

## **PLANNING COMMITTEE**

**Tuesday, 3rd April, 2018**

Present:-

Councillor Brittain (Chair)

Councillors	Hill	Councillors	Davenport
	Callan		P Barr
	Elliott		Brady
	Simmons		Wall
	Catt		Sarvent

The following site visits took place immediately before the meeting and were attended by the following Members:

**CHE/17/00891/REM** - Reserved matters application for access; appearance; landscaping; layout and scale of CHE/17/00456/OUT - outline planning application for the demolition of the existing dwelling and proposed construction of 2 four bedroom detached dwellings with garages - amended elevations received 29.01.18, amended site layout received 23.02.18 at 20a Avondale Road, Chesterfield, Derbyshire, S40 4TF for Saint Developments.

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

**CHE/17/00814/OUT** - Erection of six 2 bedroom flats (re-submission of previously approved application CHE/17/00251) – amended indicative plans received 12.03.2018 at land at Chester Street, Chesterfield, Derbyshire for Woodleigh Motors Ltd.

Councillors P Barr, Brady, Brittain, Callan, Catt, Davenport, Elliott, Hill, Sarvent, Simmons and Wall.

**CHE/18/00024/FUL** - Proposal - five detached dwellings and garages - revised plans, habitat survey and ecological assessment rec'd 01/03/2018 at land at Breckland Road, Walton, Chesterfield, Derbyshire for Peppermint Grove.

Councillors P Barr, Brady, Brittain, Callan, Catt, Davenport, Elliott, Hill, Sarvent, Simmons and Wall.

**CHE/17/00800/FUL** - Retention of external works and conversion of first and second floor to three self contained residential units at 2 York Street, Hasland, Chesterfield, Derbyshire, S41 0PN for Mr Nigel Chadwick.

Councillors P Barr, Brady, Brittain, Callan, Catt, Davenport, Elliott, Hill, Sarvent, Simmons and Wall.

**CHE/17/00890/FUL** - Proposed erection of dormer bungalow (revised plans received 05.03.2018) at Plot 53, Westwood Drive Gardens, Inkersall, Derbyshire for Shaw Developments (Sheff) Ltd.

Councillors P Barr, Brady, Brittain, Callan, Catt, Davenport, Elliott, Hill, Sarvent, Simmons and Wall.

**CHE/18/00044/OUT** - Outline application to demolish existing property, change site entry from left side to right side and build up to 5 new properties at Ravensdale, 26 Chesterfield Road, Brimington, Chesterfield, S43 1AD

Councillors P Barr, Brady, Brittain, Callan, Catt, Davenport, Elliott, Hill, Sarvent, Simmons and Wall.

\*Matters dealt with under the Delegation Scheme

## **138     APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Bingham, Caulfield and Miles.

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

No declarations of interest were received.

**140 MINUTES OF PLANNING COMMITTEE****RESOLVED -**

That the Minutes of the meeting of the Planning Committee held on 12 March, 2018 be signed by the Chair as a true record.

**141 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/17/00891/REM - RESERVED MATTERS APPLICATION FOR ACCESS; APPEARANCE; LANDSCAPING; LAYOUT AND SCALE OF  
CHE/17/00456/OUT - OUTLINE PLANNING APPLICATION FOR THE DEMOLITION OF THE EXISTING DWELLING AND PROPOSED CONSTRUCTION OF 2 FOUR BEDROOM DETACHED DWELLINGS WITH GARAGES - AMENDED ELEVATIONS RECEIVED 29.01.18, AMENDED SITE LAYOUT RECEIVED 23.02.18 AT 20A AVONDALE ROAD, CHESTERFIELD, DERBYSHIRE, S40 4TF FOR SAINT DEVELOPMENTS

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

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

(A)

1. All external dimensions and elevational treatments shall be as shown on the approved plans with the exception of any approved non material amendment.
2. Before occupation of plot 2 hereby approved the new vehicular access shall be formed to Avondale Road in accordance with the application drawing.
3. The proposed dwellings shall not be occupied until space has been laid out within the site in accordance with the application

drawing for cars to be manoeuvred and parked. The areas shall be maintained thereafter free from any impediment to its designated use for the life of the development.

4. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) there shall be no extensions outbuilding or garages constructed (other than garden sheds or greenhouses of a volume less than 10 cubic metre) or additional windows erected or installed at or in the dwellings hereby approved without the prior written agreement of the Local Planning Authority.
5. The materials to be used shall be Forterra Butterley Old English Rose Rustic Brick walls, China Slate 687 and white UPVC windows and doors, as detailed in the supporting documents unless alternative materials are submitted for consideration under condition 5 of the outline planning permission.

(B) That a CIL Liability Notice be served for £13,428, detailed in section 6.1 of the officer's report.

CHE/18/00024/FUL - PROPOSAL - FIVE DETACHED DWELLINGS AND GARAGES - REVISED PLANS, HABITAT SURVEY AND ECOLOGICAL ASSESSMENT REC'D 01/03/2018 AT LAND AT BRECKLAND ROAD, WALTON, CHESTERFIELD, DERBYSHIRE FOR PEPPERMINT GROVE

In accordance with Minute No.299 (2001/2002) Mr P Wilkinson (agent of applicant), addressed the meeting.

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

(A)

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
02. All external dimensions and elevational treatments shall be as shown on the approved plans (listed below) with the exception of any approved non material amendment.
  - PG.223817.101 REV D – PLANNING LAYOUT

- PG.223817.102 REV C – SITE SECTIONS
  - PG.223817.103 REV C – LANDSCAPE MASTERPLAN
  - PG.223817.104 – DESIGN PARAMETERS
  - PG.233817.105 – AMENDMENTS OVERLAY
  - PG.223817.110 – TYPE A ELEVATIONS
  - PG.223817.111 – TYPE A PLANS
  - PG.223817.112 – TYPE B ELEVATIONS
  - PG.223817.113 – TYPE B PLANS
  - PG.233817.114 – TYPE C ELEVATIONS
  - PG.233817.115 – TYPE C PLANS
  - PG.233817.116 REV A – TYPE D ELEVATIONS
  - PG.233817.117 REV A – TYPE D PLANS
  - PG.233817.118 REV A – TYPE E ELEVATIONS
  - PG.233817.119 REV A – TYPE E PLANS
  - PG.223817.120 REV A – SINGLE GARAGE
  - PG.223817.121 – GARAGE PLOT 5
  - DESIGN AND ACCESS STATEMENT BY OASIS URBAN DESIGN
  - PLANNING STATEMENT BY JOHN CHURCH PLANNING CONSULTANCY LTD
  - ECOLOGICAL ASSESSMENT SEP 2017 BY WEDDLE LANDSCAPE DESIGN
  - FCC 01 - PHASE 1 HABITAT SURVEY BY WEDDLE LANDSCAPE DESIGN
03. The site shall be developed with separate systems of drainage for foul and surface water on and off site.
04. No development shall take place until details of the proposed means of disposal of surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the local planning authority. Furthermore, unless otherwise approved in writing by the local planning authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works.
05. 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.
06. Prior to the commencement of development, a biodiversity enhancement strategy shall be submitted to and approved in writing by the Council to ensure no net loss for biodiversity (NPPF 2012). Such approved measures should be implemented in full and maintained thereafter. Measures may include:

- details of bird and bat boxes (positions/specification/numbers). A bird box (either swift or sparrow terrace) should be attached to every house, with bat boxes attached to two houses.
  - measures to maintain connectivity throughout the site for wildlife such as hedgehogs will be clearly shown on a plan, such as garden fencing raised above ground level or the inclusion of small gaps (130 mm x 130 mm), railings or hedgerows.
  - ecologically beneficial landscaping, with native shrubs and trees.
07. 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.
08. 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.
09. Notwithstanding the provision of the Town and Country Planning (General Permitted) Development Order 1995 (as amended) there shall be no extensions outbuildings or garages constructed (other than garden sheds or greenhouses of a volume less than 10 cubic metre) or additional windows erected or installed at or in the dwelling hereby approved without the prior written agreement of the Local Planning Authority.
10. Any first floor windows located in the side elevations of the new dwellings (which are annotated on the approved plans as OG) shall be obscurely glazed and any means of opening shall be located above 1.7m internal floor level. The level of obscure glazing shall be level 4 or above and only windows meeting this specification shall be installed and retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

11. The garage/car parking spaces to be provided shall be kept available for the parking of motor vehicles at all times. 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 garage/car parking spaces hereby permitted shall be retained as such and shall not be used for any purpose other than the garaging of private motor vehicles associated with the residential occupation of the property without the grant of further specific planning permission from the Local Planning Authority.
12. Prior to any works commencing, the applicant shall submit and have approved in writing, by the LPA (in consultation with the LHA) a revised layout drawing demonstrating the following:  
Plots 1 & 2 – visibility will be within highway  
Plot 3 – visibility should be provided to the junction of Foxbrook Drive with Breckland Road and Foxbrook Drive with Foxbrook Court  
Plot 4 – to the tangent of the junction radius of Foxbrook Drive with Breckland Road and the junction of Foxbrook Drive with Foxbrook Court  
Plot 5 – 2.4m x 25m in both directions
13. The area in front of the sightlines shall be maintained clear of obstructions greater than 1.0m in height (600mm in the case of vegetation) relative to the nearside carriageway channel level.
14. Before any other operations are commenced, space shall be provided within the site curtilage, for site accommodation, storage of plant and materials, parking and manoeuvring of site operative's and visitor's vehicles together with the loading/unloading and manoeuvring of goods vehicles. The space shall be constructed and laid out to enable vehicles to enter and leave the site in a forward gear, in surface materials suitable for use in inclement weather and maintained free from impediment throughout the duration of construction works.
15. Before any other operations are commenced new vehicular and pedestrian accesses shall be formed to Breckland Road,



Foxbrook Drive and Foxbrook Court in accordance with the drawing approved under condition 1 above.

16. No dwelling shall be occupied until space has been laid out within the site in accordance with the drawing approved under condition 1 above for cars to be parked and the spaces thereafter shall be maintained free from any impediment to their designated use.
17. There shall be no gates or other barriers on the accesses / driveways.
18. The proposed accesses / driveways to Breckland Road / Foxbrook Drive and Foxbrook Court shall be no steeper than 1 in 14 over their entire length.
19. Within 2 months of commencement of development, unless otherwise agreed in writing by the Local Planning Authority, details of a soft landscaping scheme for the approved development shall be submitted to the Local Planning Authority for consideration.  
The required soft landscape scheme shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers; densities where appropriate, an implementation programme and a schedule of landscape maintenance for a minimum period of five years. Those details, or any approved amendments to those details shall be carried out in accordance with the implementation programme.
20. Within 2 months of commencement of development, unless otherwise agreed in writing by the Local Planning Authority, full details of hard 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

building.

21. An Electric Vehicle Charging Point shall be installed as part of the build phase and which shall be retained available for use for the life of the development.

(B) That a CIL Liability Notice be served for £70,092, detailed in section 5.8.2 of the officer's report.

CHE/18/00044/OUT - OUTLINE APPLICATION TO DEMOLISH EXISTING PROPERTY, CHANGE SITE ENTRY FROM LEFT SIDE TO RIGHT SIDE AND BUILD UP TO 5 NEW PROPERTIES AT RAVENSDALE, 26 CHESTERFIELD ROAD, BRIMINGTON, CHESTERFIELD, S43 1AD

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

1. Approval of the details of the 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. Concurrent with the submission of a reserved matters application, 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. Approval of the details of the 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.
7. 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.
8. 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.
9. 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.
10. Concurrent with the submission of a reserved matters application, 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.

11. 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.
12. Concurrent with a reserved matters application, drawings shall be provided which show the possibility of the proposed new driveway to have visibility splays of 2.4m x 43m over land the subject of the application/highway in both directions, and then agreed in writing with the Local Planning Authority. The area in advance of the sightlines shall be 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.
13. The proposed access/driveways to Chesterfield Road shall be no steeper than 1 in 14 over its entire length.
14. 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.
15. Concurrent with the submission of a reserved matters application, a biodiversity enhancement strategy shall be submitted to and approved in writing by the Council to ensure no net loss for biodiversity (NPPF 2012). Such approved measures should be implemented in full and maintained thereafter. Measures may include:
  - details of bird and bat boxes (positions/specification/numbers). A bird box (either swift or sparrow terrace) should be attached to every house, with bat boxes attached to two houses.
  - measures to maintain connectivity throughout the site for wildlife such as hedgehogs will be clearly shown on a plan,

such as garden fencing raised above ground level or the inclusion of small gaps (130 mm x 130 mm), railings or hedgerows.

- ecologically beneficial landscaping, with native shrubs and trees.

16. An Electric Vehicle Charging Point shall be installed as part of the build phase and which shall be retained available for use for the life of the development.

CHE/17/00800/FUL - RETENTION OF EXTERNAL WORKS AND CONVERSION OF FIRST AND SECOND FLOOR TO THREE SELF CONTAINED RESIDENTIAL UNITS AT 2 YORK STREET, HASLAND, CHESTERFIELD, DERBYSHIRE, S41 0PN FOR MR NIGEL CHADWICK.

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

1. Within 1 month of the date of this permission details showing removal of the west facing balcony and canopy and any consequential amendments to the building at second floor level shall be submitted to the local planning authority for consideration. The detail agreed in writing by the local planning authority shall be carried out within 6 months of the date of this permission.
2. Within 1 month of the date of this permission details showing removal of the west facing French doors at second floor level and replacement with a shall be submitted to the local planning authority for consideration. The new window shall be obscurely glazed to a minimum of Pilkington level 3. The details agreed in writing by the local planning authority shall be carried out within 6 months of the date of this permission and which shall be retained as such thereafter for the life of the development.

CHE/17/00890/FUL - PROPOSED ERECTION OF DORMER BUNGALOW (REVISED PLANS RECEIVED 05.03.2018) AT PLOT 53, WESTWOOD DRIVE GARDENS, INKERSALL, DERBYSHIRE FOR SHAW DEVELOPMENTS (SHEFF) LTD

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

(A)

01. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
02. All external dimensions and elevational treatments shall be as shown on the approved plans (listed below) with the exception of any approved non material amendment.
  - Revised building plan - Drawing number SDCL/WDG/01 Revision D (dated 05.03.2018)
  - Revised elevations – Drawing number SDSL/WDG/02 Revision C and SDSL/WDG/03 Revision B (dated 05.03.2018)
  - Revised site plan – Drawing number SDSL/WDG/04 (dated 05.03.2018)
  - Revised garage plan – Drawing number SDCL/WDG/05 (dated 05.03.2018)
03. 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.
04. 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.
05. No development shall take place until space is provided within the site curtilage, for site accommodation, storage of plant and materials, parking and manoeuvring of site operative's and visitor's vehicles together with the loading/unloading and manoeuvring of goods vehicles. The space shall be constructed and laid out to enable vehicles to enter and leave

the site in a forward gear, in surface materials suitable for use in inclement weather and maintained free from impediment throughout the duration of construction works.

06. Prior to any other works commencing, the entire site frontage shall be cleared, and maintained thereafter clear, of any obstruction exceeding 1m in height (600mm for vegetation) relative to the road level for a distance of 2m into the site from the carriageway boundary in order to maximise the visibility available to drivers emerging onto the highway. The situation shall be maintained thereafter for the life of the development.
07. The premises, the subject of the application, shall not be occupied until space has been provided within the application site in accordance with the approved application drawings for the parking/ loading and unloading/ manoeuvring of residents/ visitors/ service and delivery vehicles, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.
08. 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 property without the grant of further specific planning permission from the Local Planning Authority.
09. An Electric Vehicle Charging Point shall be installed as part of the build phase and which shall be retained available for use for the life of the development.
10. Notwithstanding the details shown on the approved plan SDSL/WDG/02 Revision C the first floor roof light windows proposed in western roof plane of the dwelling facing No 23 Bluebell Close to the west shall be only be fitted with an opening above 1.7m high relative to internal floor level and shall thereafter be retained as such in perpetuity.
11. Within 2 months of commencement of development, unless otherwise agreed in writing by the Local Planning Authority,

full details of hard landscape works which shall include details of all fencing, walling and other boundary treatments, steps, retaining walls, surface levels and finishes shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented prior to the occupation of the approved dwelling and retained as such thereafter.

(B) That a CIL Liability Notice be served for £11,117, detailed in section 5.11.2 of the officer's report.

CHE/17/00814/OUT - ERECTION OF SIX 2 BEDROOM FLATS (RE-SUBMISSION OF PREVIOUSLY APPROVED APPLICATION CHE/17/00251) – AMENDED INDICATIVE PLANS RECEIVED 12.03.2018 AT LAND AT CHESTER STREET, CHESTERFIELD, DERBYSHIRE FOR WOODLEIGH MOTORS LTD.

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. 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.
7. 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.
8. 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.
9. 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.
10. 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.

11. 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 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.
12. Prior to any other works commencing, the entire site frontage to Chester Street shall be cleared, and maintained thereafter clear, of any obstruction exceeding 1m in height (600mm for vegetation) relative to the road level for a distance of 2 metres into the site from the highway boundary in order to maximise the visibility available to drivers emerging onto the highway.
13. 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.
14. There shall be no gates or other barriers located across the entire frontage of the property.
15. The proposed accesses/driveways to Chester Street shall be no steeper than 1 in 14 over their entire length.
16. Prior to the submission of the reserved matters, site investigation works shall be 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 the mine entry for approval;

- The submission of a scheme of intrusive site investigations for the shallow coal workings for approval;
  - The undertaking of both of those schemes of intrusive site investigations;
  - As part of the reserved matters application the submission of a report of findings arising from both of the intrusive site investigations;
  - As part of the reserved matters application the submission of a layout plan which identifies appropriate zones of influence for the mine entry, and the definition of suitable 'no-build' zones;
  - As part of the reserved matters application the submission of a scheme of treatment for the mine entry on site for approval;
  - As part of the reserved matters application the submission of a scheme of remedial works for the shallow coal workings for approval; and
  - Implementation of those remedial works prior to the commencement of development.
17. Electric vehicle charging points shall be installed as part of the build phase and which shall be retained available for use for the life of the development.
18. 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 contamination. Ground gas, ground water and chemical

- analysis, identified as being appropriate 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.
19. 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.

CHE/17/00769/FUL - DEMOLITION OF EXISTING BUILDING AND ERECTION OF EXTRA CARE ACCOMMODATION FOR OLDER PEOPLE, LANDSCAPING AND CAR PARKING (REVISED PLANS RECEIVED 10<sup>TH</sup>, 16<sup>TH</sup>, 22<sup>ND</sup> AND 25<sup>TH</sup> JAN '2018; AND 14<sup>TH</sup>, 19<sup>TH</sup> AND 20<sup>TH</sup> MARCH '2018) AT SITE OF FORMER NORTH EAST DERBYSHIRE DISTRICT COUNCIL OFFICES, SALTERGATE, CHESTERFIELD, DERBYSHIRE, S40 9TA FOR YOUR LIFE MANAGEMENT SERVICES LTD

That the officer recommendation be upheld and the application be approved subject to the previously recommended list of conditions with

the exception of the approved plans condition 2 which should be revised as follows:-

02. All external dimensions and elevational treatments shall be as shown on the approved plans (listed below) with the exception of any approved non material amendment.
- NW 2425 01 AC 001 Rev B – Location & Context Plan
  - NW 2425 01 AC 002 – Street Scene
  - NW 2425 01 AC 003 – Perspective View From Saltergate
  - NW 2425 01 AC 004 Rev C – Site Layout
  - NW 2425 01 AC 005 Rev D – Elevations 1 of 2
  - NW 2425 01 AC 006 Rev F – Elevations 2 of 2
  - NW 2425 01 AC 007 Rev F – Ground Floor and First Floor Plans
  - NW 2425 01 AC 008 Rev F – Second and Third Floor Plans
  - NW 2425 01 AC 009 Rev C – Roof Plans
  - NW-2425-01-LA-001 Rev B – Landscape Layout
  - 030117JC-01 - Site Survey
  - SK1000 P1 - Preliminary Drainage Strategy
  - Planning Statement
  - Design & Access Statement
  - Statement of Community Involvement
  - Transport Statement
  - Arboricultural Report
  - Heritage Statement
  - Phase I and Phase II Ground Reports
  - Phase I Extended Habitat Report

**142     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/17/00437/FU	Erection of 3 bungalows on land the green, in place of the existing Methodist church which has been granted demolition (CHE/17/00324/DEM) - Revised description and drawings received
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	16.01.17 At Q House The Green Hasland Derbyshire S41 0LJ For Mr Richard Palfreyman
CHE/17/00816/FU	Extension to existing kitchen and addition of w.c. and wash basin At 222 Walton Road Walton Derbyshire S40 3BS For Mr Murray White
CHE/17/00842/FU	Rear single storey extension and dormer roof extension to front (revised plans received 22.01.2018) At 11 Thirlmere Road Newbold Derbyshire S41 8EH For Mr Jaisankar Lakshmipathi
CHE/17/00844/FU	Two storey side extensions with single storey extension At 1 Rosedale Avenue Chesterfield S40 2UY For Mr M Rogers
CHE/17/00848/FU	Convert and upgrade the existing 3m segregated cycle route across the Rother Washlands to create a 5m wide shared cycle route. At Land North Of Storforth Lane To The East Of Derby Road Chesterfield Derbyshire For Derbyshire County Council
CHE/17/00849/FU	Extensions and alterations to rear of property At 49 Somersall Park Road Chesterfield Derbyshire S40 3LD For Mr P Dodds
CHE/17/00869/AD	Shop fascia and hanging signs and new shop awning At 5-7 High Street Chesterfield S40 1PS For Mr Andy Singleton
CHE/17/00871/FU	Rear extension and alterations including revised ridge height At 9 Raneld Mount Walton Derbyshire S40 3RE For Mr Phil Thompson
CHE/17/00887/FU	Re-submission of CHE/17/00198/FUL - two storey side extension At 9 Purbeck Avenue Brockwell Chesterfield S40 4NP For Mr Chris Armstrong
CHE/18/00002/FU	Side extension and extension to garage At 6 Spital Brook Close Spital Chesterfield Derbyshire

## S41 For R Stevens

CHE/18/00005/COU	Change of use from commercial to residential At Harmony Blinds 156 Keswick Drive Newbold Derbyshire S41 8HH For Mr David John Moore
CHE/18/00007/TP	T1-T3 Sycamores 3Nr to crown lift and crown clean, T4 Blue Cedar crown lift and crown clean, T5 Weeping Birch to undertake a light prune At The Ambulance Station Old Road Chesterfield S42 7JT For Premier Facilities Maintenance
CHE/18/00008/FU	Two storey side extension to existing dwelling (Revised drawings received 08.03.2018) At 42 East Crescent Duckmanton Derbyshire S44 5ET For Mr and Mrs Siddall
CHE/18/00025/NMA	Non material amendment to CHE/17/00158/FUL (single storey rear and two storey side extension) to replace side entrance door with a window, omit rear french doors and substitute with window and bi fold doors and install 2 velux windows in side extension rear roof elevation. At 108 Manor Road Brimington Derbyshire S43 1NN For Mr Jason Toyne
CHE/18/00026/TP	T1 Lime, crown thin by 20% to remove crossing branches and deadwood, to allow light onto At 1 Pine View Ashgate Chesterfield Derbyshire, S40 4DN For Mr Jack Church
CHE/18/00028/FU	Proposed single storey rear side extension At 34 Levens Way Newbold Derbyshire S41 8HZ For Mr and Mrs Nichols
CHE/18/00030/AD	1 internally illuminated fascia with the CO-OP logo illuminated, 2 internally illuminated Co-op logos, 6 none illuminated wall mounted flat aluminium panels amd 1internally illuminated 3.5m totem At Land At Former Crispin Inn 240 Ashgate Road Chesterfield Derbyshire S40 4AW For Co-operative Food

CHE/18/00037/AD	Signage associated with Premier Inn Hotel At Chesterfield CO-OP Knivesmithgate Chesterfield Derbyshire S40 1RF For Whitbread Group
CHE/18/00038/AD	3 fascia signs At Unit 6 Chesterfield Trade Park Lockoford Lane Chesterfield Derbyshire S41 7JL For Mr Christopher Dell
CHE/18/00039/TP	T1 Deodar Cedar - To crown lift crown by approx. 6m from ground level not exceeding cuts above 100mm. Also to reduce x2 lateral limbs on property side of canopy by approx. 1m to give a 2m clearance from property. All work to BS 3998 standards. At 21 Gladstone Road Chesterfield S40 4TE For Mr Chris Davies
CHE/18/00042/TP	T29 - Yew - Crown lift and girth reduction to maintain shape of tree. Crown lift by 3.5m. Deduction of branches towards Mansfield Road. Clear main stem of growth. At 84 Mansfield Road Hasland Derbyshire S41 0JF For Mr David Smith
CHE/18/00043/FU	Erection of a garage At 42 Station Road Brimington S43 1JT For Mr Moore
CHE/18/00046/LB	Replace 5 windows within domestic property - current windows are beyond repair and require immediate replacement. At Rose Cottage 481 Chatsworth Road Chesterfield S40 3AD For Mr Anthony Anderson
CHE/18/00049/CA	Sweet Chestnut referred to as No2 Sweet Chestnut crown reduce. Tree identified as a Walnut not Sweet Chestnut At Somersall Farm Somersall Hall Drive Somersall Derbyshire S40 3LH
CHE/18/00054/TP	Copper Beech (T19) - Crown lift to reduce any potential for damage during construction works At Saltergate Health Centre 107 Saltergate Chesterfield Derbyshire S40 1LA For Woodall Homes



CHE/18/00055/TP	Crown cleaning and removal of dead wood and re-shaping of crown where required At 30 Foxbrook Drive Walton Derbyshire S40 3JR For Mrs Anne Molloy
CHE/18/00064/TP	Crown thin and drawing back branches which are overhanging conservatory of property. Also will help re-balance tree after parts died off. Re - Oak tree at back of 7 Sandstone Avenue. At 7 Sandstone Avenue Walton Derbyshire S42 7NS For Mrs Anne Spencer
CHE/18/00067/TP	T1-T8 Poplars (Don't appear to have been numbered on TPO) - Whittington Crown reduction. Trees grown to excessive height, branches breaking off- noted by LPA officer on site visit At 228 Handley Road New Whittington Derbyshire, S43 2ER For Mr David Bardsley
CHE/18/00077/TP	Oak tree to be cut back from council Structure At 4 Ennerdale Crescent Newbold Derbyshire, S41 8HL For Chesterfield Borough Council
CHE/18/00078/TP	Oak tree to be cut back from council Structure At 2 Ennerdale Crescent Newbold Derbyshire, S41 8HL For Chesterfield Borough Council
CHE/18/00123/TP	T22- Ash tree with 2 stems. Fell both stems at ground level to prevent structure failure, due to large area of decay instem and root At Manor Offices Old Road Chesterfield Derbyshire S40 3QT For DXC Technology
(b) Refusal	
CHE/17/00839/OUT	Outline application for planning Whittington permission for one dwelling tied to the existing boarding kennels At 415 Broomhill Farm Broomhill Road Old Whittington S41 9EA For Broomhill Farm Kennels Ltd

CHE/17/00870/FU	Two storey side extension, single storey rear extension with new front porch - Revised drawing received 16.02.18 At 7 High Street Old Whittington S41 9JS For Mr Steve Clarke
CHE/18/00016/TP	Red Oak (T1 on Arb Report) - Remove and replace with suitable low water demand species at a suitable location, Norway Maple (T3 on Arb Report) - Remove and replace with suitable low water demand species at a suitable location. The tree works are proposed to stop the influence of the tree(s) on the soil below building foundation level and provide long term stability. Estimated costs of repair to the building are £50,000.00 if the influence of the tree(s) remain and £5,380.00 if the proposed tree works are allowed to proceed. Granting permission will limit these costs. In the event of a refusal we, or our clients, will seek to secure compensation for the additional costs incurred through Section 202(e). Should the tree/s remain the total cost of repairs will be the Superstructural repairs + Alternative method of repairs = £55,380.00 is the expert opinion of both the case engineer and arboriculturalist that on the balance of probabilities the supporting information demonstrates the influence of the At 10 Sherbourne Avenue Newbold S41 8TL For Subsidence Management Services

(c) Discharge of Planning Condition

CHE/17/00818/DOC	Discharge of condition 3 (materials), 5 (layout), 7 (windows), 8 (brise soleil), 9 (surface water drainage), 10 (archaeological site investigation) of CHE/16/00425/FUL - Demolition of 15 - 17 West Bars and erection of replacement building with retail outlet on ground floor and 2 apartments on 1st and 2nd At 15-17 West Bars Chesterfield Derbyshire S40 1AQ For FAW Ltd
CHE/18/00014/DOC	Discharge of planning conditions 7 (external lighting), 10 (bird and bat boxes), 12 (soft

landscaping), 21 (waste storage) of CHE/16/00737/FUL New Ford dealership comprising 2 storey showroom/service/MOT building and single storey car valet building with associated facilities including workshops, compound, customer and staff parking, used car sales display area, access roads and appropriate landscaping At Land To South Of Spire Walk Chesterfield Derbyshire For Perrys East Midlands Ltd

CHE/18/00019/DOC Discharge of planning conditions 4 (site construction plan) and 10 (Delivery Management Plan) of CHE/15/00024/FUL - Demolition of existing public house and erection of a single storey convenience store (class A1) with associated car parking, landscaping, plant and ATM machine. Additional plans received 14.02.2018. At 74 The Wheatsheaf Newbold Village Newbold Road Newbold S41 8RJ For NewRiver REIT

CHE/18/00029/DOC Discharge of planning conditions 3 (external materials) and 7 (surface water run off) for application CHE/17/00546/FUL - three bedroom bungalow with garage At Land To Rear Of 11 Chesterfield Road Brimington For Mr James Chapman

(d) Split decision with conditions

CHE/18/00045/TP Remove lower branches on T6 Sycamore referred to as No1 Sycamore on submitted plan. Remove dead wood T49 and T50 Horsechestnut referred to as 2 Chestnuts on submitted plan. At Somersall Farm Somersall Hall Drive Somersall Derbyshire S40 3LH

(e) Prior approval not required

CHE/18/00097/TP Single storey rear extension to provide a sun lounge At 368 Brimington Road Tapton

Derbyshire S41 0TF For Mr and Mrs D Wall

(f) Prior Notification Refusal

CHE/18/00032/TP      Single storey rear dining room extension with pitched roof At12 Butterson Drive Holme Hall Chesterfield Derbyshire S40 4UW For Mr Jamie Grocutt

**143      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/18/00016/TPO      Consent is refused to the felling of two trees because there is insufficient evidence to link the two trees to the damage to the main dwelling and although it is accepted that the damage to the detached garage is related to the trees the garage was constructed with very shallow foundations to a thickness of 100mm and not to the specifications approved for planning application CHE/785/419 which was granted consent in 1985.

CHE/18/00123/TPO      Consent is granted to the felling of one Ash tree with a condition to plant an Oak tree as a replacement in the next available planting season. An advice note has also been attached to survey the tree for bats due to the cavities in the tree.

CHE/18/00077/TPO      Consent is granted to the reduction of branches growing towards 4 Ennerdale Crescent to give a 2 metre clearance from the structure pruning back to suitable replacement branches.

CHE/18/00078/TPO	Consent is granted to the reduction of branches growing towards 2 Ennerdale Crescent to give a 2 metre clearance from the structure pruning back to suitable replacement branches.
CHE/18/00054/TPO	Consent is granted to the crown lifting of the tree by 3 metres pruning back to suitable replacement branches and leaving a well-balanced crown.
CHE/18/00051/TPO	<p>Consent is refused to the coppicing of two of the four Ash trees because there is no justification for their removal/coppicing to 30cm in height and which would leave a large gap in the group of trees which was protected as a screen and wildlife corridor for the new development.</p> <p>Consent is granted to the coppicing of two Ash stems which are growing from a decayed stem for safety reasons. Although they are not considered to be dangerous at the present time, future growth could lead to them failing at the base.</p>

#### 144 **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.

#### 145 **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.

**146      PERMISSIONS IN PRINCIPLE "A NEW PLANNING CONSENT ROUTE" - INTRODUCTION OF NEW LEGISLATION**

The Development Management and Conservation Manager submitted a report on the introduction of new legislation, Permissions In Principle.

The Government had introduced planning reforms within the Housing and Planning Act 2016 (Permission in Principle etc) (Miscellaneous Amendments) (England) Regulations 2017 to assist in the delivery of housing.

**\*RESOLVED –**

1. That the delegation scheme be amended to permit the Development Management and Conservation Manager, or the Principle Planner in the absence of the Development Management and Conservation Manager, to decide on applications for Permissions In Principle and Technical Detail Consents in accordance with planning policy.
2. That ward members be consulted on applications for Permissions In Principle and Technical Detail Consents within their ward.

Councillors Callan, Elliott and Hill left the meeting at this point and did not return.

**147      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.

148 **UNAUTHORISED CHANGE OF USE OF LAND FOR THE STORAGE OF RAIL BED PANELS AND ENGINEERING OPERATION TO EXTEND AREA OF HARDSURFACING AT LAND AT STATION ROAD, NEW WHITTINGTON, CHESTERFIELD**

The Development Management and Conservation Manager submitted a report on the unauthorised engineering operation and use of the land as an extension of the industrial estate at Station Lane, New Whittington, Chesterfield.

**\*RESOLVED –**

That the authority be granted for the issue of an Enforcement Notice requiring the removal of imported materials back to the original land level prior to the unauthorised importation of materials and to a line which correlates with the industrial allocation on the 2006 Chesterfield Local Plan together with re-landscaping of the newly created embankment and the area between it and the boundary of the site.