

PLANNING COMMITTEE

Monday, 20th November, 2017

Present:-

Councillor Brittain (Chair)

Councillors	Hill Callan Elliott Simmons Caulfield	Councillors	Miles P Barr Brady Wall 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/17/00661/FUL - Two semi-detached houses at 51 Chesterfield Road, Staveley, Chesterfield, Derbyshire, S43 3QG For Mr Michael Bellfield of Bellfield Construction.

Councillors P Barr, Brady, Brittain, Callan, Caulfield, Elliott, Hill, Miles, Sarvent, Simmons and Wall.

CHE/17/00326/REM - Submission of Reserved Matters pursuant to planning approval CHE/15/00116/OUT for the development of 106 residential dwellings (revised details rec'd 25/09/2017, 10/10/2017, 13/10/2017, 27/10/2017, 01/11/2017, 07/11/2017 and 09/11/2017) at Camac Coal, Dunston Road, Chesterfield, Derbyshire, S41 9RL for Strata Homes Yorkshire Limited.

Councillors P Barr, Brady, Brittain, Callan, Caulfield, Elliott, Hill, Miles, Sarvent, Simmons and Wall.

CHE/17/00421/FUL - Resubmission of CHE/16/00591/FUL - Residential development of 12 units and associated ancillary works - Revised plans received 12/10/2017 at the Shrubberies, 46 Newbold Road, Newbold, Chesterfield, Derbyshire, S41 7PL for Peppermint rove Ltd.

Councillors P Barr, Brady, Brittain, Callan, Caulfield, Dickinson (ward member), Elliott, Hill, Miles, Sarvent, Simmons and Wall.

82 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bingham, Catt, Davenport and T Gilby.

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

No declarations of interest were received.

84 MINUTES OF PLANNING COMMITTEE

RESOLVED -

That the Minutes of the meeting of the Planning Committee held on 30 October, 2017 be signed by the Chair as a true record.

85 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/17/00421/FUL - RESUBMISSION OF CHE/16/00591/FUL - RESIDENTIAL DEVELOPMENT OF 12 UNITS AND ASSOCIATED ANCILLARY WORKS - REVISED PLANS RECEIVED 12/10/2017 AT THE SHRUBBERIES, 46 NEWBOLD ROAD, NEWBOLD, CHESTERFIELD, DERBYSHIRE S41 7PL FOR PEPPERMINT GROVE LTD

In accordance with Minute No.299 (2001/2002) Mr Matt Barnett (objector) and Ms L Mathews (objector) addressed the meeting. The Chair invited any representative of the applicant, if present, to respond to matters raised during consideration of the application, but there was no response.

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

In the opinion of the local planning authority the development fails to recognise the contribution of the protected trees on the site to the character and appearance of the local area. The development is thereby detrimental to the character and appearance of the site and area having regard to the loss of protected trees contrary to policy CS9 and CS18 of the adopted Chesterfield Core Strategy 2011 – 2031.

CHE/17/00326/REM -SUBMISSION OF RESERVED MATTERS PURSUANT TO PLANNING APPROVAL CHE/15/00116/OUT FOR THE DEVELOPMENT OF 106 RESIDENTIAL DWELLINGS (REVISED DETAILS REC'D 25/09/2017, 10/10/2017, 13/10/2017, 27/10/2017, 01/11/2017, 07/11/2017 AND 09/11/2017) AT CAMMAC COAL, DUNSTON ROAD, CHESTERFIELD, DERBYSHIRE S41 9RL FOR STRATA HOMES YORKSHIRE LIMITED

In accordance with Minute No.299 (2001/2002) Mr Phil Brook (agent for the applicant) addressed the meeting.

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

1. All external dimensions and elevational treatments shall be as shown on the approved plans/documents (listed below) with the exception of any approved non material amendment.

SH/CHEST/LP01 - LOCATION PLAN

House Types

MY (08-V1-2) REV 09 AND MY (09-V1-4) REV 08 – MILAN (FLOOR PLAN & ELEVATIONS)

MY (07-V2-3) REV 10, 12, 13 AND 14 - PARETTI V2 (FLOOR PLAN & ELEVATIONS)

MY (03-V1-4) AND MY (10-V1-4) REV 20 – BARCELONA AND MADRID (FLOOR PLAN & ELEVATIONS)

MY (04-V10-4) REV 10 AND 11 – BOLOGNA (FLOOR PLAN & ELEVATIONS)

MY (04-V11-4) REV 11 AND 12 – CATANIA (FLOOR PLAN & ELEVATIONS)

MY (09-V1-4) REV 08 AND 09 – VENICE (FLOOR PLAN & ELEVATIONS)

MY (19-V1-4) REV 10G AND 11G – COLOGNE (FLOOR PLAN & ELEVATIONS)
MY (17-V1-4) REV 10, 11 AND 12 – VIENNA (FLOOR PLAN & ELEVATIONS)
MY (11-V2-4) REV 11 AND 12 – STOCKHOLM (FLOOR PLAN & ELEVATIONS)
MY (13-V-1-4) REV 10, 11 AND 16 – OPORTO (FLOOR PLAN & ELEVATIONS)
MY (02-V6-5) REV 11, 12 AND 13 – PALERMO (FLOOR PLAN & ELEVATIONS)
MY (02-V7-5) REV 01, 02 AND 03 – LAUSANNE (FLOOR PLAN & ELEVATIONS)
MY (20-V1-5) REV 10 – BORDEAUX (FLOOR PLAN & ELEVATIONS)
MY (14-V1-5) REV 10 AND 11 – VALENCIA (FLOOR PLAN & ELEVATIONS)

Garages

PA/WY/SG1 REV A – SINGLE GARAGE (FRONT TO BACK ROOF)
PA/WY/DG3 REV A – TWIN GARAGE (FRONT TO BACK ROOF)

Site Layout

SH/CHEST/AP01 REV L – APPRAISAL LAYOUT
SH/CHEST/02/01/04 – CROSS SECTIONS
SH/CHEST/MAT02 – MATERIALS LAYOUT

Engineering Details

1076-1C – ENGINEERING LAYOUT
1076-5B – MANHOLE SCHEDULE
1076-2-1B - LONGITUDINAL SECTIONS
1076-2-2B - LONGITUDINAL SECTIONS
1076-2-3B - LONGITUDINAL SECTIONS
1076-2-4B - LONGITUDINAL SECTIONS
1076-2-5B - LONGITUDINAL SECTIONS
1076-2-6B - LONGITUDINAL SECTIONS
1076-9-1A – HIGHWAY CONSTRUCTION
1076-9-2A – HIGHWAY CONSTRUCTION

Landscaping

1501-01B (SHEET 1 OF 4) - DETAILED LANDSCAPE PROPOSALS
1501-02B (SHEET 2 OF 4) - DETAILED LANDSCAPE PROPOSALS
1501-03B (SHEET 3 OF 4) - DETAILED LANDSCAPE PROPOSALS
1501-04B (SHEET 4 OF 4) - DETAILED LANDSCAPE PROPOSALS
1501-05B (MASTERPLAN) – LANDSCAPE MASTERPLAN
SH/CHEST/AP04 – SURFACING PLAN
SH/CHEST/AP05 – BOUNDARY TREATMENTS PLAN

Documents

Arboricultural Impact Assessment (ref. BA6021AIA)
BA6021AIA - Tree Impact Assessment Plan
Planning Statement
Landscape Management Proposals
Covering Letter

2. Notwithstanding the details accompanying this reserved matters application, no development shall take place until construction details of the internal residential estate roads and footways (including layout, levels, gradients, surfacing, lighting and means of surface water drainage) have been submitted to and approved in writing by the Local Planning Authority.

3. Notwithstanding the details accompanying this reserved matters application, within 2 months of the commencement of development further hard landscaping details shall be submitted to the Local Planning Authority for consideration and subsequent approval in writing. Only those details agreed shall be implemented on site.

CHE/17/00661/FUL - TWO SEMI-DETACHED HOUSES AT 51
CHESTERFIELD ROAD, STAVELEY, CHESTERFIELD, DERBYSHIRE
S43 3QG FOR MR MICHAEL BELLFIELD OF BELLFIELD
CONSTRUCTION

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:

- Streetview rev A
- Parking Provision and Amenity Plan rev A
- Site Location rev A
- Existing Site layout/levels rev A
- Proposed Site levels rev A
- Proposed and existing floor plans rev A
- Cross section rev A
- Landscaping plan rev A
- Drainage layout 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.

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. 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 £2,320 as per paragraph 9 of the officer's report.

86 **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/17/00114/FUL	Single storey side and rear extension (Revised drawings received 21.08.2017) at 46 Spring House Close Holme Hall Chesterfield S42 7PD for Mr Richard Houghton
CHE/17/00305/LBC	Provide and fix new aluminium glazing bars with purpose made glazing capping, fix 8 new reinforced glazing panels to match existing and resecure all glazing bars and make watertight and minor repairs to surrounding slate roofs where scaffold is accessible at Brearley Hall Woodmere Drive Old

Whittington S41 9TA for Brearley Hall Ltd

- CHE/17/00334/FUL Replacement of the existing window units and the proposed installation of 2 no personnel doors on the east facing elevation. Accompany to prior notification submission for conversion of vacant building to residential use CHE/17/00230/TCU at 10B Marsden Street Chesterfield Derbyshire S40 1JY for ASW Consultants LTD
- CHE/17/00375/REM Approval of reserved matters of CHE/16/00508/OUT - Outline planning application for the construction of two blocks of linked townhouses and one bungalow at Hady Miners Welfare Club Houldsworth Drive Hady S41 0BS for Mr Mark Noakes
- CHE/17/00425/FUL Installation of extractor equipment as amended by revised retrospective plans received 20.9.17 and amended site location plan received 20.10.17 at 5 Stephenson Place Chesterfield S40 1XL for Miss Monica Sardisco
- CHE/17/00453/FUL Proposed new unit for B1, B2 and B8 use with parking (revised plans received 11.10.2017) at Turnoaks Business Park Burley Close Chesterfield S40 2UB for Altek Europe Ltd
- CHE/17/00516/FUL Hydrogen generation unit (20ft iso container), a hydrogen compressor (20ft iso container) and a hydrogen dispensing unit. The hydrogen generation unit, and the hydrogen compressor and a buffer tank are surrounded on two sides by a 2.5m high fire wall and fencing. Outside this fencing there will be an access road leading up to a concrete refuelling pad directly in front of a hydrogen dispensing unit. The access road will be form a semi-circle with two dropped kerbs allowing access from Colliery Close at Colliery House Colliery Close Staveley S43 3QE for ITM Power (Trading) Ltd
- CHE/17/00591/FUL Erection of a two storey side/rear extension at 48 Glenthorne Close Chesterfield for Mr and Mrs

Robson

- CHE/17/00599/COU Change of use from bridal shop to a bar including installation of further toilet facilities. Amended site location plan received 20.10.2017 at 37 Holywell Street Chesterfield for Mr Justin Fleming
- CHE/17/00611/FUL Single storey extension at Wood View 7 Florence Close Birdholme S40 2JL for Mr Mark Wood
- CHE/17/00613/FUL Erection of a rear extension and removal of existing detached garage at 1 Poplar Avenue Somersall S40 3JT for Mrs S Gretton
- CHE/17/00614/ADV 1 new suspended LED illuminated logo over the entrance to replace existing, 1 new surface fixed LED illuminated logo over the window to replace existing 2 new double sided projecting signs LED part illuminated logo box, one next to main entrance and one over the window to replace existing at 18 Vicar Lane Chesterfield S40 1PY for H and M Hennes and Mauritz UK and Ireland
- CHE/17/00617/FUL Two storey side extension, single storey rear extension and detached garage. Revised plans received 25 September 2017 at 40 Mansfeldt Road Newbold S41 7BW for Mr J Bedford
- CHE/17/00618/FUL Proposed first floor side extension at 53 Foljambe Avenue Walton S40 3EY for Mr Barry Ward
- CHE/17/00619/FUL Proposed new shop front and siting of condensers on plant deck at 25 - 27 Vicar Lane Chesterfield S40 1PY for Deichmann Shoes UK Ltd
- CHE/17/00620/ADV Fascia sign and projecting sign at 25-27 Vicar Lane Chesterfield S40 1PY for Deichmann Shoes UK Ltd
- CHE/17/00621/FUL Two storey side/front extension. Parking plan received 5.10.17 at 5 Holmebank West Brockwell Chesterfield S40 4AS for Mr John Wall

- CHE/17/00623/COU Change of use from D1 to C3 (A) Residential at 54 Rutland Road Chesterfield Derbyshire S40 1LY for Mrs Susan Cooper
- CHE/17/00626/FUL Proposed change of use of end terrace property into 2 no 1 bed flat units at 64 Chester Street Chesterfield Derbyshire S40 1DW for Mr Raj Dhir
- CHE/17/00629/FUL Retention of an ATM installed through the glazed shop front to the single storey flat roof extension to the right. Replacing glazing to the window to the right of the fixed closed glazed door with new white laminate security infill panels incorporating the ATM. NCR 5887. The internal security roller shutter has been modified to allow constant use of the ATM. Yellow Box Privacy Zone demarcation has been applied to the ground in front of the ATM. Two black steel bollards have been installed in front of the ATM at Spar 58 Mansfield Road Hasland Derbyshire S41 0JF for Cardtronics Service Solutions Ltd
- CHE/17/00630/ADV Illuminated polycarbonate black and green surround signage with illuminated white lettering "free cash withdrawals and balance enquiries" and "cash zone" Halo illumination to polycarbonate surround. Illuminated signage to ATM fascia. Green acrylic sign with white lettering "cashzone" and accepted card logos at Spar 58 Mansfield Road Hasland S41 0JF for Cardtronics Service Solutions Ltd
- CHE/17/00633/TPO Works to lime tree at Devonshire Park Devonshire Street Brimington S43 1GA for Mrs Jane Bulko
- CHE/17/00635/FUL Hip to gable loft conversion with rooflights on the front elevation and a dormer on the rear elevation at 340 Brimington Road Tapton S41 0TF for Mrs H Peet
- CHE/17/00639/RET Resubmission of CHE/16/00780/RET - Removal of fence and hedge to replace with wooden fencing and reduce the height of fencing to front at 1 Tollbridge Road Woodthorpe S43 3BL for Miss

Linda Kinsey

- CHE/17/00648/FUL Single storey extension to garage, with new roof and rear canopy at 9 Lansdowne Avenue Newbold S41 8PL for Mr Rob Hemming
- CHE/17/00650/FUL Ground floor extension to the rear at 63 Hollingwood Crescent Hollingwood S43 2HF for Mrs Melissa Hout
- CHE/17/00654/FUL Resubmission for application CHE/17/00276/FUL (for proposed two storey side extension and replacement front porch) to include room in roof at 191 Whitecotes Lane Walton S40 3HJ for Mr Roger Brailsford
- CHE/17/00657/ADV 1 internally illuminated "Mercedes-Benz" letter set at Mercedes-Benz Lockoford Lane Tapton S41 7JB for Mercedes-Benz UK
- CHE/17/00662/FUL Single storey side and front extension at 2 Nevis Close Loundsley Green Chesterfield S40 4NS for Mr and Mrs Amissah-Berntso
- CHE/17/00664/CA Removal of tree branches encroaching onto Manor Farm Church Street North at St Bartholomew's Church Church Street North Old Whittington Derbyshire S41 9QW for Miss Lucinda Lister
- CHE/17/00671/TPO Remove dead wood and thin crowns on trees T24, T25 and T26 at 42 Netherleigh Road Ashgate Chesterfield S40 3QJ for Mr Peter Passmore
- CHE/17/00676/FUL Extension and alteration to dwelling at 3 Wentworth Avenue Walton S40 3JB for Rachael Stapleton
- CHE/17/00693/LBC Redecoration and repair of existing shop front and new non-illuminated signage at 47 Low Pavement Chesterfield S40 1PB for J G Foods Ltd
- CHE/17/00701/TPO T6 - Reduction in height to leave main stem to height of 6-8 metres T7 - Fell at 47 Paisley Close

Staveley Derbyshire S43 3NS for Neighbourhoods Team

CHE/17/00704/FUL Detached garage at 3 Litton Close Staveley Derbyshire S43 3TD for Mr Darren Norton

CHE/17/00745/LBC To fix blue plaque on entrance to Ringwood Hall at Ringwood Hall Chesterfield Road Brimington S43 1DQ for Chesterfield and District Civic Society

(b) Refusal

CHE/17/00641/TPO Fell 3 Pine trees adjacent to the gable of the house, not only are they causing subsidence but they have insufficient amenity value to justify protection at 392 Ashgate Road Chesterfield S40 4DD for Mr Roger Myddelton

(c) Discharge of Planning Condition

CHE/17/00681/DOC Discharge of planning conditions 4 and 24 of approved application CHE/16/00016/OUT re-submission 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 for William Davis Ltd

CHE/17/00684/DOC Discharge of Condition Nos. 9 (Site Investigation) and No. 11 (Specifications and Samples of Materials) - Planning Application CHE/17/00068/FUL (Proposed new dormer bungalow within the curtilage of 7 Myrtle Grove) at 7 Myrtle Grove Hollingwood S43 2LN for Mr. Shaun Cooper

CHE/17/00734/DOC Discharge of condition 15 (employment and training scheme) of CHE/16/00016/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 for William Davis Ltd

(d) Split decision with conditions

- CHE/17/00666/TPO Crown lift and crown thin including pulling in some long branches of T7 (large sycamore) and crown lift and crown thin including pulling in some large long branches of T135 (large copper beech) at St Peter and St Paul School Hady Hill Hady S41 0EF for St Peter and St Paul School
- CHE/17/00697/TPO Ash Tree - Height reduction - crown lift to 3.5m and crown thin to 25% at 11 Whitecotes Park Chesterfield S40 3RT for Mr P Arscott

(e) Prior notification approval not required

- CHE/17/00696/TPD Kitchen and shower room extension and utility room extension to end of garage at 33 Highfield Lane Newbold S41 8AZ for Mrs G Roberts
- CHE/17/00699/TPD Single storey rear extension at 25 Larch Way Brockwell Chesterfield S40 4EU for Mr Ross Metcalfe
- CHE/17/00743/TPD Extension to rear of detached property. Replacing and exceeding plan layout of existing conservatory. Traditional cavity wall and tiled pitched roof to match existing building at 4 Bunting Close Walton S42 7NU for Mrs Jane Christian

(f) Prior Notification Approval

- CHE/17/00723/PA Conversion of first and second floor office space to form 4 no studio apartments and associated storage space at Derbyshire Carers Association 69 West Bars Chesterfield S40 1BA for Sycamore Estates

(g) Other Council no objection without comments

CHE/17/00728/CPO Relocation and extension of security fencing at Gilbert Heathcote Infant and Nursery School Sheffield Road Whittington Moor Derbyshire S41 8NF for Mr Dave Massingham

87 **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/17/00641/TPO Consent is refused to the felling of 3 Pine trees within G2 on the Order map for Anderson tree care on behalf of Mr Myddelton of 392 Ashgate Road, Ashgate, Chesterfield.

CHE/17/00666/TPO Consent is granted to the felling of one Beech tree reference T169 and the pruning of 30 trees reference T7, T116, T117, T118, T120, T151 and T152 Sycamore, T112 and T113 Lime, T114, T115, T121, T126, T129, T131, T136 and T137 Yew, T119, T124, T134, T135 and T139 Beech, T122 and T127 Weeping Ash, T123 and T128 Holly, T125 Cedar and T130, T132 and T133 Pear on the Order Map Ken Portas tree services on behalf of St Peter and St Paul School, Hady Hill, Chesterfield.

The replacement tree is to be one standard sized Oak.

CHE/17/00633/TPO Consent is granted to the pruning of one Lime tree reference T2 on the Order map for Mrs Bulko of 28 Devonshire Street, Brimington. The tree is allegedly blocking out light and touching the dwelling. The tree is located in Devonshire Park, Brimington, Chesterfield.

CHE/17/00697/TPO Consent is refused to the pruning of one Ash

tree reference T4 on the Order map for Mr Arscott of 11 Whitecotes Park, Boythorpe, Chesterfield.

CHE/17/00701/TPO

Consent is granted to the felling of one Ash tree reference T7 and the pruning of one Ash tree reference T6 on the Order map for Chesterfield Borough Council Housing Services with a condition to plant a Beech tree in the adjacent grassed area in the first available planting season. The tree is at 47 Paisley Close, Middlecroft, Chesterfield.

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

CHE/17/00664/CA

The pruning of 2 Sycamore trees for Miss L. Lister at Bartholomew's Church, Old Whittington

Agreement to the pruning of two Sycamore trees. The pruning of the trees will have no adverse effect on the amenity value of the area.

The trees are within the Old Whittington Conservation Area and the applicant wishes to prune the trees because of the low branches hitting the lighting columns to the ménage at Manor Farm, Church Street North, Old Whittington, Chesterfield.

88 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.

89 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.

90 DIVERSION OF PUBLIC RIGHTS OF WAY (FOOTPATHS) AT LOUNDSLEY GREEN ESTATE, CHESTERFIELD

The Development and Conservation Manager submitted a report to consider routes of definitive footpaths in and around the Loundsley Green area which had been affected by development of the estate and to consider the need for formal diversion orders.

***RESOLVED –**

That the opportunity for a joint CBC and DCC approach should be pursued to resolve the diversion and extinguishment issues referred to in the report involving:

1. under s119 of the Highways Act 1980 FP 63, 66 be diverted as shown on the plans appended to the report and as described in the report, subject to the decision on the precise route being delegated to officers, and the required full publicity and consultation exercise and that any unresolved objections received to the proposed Order be considered (if appropriate) by Planning Sub Committee and referred to the Secretary of State for a decision.
2. under s118 of the Highways Act 1980 FP 60, 63, 66, 165, 166 and 167 be extinguished as shown on the plans appended to the report and as described in the report, subject to the decision on the precise route being delegated to officers, and the required full publicity and consultation exercise and that any unresolved objections received to the proposed Order be considered (if appropriate) by Planning Sub Committee and referred to the Secretary of State for a decision.