

## PLANNING COMMITTEE

Monday, 13th March, 2023

Present:-

Councillor Callan (Chair)

Councillors Bingham  
Borrell  
Brittain  
Caulfield

Councillors Davenport  
G Falconer  
Marriott

The following site visit took place immediately before the meeting and was attended by the following Members:

**CHE/22/00607/FUL** – Demolition of 20 and 22 Somersall Lane and erection of three replacement dwellings with associated parking and turning areas (Existing access retained) on land at 20 Somersall Lane, Chesterfield for Rutland UK Property LTD.

Councillors Brittain, Borrell, Callan, Caulfield, Davenport, Falconer and Marriott.

**CHE/22/00784/FUL** – Temporary siting of a marquee with associated temporary path, access and car parking, for use in connection with the existing business at Dunston Hall (for a period of three years), Dunston Hall, Dunston Road, Chesterfield for Dunston Hall Leisure LTD.

Councillors Brittain, Borrell, Callan, Caulfield, Davenport, Falconer and Marriott.

**CHE/22/00592/OUT** – Residential development of two dwellings – Re-submission of CHE/21/00143/OUT at rear of 66 South Street North, New Whittington, Chesterfield, S43 2AB for Rawson Residential Renovations LTD.

Councillors Brittain, Borrell, Callan, Caulfield, Davenport, Falconer and Marriott.

**CHE/22/00680/FUL** – Demolition of existing buildings and erection of a self storage facility (Unit 1) including office use (Class E(G)(I)) of 186 SQM and two employment units comprising unit 2 class E (G)(II) (G)(III) & B8 and unit 3 class E(G) & B8 and associated parking, servicing areas and landscaping at former Simply Gym, Sheffield Road, Whittington Moor, Chesterfield for McCarthy’s Storage World (Chesterfield) LTD.

Councillors Brittain, Borrell, Callen, Davenport, Falconer and Marriott.

Councillor Bingham was unable to attend on site and received relevant site information by other means as a reasonable adjustment.

\*Matters dealt with under the Delegation Scheme

**116 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Barr, Brady, Catt, D Collins, T Gilby and Mann.

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

Agenda Item 2 – CHE/22/00592/OUT – Residential development of two dwellings – Re-submission of CHE/21/00143/OUT at rear of 66 South Street North, New Whittington, Chesterfield, S43 2AB for Rawson Residential Renovations LTD.

Councillor Bingham declared an interest in this application as he was opposed to the proposal.

**118 MINUTES OF PLANNING COMMITTEE**

**RESOLVED -**

That the Minutes of the meeting of the Planning Committee held on 20 February, 2023 be signed by the Chair as a true record.

**119 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/22/00607/FUL - DEMOLITION OF 20 AND 22 SOMERSALL LANE AND ERECTION OF THREE REPLACEMENT DWELLINGS WITH ASSOCIATED PARKING AND TURNING AREAS (EXISTING ACCESSES RETAINED) ON LAND AT 20 SOMERSALL LANE FOR RUTLAND UK PROPERTY LTD

In accordance with Minute No. 299 (2001/2002) Mr Derek Roe (Objector) addressed the meeting.

In accordance with Minute No. 299 (2001/2002) Mrs Charlotte Stainton (Stainton Planning, Applicants Agent) addressed the meeting.

**\*RESOLVED –**

That the officer recommendation be upheld and the application be approved subject to the following conditions and a CIL liability notice issued for £43,586 as per section 5.12 of the officer's report:-

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 or conditional requirement below. All external dimensions and elevational treatments shall be as shown on the approved plan/s (listed below):

Location plan 2021-196-01  
Proposed location plan 2021-169-13 Rev P01  
Proposed block plan 2021-169-03 Rev P03  
Proposed plot 1 floor plan 2021-170-05 Rev P03  
Proposed plot 1 elevation plan 2021-170-06 Rev P03  
Proposed plot 2 floor plan 2021-170-07 Rev P03  
Proposed plot 2 elevation plan 2021-170-08 Rev P03  
Proposed plot 3 floor plan 2021-170-09 Rev P03  
Proposed plot 3 elevation plan 2021-170-10 Rev P03  
Existing and proposed street scene 2021-170-04 Rev P03  
Tree survey and tree constraints plan

3. No demolition or substantive works to 20 Somersall Lane shall be carried until a European Protected Species licence has been obtained from Natural England, plus all additional survey work considered necessary to inform the licence application has been undertaken. Upon receipt of a licence from Natural England/site registration, works shall proceed strictly in accordance with the approved mitigation, which should be based on the proposed measures outlined in section 4.18 of the Bat Survey (August 2022) prepared by Armstrong Ecology and amended as necessary based on the results of the additional surveys. Such approved mitigation will be implemented in full in accordance with a timetable of works included within the licence and followed thereafter. A copy of the licence/confirmation of registration will be submitted to the LPA once granted. A copy of the results of any monitoring works will be submitted to the LPA.
4. Prior to building works commencing above foundation level, a biodiversity enhancement plan shall be submitted to and approved in writing by the LPA to aim to achieve a net biodiversity gain, in accordance with the NPPF 2021. The plan should be in accordance with the measures outlined in the Preliminary Ecological Appraisal (May 2022) and Bat Survey (August 2022) prepared by Armstrong Ecology. Integrated boxes should be favoured to provide long-lasting, discreet and secure nesting and roosting opportunities. Boxes shall be attached at eaves level, with bird boxes avoiding south facing elevations. Photographs of the boxes in situ shall be submitted to fully discharge the condition.
5. No stripping, demolition works or vegetation clearance shall take place between 1st March and 31st August inclusive, unless preceded by a nesting bird survey undertaken by a competent ecologist no more than 48 hours prior to clearance. If nesting birds are present, an appropriate exclusion zone will be implemented and monitored until the chicks have fledged. No works shall be undertaken within exclusion zones whilst nesting birds are present.
6. At the commencement of operations on site (excluding demolition/ site clearance), space shall be provided within the site curtilage for storage of plant and materials, site accommodation, loading and unloading of goods vehicles, parking and manoeuvring of site operatives and visitors vehicles, laid out and maintained

throughout the contract period free from any impediment to its designated use.

7. The premises, the subjects of the application, shall not be occupied until space has been provided within the application site generally in accordance with the application drawings for the parking of resident's vehicles (each space measuring a minimum of 2.4m x 5.5m), laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.

8. Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees on and off the site, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.

Specific issues to be dealt with in the TPP and AMS:

- a) A specification for protective fencing or ground protection to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
- b) Tree protection during demolition and construction indicated on a TPP and construction activities clearly identified as prohibited in this area.
- c) Detailed protection measures for the trees to the frontage of the site within the highway verge and Somersall Conservation Area.

The development thereafter shall be implemented in strict accordance with the approved details.

9. Notwithstanding the submitted information and prior to first occupation of the development hereby approved, details of 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 vegetation to be retained and trees and plants to be planted:
- b) proposed hardstanding and boundary treatments, to include hedgehog holes
- c) a schedule detailing sizes and numbers of all proposed trees/plants
- d) Sufficient specification to ensure successful establishment and survival of new planting.

There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees on and off the site unless agreed in writing by the Local Planning Authority.

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 (unless the Local Planning Authority gives its written consent to any variation).

10. The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed.

11. 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 of discharging to the public sewer network at a rate to be agreed by the Local Planning Authority in consultation with the statutory sewerage undertaker.

12. Notwithstanding the submitted elevation plans; details; including samples, of all facing materials, including brick, render,

heads and cills along with details of eaves, verges, windows, doors, (including garage doors) colours and finishes shall all be submitted to and agreed in writing by the Local Planning Authority. Work shall be completed in accordance with the agreed details.

13. No individual dwelling hereby approved shall be occupied until the optional requirement for water consumption (110 litres use per person per day) in Part G of the Building Regulations has been complied with for that dwelling.

14. Prior to works on the hereby approved building(s) and land being commenced a scheme detailing the existing and proposed land levels of the site including site sections, spot heights, contours and the finished floor levels of all buildings with reference to on and off site datum point and their relationship to existing neighbouring buildings and land, to align with the proposed street scene plan shall be submitted to and approved by the Local Planning Authority, and the development shall be constructed in accordance with the agreed levels.

15. a) Prior to installation, a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing the proposed lighting scheme.

b) All works shall be fully implemented in accordance with the approved scheme prior to occupation.

16. a) Prior to the development hereby permitted being occupied the upper floor side elevations windows shall be installed with obscure glazing in accordance with the elevation plan for each plot define in condition 2 above. The obscure glazing shall be obscured to a minimum of Pilkington - Privacy Level 3 or an equivalent product.

b) Once installed the glazing shall be retained as such thereafter.

17. Prior to the commencement of development, a statement shall be submitted to and agreed in writing by the Local Planning Authority setting out how the development will address matters of climate change through the construction and occupation stages of the development.

CHE/22/00784/FUL - TEMPORARY SITING OF A MARQUEE WITH ASSOCIATED TEMPORARY PATH, ACCESS AND CAR PARKING, FOR USE IN CONNECTION WITH THE EXISTING BUSINESS AT DUNSTON HALL (FOR A PERIOD OF THREE YEARS), DUNSTON HALL, DUNSTON ROAD, CHESTERFIELD FOR DUNSTON HALL LEISURE LTD.

In accordance with Minute No. 299 (2001/2002) Mrs Katie Parsons (RCA Regeneration Ltd, Applicants Agent) addressed the meeting.

**\*RESOLVED –**

That the officer recommendation be upheld and the application be granted planning permission subject to the following conditions: -

1. This permission is valid for a limited period only, expiring on 13<sup>th</sup> March 2026. On or before that date the marquee shall be removed from the site and the land shall be restored in accordance with an agree Landscaping Plan as outlined in condition No.3 of this consent.

2. The development hereby approved shall only be carried out in full accordance with the approved plans and drawings with the exception of any specified conditions, pending listed building consent and approved non-material amendment:

- Location plan, revised (PM100)
- Proposed site plan, revised (PM300)
- Plans & Elevations (PM200)

3. Prior to removal of the marquee hereby approved, details of the restoration treatment of the site 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 the removal of the marquee. Details shall include:

a) a scaled plan showing vegetation to be retained and trees and plants to be planted:

b) a schedule detailing sizes and numbers of all proposed trees/plants



c) Sufficient specification to ensure successful establishment and survival of new planting.

d) details of the timing schedule (month/year), method and restoration works for the development site.

4. There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority. 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 (unless the Local Planning Authority gives its written consent to any variation).

5. Prior to the temporary marquee hereby granted consent becoming operational, a Noise Assessment shall be submitted to the Council for approval in writing. The Noise Assessment shall be in accordance with standard BS4142 and shall include:

- The reason for and scope of the report.
- Location plan of proposed use and likely noise receptors.
- Methodology used including proposed noise generation, location of noise monitoring, equipment used, weather conditions, etc.
- Any reasons for deviations from standard methods.
- Table of results.
- Comparison of survey results with noise standards.
- Recommendations for noise control measures.
- Calculations of the noise reductions expected to support any suggested noise control measures.

Only those measures agreed by the Council in writing shall be implemented as part of the development.

6. In accordance with the consent and attached conditions granted under CHE/21/00430/FUL, the number of guests attending any event shall be limited to no more than 120 guests at any one time.

7. There shall be no firework displays associated with wedding events.

8. The number of wedding or similar events taking place at the premises shall be limited to no more than two per week.

9. Unless otherwise agreed by the planning authority in writing, there shall be no direct lighting shone towards Building D (as shown in the Bat Survey Report, Middleton Bell Ecology, Sept 2022, ref: CHE/22/00111/FUL).

CHE/22/00680/FUL - DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF A SELF STORAGE FACILITY (UNIT 1) INCLUDING OFFICE USE (CLASS E(G)(I)) OF 186 SQM AND TWO EMPLOYMENT UNITS COMPRISING UNIT 2 CLASS E (G)(II)/E (G)(III) & B8 AND UNIT 3 CLASS E(G) & B8 AND ASSOCIATED PARKING, SERVICING AREAS AND LANDSCAPING (REVISED DRAWINGS RECEIVED 26TH AND 27TH JANUARY 2023) AT FORMER SIMPLY GYM, SHEFFIELD ROAD, WHITTINGTON MOOR, CHESTERFIELD FOR MCCARTHY'S STORAGE WORLD (CHESTERFIELD) LTD.

Councillor Caulfield, having not attended the site visit, took no part in this item.

**\*RESOLVED –**

That the officer recommendation be upheld and the application be approved subject to the following conditions and that a CIL liability notice be issued as per section 6.1.2 of the officer's report:-

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:
  - 17669-1-500 Location Plan
  - 17669-1-098B Existing Site Plan
  - 17669-1-100D Proposed Site Plan
  - 17669-1-105C Proposed Unit 1 GA Plan
  - 17669-1-106C Proposed Unit 1 Roof Plan
  - 17669-1-107D Proposed Unit 1 Elevations
  - 17669-1-108B Proposed Unit 1 Sections
  - 17669-1-109C Proposed Unit 1 First & Third Floor Plan

- 17669-1-110B Proposed Unit 2 GA Layouts
- 17669-1-111C Proposed Unit 2 Elevations & Sections
- 17669-1-115A Proposed Unit 3 GA Layouts
- 17669-1-116C Proposed Unit 3 Elevations & Sections
- 17669-1-121C Proposed Site Sections
- 17669-1-122C Proposed Boundary Treatment and Fence Plan
- 17669-1-124C Proposed Unit 1 Second Floor Plan
- 17669-1-VL\_L01C Landscape Plan
- Vehicle tracking swept Path analysis,
- Flood Risk Assessment (revised document submitted 17/02/23),
- Arboricultural Impact Assessment (Revised document submitted 21/02/23),
- Ecological Impact Assessment (Revised document submitted 09/02/23),
- Noise Assessment (revised document submitted 14/02/23)
- Transport Statement (Rev 2);

With the exception of any approved non-material amendment.

3. Notwithstanding the provisions of the Town and Country Planning (Uses Classes) Order 1987, and The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting these Orders with or without modifications), the premises shall be used for offices, light industrial, research and development, and storage and distribution uses only, and for no other purpose within class E.
4. No construction or demolition works, movement of construction traffic, or deliveries to and from the premises, shall occur other than between 0800 and 1800 hours weekdays, and 0800 and 1300 hours on Saturdays, and at no time on Sundays or Public Holidays.
5. Prior to the development hereby permitted being occupied/brought into use the southern facing windows on the first floor of unit 2 shall be installed with obscure glazing and with no opening part being less than 1.7 metres above the floor level. The obscure glazing shall be obscured to a minimum of Pilkington - Privacy Level 3 or an equivalent product. Once installed the glazing shall be retained as such thereafter.

6. Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.  
Specific issues to be dealt with in the TPP and AMS:

- a) Location and installation of services/ utilities/ drainage which may affect the retained trees.
- b) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
- c) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.
- d) details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires
- e) Methods to improve the rooting environment for retained and proposed trees and landscaping  
The development thereafter shall be implemented in strict accordance with the approved details.

7. There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority. Any new tree(s) that die(s), are/is removed or 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. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details.

8. Prior to first occupation, the proposed respective parking areas to each unit shall be provided in accordance with the application

drawing such that vehicles can be parked. Once provided, the space shall be retained free from any impediment to its designated use for the life of the development.

9. A Construction Management Plan and Demolition Method Statement shall be submitted to the Local Planning Authority for consideration. Demolition works shall not proceed until the Demolition Method Statement has been agreed in writing and construction works shall not proceed until the Construction Management Plan has been agreed in writing. The approved plans shall be adhered to throughout the construction and demolition periods. The plan/statements shall provide for:

- Parking of vehicles for site operatives and visitors,
- storage of plant and materials and site accommodation,
- details/method of construction/demolition of buildings on site.
- method of prevention of mud/debris being carried onto the public highway,
- proposed temporary traffic management/restrictions,
- arrangements for loading/unloading and turning vehicles within the site,
- any roadside fencing/hoarding,
- Routes for construction traffic, including abnormal loads/cranes etc.
- Hours of operation
- Pedestrian and cyclist protection
- Arrangements for turning vehicles
- Dust suppression to neighbouring residents
- Limiting impact of noise surrounding dwellings

- Dealing safely with asbestos on site
- Any other issue related to the safe demolition of the existing buildings

10. No clearance of scrub, trees or hedgerow shall take place between 1st March and 31st August inclusive, unless preceded by a nesting bird survey undertaken by a competent ecologist no more than 48 hours prior to clearance. If nesting birds are present, an appropriate exclusion zone will be implemented and monitored until the chicks have fledged. No works shall be undertaken within exclusion zones whilst nesting birds are present.

11. Prior to building works commencing above foundation level, a Biodiversity Enhancement Plan shall be submitted to and approved in writing by the Local Planning Authority. Approved measures shall be implemented in full and maintained thereafter. The Plan shall clearly show positions, specifications and numbers of features, which will include (but are not limited to) the following:

- Integral universal nest boxes at ratio of 1:1, in line with British Standard 42021:2022, or equivalent external boxes suitable for building construction and/or trees.
- Integral or external bat boxes suitable for buildings or trees.
- Insect bricks / boxes.
- Fencing gaps 130 mm x 130 mm to maintain connectivity for hedgehogs

12. Excluding works of demolition, no development shall commence until;

a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;

b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

13. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

14. The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed.

15. Surface water run-off from hardstanding (equal to or greater than 800 square metres) and/or communal car parking area(s) of more than 50 spaces must pass through an oil, petrol and grit interceptor/separator of adequate design that has been submitted to and approved by the Local Planning Authority, prior to any discharge to an existing or prospectively adoptable sewer.

16. 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:- a) evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical; b) evidence of existing positive drainage to public sewer and the current points of connection; and c) the means of restricting the discharge to public sewer to the existing rate less a minimum 30% reduction, based on the existing peak discharge rate during a 1 in 1 year storm event, to allow for climate change.

17. Prior to installation, a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing the proposed lighting scheme. All works shall be fully implemented in accordance with the approved scheme before the use commences.

18. Prior to any roller shutter being installed on site details of the shutter demonstrating a 'quiet' mechanism shall be submitted to and agreed in writing by the LPA. Works shall be completed in accordance with the agreed details.

19. Prior to works commencing on site, excluding works of demolition, detailed proposals in line with current best practice for the removal, containment or otherwise rendering harmless any contamination (the 'Contamination Proposals') shall be submitted to and approved in writing by the Local Planning Authority; For each part of the development, 'Contamination Proposals' relevant to that part shall be carried out either before or during such development as appropriate;

If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the 'Contamination Proposals' then the revised 'Contamination Proposals' shall be submitted to and approved in writing by the Local Planning Authority;

If during development work site contaminants are found in areas previously expected to be clean then their remediation shall be carried out in line with the agreed 'Contamination Proposals'; Prior to the commencement of any construction works in any area that has been subject to remediation, a verification report shall be submitted to and approved in writing by the Local Planning Authority.

20. Prior to development commencing, excluding works of demolition, an Employment and Training Scheme shall be submitted to the Local Planning Authority for consideration and written approval. The Scheme shall include a strategy to promote local supply chain, employment and training opportunities throughout the construction of the development.

21. The development shall include 6 Non-residential charging points to be supplied by an independent 32 amp radial circuit and equipped with a type 2, mode 3, 7-pin socket conforming to IEC62196-2. 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 first occupation on site and shall be maintained for the life of the approved development.

22. Prior to any external plant being installed on site details of this shall be submitted to and agreed in writing by the LPA. Works shall be completed in accordance with the agreed details.

23. The site shall be landscaped and maintained strictly in accordance with the approved details provided in the Landscape Plan (drawing 17669-1-VL\_L01 Rev C) in the first planting season after completion or first occupation of the development, whichever is the sooner.

Any new plant(s) and 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 shall be replaced. Replacement planting shall be in accordance with the approved details.

24. The cycle parking stands in the Proposed Site Plan shall adhere to the standard in the Department for Transport's Cycle Infrastructure Design Local Transport Note 1/20, as specified in chapter 11.

25. Prior to the commencement of the development, a statement shall be submitted to and agreed in writing by the Local Planning Authority setting out how the development will address matters of climate change through the construction and occupation stages of the development.

CHE/22/00592/OUT - RESIDENTIAL DEVELOPMENT OF TWO DWELLINGS - RE-SUBMISSION OF CHE/21/00143/OUT - REAR OF 66 SOUTH STREET NORTH, NEW WHITTINGTON, S43 2AB FOR RAWSON RESIDENTIAL RENOVATIONS LTD

Councillor Bingham declared an interest in this item and left the meeting at this point.

**\*RESOLVED –**

That the Council as Local Planning Authority would have REFUSED the planning application for the following reasons: -

1. The development of the site fails to appropriately reflect the prevailing pattern of built form resulting in an incongruous and over-intensive development harmful to the character of the area. Giving consideration to the indicative plan, the proposed plot size is inadequate to appropriately accommodate two new dwellings resulting in an overdevelopment of the site. This would lead to a cramped form of development with insufficient separation distances from existing neighbouring properties, such that the development is likely to result in harmful amenity impacts upon existing and future residents. The proposal therefore fails to meet the provisions of the 'Successful Places' SPD, Local Plan Policies CLP14 and CLP20 of Chesterfield Borough Local Plan 2018 – 2035 and part 12 of the National Planning Policy Framework.

Councillor Bingham returned to the meeting at this point.

120 **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/22/00252/FUL	Expansion of current car valet facilities to include fit out of parts storage into existing valet building, with added welfare and washroom facilities and office space. Construction of a new 4 car valet building within existing site to cope with expansion of facilities. Proposed shipping container on site at Vertu Motors Pdi Centre, 128 Station Road, Whittington Moor S41 9EU for Vertu Motors plc
CHE/22/00585/FUL	Erection of a drive-thru cafe and hot food unit including details of access at Land at Aaron Street Duckmanton, Chesterfield for Chicken Villas

	Limited
CHE/22/00597/FUL	Building extension to include warehouse and 3 storeys of office accommodation at Grangers International, Enterprise Way, Duckmanton S44 5FD for Ms Jacquie Storer
CHE/22/00598/FUL	Demolition of existing stone outbuilding and erection of a detached double garage with a room above in the roof space (revised drawings received 07.01.23 and 10.01.23) at 115 High Street, Old Whittington, Chesterfield S41 9LB for Mr Lee Fletcher
CHE/22/00761/FUL	Roof height increase to create first floor rooms with front and rear dormers and single storey rear extension (revised plans and description 03.02.23) at 28 Glasshouse Lane, New Whittington S43 2DQ for Mrs Jenny Bacon
CHE/22/00804/FUL	Refurbishment of offices and workshops and creation of an independent access to the office space at Zero Workshop, New Street, Chesterfield S40 2JZ for Miss Georgina Templeman
CHE/22/00835/FUL	Rear extension and decking at 86 Walton Road, Walton, Chesterfield S40 3BY for Dr and Mrs Mathew
CHE/22/00840/ADV	Illuminated and non-illuminated signage at Rose and Crown, 104 Old Road, Chesterfield S40 2QT For Everards of Leicestershire
CHE/22/00851/FUL	Single storey rear extension and steps to patio at 1 Davian Way, Walton, Chesterfield S40 3JF for Mr and Mrs Stannard
CHE/23/00082/TPO	T30 Hawthorn - fell as in decline due to previous

suppression of growth giving a very low amenity value. Replace with ornamental cherry (if acceptable). T26 Maple - clean crown to remove epicormic growth, reduce overcrowding, and improve health. T31 Sycamore - Removal of ivy from tree to improve growth. T32 and T33 Beech - To cut back over hanging branches A) to increase height/clearance over car parking area of ex. NEDDC, B) to give 2m clearance to avenue house surgery (Tennyson Avenue) at Hunters Walk, Chesterfield for Limetree Park No 1 Management Company

CHE/23/00089/TPO

Maintenance and pruning works to trees within W1 and W2 on attached sketch plan. This is to include removal of dead trees, pruning back from structures, footpaths and boundaries to ensure clearance of no less than 1m from and up to 2.5m high. Pruning back of overhanging branches to include adjacent properties, street furniture, utilities installations and streetlighting at Wain Avenue, Chesterfield for Mr Gary McCarthy

(b) Refusals

CHE/21/00735/DOC

Discharge of planning condition 3 (Surface Water Drainage Strategy) of CHE/20/00869/REM (Approval of reserved matters for 150 dwellings of CHE/18/00532/OUT) at Land to the North of Northmoor View, Brimington for Vistry (Yorkshire) Ltd

CHE/22/00137/FUL

Demolition of existing take-away and construction of 3 one bedroom apartments at 47B Chester Street, Chesterfield S40 1DN for Mr and Mrs Long

CHE/22/00654/FUL

Alterations to dwelling with 2 storey side extension, cladding and new chimney. Raised hardstanding and ramps for access and erection

of car port (revised drawings received 13/12/22, description amended 15/12/22) at 20 Avondale Road, Chesterfield S40 4TF for Mr and Mrs Scotford

CHE/23/00001/FUL      Erection of a two storey house and associated works at 7 Ashcroft Drive, Old Whittington, Chesterfield S41 9NU for Mr Chris Eaton

(c) Discharge of Planning Condition

CHE/21/00845/DOC      Discharge of planning condition 16 of CHE/18/00532/OUT at Land to the North of Northmoor View, Brimington for Cathy Brown

CHE/22/00779/DOC      Discharge of condition 3 (materials) of CHE/19/00535/FUL- Erection of a conservatory at 1 Fenland Way, Chesterfield S40 3RH for Mr J R Richmond

CHE/22/00831/DOC      Discharge of condition 7 (biodiversity) of CHE/22/00427/FUL- Change of use from commercial to residential. Cladding of exterior walls at 43 Newbold Village, Newbold Road, Chesterfield S41 8RJ for Mr Darren Gregory

CHE/22/00846/DOC      Discharge of condition 16 (External lighting scheme) of application CHE/13/00675/OUT (as amended by CHE/20/00221/NMA)- redevelopment of land for employment uses (Use Classes B1, B2 and B8) at Land Accessed From Farndale Road, Staveley, Chesterfield for Devonshire Property (B2B) Limited

CHE/22/00847/DOC      Discharge of condition 2 (Details of electric charging vehicle charging point) of application CHE/20/00653/REM (as amended by CHE/21/00777/NMA)- Approval of reserved matters of CHE/13/00675/OUT - Redevelopment of land for employment uses (Use Classes B1, B2 and B8) at Land Accessed from Farndale

Road, Staveley for Mr Andrew Byrne

CHE/23/00019/DOC Discharge of condition 5 (Details of proposed extraction plant) of CHE/21/00752/FUL at Arnold Clark Motorstore, Meltham Lane, Chesterfield S41 7LG for Arnold Clark Automobiles

CHE/23/00021/DOC Discharge of conditions 19 (landscaping details) and 21 (lighting details) of CHE/19/00775/FUL- Erection of coffee shop drive-thru restaurant and associated works at Arnold Clark Motorstore, Meltham Lane, Chesterfield S41 7LG for Arnold Clark Automobiles

CHE/23/00053/DOC Discharge of condition 28 (Carbon release scheme) of application CHE/22/00511/FUL- Erection of a new 3 bedroom bungalow with attached garage and associated landscaping works at Land West Of Wash House Lane, Wash House Lane, Chesterfield for Mr and Mrs Allenby

CHE/23/00062/DOC Discharge of condition 32 (Compliance with building regulations relating to internal heating and solar PV) of application CHE/21/00800/FUL- Demolition of 1 no. existing dwellinghouse and outbuildings, and construction of 33 no. 2, 3 & 4 bed dwellinghouses and associated access, parking and gardens at Adjacent 929 Sheffield Road, Sheepbridge, Chesterfield S41 9EJ for Vistry Partnership Yorkshire

(d) Prior approval not required

CHE/22/00769/DEM Demolition of existing building at Old Whittington Miners Welfare Club, Station Lane, Old Whittington, Chesterfield S41 9NL for Meadow Lane Services Limited

CHE/23/00055/TPD Single storey rear extension at 16 Newbold Drive, Newbold, Chesterfield S41 7AP for Mr and Mrs Curnyn

## (e) CLOPUD granted

CHE/23/00075/CLO Certificate of Lawfulness for a proposed single storey rear extension at 9 Blue Lodge Close, Inkersall, Chesterfield S43 3GF for Mr and Mrs Thompson

## (f) Conditional consent for non-material amendment

CHE/23/00077/NMA Non-material amendment to application CHE/21/00707/FUL- Erection of 301 dwellings including the provision of public open space, landscaping and associated infrastructure and works - To plot swap between Plots 112 and 158 at Land To The East Of Linacre Road, Holme Hall  
Chesterfield for Tilia Homes Ltd

## 121 **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/23/00082/TPO Consent is granted to the felling of one Hawthorn reference T30 which is in poor condition, with a condition to plant one new Cherry tree in the same location and the pruning of four trees reference T26 Maple, T31 Sycamore and T33 & T34 Beech on the Order map at Hunters Walk off Saltergate

CHE/23/00089/TPO Consent is granted to the felling of dead Elm trees and the pruning of trees to clear structures, footpaths and boundaries within W1 & W2 on the Order Map and which are situated off Wain Avenue and the River Rother, Piccadilly. Duty to plant replacement trees has been dispensed with

on this occasion.

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

CHE/23/00046/CA Agreement to the pruning of one Cherry tree to  
The pruning of one crown reduce to leave a 15 metres high tree with a  
Cherry tree in the crown spread of 8 metres to previous reduction  
grounds of 95a points. The pruning of the tree will have no  
High Street, Old adverse effect on the character and amenity of the  
Whittington area.

The trees are within the Old Whittington  
Conservation Area and the applicant wishes to  
prune the tree because it is close to the  
neighbouring property and lamp stand.

**122 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.

**123 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.