

PLANNING COMMITTEE

Monday, 20th February, 2017

Present:-

Councillor Brittain (Chair)

Councillors	P Barr	Councillors	Hill
	Bingham		Miles
	Callan		A Murphy
	Catt		Simmons
	Davenport		Wall
	Elliott		

*Matters dealt with under the Delegation Scheme

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

CHE/16/00837/FUL – Change of use from hot food takeaway to public house A5 to A4 at 5 Breckland Road, Walton, Chesterfield.

Councillors P Barr, Bingham, Brittain, Callan, Catt, Davenport, A Diouf (ward member), Elliott, Hill, Miles, A Murphy, Redihough (ward member), Simmons and Wall.

CHE/16/00721/OUT – Residential development of one detached house at land between 16-18 Eyre Street East, Hasland, Chesterfield.

Councillors P Barr, Bingham, Brittain, Callan, Catt, Caulfield, Davenport, Elliott, Hill, Miles, A Murphy, Simmons and Wall.

CHE/16/00771/LBC – Installation of CCTV cameras and staff alarm system and associated alterations at 42 St Marys Gate, Chesterfield.

Councillors P Barr, Bingham, Brittain, Callan, Catt, Caulfield, Davenport, Elliott, Hill, Miles, A Murphy, Simmons and Wall.

CHE/16/00468/ADV – Bus shelter with illuminated advertising panel opposite Chesterfield Trade Centre, Sheffield Road, Whittington Moor, Chesterfield.

Councillors P Barr, Bingham, Brittain, Callan, Catt, Caulfield, Davenport, Elliott, Hill, Miles, A Murphy, Simmons and Wall.

132 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Burrows, Caulfield and T Gilby.

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

No declarations of interest were received.

134 MINUTES OF PLANNING COMMITTEE

RESOLVED -

That the minutes of the meeting of the Planning Committee held on 30 January, 2017 be signed by the Chair as a true record.

135 APPLICATIONS FOR PLANNING PERMISSION - PLANS DETERMINED BY THE COMMITTEE

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

CHE/16/00837/FUL - CHANGE OF USE FROM HOT FOOD TAKEAWAY TO PUBLIC HOUSE – A5 TO A4 AT 5 BRECKLAND ROAD, WALTON, CHESTERFIELD, S40 3LJ

In accordance with Minute No.299 (2001/02), Mr S Eyre (the applicant) addressed the meeting.

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. All external dimensions and elevational treatments shall be as shown on the approved plans: location plan with the exception of any approved non material amendment.

CHE/16/00771/LBC - INSTALLATION OF CCTV CAMERAS AND STAFF ALARM SYSTEM AND ASSOCIATED ALTERATIONS AT 42 ST MARYS GATE, CHESTERFIELD

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

1. The works shall begin no later than three years from the date of this consent.

CHE/16/00468/ADV - FULL PLANNING APPLICATION FOR THE PROVISION OF A BUS SHELTER WITH ILLUMINATED ADVERTISING PANEL WITH ADDITIONAL DRAWINGS RECEIVED ON 6/1/2017 OPPOSITE CHESTERFIELD TRADE CENTRE, SHEFFIELD ROAD, WHITTINGTON MOOR, CHESTERFIELD.

That the officer recommendation be upheld and the application be approved unconditionally, but that the following standard conditions as defined under The Town and Country Planning (Control of Advertisements)(England) Regulations 2012, be noted.

1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
2. No advertisement shall be sited or displayed so as to:
 - a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
5. Where an advertisement is required under The Town and Country Planning (Control of Advertisements) (England) Regulations 2012 to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

CHE/16/00721/OUT - RESIDENTIAL DEVELOPMENT OF ONE DETACHED HOUSE AT LAND BETWEEN 16-18 EYRE STREET EAST, HASLAND, DERBYSHIRE – AMENDED PLANS RECEIVED 10/1/17.

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

- A. 1. Approval of the details of the access, scale, layout, external appearance and landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
2. Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
3. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
4. Details of the existing and proposed land levels and the proposed floor levels of the dwelling hereby approved shall be submitted in writing concurrently with any application for the reserved matters being submitted to the Local Planning Authority for consideration. The details submitted shall include sufficient cross sections to fully assess the relationship between the proposed levels and immediately adjacent land/dwellings. The dwelling shall be constructed at the levels approved under this

condition unless otherwise agreed, in writing, by the Local Planning Authority.

5. Before construction works commence or ordering of external materials takes place, precise specifications or samples of the walling and roofing materials to be used shall be submitted to the Local Planning Authority for consideration. Only those materials approved in writing by the Local Planning Authority shall be used as part of the development unless otherwise agreed by the Local Planning Authority in writing.

6. Unless otherwise approved in writing by the Local Planning Authority demolition, remediation or construction work to implement the permission hereby granted shall only be carried out on site between 8:00am and 6:00pm Monday to Friday, 9:00am to 1:00pm on a Saturday and no work on a Sunday or Public Holiday. The term "work" will also apply to the operation of plant, machinery and equipment.

7. Before any works are commenced, the applicant shall submit and have approved, in writing, by the Local Planning Authority in consultation with the Highway Authority a revised plan demonstrating a revised layout showing adequate space for parking of vehicles associated with the existing and proposed dwellings and appropriate vehicular access. This is likely to necessitate a slightly smaller dwelling.

8. Before any other operations are commenced, the existing access to Eyre Street shall be modified in accordance with the application drawings approved under Condition 1 above, laid out, constructed and provided with visibility splays as indicated on the attached plan. The area in advance of the sightlines being maintained clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to the adjoining nearside carriageway channel level.

9. The proposed dwelling shall not be occupied until space has been laid out within the site in accordance with the drawing approved under Condition 1 above for cars to be parked for the existing and proposed dwelling. The parking spaces shall be maintained free from any impediment to their designated use for the life of the development.

10. There shall be no gates or other barriers on the driveways/accesses.

11. The proposed accesses/driveways to Eyre Street shall be no steeper than 1 in 14 over their entire length.

12. No development shall take place until details of the proposed means of drainage have been submitted to and approved in writing by The Local Planning Authority. These shall include percolation test results and sizing calculations in accordance with BRE Digest 365 and designed to a 1 in 30 year standard, to determine that this would be an effective method for the disposal. These should be carried out as per CBC's Minimum Development Control Standards.

13. No development shall take place until site investigation works have been undertaken in order to establish the exact situation regarding coal mining legacy issues on the site. Details of the site investigation works shall be submitted to and approved in writing by The Local Planning Authority. The details shall include;

- The submission of a scheme of intrusive site investigations for approval;
- The undertaking of that scheme of intrusive site investigations;
- The submission of a report of findings arising from the intrusive site investigations;
- The submission of a scheme of remedial works for approval; and
- Implementation of those remedial works.

B. That as the site lies in the medium CIL zone the full CIL Liability will be determined at the reserved matters stage on the basis of a cumulative charge of £50 per sqm of gross internal floor area created.

136 **BUILDING REGULATIONS (P880D)**

*The Chief Building Control Officer reported that pursuant to the authority delegated to him he had determined the under-mentioned plans under the Building Regulations:-

Approvals

16/01820/OTHD	Other Works (Domestic) - Works to underground abandoned coal workings at 158 Walton Road Walton Chesterfield Derbyshire S40 3BS
16/01193/OTHC	Other Works (Commercial) - Erection of a waste transfer building at Banks Skip Hire Station Lane Old Whittington Chesterfield Derbyshire S41 9QX

16/02005/DEX	Domestic Extensions/Alterations - Extension to rear at 60 Highfield Lane Newbold Chesterfield Derbyshire S41 8AY
16/02001/DCC	Derbyshire County Council - 2 storey side/rear extension at 8 Bower Farm Road Old Whittington Chesterfield Derbyshire S41 9PP
16/02057/DIS	Disabled Work - Conversion of store to form living accommodation for disabled person at 425 Newbold Road Newbold Chesterfield Derbyshire S41 8AG
17/00017/DIS	Disabled Work - Rear extension at 17 Cordwell Avenue Newbold Chesterfield Derbyshire S41 8BT
17/00009/DEX	Domestic Extensions/Alterations - First floor extension and pitched roof over porch at 134 Moorland View Road Walton Chesterfield Derbyshire S40 3DF
17/00175/OTHD	Other Works (Domestic) - Internal alterations at 53 Chesterfield Road Staveley Chesterfield Derbyshire S43 3QG
16/02161/OTHD	Other Works (Domestic) - Removal of ground floor blockwork and replacement with steel beam at 17 Redbrook Avenue Hasland Chesterfield Derbyshire S41 0RL

137 **APPLICATIONS FOR PLANNING PERMISSION - PLANS DETERMINED BY THE DEVELOPMENT MANAGEMENT AND CONSERVATION MANAGER (P140D)**

*The Development Management and Conservation Manager reported that pursuant to the authority delegated to him, he had determined the under-mentioned applications subject to the necessary conditions:-

(a) Approvals

- CHE/16/00662/FUL Proposed alterations and refurbishment of existing RSPCA animal welfare facility. Coal mining risk assessment received 03.11.2016, Flood Risk Assessment and Drainage Strategy received 11.11.2016, Ecological Appraisal and Bat Report received 14.11.2016 and amended site layout received 19.01.2017 at RSPCA 137 Spital Lane Spital Chesterfield Derbyshire S41 0HL for RSPCA Chesterfield and North Derbyshire
- CHE/16/00692/FUL Change of use of first floor and second floor to form cafe at first floor and 3 no bed and breakfast rooms at second floor, including the creation of external seating area, disabled WC and store to rear yard; and change of use of remainder of second floor to form 1 no. self-contained 2 bed flat. (revised at 9 - 15 Stephenson Place Chesterfield Derbyshire S40 1XL for Mr Paul Singh
- CHE/16/00699/FUL Proposed single storey rear and two storey side extension at 3 Corve Way Holme Hall Chesterfield Derbyshire S40 4YA for Mr Ashley Middleton
- CHE/16/00707/FUL Erection of an external compound to house 8 condenser units which will connect to the new air conditioning units installed in the east wing. The external condenser units to be mounted on the existing concrete slab and enclosed by a 2.4m high, triple pointed and power coated steel palisade fence at 1 Future Walk Chesterfield Derbyshire S41 5PF for Royal Mail Group Property
- CHE/16/00713/RET Installation of 4no cooling blocks for warehouse air conditioning system at Plot 1B Markham Vale Markham Lane Duckmanton Chesterfield Derbyshire for Great Bear Distribution Ltd
- CHE/16/00732/FUL Change of use and conversion of premises to create new car showrooms and workshop at R Health Care Sheffield Road Sheepbridge Chesterfield Derbyshire S41 8NJ for Stoneacre Ltd

- CHE/16/00751/FUL Two storey side extension (revised drawing received 16.01.2017) at 100 Burnbridge Road Old Whittington Chesterfield Derbyshire S41 9LS for Mr Martin Hobbs
- CHE/16/00753/FUL Proposed extensions to rear at 60 Highfield Lane Newbold Chesterfield Derbyshire S41 8AY for Mr and Mrs Kirk
- CHE/16/00765/FUL Replacement shop front to be positioned as existing shop front (75mm set back) at 5 Elder Way Chesterfield Derbyshire S40 1UR for Mr and Mrs Guy and Katie Davis
- CHE/16/00776/COU Change of use from A2-A3, from bank to bakery, deli and tea rooms - extraction details received 9th January 2017 at 28 Knifsmithgate Chesterfield Derbyshire S41 1RF for Miss Donna Knowles
- CHE/16/00777/FUL Single storey side/rear extension at 8 Thornbridge Crescent Birdholme Chesterfield Derbyshire S40 2JH for Mr Andrew Jennings
- CHE/16/00778/FUL Two storey side extension at 2 Kendal Road Newbold Chesterfield Derbyshire S41 8HY for Sarah Bradbury
- CHE/16/00781/COU Change of use from Cat Protection shop to A3 cafe use and as amended by additional plans received on 12.01.2017 at Cats Protection League 13 Stephenson Place Chesterfield Derbyshire S40 1XL for Mr Roy Knowles
- CHE/16/00785/FUL Alterations to existing roof to form additional room and insertion of new window in the north elevation at 97 Hucknall Avenue Loundsley Green Chesterfield Derbyshire S40 4BZ for Mrs Amy Heathaston

- CHE/16/00787/FUL Proposed single storey rear extension (replacing existing conservatory) and two storey side extension - part over an existing single storey attached garage at 12 Glenavon Close New Whittington Chesterfield Derbyshire S43 2QG for Mr Andrew Dawson
- CHE/16/00793/FUL Extension to existing production facility - additional information received 06/01/2017, 17/01/2017 and 26/01/2017 at Colliery House Colliery Close Staveley Chesterfield Derbyshire S43 3QE for Krantech
- CHE/16/00794/FUL Two storey rear extension at 7 Stanford Way Walton Chesterfield Derbyshire S42 7NH for Mr Kevin Howarth
- CHE/16/00798/FUL Proposed first floor front extension at 112 Broomfield Avenue Hasland Chesterfield Derbyshire S41 0ND for Mr J Dooley
- CHE/16/00820/FUL Proposed new canopy attached to existing building at Units 20 and 21 Dunston Trading Estate Foxwood Road Sheepbridge Chesterfield Derbyshire S41 9RF for Oxdale Products Limited
- CHE/17/00009/NM Non-Material Amendment to application CHE/16/00477/FUL (Demolition of four properties to accommodate a car park extension and extension of existing food store) at Lidl Sheffield Road Whittington Moor Chesterfield Derbyshire S41 8LX for Lidl UK GmbH
- CHE/17/00018/CA Pruning of trees at Portland Close at Street Record Portland Close Chesterfield Derbyshire for Property Services 2000 Ltd

CHE/17/00020/NMA Application for non-material amendment to CHE/14/00713/FUL (erection of a two storey 4 bedroom dwelling) bricking-up side door (leaving only 2 doors - front door and patio door) and enlarge patio door to 3 metres wide at 3 Salisbury Avenue Newbold Chesterfield Derbyshire S41 8PR for Mr Samir Sherif

CHE/17/00027/NMA Amendment of existing car park to have additional entrance to east end. Ref No CHE/14/00874/FUL at Chesterfield and North Derbyshire Royal Hospital Chesterfield Road Calow Chesterfield Derbyshire S44 5BL for Chesterfield Royal Hospital NHS Foundation Trust

CHE/17/00031/NMA Non material amendment application for two small additional side windows - Planning Application CHE/16/00674/FUL at 19 Somersall Park Road Chesterfield Derbyshire S40 3LD for Mr Matt Green

(b) Refusals

CHE/16/00710/FUL Erection of a conservatory at 146 Spital Lane Spital Chesterfield Derbyshire S41 0HN for Mr Leigh Merry

CHE/16/00717/FUL Residential development at land to rear of 109 Middlecroft Road Staveley Chesterfield Derbyshire for James Muse

CHE/16/00804/FUL Convert existing goat shed/stables into holiday let at 23 Bridle Road Woodthorpe Chesterfield Derbyshire S43 3BY for Mr and Mrs Hall

(c) Discharge of Planning Condition

CHE/16/00808/DOC Discharge of conditions 5, 7, 8, 9, 10 and 11 of CHE/16/00069/OUT at land adjacent to 89 Sheffield Road Stonegravels Chesterfield Derbyshire for The Derby Diocesan Board of Finance

- CHE/16/00817/DOC Discharge of planning conditions 6, 7, 14 and 15 of CHE/0301/0164 at land at The Brushes Sheffield Road Sheepbridge Chesterfield Derbyshire for Birchall Properties Ltd
- CHE/16/00825/DOC Discharge of conditions 12 and 42 of CHE/0892/0496 at land at The Brushes Sheffield Road Sheepbridge Chesterfield Derbyshire for Birchall Properties Ltd
- CHE/16/00833/DOC Discharge of conditions 18 and 32 of CHE/16/00518/FUL at site of former Newbold Community School Newbold Road Newbold Chesterfield Derbyshire for Miller Homes
- CHE/16/00836/DOC Discharge of condition Nos 29 and 30 of CHE/10/00041/FUL residential development - The Spires, Derby Road, Chesterfield at former Chesterfield Cylinders Site Derby Road Birdholme Chesterfield Derbyshire for Barratt Homes

(d) Withdrawn

- CHE/17/00002/TPD Proposed single storey flat roofed extension to provide living/bedroom/kitchen and bathroom for elderly/disabled person at 38 Park Road Chesterfield Derbyshire S40 1XZ for Mr Anthony Waite

138 **APPLICATIONS TO FELL OR PRUNE TREES (P620D)**

*The Development Management and Conservation Manager reported that pursuant to the powers delegated to him he had determined the under-mentioned applications in respect of the felling and pruning of trees:-

- CHE/17/00039/TPO Consent is granted to the felling of 27 Poplar trees at land off Dunston Road to the east of Dunston House reference G1 on the Order map for Peppermint Grove Ltd with a condition to plant 19 new trees consisting of 6 Paper Birch trees, 9 Limes and 4 red Oaks

CHE/17/00074/TPO Consent is granted to the removal of one lower branch growing on the west side of the tree, pruning back just before the main stem of one Horsechestnut tree reference T13 on the Order map for Beauchief Homes on land to the rear of 79 Sheffield Road, Chesterfield

CHE/17/00026/TPO Consent is granted to the removal of one low branch overhanging the garden, pruning back to the main stem, of one Larch tree within Area 1 on the order map for Mr Philip Brindle of 5 Pine View, Ashgate, Chesterfield

139 APPEALS REPORT (P000)

The Group Leader, Development Management reported on the current position in respect of appeals which had been received.

***RESOLVED -**

That the report be noted.

140 ENFORCEMENT REPORT (P410)

The Local Government and Regulatory Law Manager and the Group Leader, Development Management submitted a joint report on the current position regarding enforcement action which had been authorised by the Council.

***RESOLVED -**

That the report be noted.

141 THE SHRUBBERIES - 46 NEWBOLD ROAD - PRIOR NOTIFICATION OF PROPOSED DEMOLITION - CHE/17/00059/DEM

The Development Management and Conservation Manager submitted a report to inform Planning Committee members of the current situation regarding the Prior Notification of Proposed Demolition application

(CHE/17/00059/DEM) received in relation to The Shrubberies, 46 Newbold Road, Chesterfield.

***RESOLVED –**

That the report be noted.