

PLANNING COMMITTEE**Monday, 24th April, 2017**

Present:-

Councillor Brittain (Chair)

Councillors	P Barr	Councillors	Miles
	Callan		Davenport
	Simmons		P Barr
	Catt		Sarvent
	Caulfield		

*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/17/0068/FUL - Proposed new dormer bungalow within the curtilage of 7 Myrtle Grove (revised plans received 10.03.2017)

Councillors P Barr, Callan, Catt, Caulfield, Davenport, Miles, Sarvent and Simmons.

CHE/17/00119/MA & CHE/17/00120/MA – amendments to house types on Plots 1, 2 and 3 at 246A Ashgate Road, Chesterfield

Councillors P Barr, Borrell (ward member), Brittain, Callan, Catt, Caulfield, Davenport, Miles Niblock (ward member), Perkins (neighbouring ward member), Sarvent and Simmons.

163 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bingham, Elliott, T Gilby, Hill, A Murphy and Wall.

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

Councillor Brittain declared an interest in agenda item 3, item 1 (CHE/17/0068/FUL - Proposed new dormer bungalow within the curtilage of 7 Myrtle Grove, Hollingwood), as he was currently standing for election to Derbyshire County Council in the Brimington Division.

RESOLVED –

That in the absence of the Vice-Chair, Councillor Simmons would take the Chair for agenda item 3, item 1.

165 **APPLICATIONS FOR PLANNING PERMISSION - PLANS
DETERMINED BY THE COMMITTEE**

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

Councillor Brittain 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/17/00068/FUL - PROPOSED NEW DORMER BUNGALOW
WITHIN THE CURTILAGE OF 7 MYRTLE GROVE (REVISED PLANS
RECEIVED 10.03.2017), HOLLINGWOOD, CHESTERFIELD.**

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 plan/s drawing dated January 2017, with the exception of any approved non material amendment:
 - 4195/1/17 Revision A (Site Layout and Sections)
 - 4195/2/17 Revision A (Proposed House Type)
 - 4195/3/17 Revision A (Landscaping Layout)
 - Design and Access Statement

- Topographical Survey s500-s-1

3. Before any operations are commenced, space shall be provided within the site curtilage for site accommodation, storage of plant and materials, designed, laid out and constructed all as may be agreed with the Local Planning Authority in advance of construction work commencing and maintained free from impediment throughout the duration of construction works.

4. Before any operations are commenced, excluding the above, 2 parking spaces shall be provided for the existing property 7 Myrtle Grove and once provided they shall be maintained thereafter free from impediment to designated use.

5. The premises, the subject of the application, shall not be occupied until 2 on-site parking spaces have been provided for in accordance with the application drawings laid out and constructed as may be agreed with the Local Planning Authority and maintained thereafter free from any impediment to designated use.

6. Prior to the occupation adequate bin storage and a bin dwell area for use on refuse collection days shall be provided as per the application drawings clear of the public highway, within the site curtilage clear of all access and parking and turning provision and retained thereafter free from impediment to designated use.

7. Working hours - 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.

8. There shall be no gates or other barriers unless otherwise agreed in writing by 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.

Development shall not commence until details as specified in this condition have been submitted to the Local Planning Authority for consideration and those details, or any amendments to those details as may be required, have received the written approval of the Local Planning Authority.

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

11. 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.

B. That a CIL Liability Notice be issued for £4,700 as per section 5.11 of the officer's report.

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

CHE/17/00119/MA - MATERIAL AMENDMENT OF HOUSE TYPE ON PLOTS 1 AND 2 AND SITING OF PLOT 2 OF CHE/15/00514/REM

AND

CHE/17/00120/MA - MATERIAL AMENDMENT OF HOUSE TYPE, SITING AND LANDSCAPING TO PLOT 3 OF CHE/15/00514/REM

AT 246A ASHGATE ROAD, CHESTERFIELD, DERBYSHIRE S40 4AW.

In accordance with Minute No.299 (2001/2002), Ms Georgina Wells-Lomas-Page (objector), Mr Colin Bates (objector), Ms Janet Pearson (objector), Councillor Suzie Perkins (ward member for Holmebrook ward and objector on behalf of the residents of Churston Road), Mr Tim Stubbins of Mitchell and Proctors (architect for the applicant), Mr Tom Aston (the applicant) and Ms Charlotte Stainton of Stainton Planning Consultancy (agent for the applicant), addressed the meeting.

CHE/17/00119/MA

That the officer recommendation be overruled and the application be refused for the following reason.

In the opinion of the local planning authority the design of the buildings constructed on plots 1 and 2 are inappropriate having regard to the details and proportions of the windows and the additional brickwork between the upper floor windows and eaves level. The consequential increased eaves and ridge heights present an overbearing impact to the detriment of the amenities of the neighbours to the east on Churston Road. The local planning authority consider therefore that the development does not respond to and integrate with the character of the local area and is therefore at odds with policies CS2 and CS18 of the Core Strategy 2011 – 2031 and the National Planning Policy Framework.

CHE/17/00120/MA

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

All external dimensions and elevational treatments shall be as shown on the approved plans, 15-532-05D, 15-532-41B and the Cross Section Drawing Plot 3 to No 17 Churston Road, with the exception of any approved non material amendment.

Councillor Davenport left the meeting at this point and did not return.

166 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

16/01863/DEX	Domestic Extensions/Alterations - 2 Storey Side Extension at 12 Lathkill Avenue Inkersall Chesterfield Derbyshire S43 3JA
16/02164/DOM	Domestic Buildings and New Dwellings - 4 new dwellings at Lodge Farm Westwood Lane Brimington Chesterfield Derbyshire S43 1PA
17/00258/DRO	Domestic in-roof Extensions/Alterations - Loft conversion at 55 Ashgate Avenue Ashgate Chesterfield Derbyshire S40 1JD
17/00538/MUL	Multiple Domestic - Loft conversion and rear extension at 9 Hazel Drive Walton Chesterfield Derbyshire S40 3EN
17/00492/DEX	Domestic Extensions/Alterations - Single storey and two storey extensions at 19 Westbrook Drive Chesterfield Derbyshire S40 3PQ
17/00005/OTHC	Other Works (Commercial) - Construction of staff room and laundry room at Tapton Grove Nursing Home Balmoak Lane Tapton Derbyshire
17/00319/DEX	Domestic Extensions/Alterations - Two storey extension and new roof at 67 Yew Tree Drive Somersall Chesterfield Derbyshire S40 3NB
17/00460/DEX	Domestic Extensions/Alterations - Rear extension at 38 Franklyn Road Brockwell Chesterfield Derbyshire S40 4AY

(b) Refusal

17/00160/DOM Domestic Buildings and New Dwellings - Erection of detached dwelling adj 158 and 160 Manor Road at 160 Manor Road Brimington Chesterfield Derbyshire S43 1NW

167 **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/16/00490/FUL Proposed two storey side and front extension (revised plans received 30.01.2017, minor alterations received 06.02.2017) at 4 Errington Road Chesterfield S40 3EP for Mr Scott Cooper

CHE/16/00756/FUL New external K-Rend concrete ender (colour to be agreed) to ground floor areas and western red cedar (or similar) to first floor areas. New window and door openings formed/amended with glazed balustrading to first floor areas. New roof to existing porch entrance at Brocklehurst Court Brocklehurst Piece Chesterfield S40 2QY

CHE/16/00774/FUL Demolish existing two storey offshoot rear extension and erect new two storey extension to increase floor area by 24 sq m over two floors at 49 Compton Street Chesterfield S40 4TA for Mr Richard Burke

CHE/16/00789/CO Change of use from B2 (industrial) to B8 (storage and distribution) with containers located on site for the use as storage at land adjacent 17A Whitting Valley Road Old Whittington Chesterfield S41 9EY

	for Chesterfield Secure Storage
CHE/17/00011/FUL	Two storey side extension and single storey rear extension at 32 Greenways Walton Chesterfield S40 3HF for Mr Evans
CHE/17/00012/FUL	Two storey extension to the side elevation at 4 Chestnut Drive Hollingwood Chesterfield S43 2LZ for Mr David Bannister
CHE/17/00033/FUL	Erection of a single storey gable end style conservatory to the side of existing property at Greycot, Highfield Road Chesterfield S41 7HB for Mr Ryan Newton
CHE/17/00045/RET	Retrospective planning permission for external garden/ retaining walls at 98 Boythorpe Road Chesterfield S40 2LR for Mr Andy Turner
CHE/17/00046/FUL	Single storey rear extension at 1 St Davids Rise Walton Chesterfield S40 3HD for Mr Tom Snowdon
CHE/17/00048/CO	Change of use from B1 (office) to D1 (reflexology treatment room) at Room 4 over 2 - 4 Corporation Street Chesterfield S41 7TP for Insync Reflexology
CHE/17/00053/FUL	Resubmission of CHE/16/00720/FUL - Two storey rear extension and single storey side extension at 9 Balmoak Lane Tapton Chesterfield S41 0TH for Mr Garry Dean
CHE/17/00055/FUL	First floor extension and insertion of first floor side window at 596 Chatsworth Road Chesterfield S40 3JX for Jayne Dannatt
CHE/17/00056/FUL	Proposed rear extension at 13 Shaftesbury Avenue Chesterfield S40 1HN for Mr and Mrs Max Kerley
CHE/17/00057/FUL	Extension to front of property at 100 Norwood Avenue Hasland Chesterfield S41 0NH for M Bladon

- CHE/17/00058/TPO Works to trees to clear highway, street lights and building and excessive shading at 108 Highland Road New Whittington Chesterfield S43 2EZ for Mr David Clarke
- CHE/17/00069/ADV Illuminated and non-illuminated signage at Sainsburys Rother Way Chesterfield S41 0UB for Sainsbury's Supermarkets Ltd
- CHE/17/00071/DO Discharge of conditions 3 6 and 7 of CHE/16/00463/FUL - Installation and operation of back-up electricity generation facility and as amended by additional information received on 24.03.2017 at land at Whittington Road Barrow Hill Chesterfield for Mercia Power Response
- CHE/17/00072/FUL Proposed first storey extension at 267 Ashgate Road Chesterfield S40 4DB for Mrs Joanna Platts
- CHE/17/00075/FUL Proposed conservatory at 38 Ashover Road Inkersall Chesterfield S43 3EG for Mr and Mrs Cuckson
- CHE/17/00076/FUL Two storey side extension to replace existing single storey car port; pitched roof over existing single storey rear extension; small single storey projection at front at 88 Langer Lane Chesterfield S40 2JJ for Mr and Mrs Leaman
- CHE/17/00078/RET Retrospective planning consent for extending existing driveway entrance at 317 Manor Road Brimington Chesterfield S43 1NU for Mr Gerald Miles
- CHE/17/00086/FUL Proposed replacement garage at 42 Morris Avenue Chesterfield S41 7BA for G Thorpe
- CHE/17/00089/FUL Single storey rear extension to form new dining room at 71 Dunston Lane Newbold Chesterfield S41 8EZ for Mrs Wendy Knott
- CHE/17/00090/TPO Crown reduction of branches over garden and

- crowm thin at 96 Hady Crescent Chesterfield S41 0EA for Mr Glyn Moakes
- CHE/17/00095/FUL Erection of a single storey extension to the front elevation and as amended by revised plans received on 24/03/17 at 43 Balmoak Lane Chesterfield S41 0TH for Mr Jay Jaiswal
- CHE/17/00100/FUL Erection of a detached garage at rear - re-submission of CHE/16/00454/FUL at 10 Welwyn Close Chesterfield S40 1HH for Mr Mark Hibbert
- CHE/17/00103/FUL Extension to rear and side elevations of dwelling at 223 Hady Lane Chesterfield S41 0DA for Mr Neil Boden
- CHE/17/00106/FUL Demolition of existing garage and construction of new dwelling-house (2 storey dormer style bungalow with separate double garage block) at land adjacent 215 Hady Lane Chesterfield for Mr Philip Colledge
- CHE/17/00118/FUL Proposed single storey side and rear adjoined extension to cater for new utility space and living area, works will include internal re-model of existing house at 16 Station Road Barrow Hill Chesterfield S43 2NL for Mr John Treweek
- CHE/17/00121/TPO Horsechestnut - repollard and fell one Whitebeam at 12 Glenthorne Close Chesterfield S40 3AR for Mrs Christine Morgan
- CHE/17/00138/FUL Proposed rear first floor extension, single storey front extension and internal alterations at 10 Firvale Road Walton Chesterfield S42 7NN for Mrs R Holmes
- CHE/17/00143/TPO Oak (T16) - tip back easterly bough to give 4m clearance from roof of dwelling at 8 Sedbergh Crescent Chesterfield S41 8DY for Chesterfield Borough Council

- CHE/17/00165/TPO Sycamore tree - crown lift to bottom layer and crown thin by 25% at 159 Old Hall Road Chesterfield S40 1HG for Miss Tracey Hume
- CHE/17/00171/TPO Removal of trees T2 (cherry), T3 (Lombardy Poplar), T4 (ash), removal of damaged branch of T9 (oak), 50% reduction of larger lombardy poplars in row G1, removal of 2 leaning poplars at north end of row, 3m lift of G1 and removal of lowest branch of oak tree near top of row G1 at site of former Sheepbridge Sports and Social Club Newbold Road Newbold Chesterfield for Avant Homes
- CHE/17/00173/NM Non material amendment to CHE/16/00525/FUL - Two bedroom detached dwelling at 31 Netherfield Road Chesterfield S40 3LS for Mr Sam Toplis
- CHE/17/00181/TPO Trees to be felled at base. The remaining trees in the mixed group of G6 (comprising two silver birch) to be untouched at 24 Westfield Close Chesterfield S40 3RS for Mr Stephen Hudson
- CHE/17/00193/TPO Oak (T43) to prune branch extension by 1.5 over the plot and remove branch growing over the sub-station, Poplar (T48) to dismantle fell, Maple (T46) dismantle fell, Maple (T36) to crown lift behind plot 2, Lime (T14) dismantle fell, Oak (T11) Side prune the site side of the tree by 1.5m and remove a low limb at Ringwood Centre Victoria Street Brimington Chesterfield S43 1HY for D J Atkinson Construction Ltd
- CHE/17/00211/TPO Removal of silver birch at 1 Somersall Close Chesterfield S40 3SG for Mr Kirkland
- CHE/17/00212/TPO Crown lift and thin all trees behind 88 Hady Crescent at St Peter and St Paul School Hady Hill Chesterfield S41 0EF for Mrs Lynne Lynch

CHE/17/00221/CA Felling of 1 Ash tree damaging wall at 3 Newbold Road Newbold Chesterfield S41 7PG

CHE/17/00246/TPO 1 Sycamore, 1 Ash, 2 x Horse Chestnuts. All 4 trees to be crowned and thinned by 20% and the crown lifted by 3 metres at 8 Green Glen Chesterfield S40 3SH for Mrs Kate Ogilby

(b) Refusals

CHE/17/00051/TPO Fell the trees T6 Lime, T7 Sycamore and T8 Lime, grind out or treat stumps, to remedy existing wall damage, remove trip hazard, prevent further damage and hazards. Undertake replacement planting in the western third of the site, to avoid future similar damage issues arising as the trees mature at Brampton Primary School School Board Lane Chesterfield S40 1DD for AWA Tree Consultants Ltd

CHE/17/00077/CO Change of use from light industrial to gymnasium (D2) at former Unit 26 Storforth Lane Trading Estate Circular Road Hasland Chesterfield

(c) Discharge of Planning Condition

CHE/17/00060/DO Discharge of conditions 14 (Phase II Site investigation) of CHE/16/00042/FUL - Demolition of existing house and associated outbuildings, sheds and barns and construction of four new houses on site at Lodge Farm Westwood Lane Brimington Chesterfield S43 1PA for Mark Godfrey

CHE/17/00113/DO Discharge of conditions No 4 and 13 related to CHE/14/00380/OUT and discharge of condition No 5 relating to CHE/15/00838/REM at Ringwood Centre Victoria Street Brimington Chesterfield S43 1HY for Rockcliffe Homes Ltd

CHE/17/00132/DO Discharge conditions 2, 3, 6, 11, 15 and 16 on CHE/16/00282/FUL at land adjacent 95 - 97 Rectory Road Duckmanton Chesterfield S44 5EE for Mrs Katie Rowley

(d) Prior notification approval not required

CHE/17/00163/TPD Single storey rear extension at 41 School Board Lane Chesterfield S40 1ET for Mrs O'Sullivan

CHE/17/00179/TPD Proposed rear conservatory at 17 Larch Way Chesterfield S40 4EU for Mr David Haag

168 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/17/00211/TPOEXP Consent is granted to the felling of one Silver Birch tree within G24 on the Order map for Mr Kirkland of 1 Somersall Lane, Somersall, Chesterfield.

The replacement tree is to be a Silver Birch and planted as near as possible to the original tree.

CHE/17/00181/TPO Consent is granted to the felling of two trees within G6 on the Order map including one Sycamore and one Ash tree for Mr Hudson of 24 Westfield Close, Brampton, Chesterfield.

The replacement trees are to be one Silver Birch and one Mountain Ash and planted as near as possible to the original trees.

CHE/17/00143/TPO Consent is granted to the pruning of one Oak tree reference T16 on the Order map for William Thornhill on behalf of Chesterfield Borough Council. The tree is growing in the neighbouring property and close to the roof of 8 Sedbergh Crescent, Dunston, Chesterfield.

- CHE/17/00121/TPO Consent is granted to the re-pollarding of one Horsechestnut within G4 on the Order map for Mrs Morgan of 12 Glenthorne Close, Brampton, Chesterfield.
- Consent is also granted to the felling of one Whitebeam tree and a condition attached to plant a more suitable small sized tree to suit the garden in the first available planting season after felling.
- CHE/17/00090/TPO Consent is granted to the pruning of two trees reference T20 Sycamore and T21 Oak on the Order map for Mr Moakes of 96 Hady Crescent, Chesterfield.
- CHE/17/00165/TPO Consent is granted to the pruning of one Sycamore tree reference T1 on the Order map for Miss Hume of 159 Old Hall Road, Brampton, Chesterfield.
- CHE/17/00171/TPO Consent is granted to the pruning of 86 Poplar trees within G1 and the pruning of 1 Oak reference T9 on the Order map for AMJ Contracts on behalf of Avant Homes at Pomegranate Park, Newbold, Chesterfield.
- Consent is also granted to remove one damaged branch on T9 Oak pruning back to the main stem and the felling of two leaning Poplar trees with G1 with a condition that two new Field Maple trees are planted as replacements in the first available planting season after felling.
- CHE/17/00212/TPO Consent is granted to the pruning of one Sycamore tree reference T13 on the Order map for Mrs Lynch of 88 Hady Crescent, Chesterfield.

CHE/17/00193/TPO	Consent is granted to the pruning of two Oak trees reference T11 and T20 on the Order map for JD Atkinson Construction Ltd at the former Ringwood Centre, Victoria Road, Brimington, Chesterfield.
CHE/17/00246/TPO	Consent is granted to the pruning of 1 Sycamore, 1 Ash and 2 Horsechestnut trees within A1 on the Order map for Mrs Kate Ogilby of 8 Green Glen, Brampton, Chesterfield.
CHE/17/00210/TPO	Consent is granted to the pruning of one Beech tree within G2 on the Order for Mr Ashlay Kirk of 34 Netherleigh Road, Brampton, Chesterfield.

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

CHE/17/00221/CA The felling of 1 Ash tree for Liam Walker Tree Services at 3 Newbold Road, Chesterfield	Agreement to the felling of one Ash tree. The felling of the tree will have no adverse effect on the amenity value of the area. The tree is within the Abercrombie Street and the applicant wishes to fell the tree because of damage to the boundary retaining wall.
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169 **APPEALS REPORT (P000)**

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

***RESOLVED -**

1. That the report be noted.
2. That an Enforcement Notice, with a compliance period of 6 months, be served requiring the removal of the unauthorised extension to the rear of 47 Tapton View Road, Chesterfield.

170 **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.