

PLANNING COMMITTEE

Monday, 12th August, 2019

Present:-

Councillor Callan (Chair)

Councillors Barr Bingham Caulfield Davenport T Gilby Miles	Councillors Simmons Kelly Marriott Borrell G Falconer
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The following site visits took place immediately before the meeting and were attended by the following Members:

CHE/19/00172/REM1 - Variation of conditions 2, 3, 4, 5, 7, 8, 10, 12, 14, 15 and 16 of CHE/18/00411/FUL - artificial turf pitch and associated landscaping, boundary treatments, footpaths, fencing and lighting on the site of the former leisure centre within Queens Park (revised information received 07/06/2019 and 03/07/2019) at former Queens Park Sports Centre, Boythorpe Road, Boythorpe, Chesterfield, Derbyshire for Chesterfield Borough Council

Councillors Barr, Bingham, Borrell, Callan, Caulfield, Davenport, Falconer, Gilby, Kelly, Marriott, Miles, Simmons.

CHE/19/00322/FUL - Demolition of car-port and erection of dwelling. (revised information received 10.07.2019 and 23.07.2019), on land adjacent to 63 Station Road, Brimington, Derbyshire S43 1JU

Councillors Barr, Bingham, Borrell, Callan, Caulfield, Davenport, Falconer, Gilby, Kelly, Marriott, Miles, Simmons.

*Matters dealt with under the Delegation Scheme

35 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Brady and Catt.

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

Councillors Barr, Catt, Caulfield and Simmons declared an interest in agenda item 4(1) (CHE/19/00172/REM1 - Variation of conditions 2, 3, 4, 5, 7, 8, 10, 12, 14, 15 and 16 of CHE/18/00411/FUL - artificial turf pitch and associated landscaping, boundary treatments, footpaths, fencing and lighting on the site of the former leisure centre within Queens Park (revised information received 07/06/2019 and 03/07/2019) at Former Queens Park Sports Centre, Boythorpe Road, Boythorpe, Chesterfield, Derbyshire for Chesterfield Borough Council) as they were members of the scrutiny project group which had contributed to the development of the project business case.

37 MINUTES OF PLANNING COMMITTEE

RESOLVED -

That the Minutes of the meeting of the Planning Committee held on 22 July, 2019 be signed by the Chair as a true record.

**38 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/19/00322/FUL - DEMOLITION OF CAR-PORT AND ERECTION OF DWELLING. (REVISED INFORMATION RECEIVED 10.07.2019 AND 23.07.2019), ON LAND ADJACENT TO 63 STATION ROAD, BRIMINGTON, DERBYSHIRE S43 1JU

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. The development hereby approved shall only be carried out in full accordance with the approved plans (listed below) with the exception of any approved non material amendment.

Drawing Number - Un-numbered 1/1250 scale Site Location Plan - Received on 03 June 2019;
Drawing Number - Un-numbered 1/500 scale Site Layout Plan - Received on 10 June 2019;
Drawing Number P01 Rev A - Proposed Block Plan received on 10 July 2019;
Drawing Number P02 Rev A - Proposed Layout Plan received on 10 July 2019;
Drawing Number P03 Rev B - Proposed Floor Plan received on 10 July 2019;
Drawing Number P04 Rev B - Proposed Elevations received on 10 July 2019;
Drawing Number P06 Rev A - Proposed Street View received on 23 July 2019;
Drawing Number P07 Rev A - Proposed Sections received on 23 July 2019; and
Drawing Number P08 Rev A - Proposed Visibility Splay Plan received on 10 July 2019.

3. No development above floor-slab/D.P.C level shall be carried out until the precise specifications or samples of the walling and roofing materials to be used shall be submitted to and approved in writing by the Local Planning Authority. Only those materials approved in writing by the Local Planning Authority shall be used as part of the development.

4. Demolition, remediation or construction work to implement the permission hereby granted shall only be carried out on site between 8:00am and 6:00pm in any one day on Monday to Friday, 9:00am to 3:30pm on a Saturday and at no time on a Sunday or Public Holiday. The term "work" will also apply to the operation of plant, machinery and equipment.

5. Before any other operations are commenced, the existing access to Station Road shall be modified in accordance with the application drawings, laid out, constructed and provided with visibility splays of 2.4m x 47m in both directions, the area in advance of the sightlines being maintained clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to the adjoining nearside carriageway channel level.

6. The proposed dwelling shall not be occupied until space has been laid out within the site in accordance with the application drawing for the parking of two vehicles for the proposed and existing dwellings. Once provided, the spaces shall remain free from any impediment to their designated use for the life of the development.
7. There shall be no gates or other barriers within 5m of the nearside highway boundary at the vehicular access and all gates shall open inwards only.
8. No development above floor-slab/D.P.C level shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved in writing by the Local Planning Authority. These details shall conform to the Chesterfield Borough Council Minimum Development Control Standards for Flood Risk.
9. The site shall be developed with separate systems of drainage for foul and surface water on and off site.
10. There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to i) evidence that other means of surface water drainage have been properly considered and why they have been discounted; and ii) the means by which the discharge rate shall be restricted to a maximum rate of 3.5 litres per second.
11. No development above floor-slab/D.P.C level shall take place until details for the treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include: a) a scaled plan showing trees and plants to be planted: b) proposed hardstanding and boundary treatment: c) a schedule detailing sizes and numbers of all proposed trees/plants d) Sufficient specification to ensure successful establishment and survival of new planting. Any new tree(s) that die(s), are/is removed, become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five

years of planting shall be replaced. Replacement planting shall be in accordance with the approved details.

12. As part of the landscaping condition referred to above, suitable habitat shall be created that enhances the ecological interest of the site, in line with guidance within Paragraph 175d of the NPPF. This could include native landscaping, retention of existing features of ecological value (such as the hedgerow) and incorporation of bat and bird boxes into the new dwellings.

13. A residential charging point shall be provided for the proposed dwelling with an IP65 rated domestic 13amp socket, directly wired to the consumer unit with 32 amp cable to an appropriate RCD. The socket shall be located where it can later be changed to a 32amp EVCP. Alternative provision to this specification must be approved in writing, by the local planning authority. The electric vehicle charging points shall be provided in accordance with the stated criteria prior to occupation and shall be maintained for the life of the approved development.

14. Notwithstanding the provision of the Town and Country Planning (General Permitted Development)(England) Order 2015 (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) shall be erected, and no additional windows shall be installed at or in the dwelling hereby approved without the prior written agreement of the Local Planning Authority.

(B) That a CIL Liability notice be served for £5,969.44 as detailed in section 5.7 of the officer's report.

Councillors Barr, Caulfield, Miles and Simmons had declared an interest in the following item and left the meeting at this point.

CHE/19/00172/REM1 - VARIATION OF CONDITIONS 2, 3, 4, 5, 7, 8, 10, 12, 14, 15 AND 16 OF CHE/18/00411/FUL - ARTIFICIAL TURF PITCH AND ASSOCIATED LANDSCAPING, BOUNDARY TREATMENTS, FOOTPATHS, FENCING AND LIGHTING ON THE SITE OF THE FORMER LEISURE CENTRE WITHIN QUEENS PARK (REVISED INFORMATION RECEIVED 07/06/2019 and 03/07/2019) AT FORMER QUEENS PARK SPORTS CENTRE, BOYTHORPE ROAD, BOYTHORPE, CHESTERFIELD, DERBYSHIRE FOR CHESTERFIELD BOROUGH COUNCIL

In accordance with Minute No. 299 (2001/2002) Ian Waller (applicant's representative) was available to answer questions.

That the officer recommendation be upheld and the application to vary the conditions of planning permission CHE/18/00411/FUL be approved subject to the following:-

01. 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.

SSL2555 QP-AL-PC-02 – Alternative Lighting Plan
SSL2555 QP-AL-PC-03 – Alternative Section
SSL2555 QP-AL-PC-04 – Excavation Works
SSL2555 QP-AL-PC-05 – Finished Levels
SSL2555 QP-AL-PC-06 – Elevation
SSL2555 QP-AL-PC-07 – Construction Management Plan
SSL2555 QP-AL-PC-01 Rev 01 – Alternative Location Plan (Showing Revised Boundary Wall)
JKK10531_Figure01.01 Rev 2 – Revised Landscaping Proposals
SSL2555 QP-AL-PC-09 - Proposed Drainage Scheme
Amendment to Planning Permission Statement by SSL
Construction Environmental Management Plan by Hunts Contractors
Coal Mining Mitigation Letter by Ivy House Environmental
Revised Built Heritage Statement by RPS

02. There shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works and connection agreement secured from the relevant Water Authority.

03. Prior to the facility being brought into first use a verification report shall be submitted confirming implementation of the mine shaft mitigation strategy and the mitigation as detailed in the letter report dated 6 June 2019 prepared by Ivy House Environmental Ltd. Only once this report has been agreed in writing shall the facility be opened for public use.

04. The lighting design proposed by SSSL (Drawing No. SSL2555 QP-AL-PC-02 – Alternative Lighting Plan) shall be implemented in full to ensure that lightspill to surrounding habitats is minimised and the functionality for nocturnal wildlife is maintained.

05. Prior to the facility being bought into first use, further details of the proposed soft landscaping shall be submitted to the Local Planning Authority for further consideration and written approval. Only those details which are agreed in writing by the Local Planning Authority shall be implemented on site within the first planting season after first use of the facility and they shall be maintained thereafter as per the agreed scheme in accordance with an accompanying implementation/ maintenance programme.

06. The premises, the subject of this application, shall not be bought into use until space has been provided within the site curtilage for the cycle storage/parking facilities in the form of 3 no. Sheffield stands (set a minimum of 1.3m apart). Thereafter the facility shall be maintained available for use throughout the life the development.

07. The floodlighting hereby agreed shall not be used between the hours of 22:00 and 07:00 on any day.

08. If within a period of 12 months from the lighting installation being implemented, any complaints are received about glare/overspill, the lights causing the effect shall be immediately turned off. Before the installation is allowed to be switched back on a lighting survey shall be undertaken to assess the full impact of the installation and remedial measures shall be submitted to the Local Planning Authority for consideration and written approval. Thereafter those remedial measures shall be implemented with immediate effect and retained thereafter as approved.

09. For a period of 12 months following the development being first bought into use, the functionality of the 4.5m high fencing enclosure shall be monitored to ensure it serves as an effective barrier to prevent balls straying onto the adjacent public highway. If any such incidents are reported where balls have strayed onto the public highway to the detriment of public safety, a mitigation strategy to retain balls within the playing arena shall be submitted to Local Planning Authority for consideration. Only those details which receive written approval shall be implemented on site in accordance with a timeframe agreed under the terms of this condition and which shall be retained thereafter.

Councillors Barr, Caulfield, Miles and Simmons returned to the meeting.

CHE/18/00825/OUT - OUTLINE PLANNING APPLICATION FOR THE ERECTION OF UP TO 350 DWELLINGS WITH LAND FOR RETAIL PARADE WITH PUBLIC OPEN SPACE, LANDSCAPING AND SUSTAINABLE DRAINAGE SYSTEM (SUDS) AND VEHICULAR ACCESS POINTS FROM BAMFORD ROAD WITH ALL MATTERS RESERVED EXCEPT FOR MEANS OF ACCESS AT LAND TO THE SOUTH OF BAMFORD ROAD, INKERSALL, CHESTERFIELD, DERBYSHIRE FOR GLADMANS DEVELOPMENTS LTD

That consideration of the application be deferred.

39 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/17/00722/OUT	Construction of 10 dwellings and associated parking and access arrangements - revised drawings received 15/01/2018, 05/02/2018, 09.03.2018, 10.05.18 and 29.06.18 (with change to angle of flats) at land to the rear of 79 Sheffield Road Stonegravels Chesterfield Derbyshire for Beauchief Homes Limited
CHE/18/00473/FUL	Single storey pharmacy extension and internal alterations to existing reception area of main surgery - Additional coal mining information received 08.07.19 at Avenue House Surgery 109 Saltergate Chesterfield S40 1LE for Avenue House and Hasland Partnership
CHE/18/00710/FUL	Proposed disabled access ramp (revised drawing received 28.06.2019) at 51 Rutland Road Chesterfield Derbyshire S40 1ND for Mr Mark Bilton
CHE/19/00033/FUL	Two storey side extension (revised drawings

received 28.05.2019 and 20.06.2019) at 678 Chatsworth Road Chesterfield Derbyshire for Mr J Haag

CHE/19/00039/FUL	Revised drawings and amended application form received 26.06.2019 for a single storey extension at ground floor and first floor infill extension only at 21 Greenbank Drive Loundsley Green Chesterfield Derbyshire S40 4BS for Mr Chris Naylor
CHE/19/00173/FUL	Erection of a detached 3 bedroom dwelling and associated parking. Coal mining report received 8 June 2019. Amended Block Plan received on 11 July 2019 at 307 High Street New Whittington S43 2AP for Mr and Mrs Bosher
CHE/19/00194/FUL	Single storey extension to the front of the dwelling. Revised drawings received 11.06.2019 at 4 Alder Gardens Chesterfield S43 2JU for Mrs Clare Smith
CHE/19/00214/OUT	Demolition of factory buildings and the outline erection (with all matters reserved) for the erection of 8 dwellings (Revised drawing no. 19-748 Rev 2 - Indicative Plan) received on 21.05.2019 at Ryro Engineering Shaw Street Whittington Moor Derbyshire S41 9AY for Mr Darrell Rynott
CHE/19/00218/FUL	Single storey extension to the existing school to provide 2 additional teaching rooms, girls toilets and a widened internal access corridor. Coal mining risk assessment received 08.07.2019 at Dunston Primary School Dunston Lane Newbold S41 9AQ for Dunston Primary and Nursery Academy
CHE/19/00232/FUL	Two storey extension and dormer window. Revised drawing received 22.05.2019 at 2 Clubmill Terrace Brockwell Chesterfield Derbyshire S40 4EB for Mr Kevin Bancroft

CHE/19/00278/FUL	Alteration and rear single storey extension to existing house at 16 Marchwood Close Brockwell Chesterfield S40 4DT for JDS Design Ltd
CHE/19/00280/FUL	Single storey wrap around extension to side and rear of detached property at 9 Lancelot Close Walton Derbyshire S40 3ET for Mr and Mrs Flanagan-Carter
CHE/19/00281/FUL	Extension to side of house to create bedroom and shower/wet room facility for disabled grandparent at 18 Dade Avenue Inkersall Derbyshire S43 3SQ for Mr L Burnett
CHE/19/00285/REM1	Variation of condition 2 (approved plans) of CHE/18/00297/FUL (Change of use of property from betting shop and premises to 2 one bedroom flats (C3)) to enable the development to take place in accordance with the revised drawing (19-018-01A) at 164 High Street New Whittington S43 2AN for Mr Graham Rowe
CHE/19/00286/FUL	Single storey front extension at 29 Somersby Avenue Walton S42 7LY for Greaves
CHE/19/00302/FUL	Single storey rear extension at 136 Mansfield Road Hasland Derbyshire S41 0JQ for Mr Richard Watson
CHE/19/00303/COU	Change of use from A1 to A4 at 6 Cannon Court Beetwell Street Chesterfield Derbyshire S40 1SH for Mr Philip Peel
CHE/19/00305/FUL	New external lighting scheme at The Portland Hotel West Bars Chesterfield S40 1AY for JD Wetherspoon PLC
CHE/19/00308/ADV	3 internally illuminated fascia signs and 1 internally illuminated projecting sign (revised plans received 26.07.2019) at 22 - 24 Station Road Whittington Moor Chesterfield S41 9AQ for DPSK Ltd

CHE/19/00313/FUL	Single storey rear extension and front porch. Additional information received 4th July 2019 at 45 Cheedale Avenue Loundsley Green Chesterfield Derbyshire S40 4PH for Linda Avery
CHE/19/00317/FUL	Single storey extension to rear of property at 3 Raneld Mount Walton Derbyshire S40 3RE for Mr M Linsey
CHE/19/00323/FUL	Construction of single storey extension of appr. 121m ² to the existing single storey suite 1 building. In addition an external concrete paved bin storage area with timber fencing is proposed adjacent to Suite 1 at Chesterfield Road Calow S44 5BL for Chesterfield Royal Hospital
CHE/19/00340/NMA	Non Material amendment to CHE/13/00675/OUT (Redevelopment of land for employment uses (Use Classes B1, B2 and B8) for revised site access road layout at land accessed from Farndale Road Staveley Derbyshire for Tawnywood Ltd
CHE/19/00342/FUL	Single storey lean to extension at 17 Horsley Close Holme Hall Chesterfield Derbyshire S40 4XD for Mr Paul Flint
CHE/19/00351/FUL	Single storey extension to rear to provide disability adaptations and associated external works (note: front driveway works previously approved under application ref: CHE/17/00797/FUL) at 201 Langer Lane Birdholme S40 2JW for c/o Irwin Mitchell Trustees Ltd
CHE/19/00363/FUL	Demolition of existing extension/outbuilding, and the erection of single storey rear bathroom and kitchen extension with monopitched vaulted roof detail at 24 Victoria Street West Chesterfield Derbyshire S40 3QZ for Mr Andrew Jupp
CHE/19/00384/TPO	25% crown thin and 5.2m crown lift to sycamores

at land at Windmill Way Brimington Derbyshire for Barratt North Midlands

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| CHE/19/00412/NMA | Non material amendment to CHE/18/00477/FUL for the addition of one window to unit 3 at Former Unit 1 Turnoaks Industrial Estate Turnoaks Lane Birdholme Derbyshire S40 2HA for Mr Whittaker |
| CHE/19/00419/NMA | Non Material amendment to CHE/18/00768/REM (residential development of 33 dwellings) to amend porch canopies, side lights to entrance doors and frets to all windows at land to the south of Poplar Farm Rectory Road Duckmanton Derbyshire for Woodall Homes Ltd |
| CHE/19/00424/TPO | Oak tree in rear garden - crown lifting/pruning and crown thinning at 37 Bentham Road Chesterfield Derbyshire S40 4EZ for Mr Andrew Brough |

(b) Refusal

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| CHE/19/00298/FUL | 1st floor extension to the rear elevation at 189 Station Road Brimington Derbyshire S43 1LL for Mrs Laura Jenkins |
| CHE/19/00306/DOC | Discharge of condition 5 (archaeological investigation) of CHE/18/00672/FUL - 32 office enterprise centre including hard and soft landscaping works and alterations to the remaining car park layout at Holywell Cross Car Park Holywell Street Chesterfield Derbyshire for Chesterfield Borough Council |

(c) Discharge of Planning Condition

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| CHE/19/00293/DOC | Discharge of conditions 1 (commencement within 3 years), 2 (approved plans), 3 (surface water), 4 (site investigations), 5 (construction management plan), 6 (site access), 7 (parking), 8 (tree protection), 9 (ecological report), 10 (biodiversity), 12 (soft landscaping), 13 (materials), 14 (Employment and Training Scheme), 15 (hours of |
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work), 17 (electric vehicle charging points) of CHE/18/00694/FUL - Residential development comprising 10 new dwellings at Heaton Court Meynell Close Chesterfield Derbyshire S40 3BN for Chesterfield Borough Council

- CHE/19/00314/DOC Discharge of condition 26 (Travel Plan) 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 Derbyshire for William Davis Ltd
- CHE/19/00347/DOC Discharge planning conditions (5) S104 Drawing (14) S38 and 278 Drawing (21) Bin Store and Collection Points Drawing (22) Private Drainage Drawing (27) Employment Plan and Record (28) Schematic for Internet (29) Boundary Wall Proposals of CHE/15/00344/OUT - Outline application for residential development at land to rear of 292 Manor Road Brimington S43 1NX for Arncliffe Homes Ltd

(d) Prior Notification Approval

- CHE/19/00315/TEL Replacement 25m monopole and headframe at Staveley Miners Welfare FC Inkersall Road Staveley Derbyshire S43 3WL for CTIL and Telefonica UK Ltd

(e) Prior notification approval not required

- CHE/19/00345/TPD Single storey rear extension at 127 Cordwell Avenue Newbold Derbyshire S41 8BN
- CHE/19/00364/TPD Single storey rear extension at 55 Whitecotes Park Chesterfield Derbyshire S40 3RT for Mr Nicholas Braithwaite
- CHE/19/00365/TPD Single storey rear extension at 42 Avenue Road Whittington Moor Derbyshire S41 8TA for Mr Gary

Platts

CHE/19/00366/TPD	Single storey rear extension at 19 Errington Road Chesterfield Derbyshire S40 3EP for Mr Paul Dodsworth
CHE/19/00386/TPD	Proposed single storey rear extension, with render and roof tiles to match existing at 4 Hillside Drive Mastin Moor Derbyshire S43 3AE for Mr V Baris
CHE/19/00411/TPD	Single storey rear extension at 11 Meadow View Somersall Derbyshire S40 3LT for Mr Ian Fowkes

(f) CLOPUD Granted

CHE/19/00382/CLO	Single storey extension to rear of existing dwelling at 269 Walton Road Walton S40 3BT for Mr A King
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(g) Found to be Permitted Development

CHE/19/00427/TPD	Single storey rear extension at 10 Rugby Drive Stonegravels Chesterfield Derbyshire S41 7GW for Mr Luke Hawes
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40 **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 the felling and pruning of trees:-

CHE/19/00384/TPO	Consent is granted to the pruning of 8 Sycamore trees reference G1 on the order map for Ulyett Landscapes Ltd on behalf of Barrett North Midlands on land at the entrance to Windmill Way, Brimington.
CHE/19/00424/TPO	Consent is granted to the pruning of one Oak tree reference T9 on the Order map for Mr Brough of 37 Bentham Road.

41 **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.

42 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.