

PLANNING COMMITTEE

Monday, 13th March, 2017

Present:-

Councillor Brittain (Chair)

<p>Councillors P Barr Bingham Callan Catt Davenport Elliott</p>	<p>Councillors T Gilby Hill A Murphy Sarvent Simmons Wall</p>
---	---

*Matters dealt with under the Delegation Scheme

142 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Caulfield and Miles.

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

Pursuant to Minute No.109 (2015/16), Councillor Elliott declared an interest in agenda item 9 as she had spoken as an objector against the application when it was originally considered by the committee.

144 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

16/02104/DCC

Derbyshire County Council - Refurbishment and alteration of existing classrooms to create 2 new teaching bays and unisex wc facilities and sensory room at The Pingle Foundation School Coronation

Street Swadlincote Derbyshire DE11 0QA

- 16/02141/MUL Multiple Domestic - Loft conversion and two storey side extension at 26 Caxton Close New Whittington Chesterfield Derbyshire S43 2EA
- 17/00048/DEX Domestic Extensions/Alterations - Single storey rear extension and ground floor wc at 41 Summerfield Road Boythorpe Chesterfield Derbyshire S40 2LJ
- 17/00213/DEX Domestic Extensions/Alterations - Single storey rear extension at 10 Thornbridge Crescent Birdholme Chesterfield Derbyshire S40 2JH
- 17/00192/OTHD Other Works (Domestic) - Garage conversion at 14 Moorhay Close Upper Newbold Chesterfield Derbyshire S41 8XF
- 17/00079/DEX Domestic Extensions/Alterations - Single storey side and rear extensions at 77 Dukes Drive Newbold Chesterfield Derbyshire S41 8QE
- 17/00306/DRO Domestic in-roof Extensions/Alterations - Loft conversion at 137 Ashgate Road Chesterfield Derbyshire S40 4AN
- 17/00145/DEX Domestic Extensions/Alterations - Two storey side and single storey front extension, entrance porch with internal alterations at 25 Ashgate Valley Road Chesterfield Derbyshire S40 4AX
- 16/02162/MUL Multiple Domestic - Loft conversion and rear dormer extension at 217 Lockoford Lane Tapton Chesterfield Derbyshire S41 0TG
- 17/00029/DEX Domestic Extensions/Alterations - Front extension at 8 Kingsmede Avenue Walton Chesterfield Derbyshire S40 3EG

- 17/00259/DEX Domestic Extensions/Alterations - First floor rear extension at 596 Chatsworth Road Chesterfield Derbyshire S40 3JX
- 17/00265/DEX Domestic Extensions/Alterations - Single storey rear extension at 1 Cornwall Close Brimington Chesterfield Derbyshire S43 1EG
- 17/00266/OTHD Other Works (Domestic) - Conversion of attached garage to form habitable room at 20 Chadwell Close Hasland Chesterfield Derbyshire S41 0QB
- 17/00246/DEX Domestic Extensions/Alterations - Corner infill extension to front of property at 9 Woodvale Close Somersall Chesterfield Derbyshire S40 3LY

145 **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/16/00737/FUL New Ford dealership comprising 2 storey showroom/service/MOT building and single storey car valet building with associated facilities including workshops, compound, customer and staff parking, used car sales display area, access roads and appropriate landscaping at land to the south of Spire Walk Chesterfield Derbyshire for Perrys East Midlands Ltd
- CHE/16/00750/FUL Single storey rear extension adjoining a public walkway at 19 Yeldersley Close Holme Hall Chesterfield Derbyshire S40 4LG for Mr Martin Miller

- CHE/16/00764/NMA Front entrance porch at 3 Holmebank East Brockwell Chesterfield Derbyshire S40 4AR for Mr Shahid Parvez
- CHE/16/00771/LBC Installation of CCTV cameras at selected locations on ground floor and within staircase areas at first and second floors; replacement of staff attack alarm system at ground and first floors with wall mounted infrared receivers and display screens; construction of needle exchange room at ground floor; division of existing admin office at ground floor to create smaller admin office and new counselling room; formation of viewing screen between admin office and new location for waiting area; installation of air conditioning unit to ground floor clinic room with internal wall mounted inverter and external fan unit; creation of new roof access hatch within ceiling and removal of existing hatch in vertical bulkhead; creation of working platform within existing roof void at 42 St Marys Gate Chesterfield Derbyshire S41 7TH for Derbyshire Healthcare NHS Foundation Trust
- CHE/16/00772/FUL Proposed single storey flat roof kitchen extension within enclosed rear yard and replacement of bay windows at ground floor level and casement windows at first floor level to existing front elevation and as amended by additional information received on 07.02.2017 at Red Lion 261 Chatsworth Road Chesterfield Derbyshire S40 2BL for Mr J Frederick
- CHE/16/00773/LBC Proposed alterations to Grade II listed building, including replacement of 6 sash windows to principal elevation; replacement timber stall riser to shopfront; repair and replacement of guttering; patch re-pointing; patch replacement of roof tiles and flashings; replacement roof light to rear elevation and repairs to roof purlin at 10 High Street Chesterfield S40 1PS for Mr J Waller

- CHE/16/00796/FUL Extension and alterations to change the use from existing workshop/garage to recording studio at workshop to rear of 98 Derby Road Chesterfield Derbyshire S40 2EF for Mr Thomas Henthorn
- CHE/16/00797/REM1 Variation of conditions 2,3,5 and 6 of CHE/16/00175/FUL - Development of an industrial unit for Class B8 purposes with ancillary office space, gatehouse plus car parking, lorry parking, service yard and sprinkler tanks with associated site access, drainage, site levelling, engineering and landscaping works at Plot 13 Markham Lane Duckmanton Derbyshire for Henry Boot Developments
- CHE/16/00801/NMA Non material amendment to CHE/16/00419/FUL - alter dimensions of extension, change of roof design and finish to external walls - now to be timber cladding at 345 Chatsworth Road Chesterfield Derbyshire S40 2BZ for Mr David Bannister
- CHE/16/00810/FUL Demolition of conservatory and outbuildings and proposed 2 storey side extension at 297 High Street New Whittington Derbyshire S43 2AP for Mrs Jackie Slater
- CHE/16/00813/FUL Proposed alterations and rear extension at 89A Manor Road Brimington Derbyshire S43 1NN for Mr Simon Jones and Michelle Teasel
- CHE/16/00818/FUL Proposed restaurant on the building 3rd floor (opening times in accordance with existing license). Alteration and widening of ground floor opening to accommodate new bi-fold doors. Installation of retractable awning canopy to building entrance (minimum 2.3m high) - Re-submission of CHE/16/00618/FUL (revised plans received 22/02/2017) at 21-23 Holywell Street Chesterfield S41 7SA for Mr Giacchino Livoti

- CHE/16/00823/ADV 1 double sided internally illuminated light box incorporated into structure of bus shelter at light box on bus shelter Wheatbridge Road Chesterfield Derbyshire for Clear Channel UK
- CHE/16/00824/REM Reserved matters for CHE/15/00267/OUT - outline planning permission for two storey dwelling at land opposite Oaks Farm Markham Road Duckmanton Derbyshire for Mr Mark Reynolds
- CHE/16/00826/FUL Proposed front extension to bungalow at 8 Kingsmede Avenue Walton Derbyshire S40 3EG for Mr and Mrs J Cook
- CHE/16/00827/FUL Roof to be raised and loft area "converted", front elevation remodelled and single storey extension to the rear at 24 Lichfield Road Walton Derbyshire S40 3EZ for Mr and Mrs Sandhu
- CHE/16/00828/FUL Application for external alterations to existing shopfront : additional information received 16.02.2017 at British Home Stores 29 Vicar Lane Chesterfield Derbyshire S40 1PY for Landmaster Properties Limited In Administrative Receivership
- CHE/16/00829/FUL Proposed two storey rear extension at 113 The Green Hasland Derbyshire S41 0JT for Mike Rielly
- CHE/16/00830/FUL Single story extension to rear of dwelling-house at 24 Gladstone Road Chesterfield Derbyshire S40 4TE for Mr Brammer
- CHE/16/00832/FUL Construction of two single storey industrial buildings split into 5 units with associated landscaping, drainage, road access and car park work - additional information received 02/02/2017 and 16/02/2017 at land adjacent Dunston Road Chesterfield Derbyshire for Peppermint Grove Development Ltd

- CHE/16/00834/FUL Roof extension and creation of additional bedrooms at 44 Newbold Road Newbold Derbyshire S41 7PH for Potens
- CHE/17/00001/FUL Alterations to create study/office/bedroom and bathroom in roof space at 9 Thornbridge Crescent Birdholme Derbyshire S40 2JH for Mr F Moore
- CHE/17/00010/MA Material amendments to CHE/11/00223/FUL (erection of a 5 bedroom dwelling) to include an indoor swimming pool, small increase in eaves and roof height, increase in garden area and minor changes to heights and sizes of windows, doors, rooflights and solar panels at 568 Chatsworth Road Chesterfield Derbyshire S40 3JS for Mr and Mrs Rockie White
- CHE/17/00025/FUL Demolition of single storey store, erection of 2 storey side extension and rear conservatory at 26 Blandford Drive Newbold Chesterfield Derbyshire S41 8QT for Miss Shani Wylds
- CHE/17/00026/TPO Larch tree - Remove one very low branch at 5 Pine View Ashgate Chesterfield Derbyshire S40 4DN for Mr Philip Brindle
- CHE/17/00034/TPO Crown lift, crown clean to each tree and pruning to trees T1-T11, T13-T16, T18-T20 and groups 1 to 7 of TPO No. 297 at Brendon House Residential Home Brendon Avenue Chesterfield Derbyshire S40 4NJ for Heathcotes Group Ltd
- CHE/17/00049/HERM Removal of hedge to facilitate better farming practice and turning with large agricultural machines at Hagge Farm unnamed road off Staveley Lane Near Hagge Farm Middle Handley Derbyshire S21 5RP for Mr Alan Jackson
- CHE/17/00081/CA Various tree works in rear garden at Hazeldene 554 Chatsworth Road Chesterfield Derbyshire S40 3AY for J G Kirkland

CHE/17/00083/TPO Oak tree - 25% crown thinning at 15 Abney Close Chesterfield Derbyshire S40 4PF for Mr Michael Alberts

CHE/17/00147/TPO Fell one pear tree at 113 High Street Old Whittington Derbyshire S41 9LB for Louise Parker

(b) Refusals

CHE/16/00465/OUT Development of up to 25 new dwellings excluding land to the west of 177 Spital Lane amended description received 12th August 2016, amended plans received 10th August 2016 - Additional information received 19th October 2016 at land to the rear of 145 - 177 Spital Lane Spital Chesterfield Derbyshire for Mr S Balfour

CHE/16/00780/RET Retention of the works to remove existing fence and hedge and erection of replacement wooden fencing at 1 Tollbridge Road Woodthorpe Derbyshire S43 3BL for Miss Linda Kinsey

CHE/16/00821/FUL Proposed erection of a detached dwelling and new dropped crossing to form off street parking spaces at 158 and 160 Manor Road Brimington Derbyshire S43 1NW for Mr and Mrs Rollett

(c) Discharge of Planning Condition

CHE/17/00007/DOC Discharge of conditions 3 ,5 6, 8 ,9 and 10 relating to CHE/16/00477/FUL - demolition of four properties to accommodate a car park extension and extension of existing foodstore at Lidl Sheffield Road Whittington Moor Derbyshire S41 8LX for Lidl UK GmbH

CHE/17/00080/DOC Discharge condition 4 (Construction Management Plan) on applications CHE/16/00620/FUL and CHE/16/00621/FUL at Unit 3 and Unit 4 Spire Walk Business Park Spire Walk Chesterfield Derbyshire for Mr Rob Devoy

(d) Prior notification approval not required

- CHE/16/00730/TPD Rear Extension at 23 Myrtle Grove Hollingwood Derbyshire S43 2LL for Mr Peter Catherwood
- CHE/17/00043/TPD Single storey rear extension to form kitchen at 33 Brookbank Avenue Brockwell Chesterfield Derbyshire S40 4BA for Mr Martyn Hague
- CHE/17/00044/TPD Single storey rear flat roof extension 4m wide at 38 Park Road Chesterfield Derbyshire S40 1XZ for Mr Antony Waite
- CHE/17/00064/TPD 4m x 4m conservatory to rear of property at 35 Wayside Court Brimington Derbyshire S43 1BS for Mr Mark Brereton

(e) No objection to DCC application with comments

- CHE/17/00066/CPO Construct and operate a short term operating reserve power supply system at Erin Landfill Site Markham Lane Duckmanton Derbyshire S44 5HS for Viridor Waste Management Ltd

146 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/17/00083/TPO Consent is granted to a light crown thin of one Oak tree reference T1 on the Order map for Mr Alberts of 15 Abney Close, Loundsley Green, Chesterfield
- CHE/17/00034/TPO Consent is granted to the pruning of 18 individual trees reference T1 Poplar, T2-T8, T12 & T18 Maple, T9-T11 London Plane, T15 Rowan, T17 Cherry, T19 & T20 Hawthorn and

7 Groups of trees consisting of G1 x4 Beech, G2 x3 Cherry, G3 x3 Limes, G4 x3 Cherry, G5 x3 Silver Birch, G6 x3 Ornamental Apple and G7 x4 Lime trees on the Order Map and which are situated in the grounds of the former Brendon House, Brendon Avenue, Loundsley Green, Chesterfield for JDS Design

CHE/17/00105/TPO

Consent is granted to the felling of 3 Conifer trees and the thinning out of tree saplings within W1 at Brierley Wood on the Order map for Mr David Black of 15 Sylvia Road, Unstone

The duty to replant with replacement trees has been dispensed with on this occasion due to the natural regeneration within the woodland which is to be thinned out by a maximum of 50% to allow space for the remaining trees to grow

CHE/17/00147/TPOEXP

Consent is granted to the felling of one Pear tree reference T145 on the Order map for Ms Louise Parker of 113 High Street, Old Whittington

The replacement tree is to be a small leaved Lime and planted as near as possible to the original tree

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

CHE/17/00081/CA

The pruning of 10 various trees and shrubs for Mr Kirkland of 554 Chatsworth Road.

Agreement to the pruning of various trees and shrubs. The pruning works will have no adverse effect on the amenity value of the area
The trees are within the Chatsworth Road Conservation Area and the applicant wishes to prune the trees and shrubs to generally maintain the front, side and rear garden

(c) Hedgerow Removal Notice (Regulation 5(l))

CHE/17/00049/HERM

Consent is granted to the removal of 315 metres of hedgerow for Mr Jackson at Hagge Farm, Nether Langley. The hedgerow is located to the south of Red Lodge Farm and to the west of Brecks Lane, Barrow Hill, Chesterfield

The application was considered against the criteria set out in the Hedgerow Regulations 1997 and was found to be 'Not important' in the criteria which considers the hedgerow species, archaeology and history

147 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.

148 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.

149 LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF PUBLIC**RESOLVED -**

That under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 3 and 6 of Part 1 of Schedule 12A of the Act.

150 APPLICATION MADE UNDER S106A OF THE TOWN AND COUNTRY PLANNING ACT 1990 TO AMEND THE AMOUNT OF AFFORDABLE HOUSING REQUIRED ON APPLICATION CHE/15/00755/OUT ON LAND TO THE WEST OF BEVAN DRIVE, INKERSALL, CHESTERFIELD.

Councillor Elliott who had declared an interest in this item left the meeting at this point and did not take part in the subsequent discussion and vote.

Pursuant to Minute No.109 (2015/16) the Principal Planner submitted a report requesting that the committee consider an application made under S106A of the Town and Country Planning Act 1990 for the requirement to provide affordable housing to be removed on the outline planning permission granted on application CHE/15/00755/OUT at land to the west of Bevan Drive, Inkersall, Chesterfield.

In accordance with Minute No.299 (2001/02), Mr Reuben Spears of Wildgoose Construction (the applicant), addressed the meeting.

***RESOLVED –**

1. That the S106A application be accepted and that the S106 agreement be amended to remove the requirement for affordable housing to be provided on the site.
2. That the S106 agreement be amended to include a revised clause which allows for an escalator mechanism to review the position with regards to an affordable housing contribution and potentially secure some affordable housing or a commuted sum if market conditions improve, or if a greater density of development comes forward in a reserved matters submission.

151 **UNAUTHORISED CHANGE OF USE OF LAND FOR THE STORAGE OF VEHICLES AND ENGINEERING OPERATION TO EXTEND AREA OF HARD SURFACING AT - LAND AT LINCOLN STREET, CHESTERFIELD.**

Councillor Elliott returned to the meeting at this point.

The Development Management and Conservation Manager submitted a report inform the committee of the unauthorised change of use of land and importation of materials at land at Lincoln Street, Chesterfield. The report also sought authorisation for enforcement action to be taken requiring the cessation of the unauthorised use, the removal of the imported material and for the reinstatement of the land to its former condition and land levels.

***RESOLVED -**

That an Enforcement Notice requiring:

- i. the removal of vehicles and scrap vehicles;
- ii. the removal of imported materials which have been crushed and spread around the existing concrete hard surfacing;
- iii. the reinstatement of the land to its original level, prior to the unauthorised importation of materials;

on land to the rear of 15 Lincoln Street, Chesterfield, Derbyshire, be issued.