/2024

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

This page is intentionally left blank

COMMITTEE/SUB	Planning Committee
DATE OF MEETING	29 th January 2024
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
-------------------------------------	-------------	--------

This page is intentionally left blank

SECTION 1**APPLICATION TO FELL OR PRUNE TREES**

Page 97

<u>CODE NO</u>	<u>DESCRIPTION OF PROPOSAL</u>	<u>TERMS OF DECISION</u>
CHE/23/00774/TPO TPO 4901.109 21/12/23	The pruning of one Weeping Ash tree reference T1 and four London Plane trees reference T2 -T5 on the Order Map and which are situated in the grounds of Durrant House, Holywell Street, Chesterfield.	Consent is granted to the crown lifting of the 4 London Plane trees to clear the highway the reduction of branches growing towards Durrant House to give a 2 metre clearance from the structure, a 1 metres clearance from street lighting and telephone wires, pruning back to suitable replacement branches. Consent is also granted to crown lift the Weeping Ash tree by 3 metres and reshaping the crown.
CHE/23/00779/TPO TPO 4901.45 21/12/23	The pruning of one Lime tree within G1 on the Order Map and which is situated in the grounds of 2 Hazelhurst Avenue, Stonegravel.	Consent is granted to the crown lifting, removal of dead wood and the pruning of poor pruning cuts in the lower crown to one Lime tree.
CHE/23/00784/TPOEXP TPO 4901.90 21/12/23	The removal of one storm damaged Alder tree within G1 on the Order map at land adjacent to Morrisons, Bobbin Mill Lane, Brampton.	Consent granted to the removal of one storm damaged Alder tree. The duty to plant a replacement tree has been dispensed with on this occasion due to other trees in the group and no major loss of amenity.

<p>CHE/23/00785/TPOEXP TPO 4901.281 21/12/23</p>	<p>The removal of one storm damaged Lombardy Poplar tree within G1 on the Order map to the rear of 23 Pomegranate Road, Pomegranate Park off Newbold Road.</p>	<p>Consent granted to the removal of one storm damaged Lombardy Poplar tree with a condition attached to plant a Field Maple as a replacement in the first available planting season 2023-2024</p>
<p>CHE/23/00790/TPOEXP TPO 4901.117 03/01/24</p>	<p>The felling of two storm damaged trees reference T175 Beech and T205 Sycamore on the Order map at St Peter St Paul School, Hady Hill, Hady. The Beech tree with evidence of Ganoderma fungus at the base was blown over in the recent storms damaging the adjacent Sycamore tree to such a degree that it also required removal.</p>	<p>Consent is granted to the removal of two trees with a duty to plant two Oak trees in the first available planting season.</p>
<p>CHE/24/00009/TPO TPO 4901.112 10/01/24</p>	<p>The felling of one dead Monkey Puzzle tree reference T66 on the Order Map and which is situated to the frontage of 92 Littlemoor.</p>	<p>Consent is granted to the felling of T66 Monkey Puzzle with a condition to plant a replacement tree in the first available planting season after felling.</p>

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>
<p>CHE/23/00775/CA The felling of one individual Ash tree to allow a more significant tree to grow without restrictions and the removal of small self-set Ash trees. Also, the crown lifting of all trees throughout the car park which are located in the rear car park at Durrant House, Holywell Street, Chesterfield.</p>	<p>The trees are within the Town Centre Conservation Area and the applicant wishes to fell and prune the trees as part of a general maintenance schedule.</p>	<p>Agreement to the felling and pruning of trees. The felling and pruning of the trees will have no adverse effect on the character and amenity of the area.</p>	<p>21/12/23</p>

This page is intentionally left blank

APPEALS REPORT

MEETING: PLANNING COMMITTEE

DATE: 29th January 2024

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.

This page is intentionally left blank

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>
2/1257	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	
2/1209	Moor ward	Plumco Ltd	CHE/23/00090/ADV – 48 sheet illuminated signage Refused	Officer delegation	23/05/23	Written Reps	
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	
2/6155	Staveley North	Mr and Mrs Linathon	CHE/23/00287/FUL – extension of Oak Tree Barn, Bolsover Road - Refusal	Officer delegation	26/9/23	Written Reps	
2/5580	Walton ward	Mr A Aldred	CHE/23/00375/FUL – Extension at 4 Stanford Way, Walton - Refusal	Officer delegation	18/10/23	Written Reps (HAS) Seeking full costs against Council	Dismissed 20/12/23 and Costs dismissed – see Appendix A
2/	Whittington ward	Mr G Wolstenholme	CHE/22/00568/HH – Remedial Notice served in respect of hedges at 279 Handley Road	Officer delegation	8/11/23	Written Reps	

2/4071	Whittington Moor ward	Mr D A Revitt	Enforcement Notice at 10 Pottery Lane West – Vehicle Storage	Planning Committee	06/12/23	Public Inquiry 23-24 th April 2024	
--------	-----------------------	---------------	--	--------------------	----------	---	--

Appendix A

Appeal by Mr Andrew Aldred

Removal of existing leylandii hedge and replace with brick panel wall at 4 Stanford Way, Walton, Chesterfield.

CHE/23/00375/FUL

1. Planning permission was refused on 18th August 2023 for replacement of the leylandii hedge with a brick panel wall at 4 Stanford Way for the following reasons:

The proposed development would be a dominant and visually incongruous addition to the street scene, to the detriment of the visual character of the host property and wider street scene, by virtue of the introduction of an excessive amount of hard boundary treatments in the form of a brick and timber panelled wall. The scale and massing of the proposed development would be at odds with the open and spacious character of the area, which is free of hard boundary treatments and benefits from significant soft landscaping. The proposal is therefore considered to be contrary to policy CLP20 of the Adopted Local Plan and in conflict with standards set out in the Council's Adopted Residential SPD..

2. An appeal against the decision has been determined by the written representation appeal method and has been dismissed.
3. The main issue considered was the effect of the proposed development on the character and appearance of the local area.
4. The appeal property is a detached 2-storey house within an estate style residential area wherein dwellings are similar in age, type and style. The main house is set back from the road behind a driveway and garden with the highway frontage largely marked by a tall and dense hedgerow. The inspector commented that properties along Stanford Way generally stand back from the street behind open driveways and gardens that include boundary hedgerows, trees and shrubs. On either side of Stanford Way at its junction with Somersby Avenue, boundary walls, fences and gates are also evident albeit these enclose the side and rear gardens of the corner

plot properties. Notwithstanding, these hard boundary features, there is a welcome sense of space and informality within the local street scene to which No 4 belongs, which is distinctive.

5. The proposal is to replace the existing hedgerow with a new brick wall and solid timber panels between piers that would follow the curved alignment of the adjacent footway. In doing so, the appeal scheme would partly enclose the front garden of No 4 with a small central gap to allow pedestrian access.
6. The solid form and considerable length of the wall and fence panels means that they would be significant and prominent features when seen from Stanford Way. On the immediate approach to the site, in both directions, the proposal would draw the eye as a rather stark, solid, and formal barrier. It would have an imposing presence in the street scene in marked contrast with the more low-key and informal appearance of the front boundary treatments prevailing close to the site. For these reasons, the proposal would be obtrusive and have a deleterious effect on the character and appearance of the local area.
7. There are several examples of boundary walls and fences to properties in the local area including those to which the appellant referred and provided photographs and details. Unlike the appeal property, these features tend to enclose the side and rear garden of properties at road junctions. While clearly a visible feature of the wider estate, sizeable brick walls and fences do not represent a strong or predominant characteristic at the front of properties in the vicinity of the site, nor do they provide the visual context for the proposal.
8. The quality of the materials in this case would be high with treated timber panels, brick to match the existing house and detailing. Trailing plants could be introduced to visually soften the fence panels although the scope for meaningful landscaping would be modest in this case and could be cut back or removed at any time. Consequently, it would be difficult to enforce.
9. Reference was made to the Council's recent decision to approve a 1.8 metre, high brick wall at 2 Woodbridge Rise.

This wall is to the side and rear of No 2 and its relationship to the street scene differs to the current proposal before me. The inspector considered that even if the Council has been inconsistent in approving the development at No 2 and not the proposal, this is insufficient reason to allow the appeal.

10. The inspectors attention was drawn to a fall-back position in which the existing hedge, which is a substantial and prominent feature within the streetscape, is retained. When seen from the road, the considerable height and thickness of the hedge forms a sizeable barrier that also contrasts with the lower-level boundary features and more open frontages of nearby properties. Compared to the existing hedge, which largely blocks views into the site from the road, the proposal would allow greater intervisibility between the house and the street. However, there is little to demonstrate that these benefits would only be achieved by introducing a wall and fencing, as proposed.
11. On the main issue, the inspector concluded that the proposed development would be out of keeping with the character and appearance of the local area. As such, it conflicts with Policy CLP20 of the Chesterfield Borough Local Plan, which promotes good design and aims to ensure that all development responds positively to the character of the site and the surroundings. It is contrary to the Council's Successful Places Supplementary Planning Document (SPD), which advises that the nature and materials of front boundary treatments should reflect the context and character of the setting. It is also at odds with the National Planning Policy Framework insofar as it requires new development to be sympathetic to local character and add to the overall quality of the area.

Other matters

12. The inspector recognised that the existing hedgerow is increasingly difficult for the appellant and his wife to manage and that they wish to create a low maintenance garden. He also acknowledged the costs associated with employing a contractor to keep the hedgerow in good order. The proposed boundary treatment alongside the road would partly enclose and visually screen the front garden, which provides an important area of private amenity space. It would maintain a

sense of security and privacy and clearly demarcate the boundary between public and private space. Removal of the existing hedge would address some problems such as litter and allow natural light to penetrate the front garden that in turn could benefit plant growth and wildlife. It would also allow greater natural surveillance at the front of the property given that views towards and from the main house would be possible over the new wall and timber panels.

13. No objection is raised to the appeal scheme on the grounds of highway safety, parking, or residential amenity. Some residents support the proposal with several letters that the inspector carefully considered. If the hedge were to overhang the adjacent footway, there would be some benefit to the convenience of footway users and to driver visibility by replacing it with a new wall. However, these other matters, taken individually and together, do not outweigh the significant harm that has been identified.
14. The inspector noted that the appellant was critical of the Council's handling of the application and their decision to refuse planning permission without the opportunity to enter a dialogue about the proposal.

COSTS Application

15. The Planning Practice Guidance advises that costs may be awarded against a party who has behaved unreasonably and thereby caused the party applying for costs to incur unnecessary or wasted expense in the appeal process.
16. The appellant had stated that the Council could have responded sooner with its concerns following the application submission and that it was not until after the Council's decision had been issued that he became aware of the outcome, with no contact from the Case Officer in the interim. The Council stated that Mr Aldred did not get in touch to check on progress. A brief exchange with the Council at the pre-application stage and the absence of an agent cited on the completed forms indicate that Mr Aldred may not have been professionally represented at that time. Given the circumstances, the inspector accepted the applicant's

disappointment with both the Council's decision and the lack of feedback beforehand.

17. Even if there is no mandatory requirement to do so, it seemed to the inspector to be good practice to seek a dialogue with an applicant and to keep them updated not least for basic courtesy and to avoid unwanted surprises. That said, there was nothing procedurally incorrect in the Council's handling of the application. The decision was reached in a timely way with the reasoning clearly set out in the Officer's report. While the Council could have better communicated its position and intentions to the applicant in good time before the decision was made, the inspector considered its approach was not unreasonable.
18. The Council's reason for refusal describes the area as spacious, open and 'free of hard boundary treatments', which does not explicitly acknowledge the presence of existing brick walls further along Stanford Way. However, these existing hard boundary features were noted in the Officer's report, which concludes at paragraph 10.1 that the area has few hard boundary treatments. Consequently, the Council's decision to refuse planning permission was not predicated on the belief that the area, however that is defined, was free of hard boundary features. The Officer's report does not use the term 'fall back' nor does it refer to the retention of the existing boundary hedgerow in that way. It does, however, compare the visual impact of the proposal with the hedgerow and so its retention was in the author's mind when the report was written. That the Officer's report does not explicitly cover the wider benefits of introducing a new wall and fence, to which the appeal evidence refers, does not necessarily mean that these considerations were ignored. Given the amount of work involved, the Council cannot reasonably be expected to also address all other planning decisions involving similar proposals in the local area such as 2 Woodbridge Rise unless a particular case is expressly relied on at that time.
19. A more positive approach and a greater level of communication and 'solution finding' with the applicant may have ultimately led to a mutually acceptable scheme thus negating the need to pursue an appeal. A more proactive approach particularly at the pre-application stage to, for

instance, offer up and explain the Council's objections could have shaped the applicant's approach to the proposed scheme. Even so, the inspector was not convinced that the Council overtly closed its mind to discussion about the proposal or that a more favourable outcome for the applicant was a likely prospect given the fundamental difference of opinion between the main parties on the merits of the scheme.

20. For the reasons given in the appeal decision, the Council's concerns were not unfounded nor were they unsupported by realistic, precise, and specific evidence about the consequences of the proposal. These concerns are clearly expressed in the reason for refusal with further detail set out in the Officer's report. To the inspectors my mind, the Council has not prevented development that should clearly have been permitted nor has it failed to substantiate its case.
21. Overall, the inspector concluded that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Guidance, has not been demonstrated. Therefore, the application for an award of costs is refused.

FOR PUBLICATION Agenda Item 8

ENFORCEMENT REPORT

MEETING: PLANNING COMMITTEE
DATE: 29TH JANUARY 2024
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

Enforcements currently Authorised: 10

ENFORCEMENT REPORT

18 January 2024

Address	Authorised <small>days from</small>	Breach	CHE/	Issued <small>days to issue</small>	Effective <small>days to (-) /from</small>	Comply <small>days to (-) /from</small>	Notes	<small>update last update</small>	Ward
Breach of Condition Notice		<i>Total currently Authorised: 1 Authorised to Issue Average: 540 days</i>							
York Street	2 <small>1,579</small>	balcony, canopy and french door	17/00800/FUL	16/03/21 <small>540</small>	16/03/21 <small>1039</small>	16/04/21 <small>1008</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 Authorised to Issue Average: 198.7 days</i>							
Chester Street	94 <small>333</small>	wooden play structure		30/05/23 <small>99</small>	29/06/23 <small>204</small>	29/07/23 <small>174</small>	removal within 28 days. Issued 30/05/23. No appeal. Not complied. Prosecute.	<input type="checkbox"/> <small>12/12/23</small>	B
Markham Road	Markham House <small>5,814</small>	storage of commercial vehicles		20/03/08 <small>31</small>	18/04/08 <small>5754</small>	20/10/08 <small>5569</small>	Complied by 2009. Unauthorised use has started again. Prosecute - awaiting instructions.	<input type="checkbox"/> <small>14/11/19</small>	HI
Park Hall Avenue	2 <small>403</small>	timber fencing and stone columns on frontage					Awaiting instructions	<input type="checkbox"/> <small>21/12/22</small>	Wa

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
Pottery Lane West	10	18/07/22 550	Storage of vehicles		27/10/23 466			Issued. Appeal, requesting public inquiry. Update report to Planning Committee 29/01/24.	<input checked="" type="checkbox"/> 18/01/24	Mo
York Street	2	09/10/17 2,293	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
Enforcement Notice (Listed Building)				<i>Total currently Authorised: 1</i>		<i>Authorised to Issue Average: days</i>				
Old Hall Road	Brampton House	02/10/23 109						various unauthorised alterations. Instructed, notice to be issued.	<input type="checkbox"/> 03/11/23	Bro
Section 215 Amenity Notice				<i>Total currently Authorised: 3</i>		<i>Authorised to Issue Average: days</i>				

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>466</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>1,201</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>1,201</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

Page 114

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) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank