

## PLANNING COMMITTEE

Tuesday, 29th August, 2017

Present:-

Councillor Brittain (Chair)

Councillors	T Gilby Callan Simmons Catt Miles	Councillors	Davenport P Barr Wall Bingham Sarvent
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\*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/16/00614/OUT** - outline planning application with all matters except access reserved for proposed housing development including land allocated for a primary school (additional information received - heritage impact assessment and geophysical survey received on 19/04/2017; and transport assessment addendum received on 02/05/2017) on land to the north west of Northmoor View, Brimington, Chesterfield, Derbyshire for FG Sissons (Chesterfield) Ltd.

Councillors P Barr, Bellamy (ward member), Bingham, Brittain, Burrows (ward member), Callan, Catt, Davenport, P Gilby (ward member), Miles, Sarvent, Simmons and Wall.

**CHE/17/00344/FUL** - full planning application for the installation of storage containers for use as a storage yard, installation of security fencing and a new vehicular access with drop kerb – revised plans received 6.7.2017 at land to the west side of Thompson Street, Chesterfield for Mr Matthew Follon.

Councillors Bingham, Brittain, Catt, Davenport, T Gilby, J Innes (ward member), P Innes (ward member), Miles, Sarvent, Simmons and Wall.

**CHE/17/00123/OUT** - erection of a single dwelling on the site which is part of the former rear garden of 35 Ashgate Road - access to be from Brockwell Lane at 35 Ashgate Road, Chesterfield, Derbyshire, S40 4AG for Mr BenJohnstone - amended plans received on 10.07.2017 and 20.07.2017.

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

**40 APOLOGIES FOR ABSENCE**

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

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

Councillor T Gilby declared an interest in agenda item 4, item 1 (CHE/16/00614/OUT – Outline application for proposed housing development with all matters reserved except the access at Land to the north west of Northmoor View, Brimington) due to the proximity of his house to the application site.

Councillor P Barr declared an interest in agenda item 4, item 2 (CHE/17/00344/FUL – Installation of storage containers for use as a storage yard, installation of security fencing and a new vehicular access at Land to the west side of Thompson Street, Chesterfield) as an objector was personally known to him.

Councillor Callan did not attend the site visits of agenda item 4, items 2 and 3 and did not take part in the debates or subsequent votes.

**42 MINUTES OF PLANNING COMMITTEE**

**RESOLVED -**

That the Minutes of the meeting of the Planning Committee held on 7 August, 2017 be signed by the Chair as a true record.

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

Councillor T Gilby who had declared an interest in this item left the meeting at this point and did not return.

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

CHE/16/00614/OUT - OUTLINE PLANNING APPLICATION WITH ALL MATTERS EXCEPT ACCESS RESERVED FOR PROPOSED HOUSING DEVELOPMENT INCLUDING LAND ALLOCATED FOR A PRIMARY SCHOOL (ADDITIONAL INFORMATION RECEIVED - HERITAGE IMPACT ASSESSMENT AND GEOPHYSICAL SURVEY REC'D ON 19/04/2017; AND TRANSPORT ASSESSMENT ADDENDUM REC'D ON 02/05/2017) ON LAND TO THE NORTH WEST OF NORTHMOOR VIEW, BRIMINGTON, CHESTERFIELD, DERBYSHIRE FOR FG SISSONS (CHESTERFIELD) LTD

In accordance with Minute No.299 (2001/2002) Councillor Bellamy (objector), Councillor P Gilby (objector), Mr K Pratt (objector) and Mrs P Wright (objector), addressed the meeting.

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

**Principle of Development**

1. The site the subject of the application is on land allocated under policy EVR2 of the 2006 Local Plan (a saved designation of the Chesterfield Local Plan: Core Strategy 2011 – 2031) as open countryside and land located under policy CS1 as a Strategic Gap between Brimington and Tapton. Policy CS10 of the Chesterfield Local Plan: Core Strategy 2011 – 2031 states that greenfield led housing development will not be accepted where the Local Planning Authority is able to demonstrate a 5 year housing land supply.

On the basis that the Local Planning Authority is currently able to demonstrate a 5 year housing land supply the development would be contrary to the provisions of policy CS10 and EVR2 of the Chesterfield

Local Plan: Core Strategy 2011 – 2031, the wider provisions of the National Planning Policy Framework.

### Strategic Gap

2. The development would introduce an extension to the built settlement of Brimington which would encroach into land which is Open Countryside and has been identified to form part of the Strategic Gap between Tapton and Brimington under the provisions of policies CS1, CS2 and CS9 of the Chesterfield Local Plan: Core Strategy 2011 – 2031 and the wider National Planning Policy Framework. The development proposals are considered to be contrary to the provisions of these policies which seek to maintain open land between neighboring settlements to prevent merging (perceptual and physical) and protect the setting and separate identity of settlements; support appreciation and wider perceptual benefits of open countryside; and maintain existing or influence form and direction of settlements.

### Archaeology

3. It is a requirement of the National Planning Policy Framework, paragraphs 128-129 that the applicant demonstrates to the satisfaction of the Local Planning Authority that appropriate desk-based assessment and, where necessary, field evaluation has been undertaken to determine the potential impact of the development proposals upon any heritage assets, including those with archaeological interest. On the basis of expert advice provided to the Local Planning Authority it is considered that insufficient information has been provided to properly assess the impact of these development proposals upon potential archaeological features which have been identified by geophysical survey results. A significant number of anomalies of possible archaeological origin identified by the geophysical survey results exist which require further investigation to advise confidently on an appropriate scheme of post-permission archaeological recording and a more clear indication of the potential extent and costs of post-permission archaeological mitigation for the site. Therefore the proposed development does not accord with the requirements of the National Planning Policy Framework, Planning Practice Guidance and the provisions of policy CS19 of the Chesterfield Local Plan: Core Strategy 2011-2031.

## Ecology

4. It is a requirement of the National Planning Policy Framework paragraph 117 that the Local Planning Authority promote the protection and recovery of priority species populations and policy CS9 of the Chesterfield Local Plan: Core Strategy 2011 – 2031 states that development proposals will be expected to demonstrate that they will not adversely affect, or result in the loss of, features of recognised importance. In this context it is considered on the basis of expert advice provided to the Local Planning Authority that insufficient information has been submitted to determine the potential impacts of accepting the principle of development on this site upon ground nesting birds and a UK BAP priority species and Therefore the proposed development does not fully accord with the requirements of the National Planning Policy Framework, Planning Practice Guidance and the provisions of policy CS9 of the Chesterfield Local Plan: Core Strategy 2011-2031.

## Air Quality

5. It is considered that the development proposals fail to adequately address the provisions of Policy CS8 of the Chesterfield Local Plan: Core Strategy 2011 – 2031 in so far as they do not incorporate measures to avoid or mitigate increases in air pollution where the development proposals would clearly have a demonstrable impact (worsening) upon an area designated as an Air Quality Management Area. Contrary to the conclusions reached in the Air Quality Assessment that air quality standard (AQS) for nitrogen dioxide are not being breached, monitoring data over the last few years show the AQS being breached, and the levels of traffic pollution gradually increasing. Given this evidence it is considered that a development of this scale should include appropriate mitigation measures and failure to do so conflicts with the provisions of Policy CS8 and the wider aspirations of the National Planning Policy Framework paragraph 124.

## Highways

6. The development raises significant concerns regarding the impact of the development upon highway safety contrary to the provisions of policy CS2 and CS20 of the Chesterfield Local Plan: Core Strategy 2011 – 2031 and the wider National Planning Policy Framework. The development proposals do not demonstrate a safe or satisfactory access to / from the site for the scale and nature of the development proposed and despite a

predicted adverse impact upon the existing highway network, no mitigation measures have been demonstrated or proposed. The development would be contrary to the best interests of highway safety and the safe and efficient operation of the public highway.

### Infrastructure Delivery

7. The proposed development would require the provision of additional primary school capacity however the application submission does not adequately examine or conclude a mechanism by which this capacity can be provided. Under the provisions of policy CS4 of the Chesterfield Local Plan: Core Strategy 2011 – 2031 it is a requirement to demonstrate how the provision can be locally provided in a timely manner and therefore given that a satisfactory solution has not been reached the development is likely to result in inadequate education facilities to cater for the increased demand.

Councillor P Barr who had declared an interest in this item left the meeting at this point.

CHE/17/00344/FUL - FULL PLANNING APPLICATION FOR THE INSTALLATION OF STORAGE CONTAINERS FOR USE AS A STORAGE YARD, INSTALLATION OF SECURITY FENCING AND A NEW VEHICULAR ACCESS WITH DROP KERB – REVISED PLANS RECEIVED 6.7.2017 AT LAND TO THE WEST SIDE OF THOMPSON STREET, CHESTERFIELD FOR MR MATTHEW FOLLON

In accordance with Minute No.299 (2001/2002) Mrs Johnson Mowbray (objector), addressed the meeting.

That the item be deferred to allow further information to be obtained from Derbyshire County Council, the Highway Authority, regarding its intentions and timescales for the introduction of a Traffic Regulation Order on Thompson Street and to allow an informed decision to be taken on the current development proposal.

Councillor P Barr returned to the meeting.

CHE/17/00123/OUT - ERECTION OF A SINGLE DWELLING ON THE SITE WHICH IS PART OF THE FORMER REAR GARDEN OF 35 ASHGATE ROAD - ACCESS TO BE FROM BROCKWELL LANE AT 35 ASHGATE ROAD, CHESTERFIELD, DERBYSHIRE, S40 4AG FOR MR BEN JOHNSTONE - AMENDED PLANS RECEIVED ON 10.07.2017 AND 20.07.2017

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

- (A) 1. Approval of the details of the 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 3:30pm 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 other operations are commenced a new vehicular and pedestrian access shall be formed to Brockwell Lane and provided with visibility sightlines extending from a point 2.4m metres from the carriageway edge, measured along the centreline of the access, for a distance of 43 metres in both directions measured along the nearside carriageway edge. The area in advance of the visibility sightlines shall be retained throughout the life of the development free of any object greater than 1m in height (0.6m in the case of vegetation) relative to adjoining nearside carriageway channel level.

8. The proposed dwelling shall not be occupied until space has been laid out within the site for 2 No. cars to be parked in accordance with a plan first to be submitted and agreed, in writing, by the Local Planning Authority in consultation with the Highway Authority.

9. There shall be no gates or other barriers on the access/driveway.

10. The proposed access/driveway to Brockwell Lane shall be no steeper than 1 in 14 over its entire length.

11. 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. These details shall conform to the Chesterfield Borough Council Minimum Development Control Standards for Flood Risk.

12. 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.

#### 44 **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

16/01927/DCC	Derbyshire County Council - Proposed Extension and Alterations at Glossop Adult Education Centre Glossop Library Talbot Street Glossop Derbyshire SK13 7DG
17/00204/DCC	Derbyshire County Council - Construction of a new extension to existing school building to provide 1 no new classroom and toilet provision at Aston On Trent Primary School Long Croft Aston On Trent Derby Derbyshire DE72 2UH
17/00070/DEX	Domestic Extensions/Alterations - Single storey rear extension at 69 Manor Road Brimington Chesterfield Derbyshire S43 1NN
17/01274/DRO	Domestic in-roof Extensions/Alterations - Loft conversion at 53 Ashgate Avenue Ashgate Chesterfield Derbyshire S40 1JD
17/01277/DCC	Derbyshire County Council - First floor level access shower, form door opening at 4 Hillcrest Grove Staveley Chesterfield Derbyshire S43 3YB
17/00796/DEX	Domestic Extensions/Alterations - Extension at 32

Storrs Road Chesterfield Derbyshire S40 3PZ

- 17/01260/OTHD Other Works (Domestic) - Renew conservatory roof with light weight tiles at 45 Thirlmere Road Newbold Chesterfield Derbyshire S41 8EH
- 17/00504/DCC Derbyshire County Council - New slate roofing with breather membrane to slate pitched area at Old Hall Junior School Old Road Chesterfield Derbyshire S40 3QR
- 17/01217/DCC Derbyshire County Council - Atrium Glazing Replacement at Fairmeadows Primary School Fairfield Crescent Newhall Swadlincote Derbyshire DE11 0SW
- 17/01222/OTHD Other Works (Domestic) - Partial garage conversion at 39 Holme Park Avenue Upper Newbold Chesterfield Derbyshire S41 8XB
- 17/01087/OTHD Other Works (Domestic) - Refurbishment of hospital Clinical Decisions Unit at Chesterfield And North Derbyshire Royal Hospital Chesterfield Road Calow Chesterfield Derbyshire S44 5BL
- 17/00472/DEX Domestic Extensions/Alterations - Single storey rear extension at 1 Manor House Court Stonegravels Chesterfield Derbyshire S41 7GY
- 17/01140/DEX Domestic Extensions/Alterations - First floor extension at 113A The Green Hasland Chesterfield Derbyshire S41 0JT
- 17/01123/DEX Domestic Extensions/Alterations - Extension at 0 Deerlands Road Ashgate Chesterfield Derbyshire S40 4DF

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

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

\*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

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|------------------|---|
| CHE/15/00462/FUL | Erection of 5 industrial units and associated car parking and service areas - Revised information received 11.11.2016 - further information received 6/6/2017 at development land to the south of Broombank Road and west of Broombank Park Broombank Road Chesterfield Derbyshire for Mr M Jones |
| CHE/17/00213/FUL | Development of vacant land to form new two bedroom bungalow and detached garage at 24 Riber Terrace Walton Walk Boythorpe Derbyshire S40 2QF for Mr Brian Harhat  |
| CHE/17/00307/FUL | Single storey rear extension at 3 Newbold Drive Newbold Derbyshire S41 7AP for Mr Simon Dennis  |
| CHE/17/00311/FUL | Single storey side extension - re-submission of CHE/16/00675/FUL at 1 Westbrook Drive Chesterfield Derbyshire S40 3PQ for Mr Raj  |
| CHE/17/00323/FUL | Rear extension, loft conversion and creation of parking spaces at 111 Coniston Road Newbold Derbyshire S41 8JE for Mrs M Thompson   |
| CHE/17/00336/FUL | Demolition of existing single storey rear offshoot and outbuildings and the construction of a new single storey pitched and flat roof extension at 593 Newbold Road Newbold S41 8AA for Mr and Mrs France   |
| CHE/17/00338/FUL | Alterations to widen existing vehicular access point to enable additional parking on drive way to front of house at 55 Norbriggs Road Woodthorpe Derbyshire S43 3BT for Mrs Amanda Marples  |

- CHE/17/00341/FUL Single storey kitchen extension at 7 Cromford Drive Staveley Derbyshire S43 3TB for Miss Sally Lawton
- CHE/17/00361/MA Amendment to CHE/14/00713/FUL (Erection of a two storey 4 bedroom dwelling) to increase roof pitch to 40 degrees to allow more solar panels on the roof and extra storage space in the loft at 3 Salisbury Avenue Newbold Derbyshire S41 8PR for Mr Samir Sherif
- CHE/17/00370/FUL Single storey rear extension with conversion of the roofspace and insertion of new dormer windows to the front and rear elevation. Re-submission of CHE/16/00660/FUL at 34 Queen Mary Road Chesterfield Derbyshire S40 3LB for Mr D Strong
- CHE/17/00379/FUL Remove existing NatWest brand signage, ATM and night safe. Infill existing ATM and Night Safe apertures with new stainless steel blanking plate at Natwest 10 High Street Staveley Derbyshire S43 3UJ for Royal Bank Of Scotland Group plc
- CHE/17/00391/FUL Extension to the extrusion shop at Brett Martin Building Products Ltd Stephenson Road Staveley S43 3JP for Brett Martin Limited
- CHE/17/00392/FUL Single storey side and rear extension at 15 Sudhall Close Newbold S41 8BX for Mr Andrew Jacques
- CHE/17/00397/ADV Fascia Sign (50mm deep composite aluminium sign tray with 50mm deep composite aluminium feature pod illuminated with 100X100 trough light with 250 cd/m static illumination), one internally illuminated projecting sign, four A2 poster frames and door graphics, vinyl graphics applied to windows. Please refer to drawing ref no 7057-001 at 35 Rose Hill Chesterfield S40 1TT for Mr Visa Prabhakaran
- CHE/17/00398/FUL Two storey side extension, parking plan received 15.08.2017 at 10 Newbold Drive Newbold S41 7AP

for Mr and Mrs Pearson

- CHE/17/00403/FUL Single storey rear extension at 14 Spruce Close Chesterfield S40 3FG for Mr P Walker
- CHE/17/00407/FUL Erection of an orangery at 26 Barholme Close Upper Newbold Derbyshire S41 8AB for Mr David Renshaw
- CHE/17/00413/FUL Single storey rear extension at 14 Old Hall Road Chesterfield S40 3RG for Mrs Sandy Lewis
- CHE/17/00420/ADV Two identical entrance signs to the received 4.8.17 at Barrow Hill Railway Centre Campbell Drive Barrow Hill S43 for Mr Glynn Wilton
- CHE/17/00424/ADV Four elevation signs at Units 36-43 Storforth Lane Trading Estate Avenue 4 Storforth Lane Trading Estate Chesterfield Derbyshire S41 0QQ for Howden Joinery Properties Limited
- CHE/17/00426/FUL Extension to side/front of dwelling at 82 Vincent Crescent Chesterfield Derbyshire S40 3NP for Mr and Mrs Wilcockson
- CHE/17/00448/TPO T78- Yew- Crown lift to 2.5m. T79 - Sycamore - Crown clean, prune away from building by 3m, remove 2 small lower branches. T80 -Oak - Clear stem to 1st main limb, crown clean and inspect wounds, reduce 1 lower branch over garden by 50%. Reduce some of branches on end of large low limb growing over footpath at 49 Woodmere Drive Old Whittington Derbyshire S41 9TE for Mr Martin Falconer
- CHE/17/00452/FUL Raised ground level adj. footpath, fence to side elevation at 5 Barley Lane Holme Hall Chesterfield Derbyshire S42 7JA for Mr Alan Maris
- CHE/17/00457/FUL Ground floor lounge extension at 8 Redgrove Way Walton Derbyshire S40 3JN for Mr Peter Cooney

- CHE/17/00463/CA Fell/prune one cherry tree in the Brimington Conservation area CA at 1 Grove Farm Close Brimington Derbyshire S43 1QA for Claire Rorka
- CHE/17/00474/EIA Scoping request for mixed use development at the former Staveley Works at land at former Staveley Works Works Road Hollingwood Derbyshire S43 2PD for Saint-Gobain and Omnivale Limited
- CHE/17/00504/TPO Fell T5 Cypress - giving structural damage to 10 Sherborne Avenue. Replant with smaller hedging variety. Fell TG1 Cypress x 3 Prune T6 Cherry at 144 St Johns Road Newbold Derbyshire S41 8PE for Mr Paul David Gill
- CHE/17/00510/NM Non-Material Amendment to Planning Application No. CHE/15/00464/FUL - Residential development of 9 x 3 bedroom houses and 10 x 2 bedroom flats at land to the rear of 79 Sheffield Road Stonegravels Chesterfield Derbyshire for Beauchief Homes Limited
- CHE/17/00511/TPO 2 Lime Trees - Crown lift to 5m, crown clean and crown clear branches above building at 81A Sheffield Road Stonegravels Chesterfield S41 7LT for Mr Tim Vice
- CHE/17/00514/TPO T3 Ash - Crown clean to remove dead and damaged branches and reduction of branches growing over Wash House Lane towards The Gardens by approx 3m at Orchard Cottage Wash House Lane Chesterfield Derbyshire S40 3AZ for Mr Richard Robinson
- CHE/17/00520/TPO T5 Ash - Remove 1 lower limb growing over site. T6 Sycamore - crown lift 2.5 m. T7 Oak - crown lift 2.5 m. T9 Ash - remove damaged lower branch. G3 various - crown lift 2.5 m to allow for site fencing. T8 Oak - inspect and reshape if required along with reduction of 1 branch overhanging site at site of former Sheepbridge Sports and Social

Club Newbold Road Newbold Derbyshire for Mr John Rossington

- CHE/17/00523/NM Non material amendment to CHE/17/00138 - Proposed rear first floor extension, single storey front extension and internal alterations at 10 Firvale Road Walton Derbyshire S42 7NN for Mrs Ruth Holmes
- CHE/17/00533/TPO Tree 39: Remove 6 lowest lateral branches at the main stem. Shorten 2 lateral branches mid crown and remove the small dead twigs and dead branches from the western side of the crown that have died out. This will ensure adequate height is maintained on the drive and access road and also clearance of the dwelling. T43: remove lowest lateral branches. Reduce branches in outer crown (east and west side) by up to 2m in length. This will prevent the tree becoming an obstruction to the public highway and also provide clearance of the dwelling in the longer term at Ringwood Centre Victoria Street Brimington Derbyshire S43 1HY for D J Atkinson Construction Ltd
- CHE/17/00534/CA To cut down/prune tree after site visit at 9 Ebenezer Row Porter Street Staveley Derbyshire S43 3UY for Ms Jayne Sherlock
- CHE/17/00535/TPO Felling of T4 (cedar) due to storm damage at Green Acres 14 Florence Close Birdholme Derbyshire S40 for Mr Holder
- CHE/17/00559/TPO Tree ref T 27 - Oak Tree. Crown lift 2 - 3m to clear lower branches over driveway. Crown thin by 25% to selectively remove branches to make canopy more open and less dense, remove any dead and weak branches. Reduction of branches growing towards the property to give 2-3m clearance. Clearance of branches around the telegraph pole at 80 Mansfield Road Hasland Derbyshire S41 0JF for Mr Stephen Young

## (b) Refusals

- CHE/17/00395/TPO Felling of T1 (Oak) and felling of T3 (Norway Maple) at 10 Sherbourne Avenue Newbold Derbyshire S41 8TL for Subsidence Management Services
- CHE/17/00401/FUL Loft conversion with front dormer (revised plans received 18.07.2017) at 13 Old Hall Road Chesterfield S40 3RG for Mr A Hutchinson
- CHE/17/00414/TPO Removal of tree T18, T20 and T21 and T2 and T3 (Limes) at 81 Moorland View Road Walton S40 3DD for MWA Arboriculture Ltd
- CHE/17/00438/RET Resubmission of CHE/16/00798/FUL - Proposed first floor front extension using different building materials at 112 Broomfield Avenue Hasland Chesterfield S41 0ND for Mr J Dooley
- CHE/17/00442/FUL Two storey rear extension for dining room and additional bedrooms over at 52 Brooklyn Drive Brockwell Chesterfield Derbyshire S40 4BB for Mr Kev Dunn
- CHE/17/00458/TPO T1 - Field Maple - Multi stemmed semi mature 10m in height reduction in height with the later stems reduced to shape. Tree is causing excessive shading over the property. Unions in the base look a little suspect at 22 Foxbrook Drive Walton Derbyshire S40 3JR for A \_ J ARB Access

## (c) Discharge of Planning Condition

- CHE/17/00376/DO Discharge of condition nos 5 (surface water), 6 (storage of plant), 9 (bin storage), 11 (landscaping) and 14 (external materials) relating to Planning Application No at Hady Miners Welfare Club Houldsworth Drive Hady Derbyshire S41 0BS for Mr Mark Noakes
- CHE/17/00431/DO Discharge of planning conditions 2 (reserved

matters), 6 (archaeological investigation), 8 (bat survey), 9 (badger survey), 10 (badger protection), 12 (root protection areas), 14 (Open Space Scheme), 18 (materials), 21 (internal site layout), 22 (junction with Dunston Lane), 26 (Travel Plan), 29 (Noise Assessment) and 30 (Conformity with Concept Masterplan) of CHE/16/00016/OUT - resubmission of CHE/14/00873/OUT (Residential development along with associated access, public open space, landscaping and surface water balancing (all matters reserved save for means of access into the site) at land to the west of Dunston Lane Newbold Derbyshire for William Davis Limited

- CHE/17/00454/DO Discharge of conditions 4, 8, 10, 11, 14 and 15 of CHE/17/00271/FUL - Erection of 3 no residential dwellings at land adjacent to Troughbrook Road Hollingwood S43 2JP for Buywise
- CHE/17/00480/DO Discharge of condition 9 (site investigation) of CHE/16/00831/FUL - Erection of detached dwelling S40 1UL at land adjacent to 21 Clarence Road Chesterfield Derbyshire for Mr and Mrs Reynolds
- CHE/17/00497/DO Discharge of planning condition 3 of CHE/17/00129/FUL - Engineering operations to provide a stepped approach and widened driveway together with widened dropped kerb at 247 Handley Road New Whittington S43 2ES for Mr Keith Lawson

(d) Split decision with conditions

- CHE/17/00433/TPO G2 - (Cherry) - Crown lift over path, G2 - (Hawthorn) - Crown over lift, G1 - (Sycamore) - Prune to clear roof by 2cm, G1 - (Sycamore) - Prune to clear roof by 2cm, G1 - (Cherry) - Prune to clear roof by 2cm, G1 - (Beech) - Prune to clear roof by 2cm, Tree 18 - (Holly) - Prune to clear building by 2cm, Tree 14 or 15 - (Silver Birch) - Dismantle/Fell to near ground level at Eyre Gardens Highfield Road Newbold Derbyshire S41

## 7EL for Guinness Partnership

(e) Prior notification approval not required

CHE/17/00435/TPD Replace existing 2.2 metre wide 3.7 metre long with new approx 3.5 metre wide by 4.7 metre long at 18 Netherthorpe Close Staveley Derbyshire S43 3PX for Mr Steven King

CHE/17/00508/TPD Proposed rear porch at 30 Hucknall Avenue Loundsley Green Chesterfield Derbyshire S40 4BY for Mr John Cook

(f) Other Council no objection without comments

CHE/17/00482/CP Roofing maintenance/roof re-cover at Old Hall Junior School Old Road Chesterfield Derbyshire S40 3QR for Derbyshire County Council

(g) CLOPUD granted

CHE/17/00495/CL New single storey rear extension at 52 Yew Tree Drive Somersall Derbyshire S40 3NB for Mrs Kathleen Wild

#### 46 **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/17/00535/TPOEXP Consent is granted to the felling of one Cedar tree reference T4 on the Order map for Mr Holden of Greenacres, 14 Florence Close, Chesterfield.

The replacement tree has been dispensed with on this occasion due to other trees in the garden and no loss of visual amenity.

- CHE/17/00395/TPO Consent is refused to the felling of two trees reference T2 Oak and T4 Maple on the Order map for Environmental Services on behalf of Mr Nind of 10 Sherbourne Avenue, Newbold, Chesterfield.
- CHE/17/00504/TPO Consent is granted to the felling of 4 Lawson Cypress and the pruning of 1 Purple Plum within G15 on the Order map for Mr Gill of 144 St Johns Road, Newbold, Chesterfield. The application is in relation to a subsidence claim at 10 Sherbourne Avenue and application CHE/17/00395/TPO to fell two other trees under a preservation order.
- CHE/17/00433/TPO Consent is refused to the felling of one Silver Birch tree reference T15 and the pruning of one Holly reference T18 and two Sycamore trees, and one Hornbeam within G1 and one Cherry and one Hawthorn within G2 on the Order map for Emery Landscapes on behalf of Guinness Partnership at Eyre Gardens, Newbold Road, Chesterfield.
- CHE/17/00414/TPO Consent is refused to the felling of 3 Lime trees reference T18, T20 and T21 on the Order map for MWA Arboriculture Ltd on behalf of 81 Moorland View Road, Walton, Chesterfield.
- CHE/17/00448/TPO Consent is granted to the pruning of 3 trees reference T78 Yew, T79 Sycamore and T80 Oak on the Order map for Martin Falconer Tree Services on behalf of Mrs Houlder of 49 Woodmere Drive, New Whittington, Chesterfield.
- CHE/17/00511/TPO Consent is granted to the pruning of one Lime tree within G1 on the Order map for Mr Tim Vice of 81a Sheffield Road, Chesterfield.
- CHE/17/00566/TPO Consent is granted to the pruning of various

trees within G2 on the order map for Mr Guy Robinson on behalf of Robinson PLC at Goyt Side Road, Brampton, Chesterfield.

CHE/17/00559/TPO

Consent is granted to the pruning of one Oak tree reference T27 on the Order map for Mr Stephen Young of 80 Mansfield Road, Hasland, Chesterfield.

CHE/17/00458/TPO

Consent is refused to the pruning of one Field Maple reference T2 on the Order map for A&J Arb Access on behalf of Mrs Kennedy of 22 Foxbrook Drive, Walton, Chesterfield.

CHE/17/00520/TPO

Consent is granted to the pruning of various trees within G3, T5 Ash, T6 Sycamore, T7 Oak and T9 Ash on the order map for Mr Simon Snow of Carrier Landscapes on behalf of Avant Homes at Pomegranate Park, Newbold, Chesterfield.

CHE/17/00514/TPO

Consent is granted to the pruning of one Ash tree reference T3 Ash on the Order map for Mr Robinson of Orchard Cottage, Wash House Lane, Brampton, Chesterfield.

CHE/17/00560/TPO

Consent is granted to the felling of one Hawthorn tree, with a condition to plant a Mountain Ash as a replacement in the first available planting season, and the pruning of one Sycamore and one Beech tree within A5 on the Order map for Mr Muhley of 91 High Street, Old Whittington, Chesterfield.

CHE/17/00533/TPO

Consent is granted to the pruning of two trees reference T18 Cherry and T20 Oak on the Order map for DJ Atkinson Construction Ltd at the former Ringwood Centre, Brimington, Chesterfield.

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

CHE/17/00534/CA

The felling or pruning of 1 Mountain Ash for Ms Jayne Sherlock at 11 Ebenezer Row, Porter Street, Staveley, Chesterfield. The tree is located in the neighbouring garden at 9 Ebenezer Row.

Agreement to the felling/pruning of one Mountain Ash tree within the rear garden of 9 Ebenezer Row. The felling/pruning works will have no adverse effect on the amenity value of the area.

The tree is within the Staveley Conservation Area.

CHE/17/00463/CA

The felling or pruning of 1 Cherry tree for Ms Claire Rorka of 1 Grove Farm Close, Brimington, Chesterfield.

Agreement to the felling of one Cherry tree in the front garden of 1 Grove Farm Close, Brimington. The pruning or felling will have no adverse effect on the amenity value of the area.

The tree is within the Brimington Conservation Areas and the applicant wishes to prune or fell the tree as it will grow too big for its location.

CHE/17/00561/CA

The felling of 16 Conifer trees, 1 Acacia and 1 Laurel for Mr Muhley of 91 High Street, Old Whittington, Chesterfield.

Agreement to the felling of trees within the Old Whittington Conservation Area. The felling works will have no adverse effect on the amenity value of the area and the trees are not in character with the surrounding landscape.

The trees are within the Old Whittington Conservation Area and are to be removed to create a parking area adjacent to 91 High Street.

## 47 **APPEALS REPORT (P000)**

The Development Management and Conservation Manager reported on the current position in respect of appeals which had been received.

**\*RESOLVED -**

That the report be noted.

**48 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 6 of Part 1 of Schedule 12A of the Act.

**49 TREES IN THE GROUNDS OF THE FORMER CHAMBER OF COMMERCE AND ADJACENT LAND, CANAL WHARF, STONEGRAVELS**

The Development Management and Conservation Manager submitted a report requesting that the committee consider for inclusion in a Tree Preservation Order six trees, including three Sycamore trees, two Cherry trees and an Ash tree, in the grounds of the former Chamber of Commerce, Wharf Canal, Stonegravels and one Copper Beech tree on a small strip of land between the southern boundary corner of the former Chamber of Commerce and Canal Mews, Stonegravels.

**\*RESOLVED –**

That the seven trees be included in a Tree Preservation Order made under sections 198, 201 and 203 of the Town and Country Planning Act 1990, and that the order is served with immediate effect.