

## PLANNING COMMITTEE

Monday, 3rd April, 2017

Present:-

Councillor Brittain (Chair)

Councillors	T Gilby	Councillors	Miles
	Callan		Davenport
	A Murphy		P Barr
	Simmons		Bingham
	Catt		Sarvent

\*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/17/00017/OUT** – Outline application with all matters reserved for one house joining onto 1 Branton Close at 1 Branton Close, Boythorpe, Chesterfield.

Councillors P Barr, Bingham, Brittain, Callan, Catt, Davenport, Flood (ward member), T Gilby, Miles, A Murphy, Sarvent and Simmons.

**CHE/17/00054/COU** – Change of use to coffee shop/refreshments/ food outlet at Save the Children, 5 Stephenson Place, Chesterfield.

Councillors P Barr, Bingham, Brittain, Callan, Catt, Davenport, T Gilby, Miles, A Murphy, Sarvent and Simmons.

**CHE/17/00059/DEM** - Application giving prior notification of the proposed demolition of vacant/former office accommodation at The Shrubberies, 46 Newbold Road, Chesterfield.

Councillors P Barr, Bingham, Brittain, Callan, Catt, Davenport, Dickinson (ward member), T Gilby, Miles, A Murphy, Sarvent and Simmons.

**CHE/16/00045/FUL AND CHE/16/00046/LBC** – Extension and remodelling of outbuilding to allow for conversion and extension to create

one No 3 bed dwelling, internal alterations and change of use to 28 Abercrombie Street (Ashton Lodge), Chesterfield to create 4 bed dwelling and erection of detached garage/annex building.

Councillors P Barr, Bingham, Brittain, Callan, Catt, Davenport, Dickinson (neighbouring ward member), T Gilby, Miles, A Murphy, Sarvent and Simmons.

**CHE/16/00831/FUL** – Proposed new detached dwelling at land adjacent to 21 Clarence Road, Chesterfield.

Councillors P Barr, Bingham, Brittain, Callan, Catt, Davenport, Dickinson (ward member), Miles, A Murphy, Sarvent and Simmons.

**CHE/17/00067/COU** – Proposed change of use from medical centre to 5 No residential units at 1 Tennyson Avenue, Chesterfield

Councillors P Barr, Bingham, Brittain, Callan, Catt, Davenport, Dickinson (ward member), T Gilby, Miles, A Murphy, Sarvent and Simmons.

## 152 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Caulfield, Hill and Wall.

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

Councillor Brittain declared an interest in agenda item 4, item 1 (CHE/17/00067/COU – Proposed change of use from medical centre to 5 No residential units at 1 Tennyson Avenue, Chesterfield), as he was a registered patient at Avenue House Surgery which had made a representation with regard to the application.

Councillor Davenport declared an interest in agenda item 4, item 6 (CHE/16/00831/FUL – Proposed new detached dwelling at land adjacent to 21 Clarence Road, Chesterfield), as she had publically declared her opposition to the application.

Councillor T Gilby declared an interest in agenda item 4, item 6 (CHE/16/00831/FUL – Proposed new detached dwelling at land adjacent

to 21 Clarence Road, Chesterfield), as he had taken the decision to sell the land to the applicant.

#### **RESOLVED –**

That in the absence of the Vice-Chair, Councillor Simmons would take the Chair for agenda item 4, item 1.

#### **154 MINUTES OF PLANNING COMMITTEE**

#### **RESOLVED -**

That the Minutes of the meetings of the Planning Committee held on 20 February and 13 March, 2017 be signed by the Chair as a true record.

#### **155 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/17/00059/DEM - APPLICATION GIVING PRIOR NOTIFICATION OF THE PROPOSED DEMOLITION OF VACANT/FORMER OFFICE ACCOMMODATION AT THE SHRUBBERIES, 46 NEWBOLD ROAD, CHESTERFIELD, DERBYSHIRE S41 7PL**

In accordance with Minute No.299 (2001/2002), Mr Steve Markus (objector) and Ms Lesley Matthews (objector), addressed the meeting.

#### **\*RESOLVED –**

1. That the application giving prior notification of the proposed demolition of vacant / former office accommodation at The Shrubberies, 46 Newbold Road, Chesterfield, be approved.
2. That the details and methods submitted by the applicant for the demolition of the building and for the restoration of the site, as detailed at paragraph 5.2 of the officer's report, satisfactorily meet requirements to ensure that there is no significant adverse effect on local amenity during the demolition process.

**CHE/17/00017/OUT - PROPOSED OUTLINE PLANNING APPLICATION WITH ALL MATTERS RESERVED FOR ONE HOUSE JOINING ONTO 1 BRANTON CLOSE AT 1 BRANTON CLOSE, BOYTHORPE, DERBYSHIRE S40 2NL, ADDITIONAL INFORMATION RECEIVED ON 14/03/2017**

In accordance with Minute No.299 (2001/2002), Mr Wils Brady (objector) and Councillor Jenny Flood (ward member, and objector, on behalf of local residents), addressed the meeting.

That the officer recommendation be overruled and the application be refused for the following reasons:

It is considered that the introduction of a built form on this current piece of open grass verge would be at odds with the character of the area, where the prevailing streetscene is set back and includes a consistent building line. Furthermore the visual impact of the development proposed would be detrimental to the character and appearance of the streetscene, which is enjoyed by local residents as an area of open grass verge, and subsequently it is considered for these reasons the development is contrary to the provisions of policies CS2 and CS18 of the Chesterfield Local Plan: Core Strategy 2011 – 2031.

**CHE/16/00046/LBC and CHE/16/00045/FUL**

**LISTED BUILDING CONSENT – EXTENSION AND RE-MODELLING OF OUTBUILDING TO ALLOW FOR CONVERSION AND EXTENSION TO CREATE 1. NO.3-BED DWELLING, INTERNAL ALTERATIONS AND CHANGE OF USE TO ASHTON LODGE TO CREATE 4-BED DWELLING AND ERECTION OF DETACHED GARAGE/ANNEX BUILDING (REVISION TO APPLICATION CHE/15/0079/LBC).**

and

**PLANNING PERMISSION - EXTENSION AND RE-MODELLING OF OUTBUILDING TO ALLOW FOR CONVERSION AND EXTENSION TO CREATE 1. NO.3-BED DWELLING, INTERNAL ALTERATIONS AND CHANGE OF USE TO 28 ABERCROMBIE STREET (ASHTON LODGE), CHESTERFIELD TO CREATE 4-BED DWELLING AND ERECTION OF DETACHED GARAGE/ANNEX BUILDING (REVISION TO APPLICATIONS CHE/15/00078/FUL**

In accordance with Minute No.299 (2001/2002), Mr Mathew Short (objector) and Mr Will Brearley of CT Planning (agent for the applicant), addressed the meeting.

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

### **CHE/16/00045/FUL**

#### A. Time limit

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

#### Plans

2. All external dimensions and elevational treatments shall be as shown on the approved revised plans:

- P2315.401 Proposed Ground Floor
- P2314.402 Proposed First Floor
- P2315.403 Proposed Elevations
- P2315.404 Proposed Elevations
- P2315.421 Tree Protection Plan
- Design, Access and Heritage Statement

with the exception of any approved non material amendment.

#### Construction times

3. Work shall only be carried out on site between 8:00am and 6:00pm Monday to Friday, 9:00am to 5:00pm on a Saturday and no work on a Sunday or Public Holiday. The term "work" will also apply to the operation of plant, machinery and equipment.

#### Coal mining risk

4. Development shall not commence until intrusive site investigations have been carried out by the developer to establish the exact situation regarding coal mining legacy issues and contamination on the site and approval for commencement of development given in writing by the Local Planning Authority. The investigation and conclusions shall include any remedial works and mitigation measures required/proposed for the

remediation/stability of the site. Only those details which receive the written approval of the Local Planning Authority shall be carried out on site.

#### Storage of plant and materials

5. Unless otherwise agreed in writing by the Local Planning Authority, development shall not commence until a plan has been submitted to the Local Planning Authority for consideration and written approval showing the proposed storage of plant and materials, site accommodation, loading, unloading and manoeuvring of goods, vehicles, parking and manoeuvring of employees and visitors' vehicles. Once implemented the facilities shall be retained free from any impediment to their designed use throughout the construction period.

#### Tree protection

6. Unless otherwise agreed in writing by the Local Planning Authority, development shall be in accordance with The Tree Protection Plan (ref P2315.421) in the applicant's Arboricultural Impact Assessment prepared by Ben Bennet, Tree and Woodland Consultancy, February 2017. Tree protection measures, including any pruning works, will follow the method statement contained in Appendix 2 of the same document. The Council will require notification to inspect the root trial excavations within the RPA of TPO T28 Sycamore (T9 on the applicant's Tree Protection Plan) as stated in paragraph A2.1.11 of the same document.

#### Terrace construction

7. Unless otherwise agreed in writing by the Local Planning Authority, construction of any terracing on site shall not commence until details of materials and construction methods have been submitted to the Local Planning Authority for consideration and written approval. Only the approved details shall be incorporated as part of the development, unless otherwise agreed in writing by the Local Planning Authority.  
Reason: in the interests of tree protection and to protect the special character of the listed building and wider conservation area.

#### Bird and bat activity

8. No removal of vegetation shall take place between 1<sup>st</sup> March and 31<sup>st</sup> 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.

9. Prior to the commencement of development a bat roosting and bird nesting enhancement strategy shall be submitted to and approved in writing by the Local Planning Authority.

#### Surface water drainage

10. Development shall not commence until full details of proposed surface water drainage scheme have been submitted in writing to the Local Planning Authority for approval. Only those details which receive the written approval of the Local Planning Authority shall be carried out on site.

#### Ownership of ancillary building

11. The two self-contained ancillary granny annexes and garages hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the two proposed dwellings within Ashton Lodge. The self-contained ancillary granny annexes shall:

- Only be occupied by persons with a familial link or relationship to the occupants of the main dwelling.
- Not be identified or addressed as a separate postal address.
- Not be occupied in the event the main dwelling is unoccupied.
- Not be occupied under any form of contract.

#### Removal of permitted development rights

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

**CHE/16/00046/LBC**

Time limit

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

#### Plans

2. All external dimensions and elevational treatments shall be as shown on the approved revised plans:

- P.2315.401 Proposed Ground Floor
- P2314.402 Proposed First Floor
- P2315.403 Proposed Elevations
- P2315.404 Proposed Elevations
- P2315.421 Tree Protection Plan
- Design, Access and Heritage Statement

#### Windows and doors

3. Unless otherwise agreed in writing by the local planning authority, development shall not commence until details of the proposed windows and doors (including garage doors) with cross sections have been submitted to the Local Planning Authority for consideration and written approval. Only the approved details shall be incorporated as part of the development, unless otherwise agreed in writing by the Local Planning Authority.

#### Stone, brick and mortar

4. Unless otherwise agreed in writing by the Local Planning Authority, development shall not commence until details of the proposed stone (including quoins, cills and heads), brick work and mortar types, have been submitted to the Local Planning Authority for consideration and written approval. Only the approved details shall be incorporated as part of the development, unless otherwise agreed in writing by the Local Planning Authority.

#### Guttering

4. Unless otherwise agreed in writing by the Local Planning Authority, development shall not commence until details of the proposed details of rainwater gutters, brackets, hoppers and down pipes to be used shall be



submitted to the Local Planning Authority for consideration and written approval. Only the approved details shall be incorporated as part of the development, unless otherwise agreed in writing by the Local Planning Authority.

B. That a CIL Liability notice be issued for £2,700 as per section 5.51 of the officer's report.

Councillors Davenport and T Gilby 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.

**CHE/16/00831/FUL - PROPOSED NEW DETACHED DWELLING AT LAND ADJACENT TO 21 CLARENCE ROAD, CHESTERFIELD, - ADDITIONAL INFORMATION RECEIVED ON 07/03/17 AND 21/03/2017**

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

- A. 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 GR-PL-001.1 Rev E with the exception of any approved non material amendment.
3. No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved in writing by the Local Planning Authority.
4. There shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and no buildings shall be occupied or brought into use prior to completion of the approved foul drainage works.
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.

6. Unless otherwise agreed in writing by the local planning authority, development shall not commence until details of the proposed windows and doors with cross sections have been submitted to the Local Planning Authority for consideration and written approval. Only the approved details shall be incorporated as part of the development, unless otherwise agreed in writing by the Local Planning Authority.

7. Work shall only be carried out on site between 8:00am and 6:00pm Monday to Friday, 9:00am to 5:00pm on a Saturday and no work on a Sunday or Public Holiday. The term "work" will also apply to the operation of plant, machinery and equipment.

8. Notwithstanding the provision of the Town and Country Planning (General Permitted) Development Order 1995 (as amended) there shall be no extensions, outbuildings or garages constructed (other than garden sheds or greenhouses of a volume less than 10 cubic metre) or additional windows erected or installed at or in the dwelling hereby approved without the prior written agreement of the Local Planning Authority.

9. 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

10. Details of the proposed site cross sections showing existing and proposed land levels and the proposed finished floor level of the dwelling shall be submitted to the Local Planning Authority for consideration and written approval. Only the approved details shall be incorporated as part of the development, unless otherwise agreed in writing by the Local Planning Authority.

11. No development shall take place until full details of both hard and soft landscape works, bin storage and boundary treatments have been

submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

12. Prior to occupation of the development hereby approved the windows in the South elevation and the windows in the first and second floor of the North elevation shall be obscure glazed with a minimum obscurity level of 3 as referred to in the Pilkington Texture Glass Range leaflet, or nearest equivalent as may be agreed in writing by the Local Planning Authority. The obscured glazing shall be maintained as such thereafter.

B. That a CIL Liability notice be issued for £7,150, as per section 5.8 of the officer's report.

Councillors Davenport and T Gilby returned to the meeting at this point.

Councillor Brittain who had declared an interest in this item, vacated the Chair, left the room and did not take part in the subsequent discussion and vote. Councillor Simmons then took the Chair for the item.

**CHE/17/00067/COU - PROPOSED CHANGE OF USE FROM MEDICAL CENTRE TO 5 NO. RESIDENTIAL UNITS AT 1 TENNYSON AVENUE, CHESTERFIELD, DERBYSHIRE S40 4SN**

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 with the exception of any approved non material amendment.
3. Prior to commencement of development a plan shall be submitted to the Local Planning Authority for written approval showing the rear hardstanding laid out with a least 5 no. dedicated parking spaces of minimum dimensions 2.4m x 5.5m and manoeuvring to allow vehicles to enter and exit the site in a forward gear. Prior to the occupation of any of the dwellings hereby approved the space shall be laid out in accordance with the approved scheme, with the spaces marked out on site, and thereafter they shall be maintained free from any impediment to their designated use.

4. No part of the development shall be occupied until details of arrangements for storage of bins and collection of waste have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the agreed details and the facilities retained for the designated purposes at all times thereafter.

5. Prior to commencement of development details shall be submitted to the Local Planning Authority for written approval showing how the first floor doorway to Flat 3 shall be secured to prevent access onto the flat roof of the single storey extension for occupants (measures considered to be acceptable include the installation of a Juliette balcony railing, or replacement of the doorway with a window). Only those details agreed in writing shall be implemented prior to the occupation of Flat 3; and any measures thereafter shall be maintained as approved in perpetuity.

Councillor Brittain returned to the meeting and retook the Chair from Councillor Simmons.

**CHE/17/00054/COU - FULL PLANNING APPLICATION FOR THE CHANGE OF USE TO COFFEE SHOP/REFRESHMENTS/FOOD OUTLET AT SAVE THE CHILDREN, 5 STEPHENSON PLACE, CHESTERFIELD S40 1XL**

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

1. The development hereby approved shall be begun before the expiration of three years from the date of this permission.
2. Development shall be carried out in complete accordance with the approved plans.

**156 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:-

## (a) Approvals

16/02038/DCC	Derbyshire County Council - Erection of a 6x6m steel framed canopy at Corfield CE Infant School Thorpes Road Heanor Derbyshire DE75 7GQ
17/00050/MUL	Multiple Domestic - Construction of a ground floor wc in part of existing garage and replacement of existing kitchen extension with slightly larger extension at 42 Davian Way Walton Chesterfield Derbyshire S40 3HX
17/00096/DEX	Domestic Extensions/Alterations - Two storey side extension and rear conservatory at 26 Blandford Drive Newbold Chesterfield Derbyshire S41 8QT
17/00207/DRO	Domestic in-roof Extensions/Alterations - Dormer loft conversion at 9 Thornbridge Crescent Birdholme Chesterfield Derbyshire S40 2JH
17/00162/OTHC	Other Works (Commercial) - Removal of int cross wall to sales shop inserting steel beams at first floor level to support upper floor and roof structure at 52 Lowgates Staveley Chesterfield Derbyshire S43 3TU
17/00159/MUL	Multiple Domestic - Loft conversion and extension at 30 Foljambe Road Chesterfield Derbyshire S40 1NJ
17/00254/DRO	Loft conversion at 42 Morris Avenue Newbold Chesterfield Derbyshire S41 7BA
(b) Refusals	
16/02178/MUL	Multiple Domestic - Two storey rear extension and garage to side at 122 Spital Lane Spital Chesterfield Derbyshire S41 0HN

- 17/00016/DEX Domestic Extensions/Alterations - Single storey rear extension; two storey side extension at 297 High Street New Whittington Chesterfield Derbyshire S43 2AP
- 17/00095/DOM Domestic Buildings and New Dwellings - New build development of 37 dwellings at Ringwood Centre Victoria Street Brimington Chesterfield Derbyshire S43 1HY

157 **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/14/00352/RET Retention of existing commercial building (additional information received on 09/10/2014, 03/12/2014 and 20/02/2017) at Ruane Transport Services Ltd Whitting Valley Road Chesterfield Derbyshire S41 9HY for Ruane Transport Services Limited
- CHE/16/00672/FUL Construction of 6 light industrial units on land to the rear of 875 Sheffield Road, Sheepbridge, which is presently used for the storage of plant and vehicles, amended drawings received 10th January 2017 at land adj 877 Sheffield Road Sheepbridge Derbyshire S41 9EQ for Mr Peter Lister
- CHE/16/00769/FUL Demolition of existing retail unit; 1 x proposed detached residential dwelling; and 1 x shop/retail unit with accommodation above - additional plans received 26/01/2017 and 01/03/2017 at 26A Circular Road Staveley Derbyshire S43 3QX for Mrs Daljit Kaur

- CHE/16/00809/FUL Installation of portakabin and paladin weld mesh fence to surround office and portakabin and cooling blocks and new personnel gates to paladin weld mesh fence line. Installation of new single personnel gates to either end of main warehouse. Relocation of smokers shelter behind portakabin at Plot 1B Markham Vale Markham Lane Duckmanton S44 5HS for Great Bear Distribution Ltd
- CHE/16/00811/FUL Conversion of existing side/rear flat roof to a hipped roof at 28 Somersall Park Road Chesterfield Derbyshire S40 3LD for Mr and Mrs Ritchie
- CHE/16/00816/FUL Decking area to rear garden at 9 Peterdale Road Brimington Derbyshire S43 1JA for Mr Dave Benison
- CHE/16/00819/FUL Proposed toilet block building to rear yard area to serve outdoor seating area at 21-23 Holywell Street Chesterfield S41 7SA for Mr G Livoti
- CHE/17/00003/FUL Erection of single storey garage to the rear of property replacing existing garage at 43 Norbriggs Road Woodthorpe Derbyshire S43 3BT for Mr Adrian Rutter
- CHE/17/00006/FUL Relocation of existing stone boundary wall nearer the back of the highway to incorporate private land into the garden area (revised drawing submitted 01/02/17) at 1 Green Glen Chesterfield Derbyshire S40 3SH for Mr Richard Lobar
- CHE/17/00014/RET Retention of works for alterations to office including removal of chimney and addition of four windows to side elevation and internal alterations at 10 Ringwood Road Brimington Derbyshire S43 1DG for Robinsons Caravans Ltd
- CHE/17/00015/FUL Extension to existing house at 32 Storrs Road Chesterfield Derbyshire S40 3PZ for Miss Natalia Shaw

- CHE/17/00016/FUL Proposed two storey side extension, single storey rear extension with new front entrance porch at 128 Kirkstone Road Newbold Derbyshire S41 8HE for Mr and Mrs Stuart Hutchenson
- CHE/17/00019/FUL Removal of existing rear conservatory and raised terrace and erection of a single storey lower ground floor extension (re-submission of CHE/16/00120/FUL) at 63 Storrs Road Chesterfield Derbyshire S40 3QA for Ms Jane Galley
- CHE/17/00021/FUL Proposed front and rear extensions at 17 Larch Way Brockwell Chesterfield Derbyshire S40 4EU for Mr David Haag
- CHE/17/00022/FUL Proposed two storey rear extension at 93 Gloucester Road Stonegravels Chesterfield Derbyshire S41 7EF for Mr Fred Cornelius
- 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/17/00029/FUL Alterations to elevations to include the installation of a new "Folded Roof" concept, comprising of aluminium cladding to the roof and the redecoration of existing frontage at McDonalds Restaurant Ltd Unit 5 Alma Leisure Park Derby Road Chesterfield Derbyshire S40 2EZ for McDonalds Restaurants Ltd
- CHE/17/00030/ADV Relocation of 4 existing signs and installation of 3 new signs at McDonalds Restaurant Ltd Unit 5 Alma Leisure Park Derby Road Chesterfield Derbyshire S40 2EZ for McDonalds Restaurants Ltd



- CHE/17/00036/TPO T3 - Raise canopy, clean crown of dead, damaged or diseased branches, crown reduce by 10% to prevent tree from becoming too large for its position at Holywell Annexe Holywell Street Chesterfield Derbyshire S41 7SH for Bothams, Mitchell, Slaney
- CHE/17/00042/FUL Conversion of dilapidated external toilet and store area to shower room and wc at Raj News 115 - 117 Baden Powell Road Chesterfield Derbyshire S40 2RL for Mr N Agath
- 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/17/00053/FUL Resubmission of CHE/16/00720/FUL - Two storey rear extension and single storey side extension at 9 Balmoak Lane Tapton Derbyshire S41 0TH for Mr Garry Dean
- CHE/17/00058/TPO Works to trees to clear highway, street lights and building and excessive shading at 108 Highland Road New Whittington Derbyshire S43 2EZ for Mr David Clarke
- CHE/17/00063/FUL Erection of non-advertising two bay cantilever with full end panels bus shelter complete with hardstanding (shelter dimensions 3.18m x 1.71. x 2.6m high) at proposed bus shelter Winnats Close Loundsley Green Chesterfield Derbyshire for Chesterfield Borough Council
- CHE/17/00079/CA T1 and T2 - pollard at Holywell Annexe Holywell Street Chesterfield Derbyshire S41 7SH for Bothams Mitchell Slaney
- CHE/17/00085/TPO T22 Hornbeam - prune to reduce canopy by 50% at land to the rear of 79 Sheffield Road Stonegravels Chesterfield for Beauchief Homes Limited

- CHE/17/00099/TPO Pruning and crown lifting to 5.2m over highway of 4 London plane trees at Durrant House 47 Holywell Street Chesterfield Derbyshire S41 7SJ for Sixt Rent A Car
- CHE/17/00147/TPO Fell one pear tree at 113 High Street Old Whittington Derbyshire S41 9LB for Louise Parker
- CHE/17/00178/TPO Remove leaning trees on the woodland edge to the south of Cheetham Avenue at Birch Hall Golf Club Sheffield Road Sheepbridge Derbyshire S18 4DB for Mr Rupert Carr

(b) Refusals

- 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
- CHE/17/00023/TPO Removal of 3 Scots Pines because of building movement and low amenity value. Replanting to be decided afterwards at 392 Ashgate Road Chesterfield Derbyshire S40 4DD for Mr Roger Myddelton
- CHE/17/00032/FUL Two storey side extension and single storey rear extension - Revised plans received 14.02.17 at 16 Morris Avenue Newbold Derbyshire S41 7BA for Mr Paul Markham

(c) Discharge of Planning Condition

- CHE/17/00004/DOC Discharge of condition Nos 11, 12, 15 and 19 relating to CHE/16/00031/FUL - demolition of existing garage and construction of convenience store (Class A) at Double Top Inkersall Green Road Inkersall Derbyshire S43 3HA for Assured Property

- CHE/17/00041/DOC Discharge of planning condition Nos 3, 4 and 6 - CHE/16/00525/FUL at 31 Netherfield Road Somersall Derbyshire S40 3LS for Mr Sam Toplis
- 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/17/00091/TPD Single storey extension to the rear elevation at 30 Newbridge Lane Brimington Derbyshire S43 1LY for Mr B Chapman
- CHE/17/00098/TPD Single storey pitched roof extension at 72 Foljambe Avenue Walton Derbyshire S40 3EX for Mr Chris Wilkes
- CHE/17/00115/TPD Kitchen extension at 6 Leyburn Close Brockwell Chesterfield Derbyshire S40 4DW for Mrs Dawn Stirling

(e) CLOPUD granted

- CHE/17/00096/CLO Single storey extension to rear of property with a lean-to roof over at 27 Deerlands Road Ashgate Chesterfield Derbyshire S40 4DF for Mr and Mrs Hill
- CHE/17/00102/CLO Proposed single storey extension to be formed between an existing flat roofed rear extension and a rear projecting conservatory at 5 Westbourne Grove Ashgate Chesterfield Derbyshire S40 3QD for Mr and Mrs Williams

(f) Found to be permitted development

- CHE/17/00126/FUL Installation of an ATM through the existing glazing to the far left hand side of the shop front. Replacement of part of the existing glazing with a

white laminate composite security panel incorporating the ATM fascia with black bezel surround and white internally illuminated lettering Free Cash Withdrawals out of black background. Blue LED halo illumination to the ATM surround at

(g) Other Council no objection with comments

CHE/17/00151/CPO Utilisation of route of former Midland Railway Clowne branch line to construct 3m wide, 7.2 kilometre long surface strategic greenway from Creswell village to Clowne to new commercial development site of former Seymour Colliery. The development will provide seven DDA compliant connections to existing highway and footpath network. The development will change use of site from railway to greenway at former Branch Line, Oxcroft Junction, Woodthorpe, Derbyshire for Derbyshire County Council

## 158 **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/17/000178/TPOEXP Consent is granted to the felling of dead and leaning trees on the woodland edge of Brierley Wood, Unstone for Mr Rupert Carr of Birchall Golf Club, Sheffield Road, Unstone.

The duty to plant replacement trees has been dispensed with on this occasion due to natural regeneration within the woodland.

CHE/17/00023/TPO Consent is refused to the felling of 3 Pine trees within G2 on the Order map for Anderson Tree Care on behalf of Mr Myddelton of 392 Ashgate Road, Ashgate, Chesterfield.

CHE/17/00036/TPO	Consent is granted to the pruning of one London Plane tree reference T6 on the Order map for Underwood Tree Services on behalf of Botham Mitchell Slaney at Holywell Annexe, Holywell Street, Chesterfield.
CHE/17/00099/TPO	Consent is granted to the pruning of 4 London Plane trees reference T2 to T5 on the Order map for Pope Bros Ltd on behalf of Sixt Rent a Car at Durrant House, Holywell Street, Chesterfield.
CHE/17/00058/TPO	Consent is granted to the pruning of 8 Sycamore trees within A2 on the Order map for Mr Clarke of 108 Highland Road, New Whittington, Chesterfield.
CHE/17/00058/TPO	Consent is refused to the felling of 3 trees reference T6 and T8 Lime and T7 Sycamore on the Order map for AWA Tree Consultant Ltd on behalf of Brampton Primary School.

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

CHE/17/00079/CA The pruning of 2 London Plane trees for Underwood Tree Services at Holywell Annexe	Agreement to the pruning of two London Plane trees. The pruning works will have no adverse effect on the amenity value of the area.  The trees are within the Abercrombie Street and Town Centre Conservation Areas and the applicant wishes to prune the trees back to previous pollarding points.
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159 **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.

**160 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.

**161 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 item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 3 and 6 of Part 1 of Schedule 12A of the Act.

**162 KNIGHTSBRIDGE COURT (FORMER MAGISTRATES COURT), WEST BARS, CHESTERFIELD - DELEGATION TO OFFICERS OF POWER TO TAKE URGENT ACTION**

The Local Government and Regulatory Law Manager and the Development Management and Conservation Manager submitted a report to update members of current situation with regard to the grade II listed former magistrate's court building (known as Knightsbridge Court), at West Bars Chesterfield.

The report sought permission for authority to be delegated to the Development Management and Conservation Manager, in consultation with the Local Government and Regulatory Law Manager, to consider and, if appropriate, take action under delegation reference P320 of the council's constitution (power to execute urgent works to listed buildings) with regard to the former magistrate's court building. The request for delegated authority had been made due to incidents of vandalism and

anti-social behaviour at the building, as well as its continuing deteriorating condition.

**\*RESOLVED –**

That authority be delegated to the Development Management and Conservation Manager, in consultation with the Local Government and Regulatory Law Manager, to consider and, if appropriate, take action under delegation reference P320 of the council's constitution (power to execute urgent works to listed buildings) in respect of the former Magistrates Court building (known as Knightsbridge Court) at West Bars, Chesterfield.