

PLANNING COMMITTEE

Monday, 9th October, 2017

Present:-

Councillor Brittain (Chair)

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| Councillors | Hill T Gilby Callan Simmons Catt Miles | Councillors | P Barr Brady 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/17/00456/OUT - Outline planning application for the demolition of the existing dwelling and proposed construction of 2 four bedroom detached dwellings with integral garages - description and proposals amended from previously intended alterations to existing dwelling 10.08.2017 at 20A Avondale Road, Chesterfield, Derbyshire S40 4TF for Saint Developments.

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

CHE/17/00237/OUT - The retention and conversion of Thornfield House and the demolition of other associated buildings and redevelopment for residential use – resubmission of CHE/16/00653/OUT – amended plans and description 7/9/17 at Commerce Centre, Canal Wharf, Chesterfield, Derbyshire S41 7NA for East Midland Chamber of Commerce.

Councillors P Barr, Bingham, Brady, Brittain, Callan, Catt, T Gilby, Hill, Miles, Sarvent, Simmons and Wall.

Addendum report to 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, Brady, Brittain, Callan, Catt, T Gilby, Hill, J Innes (ward member), P Innes (ward member), Miles, Sarvent, Simmons and Wall.

CHE/17/00546/FUL - Proposed construction of a three bedroom bungalow with garage at land to rear of 11 Chesterfield Road, Brimington, Chesterfield, Derbyshire for Mr James Chapman.

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

CHE/17/00390/OUT - Outline application for residential development with all matters reserved except access for up to 17 dwellings (in addition to retention of existing farmhouse and conversion of existing cartshed to garaging) including associated infrastructure works at Pondhouse Farm, 2 Troughbrook Road, Hollingwood, Chesterfield, Derbyshire, S43 2JP for Chatsworth Settlement Trustees.

Councillors P Barr, Bingham, Brady, Brittain, Callan, Catt, T Gilby, Hill, Miles, Sarvent, Simmons and Wall.

CHE/17/00384/FUL - Conversion of existing buildings to 4 two bedroom dwellings, 2 ground floor one bed apartments and 2 two bed duplexes at Jubilee Works, Middlecroft Road, Staveley S43 3XN.

Councillors P Barr, Bingham, Brady, Brittain, Callan, Catt, T Gilby, Hill, Miles, Sarvent, Simmons and Wall.

60 APOLOGIES FOR ABSENCE

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

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

Councillor P Barr declared an interest in agenda item 5 (Addendum report to 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.

62 **MINUTES OF PLANNING COMMITTEE**

RESOLVED -

That the Minutes of the meeting of the Planning Committee held on 18 September, 2017 be signed by the Chair as a true record.

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

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

CHE/17/00456/OUT - OUTLINE PLANNING APPLICATION FOR THE DEMOLITION OF THE EXISTING DWELLING AND PROPOSED CONSTRUCTION OF 2 FOUR BEDROOM DETACHED DWELLINGS WITH INTEGRAL GARAGES - DESCRIPTION AND PROPOSALS AMENDED FROM PREVIOUSLY INTENDED ALTERATIONS TO EXISTING DWELLING 10.08.2017 AT 20A AVONDALE ROAD, CHESTERFIELD, DERBYSHIRE S40 4TF FOR SAINT DEVELOPMENTS

In accordance with Minute No.299 (2001/2002) Mr Steve Brunt (objector), Mr M Crawley (objector) and Mr Peter Wilkinson (agent of applicant), addressed the meeting.

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

1. Approval of the details of the access, scale, layout, external appearance and landscaping of the site (hereinafter called "the reserved

matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

2. Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

3. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

4. Details of the existing and proposed land levels and the proposed floor levels of the dwellings 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 dwellings shall be constructed at the levels approved under this condition unless otherwise agreed, in writing, by the Local Planning Authority.

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

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

7. Before any other operations are commenced (excluding demolition/ site clearance), space shall be provided within the site curtilage for storage of plant and materials and the parking of site operatives vehicles, laid out and constructed in accordance with detailed designs to be submitted in advance to the Local Planning Authority for written approval

and maintained throughout the contract period in accordance with the approved designs free from any impediment to its designated use.

8. Before any other operations are commenced, a new vehicular and pedestrian access shall be formed to Avondale Road, located, designed, laid out, constructed and provided with visibility splays of 2.4m x maximum achievable over land the subject of the application/highway in both directions, all as agreed in writing with the Local Planning Authority, the area in advance of the sightlines being maintained throughout the life of the development clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to adjoining nearside carriageway channel level.

9. The premises, the subject of the application, shall not be occupied until space has been provided within the site curtilage for the parking of vehicles, located, designed, laid out and constructed all as agreed in writing with the Local Planning Authority and maintained throughout the life of the development free from any impediment to its designated use.

10. The proposed access/driveways to Avondale Road 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.

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.

CHE/17/00390/OUT - OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT WITH ALL MATTERS RESERVED EXCEPT ACCESS FOR UP TO 17 DWELLINGS (IN ADDITION TO RETENTION OF EXISTING FARMHOUSE AND CONVERSION OF EXISTING CARTSHED TO GARAGING) INCLUDING ASSOCIATED INFRASTRUCTURE WORKS AT PONDHOUSE FARM, 2 TROUGH BROOK ROAD, HOLLINGWOOD, CHESTERFIELD, DERBYSHIRE, S43 2JP FOR CHATSWORTH SETTLEMENT TRUSTEES

In accordance with Minute No.299 (2001/2002) Mr D Peck of Planning & Design Group (agents for the applicant), addressed the meeting.

That the officer recommendation not be upheld and the application be refused for the following reason:-

The application site is considered to be (in part) greenfield land which is protected from development by the allocation of policy EVR2 of 2006 Local Plan which was saved in the adoption of the 2013 Chesterfield Local Plan: Core Strategy 2011 - 2031.

In accordance with provisions of policy CS10 of the Chesterfield Local Plan: Core Strategy 2011 - 2031, the wider provisions of the National Planning Policy Framework and the fact the Local Planning Authority can currently demonstrate a 5 year supply of deliverable housing sites; the principle of residential development on this part greenfield site is contrary to policy CS10 and is therefore considered to be unacceptable.

CHE/17/00237/OUT - THE RETENTION AND CONVERSION OF THORNFIELD HOUSE AND THE DEMOLITION OF OTHER ASSOCIATED BUILDINGS AND REDEVELOPMENT FOR RESIDENTIAL USE – RESUBMISSION OF CHE/16/00653/OUT – AMENDED PLANS AND DESCRIPTION 7/9/17 AT COMMERCE CENTRE, CANAL WHARF, CHESTERFIELD, DERBYSHIRE S41 7NA FOR EAST MIDLAND CHAMBER OF COMMERCE

In accordance with Minute No.299 (2001/2002) Ms Clare Plant of DLP Planning Consultants (agents for the applicant), addressed the meeting.

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

- (A) 1. Approval of the details of the access, scale, layout, external appearance and landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
2. Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
3. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
4. The reserved matters details shall include existing and proposed land levels and the proposed floor levels of the dwellings hereby approved together with 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. Prior to the commencement of development a detailed enhancement strategy that provides details of enhancement measures for roosting bats and nesting birds shall be submitted to and approved in writing by the LPA. Such approved measures must be implemented in full and maintained thereafter. The scheme shall include provision within the new dwellings (as integral boxes) rather than in retained trees.
7. Prior to development commencing an Employment and Training Scheme shall be submitted to the Local Planning Authority for consideration and written approval. The Scheme shall include a strategy to promote local supply chain, employment and training opportunities throughout the construction of the development and the agreed scheme shall be implemented as part of the development hereby agreed.

8. Prior to the commencement of any demolition a Demolition and Construction Management Plan shall be submitted to the Local Planning Authority for consideration and written approval. The Plan shall include measures to mitigate the impacts of the works on noise, dust and pollution.
9. Demolition and Construction 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.
10. Prior to development commencing a suitable noise assessment, such as BS4142 shall be submitted. The noise assessment shall be submitted to the council and approved in writing. If the noise assessment determines that the properties should be include noise mitigation; these proposals should set out in a report format, submitted in writing to the council and approved prior to commencement of development.
11. A. 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.
 - I. A desktop study/Phase 1 report documenting the previous land use history of the site.
 - II. A site investigation/Phase 2 report where the previous use of the site indicates contaminative use(s). The site investigation/Phase 2 report shall document the ground conditions of the site. The site investigation shall establish the full extent, depth and cross-section, nature and composition of the contamination. Ground gas, groundwater and chemical analysis, identified as being appropriate by the desktop study, shall be carried out in accordance with current guidance using UKAS accredited methods. All technical data must be submitted to the Local Planning Authority.
 - III. A detailed scheme of remedial works should the investigation reveal the presence of ground gas or other contamination. The scheme shall include a Remediation Method Statement and Risk Assessment Strategy to avoid any risk arising when the site is developed or occupied.

B. If, during remediation works any contamination is identified that has not been considered in the Remediation Method Statement, then additional remediation proposals for this material shall be submitted to the Local Planning Authority for written approval. Any approved proposals shall thereafter form part of the Remediation Method Statement.

C. The development hereby approved shall not be occupied until a written Validation Report (pursuant to A II and A III only) has been submitted to and approved in writing by the Local Planning Authority. A Validation Report is required to confirm that all remedial works have been completed and validated in accordance with the agreed Remediation Method Statement.

12. 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.

13. No development shall be commenced until a temporary access for construction purposes has been provided in accordance with a detailed design first submitted to and approved in writing by the Local Planning Authority. The access shall be retained in accordance with the approved scheme throughout the construction period, or such other period of time as may be agreed in writing by the Local Planning Authority, free from any impediment to its designated use.

14. Before any other operations are commenced, excluding construction of the temporary access referred to in Condition 13 above, space shall be provided within the site for storage of plant and materials, site accommodation, loading, unloading and manoeuvring of goods vehicles, parking and manoeuvring of employees and visitors vehicles, laid out and constructed in accordance with detailed designs first submitted to and approved in writing by the Local Planning Authority. Once implemented the facilities shall be retained free from any impediment to their designated use throughout the construction period.

15. Notwithstanding the submitted information a subsequent reserved matters or full application shall include design of the internal layout of the site in accordance with the guidance contained in the 6 C's Highways document.

16. No development shall take place until construction details of the residential estate road(s) and footway(s) (including layout, levels, gradients, surfacing and means of surface water drainage) have been submitted to and approved in writing by the Local Planning Authority.

17. The carriageway(s) of the proposed estate road(s) shall be constructed in accordance with Condition 16 above up to and including at least road base level, prior to the commencement of the erection of any dwelling intended to take access from that road(s). The carriageways and footways shall be constructed up to and including base course surfacing to ensure that each dwelling prior to occupation has a properly consolidated and surfaced carriageway and footway, between the dwelling and the existing highway. Until final surfacing is completed, the footway base course shall be provided in a manner to avoid any upstands to gullies, covers, kerbs or other such obstructions within or abutting the footway. The carriageways, footways and footpaths in front of each dwelling shall be completed with final surface course within twelve months (or three months in the case of a shared surface road) from the occupation of such dwelling, unless otherwise agreed in writing by the Local Planning Authority.

18. Before any other operations are commenced a new vehicular junction shall be formed to Canal Wharf and provided with visibility sightlines extending from a point 2.4 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 in accordance with a scheme first submitted to and approved in writing by the Local Planning Authority. 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) above ground level.

19. Before any other operations are commenced (excluding creation of the new access, the subject of condition 18 above), any redundant vehicular and pedestrian accesses to Canal Wharf shall be permanently closed with a physical barrier and the existing vehicle crossover reinstated as footway in accordance with a scheme first submitted to and approved in writing by the Local Planning Authority.

20. No dwelling shall be occupied until space has been laid out within the site in accordance with details submitted and agreed under a reserved or full matters application for cars to be parked and for the loading and

unloading of vehicles and for vehicles to turn so that they may enter and leave the site in forward gear.

21. 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.

22. Prior to the commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of water from the development onto the highway. The approved scheme shall be undertaken and completed prior to the first use of the access and retained as such thereafter.

23. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and Maintenance Company has been established.

24. 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.

25. A detailed tree protection plan shall be submitted conforming to BS 5837 'Trees in Relation to Design, demolition and construction -

Recommendations' 2012 for the consideration of the Council and approval in writing. The scheme shall include Root Protection Areas for all trees to be retained on the site and a Method Statement in respect of development in the proximity to the trees to be retained. There shall be no structures built within the Root Protection Areas of the trees retained on the site. The development shall only proceed on the basis of the agreed details.

26. Within 2 months of commencement of development, unless otherwise agreed in writing by the Local Planning Authority, full details of hard and soft landscape works for the approved development shall be submitted to the Local Planning Authority for consideration. Hard landscaping includes proposed finished land levels or contours; means of enclosure; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.) retained historic landscape features and proposals for restoration, where relevant. These works shall be carried out as approved prior to the occupation of the dwelling.

27. The development hereby approved shall include the provision of appropriate infrastructure to enable the dwellings to have high speed broadband, in accordance with details to be submitted to, and approved in writing, by the Local Planning Authority.

(B) That a Section 106 Agreement shall be negotiated and signed concurrent with the planning permission and relating to:

- A percent for Art scheme.
- Clauses to secure the retention of Thornfield House in the scheme on the basis of no affordable housing provision. Contribution to Clinical Commissioning Group of £11,412

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

CHE/17/00384/FUL - CONVERSION OF EXISTING BUILDINGS TO 4 TWO BEDROOM DWELLINGS, 2 GROUND FLOOR ONE BED APARTMENTS AND 2 TWO BED DUPLEXES AT JUBILEE WORKS, MIDDLECROFT ROAD, STAVELEY S43 3XN

In accordance with Minute No.299 (2001/2002) Ms Linda Trollope (on behalf of the applicant), addressed the meeting.

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:

- Boundary Wall Drawing no.P-473.11
- Location Drawing no.P-473.6 rev.E
- Planning Elevations no.P-473.1 rev.B
- Design and Access Statement
- Planning – Layouts GF Drawing no.P-473.4
- Planning – Layouts Drawing no.P-473.5 rev.A.

with the exception of any approved non material amendment.

3. Before any operations are commenced, space shall be provided within the site for storage of plant and materials, site accommodation, loading, unloading and manoeuvring of goods, vehicles, parking and manoeuvring of employees and visitors' vehicles, laid out and constructed in accordance with detailed designs first submitted to and approved in writing by the Local Planning Authority. Once implemented the facilities shall be retained free from any impediment to their designed use throughout the construction period.

4. No dwelling shall be occupied until space has been laid out within the site in accordance with the approved drawings for vehicles to be parked and for vehicles to turn so that they may enter and leave the site in forward gear.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and/or re-enacting that Order) the car parking spaces hereby permitted shall be retained as such and shall not be used for any purpose other than the parking of private motor vehicles associated with the residential occupation of the properties without the grant of further specific planning permission from the Local Planning Authority.

6. Before construction works commence or ordering of external materials takes place, precise specifications or samples of the cladding 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.

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, or additional windows erected or installed at or in the dwellings hereby approved without the prior written agreement of the Local Planning Authority.

9. 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.

10. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The details shall include proposed finished levels; means of enclosure; gates; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials and bin storage areas. The agreed details shall be implemented as part of the development and be retained thereafter.

B. That a CIL Liability Notice be served for £6,800 as per section 9.0 of the officer's report.

CHE/17/00546/FUL - PROPOSED CONSTRUCTION OF A THREE BEDROOM BUNGALOW WITH GARAGE AT LAND TO REAR OF 11 CHESTERFIELD ROAD, BRIMINGTON, CHESTERFIELD, DERBYSHIRE FOR MR JAMES CHAPMAN

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 (see list below), with the exception of any approved non material amendment;
 - 17.15.02 Rev A (dated 28.07.17) proposed site and floorplan
 - 17.15.03 (dated 28.07.17) proposed elevations
 - 17.15.01 (dated 03.07.17) Site survey
 - Design and Access Statement
3. 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.
4. 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.
5. The dwelling subject of the application shall not be occupied until on-site parking spaces have been provided and laid out in accordance with application drawing 17.15.02 Rev A and maintained thereafter free from any impediment to designated use.
6. Prior to the occupation of the dwelling, adequate bin storage and a bin dwell area for use on refuse collection days shall be provided on site in accordance with the application drawing 17.15.02 Rev A and retained thereafter free from impediment to designated use.
7. No development approved by this permission shall be commenced until a scheme for the provision and implementation of surface water run-

off limitation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall incorporate sustainable drainage principles and shall be implemented in accordance with the approved programme and details

8. 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.

9. The land in advance of the visibility sightlines (within the ownership of the applicant) detailed in 'Drawing 1 Visibility Sightlines (27.09.2017)' shall be retained throughout the life of the development free of any obstruction greater than 1m in height (0.6m in the case of vegetation).

10. There shall be no gates or other barriers unless otherwise agreed in writing by the Local Planning Authority.

11. 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.

B. That a CIL Liability Notice be served for £6,050 as per section 5.10 of the officer's report.

CHE/17/00590/HAZ - APPLICATION TO AMEND EXISTING HAZARDOUS SUBSTANCES CONSENT (CHE/16/00535/HAZ) TO STORE 750 TONNES OF SODIUM HYPOCHLORITE (H400 AND <5%), 3,200 TONNES OF FLAMMABLE AEROSOLS; 220 TONNES OF FLAMMABLE LIQUIDS; 40 TONNES OF FLAMMABLE LIQUIDS WITH HAZARD TO AQUATIC ENVIRONMENT IN CATEGORY CHRONIC 2; 300 TONNES OF HAZARD TO AQUATIC ENVIRONMENT IN CATEGORY CHRONIC 1; AND 30 TONNES OF HAZARD TO AQUATIC ENVIRONMENT IN CATEGORY CHRONIC 2 AT GREAT BEAR, PLOT 1 SOUTH, MARKHAM VALE, CHESTERFIELD, DERBYSHIRE FOR GREAT BEAR DISTRIBUTION

That the officer recommendation be upheld and the application for hazardous substances consent for the storage of up to 750 tonnes of sodium hypochlorite (H400 and <5%), 3,200 tonnes of flammable aerosols; 220 tonnes of flammable liquids; 40 tonnes of flammable liquids with hazard to aquatic environment in category chronic 2; 300 tonnes of hazard to aquatic environment in category chronic 1; and 30 tonnes of hazard to aquatic environment in category chronic 2 be approved.

64 **ADDENDUM REPORT FOR APPLICATION IN RESPECT OF THE LAND TO THE WEST SIDE OF THOMPSON STREET, CHESTERFIELD**

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

ADDENDUM REPORT TO 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 Kate Follon (applicant), Mr Gary Fountain (agent of applicant), Councillor P Innes (objector) and Mrs Johnson Mowbray (objector), addressed the meeting.

That the officer recommendation be upheld and the application be approved subject to the following conditions as set out in the recommendation of the officer's report attached at Appendix A:-

1. The development hereby approved 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. Before any other operations are commenced a new vehicular and pedestrian access shall be formed to Thompson Street in accordance with the revised application drawing and provided with visibility sightlines extending from a point 2.4 metres from the carriageway edge, measured

along the centreline of the access, to the extremities of the site frontage abutting the highway in each direction. The land 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. The vehicular and pedestrian access shall be maintained and kept available for such use at all times and no development, whether permitted by the Town and Country Planning (General Permitted Development) Order 1995 or not shall be carried out on that area of land or to preclude vehicular access thereto.

4. There shall be no gates or other barriers set forward of the visibility splay line specified in condition 3 above.

5. The proposed access/drive to Thompson Street shall be no steeper than 1 in 14 over its entire length.

6. The timber perimeter fencing shall be painted or stained dark green and retained throughout the life of the development

7. Prior to occupation of the development hereby approved, details of any external lighting shall be submitted to and approved by the Local Planning Authority. Such details shall include siting, angles, levels of illumination and any shields. The details shall be implemented in accordance with those approved and should ensure that the light falls wholly within the curtilage of the site.

8. The area shown as cross hatched on the revised plan shall be maintained clear of all obstructions and be available for loading/unloading and manoeuvring of vehicles in connection with the use of the containers hereby approved.

Councillor P Barr returned to the meeting.

65 **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/17/00252/OUT Pair of 2 bedroom semi-detached houses at 20 Harehill Road Grangewood S40 2JA for Mr Nigel A James
- CHE/17/00378/MA Material amendment to application CHE/16/00175/FUL as amended by CHE/16/00797/REM1 - Relocation of the current diesel/adblue fuelling point (90,000 litre) and provision of a vehicle wash to the yard to the rear of the access road at Plot 13 Markham Lane Duckmanton for Great Bear Distribution Ltd
- CHE/17/00387/REM1 Variation of permission to allow for the development for the 3 new plots and existing house to be accessed via the new access - previous approval CHE/07/00776/FUL at Hilltop 234 Hady Hill Hady S41 0BJ for Mr Anthony Stubbins
- CHE/17/00429/COU Change of use from showroom (class A1) to a beauty salon (Sui Generis) at 385 Chatsworth Road Chesterfield S40 2DH for Mrs Dolphin-Yates
- CHE/17/00436/FUL Installation and operation of a back-up electricity generation facility at land at Whittington Road Barrow Hill for Mercia Power Response
- CHE/17/00444/FUL Conversion and refurbishment of the first and second floors to create four residential units with associated access at 43 Knifemithgate Chesterfield S40 1RL for AASDZ Ltd
- CHE/17/00461/FUL Construction of a two-storey extension to existing radiology department building inc. MRI scanner rooms and associated supporting accommodation to an existing internal courtyard adjacent to the A&E department - revised plans received 14/08/2017 and 23/08/2017 at Chesterfield And North Derbyshire Royal Hospital Chesterfield Road Calow S44 5BL for Chesterfield Royal Hospital NHS Foundation Trust

- CHE/17/00467/FUL Change of use of rear of premises from community hall to dwelling at 27 Willow Garth Road Newbold S41 8BL for Mr Philip Webb
- CHE/17/00470/FUL Proposed single storey rear extension to dwelling and creation of first floor over existing flat roofed extension at 3 Marchwood Close Brockwell Chesterfield S40 4DT for Mr Thorpe and Ms Watson
- CHE/17/00481/FUL Demolition of existing garage and erection of a replacement garage and kitchen extension at 1 Penmore Close Hasland S41 0SH for Mr John Smith
- CHE/17/00493/FUL First floor rear extension at 6 Park Hall Avenue Walton S42 7LR for Mr Alan Leedham
- CHE/17/00505/TPO T3 Sycamore lift crown to prevent low branch damage by vehicles. Left side of car park access at Eyre Chapel Newbold Village Newbold Road Newbold S41 8RJ for Cllr Peter Barr
- CHE/17/00507/FUL Installation of externally fitted disabled access platform lift from ground floor to first floor at front of building and alteration to stepped access to main building entrance at Bayheath House Rose Hill West S40 1JF for Derbyshire Healthcare NHS Foundation Trust
- CHE/17/00512/FUL Single storey rear extension at 548 Chatsworth Road Chesterfield S40 3AY for Mr and Mrs Needham
- CHE/17/00513/FUL Detached concrete sectional domestic garage at land at Newbridge Lane Brimington for Mr Andrew Bellas
- CHE/17/00515/FUL Two storey extension to rear - re-submission of CHE/17/00215/FUL at 21 Oldridge Close Holme

- Hall Chesterfield S40 4UF for Mr John East
- CHE/17/00517/FUL Side extension and garage conversion with addition of garden store to side at 18 Milldale Close Holme Hall Chesterfield S40 4RG for Mr Arthur Stocks
- CHE/17/00524/ADV Fascia signage and projecting sign at 23 Market Place Chesterfield S40 1PJ for Tui UK
- CHE/17/00527/FUL Erection of single storey rear conservatory style extension with solid roof and decking with steps to give access to rear garden at 252 Handley Road New Whittington S43 2ET for Mrs Sandra Davies
- CHE/17/00528/FUL Change of use of vacant industrial land to vehicle, plant and container storage yard at Unit 9 Sheepbridge Works Sheepbridge Lane Sheepbridge S41 9RX for Hall Plant Hire Ltd
- CHE/17/00529/FUL Retaining walls for step lift to front garden and new ramping and landings for the provision of disabled facilities at 35 Troughbrook Road Hollingwood S43 2JN for Mr D Green
- CHE/17/00530/FUL Extension to lounge and porch at front of property at 196 Ashgate Road Chesterfield S40 4AL for Mr and Mrs Warrilow
- CHE/17/00536/FUL Single-storey extension of approximately 245sqm of D1 use to the Emergency Department of Chesterfield Royal Hospital including associated external works at Chesterfield And North Derbyshire Royal Hospital Chesterfield Road Calow S44 5BL for Chesterfield Royal Hospital NHS Foundation Trust
- CHE/17/00543/ADV New signage - amended plans received 25/09/2017 at land off Braidwood Way north of Byron Street Birdholme for Perrys Ford
- CHE/17/00544/FUL Proposed first floor side extension and alterations

to front garage roof at 39 Holme Park Avenue
Upper Newbold S41 8XB for Dr T Bendinger

- CHE/17/00549/FUL Small ground and first floor extension at the rear of the property, in brick (to match existing as close as possible) with concrete tile roof at 63 Norwood Avenue Hasland S41 0NN for Mr David Keeton
- CHE/17/00567/TPO G1 - Re-pollard (plus possible die back at top following previous treatment) at 22 Netherleigh Road Ashgate Chesterfield S40 3QJ for Mr Gordon Dent
- CHE/17/00588/TPO T1 - Sycamore - Crown lift, T2 - Ash - sever ivy round butt, T3 - Ash - Crown lift, T4 - Ash - Crown lift, T5 - Horse Chestnut - Crown lift, T6 - Crown lift, T7 - Lime - Crown Lift, T10 - Beech - Crown lift, T12 - Sycamore - Deadwood clean out, T19 - Sycamore - Crown lift, T22 - Sycamore - Crown lift, T26 - Horse Chestnut - Crown lift, T27 - Horse Chestnut - Clean out deadwood and T28 - Lime - Clean out deadwood at The Rectory Church Street Staveley S43 3TN for Derby Diocesan Board of Finance Ltd
- CHE/17/00596/CA T8 - Ash - Crown lift; T24 - Ash - Sever Ivy; G1 - Ash, Elder, Sycamore, Horse Chestnut - Tree Roots from Kerb; T29 - Rowan - Crown lift; T30 - Rowan - Crown lift; G2 - Ash, Laurel, Sycamore, Horse Chestnut - Fell and poison ash and sycamore, tip back retained trees and Laurel; T32 - Cypress - Tip back; G3 - Elder, Sycamore - fell and poison Stumps at The Rectory Church Street Staveley S43 3TN for Derby Diocesan Board Of Finance Ltd
- CHE/17/00606/TPO Sweet Chestnut Tree - Reduction of canopy by 1m, clean and prune and raise to 3m, removal of crossing branches, 5% thin and maintain shape and maintenance at 7 Upland Rise Walton S40 2DD for Mr Alan Kirk

- CHE/17/00608/TPO Crown lifting and crown reduction to trees T3 and T4 at 1 Fenland Way Chesterfield S40 3RH for Mr Raymond Moore
- CHE/17/00637/NMA Non-Material Amendment for CHE/15/00024/FUL - Introduction of ramp to service area, back of house door re-positioned, removal of chimney and telecoms equipment and use of quality artificial slate in lieu of natural roof slate at The Wheatsheaf 74 Newbold Village Newbold Road Newbold S41 8RJ for New River REIT
- CHE/17/00638/NMA Non-Material Amendment regarding CHE/16/00428/FUL - Alteration to garage door width, canopy to front door recess. hipped roof to south-west elevation replaced with a gable feature. Bi-folding doors and windows to the rear elevation repositioned. Modified detail to opening cills and head at land to rear of 19 Bentham Road Chesterfield for Mr David Jackson
- CHE/17/00642/NMA Non-Material Amendment (repositioning of the flue) to CHE/16/00001/FUL (erection of a single storey rear extension with lower ground store with extended rear terrace and rear raised decking) at 30 Brookside Bar Chesterfield S40 3PJ for Mr Raymond Fletcher
- CHE/17/00643/TPO Proposed works to trees T1, T2, T3, T4, T5, T6 and T7 at land between 181 and 183 Hady Hill Hady for Mr Mark Wilson
- CHE/17/00646/TPO Oak tree - crown lift and crown thin. Beech tree - crown lift and crown clean. Low over highway/driveway. Allow more light. Remove dead wood at 68 Mansfield Road Hasland Derbyshire S41 0JF for Mr and Mrs Gary Yates
- CHE/17/00656/TPO T1- a) Crown lift and removal of branches from main stem up to first major fork. b) Clear lamp head and telephone wires c) reduce branches growing towards property to give clearance of 2m d)

Deadwood T2 Plum tree - Crown reduce by 50% and reshape at 30 Devonshire Street Brimington Derbyshire S43 1JQ for Mr Michael Salt

CHE/17/00683/TPO Felling of one storm damaged Sycamore tree reference T18 of TPO at Trevilla 73 Hady Hill Hady Derbyshire S41 0EE for Mr Glyn Pocock

CHE/17/00694/CA Dismantle and fell one storm damaged Poplar Tree at The Old Rectory 408 Chatsworth Road Chesterfield Derbyshire S40 3BQ for Tomlinson Trees

(b) Discharge of Planning Condition

CHE/17/00557/DOC Discharge of conditions 3 (foul and surface water drainage) and 4 (site investigation) of CHE/14/00501/FUL - Extension to existing factory unit at Units 1 – 4 Highlands Place Foxwood Road Sheepbridge S41 9RN for Direct Property Ltd

(c) Prior notification approval not required

CHE/17/00509/SOL 100kW Solar PV Installation - installing approximately 371 270W Trina Solar Panels, ballasted on the school's flat roofs at Whittington Green School High Street Old Whittington S41 9LG for Whittington Green School

CHE/17/00610/TPD Proposed part brick part render sunroom with flat roof and skypod lantern in roof at 200 Highfield Lane Newbold S41 8BA for Mr Melvyn See

(d) Split decision with conditions

CHE/17/00554/TPO Lime T1 - 25-30% crown reduction to remove shading property. 5m crown lift property side and over the road. Reduce away from telephone line Beech T2 25-30% crown reduction. To reduce the overall size of crown and add shape - 20% crown thin at Russell House 16 Gladstone Road Chesterfield S40 4TE for A & J ARB ACCESS

(e) Prior Notification Demolition Approve

CHE/17/00593/DEM Demolition of 10 split-level multi-storey car park structure at Multi Storey Car Park Saltergate Chesterfield S40 1UL for Chesterfield Borough Council

(f) EIANR

CHE/17/00624/EIA Proposed demolition and reconstruction of the Saltergate Multi Storey Car Park at Multi Storey Car Park Saltergate Chesterfield for Chesterfield Borough Council

66 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.

67 ENFORCEMENT REPORT (P410)

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

***RESOLVED -**

That the report be noted.

68 REVIEW OF DELEGATION SCHEME AND PLANNING COMMITTEE PROCEDURES

This item was deferred to the meeting of the Committee on 30 October, 2017.

69 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 Paragraph 6 of Part 1 of Schedule 12A of the Act.

70 UNAUTHORISED LOFT CONVERSION AND EXTENSION AT 2 YORK STREET, HASLAND, CHESTERFIELD

The Development Management and Conservation Manager submitted a report on the unauthorised loft conversion and extension at 2 York Street, Hasland.

***RESOLVED –**

1. That authority be granted for the issue of an Enforcement Notice requiring the removal of the extension of the roof and external works at 2 York Street, Hasland, Chesterfield, Derbyshire.
2. That the period for compliance be 3 months.