

PLANNING COMMITTEE

Monday, 2nd October, 2023

Present:-

Councillor Callan (Chair)

Councillors	B Bingham	Councillors	Falconer
	J Bingham		Miles
	Brady		Stone
	Brittain		Yates
	Davenport		

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

CHE/23/00348/FUL - Retrospective application for the erection of portable classroom building for a temporary period - revised plans received, new fence proposed at boundary with evergreen trellis to provide screening at Hasland Support Centre, 38 The Green, Hasland, Chesterfield, Derbyshire, S41 0LN for Esteem Multi-Academy Trust.

Councillors J Bingham, Callan, Davenport, Falconer, Miles, Stone and Yates.

Councillor B 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

53 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Caulfield and Ridgway.

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

CHE/23/00348/FUL - Retrospective application for the erection of portable classroom building for a temporary period - revised plans received, new fence proposed at boundary with evergreen trellis to

provide screening at Hasland Support Centre, 38 The Green, Hasland, Chesterfield, Derbyshire, S41 0LN for Esteem Multi-Academy Trust.

Councillors Brady and Brittain declared an interest in this item.

55 **MINUTES OF PLANNING COMMITTEE**

RESOLVED - That the Minutes of the meeting of the Planning Committee held on 11th September, 2023 be signed by the Chair as a true record.

56 **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:-

Councillors Brady and Brittain left the meeting.

CHE/23/00348/FUL - RETROSPECTIVE APPLICATION FOR THE ERECTION OF PORTABLE CLASSROOM BUILDING FOR A TEMPORARY PERIOD - REVISED PLANS RECEIVED, NEW FENCE PROPOSED AT BOUNDARY WITH EVERGREEN TRELLIS TO PROVIDE SCREENING AT HASLAND SUPPORT CENTRE, 38 THE GREEN, HASLAND, CHESTERFIELD, DERBYSHIRE, S41 0LN FOR ESTEEM MULTI-ACADEMY TRUST

In accordance with Minute No. 299 (2001/2002) Ms Kelly Brown (objector) addressed the meeting.

In accordance with Minute No. 299 (2001/2002) Ms Ruth Child (agent on behalf of the applicant) addressed the meeting.

***RESOLVED**

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

1. The development hereby permitted is granted for a limited period only expiring on 2nd October 2026. On or before this date, the development

carried out in pursuance of this permission shall be removed from the site and the land restored to its former condition.

2. The development hereby approved shall only be carried out in full accordance with the approved plans and documents (listed below) with the exception of any approved nonmaterial amendment. All external dimensions and elevational treatments shall be as shown on the approved plan/s (listed below).

- Revised Proposed Site Block Plan, drawing number 713.172061 (00) 002 (received 31.07.2023)
- General Arrangement Modular Accommodation, drawing number 36791-PML-B1-XX-DR-A-0001 Revision P7
- Building Elevations Modular Accommodation, drawing number 36791-PML-B1-XX-DR-A-0060 Revision P3
- FENCING DRAWING, (received 24.08.2023)
- SCREENING FENCE DETAILS (received 24.08.2023)
- Email with link to green evergreen trellis (received 24.08.2023)

3. The trellis screening shall be installed in accordance with the approved plans set out in condition 2, within two months of the date of the decision and shall thereafter be maintained in place for the life of the development.

4. Obscure film shall be installed to all windows in the west (rear) elevation of the building within one week of the date of the decision and shall thereafter be maintained for the life of the development.

5. Within 12 months of the date of the decision a detailed assessment of current and anticipated student number with a long-term management plan shall be submitted to the Local Planning Authority for written approval. The details shall include an assessment of pupil numbers up to the end of the temporary consent period and include clarification as to whether additional classroom space will be required after the expiry of the temporary consent period. If additional classroom space is required, then a plan for the removal of the building and works extend or alter the existing building shall be submitted to show comprehensive long term management of the site.

6. Tree protection measures

- a. There shall be no excavations for services within 8 metres of the Oak tree and no storage of materials or machinery in the soft landscaped area underneath the canopy of the tree T71 Oak.
- b. The delivery, off-loading and subsequent removal of the classroom units shall be clear of the outermost parts of the Oak tree T71 canopy and supervised by a competent banksman who shall be present when the units are delivered and removed to make sure that the delivery vehicle and crane off-loading of the units does not come into contact with any part of the protected tree.
7. Space shall be provided within the application site in accordance with the approved application drawings for the parking and manoeuvring of vehicles, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.
8. Within 2 months of the decision a car parking management plan including any green travel initiatives to be provided, shall be submitted to the local planning authority for consideration. The development shall only proceed on the basis of the car park management plan which is subsequently agreed in writing by the local planning authority.

Councillors Brady and Brittain rejoined the meeting.

57 **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/20/00860/FUL	Demolition and alteration of existing buildings to create 5 additional new dwellings with associated landscaping, car parking, access and sewage treatment plant. (Amended scheme 21.10.2022 and description 6.01.2023) at White Lodge Farm, Breck Lane, Barrow Hill S43 2NP for Mr M Hewitt
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CHE/22/00716/FUL	Erection of a dwelling at 62 Walgrove Road, Walton, Chesterfield S40 2DR for Peppermint Grove Ltd
CHE/22/00811/FUL	Resurfacing of parking areas and additional parking spaces, soft landscaping and speed management measures. Rendering, new windows, doors and balcony panels. (Updated description and plans 30.03.2023) at Ashford Court, Newland Dale, Newbold, Chesterfield S41 7QQ for Chesterfield Borough Council
CHE/23/00106/FUL	Two storey rear extension and erection of a single storey detached garage (description amended and revised drawings received 13/07/23) at 366 Brimington Road, Tapton, Chesterfield S41 0TF for Mr Peter Lythgoe
CHE/23/00263/RET	Retention of existing garden structures / gazebos at 36 St Chads Way, Chesterfield S41 8RN for Mrs Bui
CHE/23/00298/ADV	Retention of 11 flagpoles at 464 Chatsworth Road, Chesterfield S40 3BD for Vertu Motors plc
CHE/23/00373/FUL	New render panels, new areas of cladding, new windows, and resurfacing of paths to existing blocks of flats at Burbage Court, Howden Court, Longshaw Court, Rivelin Court, Wheston Court, Winyard Court, White Edge Close, Brockwell, Chesterfield S40 4JJ for Chesterfield Borough Council
CHE/23/00374/FUL	Two storey side extension (revised drawings received 21.07.23) at 15 Holmebank Close, Brockwell, Chesterfield S40 4AU for Mr David Ford
CHE/23/00428/FUL	Ground and first floor side extension at 11 Station Road, Brimington, Chesterfield S43 1JH for Mr Damien Spencer

CHE/23/00430/SOL	Installation of 230kWp of Solar panels on the existing roof at the site at Holdsworth Cold Store Ltd, Greaves Close, Duckmanton, Chesterfield S44 5FB for Holdsworth Foods
CHE/23/00439/TPO	Oak tree - Remove lower branch touching the house, crown lift over field to allow light to 4m, 25% thin- to include shortening of branches going toward property at 281 Hady Hill, Hady, Chesterfield S41 0BL for Mr Rose
CHE/23/00450/LBC	Replace 4 windows with single glazed timber sash style windows at 10 Church Street North, Old Whittington, Chesterfield S41 9QW for Ms Justine Dronfield
CHE/23/00453/TPO	T1- Oak- 40-50% reduction of the tree to encourage new growth and remove all dead and existing affected branches at 21 Hucknall Avenue, Loundsley Green, Chesterfield S40 4BY for Mr Stephen Raybould
CHE/23/00461/FUL	Construction and operation of a micro energy storage facility at Land to the North of Storforth Lane Substation, Storforth Lane, Chesterfield for AMP Clean Energy
CHE/23/00482/FUL	Two storey office side extension at P A R Insulations and Wires Ltd, Foxwood Close, Sheepbridge, Chesterfield S41 9RB for P A R Insulations and Wires Ltd
CHE/23/00496/TPO	T59 Copper Beech crown lift to 4.8m Crown then by 10%. Prune back from building by 3.5m for 2 light issues at 96 The Green, Hasland, Chesterfield S41 0JU for Mr Stephen Hollingworth
CHE/23/00510/TPO	T1 - Beech, <i>Fagus sylvatica</i> - Crown reduction of the southern crown extent up to 2.5m, cutting back (reduction) of the western crown to provide

up to 1m clearance from the north and east elevations of the Property to leave a balanced crown at Pine Bank Day Centre, 9 Abercrombie Street, Chesterfield S41 7LW for Mr Andrew Barnes

- CHE/23/00512/TPO Tree references T15 (Wild Cherry), T17 (Locust tree), T18 (Locust tree) & T19 (Wild Cherry) - Crown lift to circa 3m from existing ground level to clear visibility splay for vehicle junction and off public highway/footpath at Land South of Walton Hospital, Harehill Road, Grangewood, Chesterfield for Countryside Partnerships South East Midlands
- CHE/23/00530/TPO T1 Oak- to be dead wooded and low branches over garden raised to 3 meters and T2 Sycamore- to be dead wooded and 3 lowest limbs overhanging road to be taken off at 16 Church Street North, Old Whittington, Chesterfield S41 9QW for Mr Dan Witham
- (b) Refusals
- CHE/23/00074/RET Change of use of land to agricultural/education and siting of associated units and vehicles at Land South of Netherthorpe Flash Nature Reserve, Netherthorpe, Staveley, Chesterfield for Mrs Sharon Edwards
- CHE/23/00267/FUL New boundary fence at 131 Brockwell Lane, Brockwell, Chesterfield S40 4EH for Mr Jack Mathison
- CHE/23/00360/OUT Outline application for a one bedroom bungalow with all matters reserved. Resubmission of CHE/22/00448/OUT at adjacent 214 Tapton View Road, Newbold, Chesterfield S41 7LB for Mr Mark Pendleton
- CHE/23/00434/TPO T5 Sycamore - Fell and plant two native replacement trees at 2 Summerfield Place, Park

Road, Chesterfield S40 2LG for Mr John Collins

CHE/23/00468/CLO Construction of 3m-deep ground and first floor extensions, hip-to-gable roof extension and rear dormer extension, addition of 3no. rooflights to the front roof plane and internal alterations at 37 Kingsley Avenue, Birdholme, Chesterfield S40 2SZ for Taylor Mottershead Limited

CHE/23/00495/TPO Ash tree - fell and replace with an oak at 11 Woodland Walk, Holme Hall, Chesterfield S40 4YB for Mrs Samantha Meadows

(c) Discharge of Planning Condition

CHE/22/00368/DOC Discharge of planning conditions 2 (land levels) and 9 (surface water) of CHE/18/00805/REM - Reserved Matters submission for the erection of 200 dwellings and associated landscaping at Land to The West Of Dunston Lane, Newbold for William Davis

CHE/23/00196/DOC Discharge of condition 14 of (Site Remediation) of CHE/19/00385/FUL - Erection of 72 bed care home with associated private amenity space and parking facilities, including change of use from "sui generis" car park at Goldwell Rooms Car Park, Ashgate Road, Chesterfield for Mr Ryan Day

CHE/23/00376/DOC Discharge of condition 27 (Detail of grasscrete installation and arboricultural method statement) of application CHE/22/00116/REM1 - Variation of conditions 2 (approved drawings), 5 (works around RPAs) and 6 (hard and soft landscaping) of CHE/20/00305/FUL - Erection of new residential dwellings at the sites off Whitecotes Lane and Harehill Road with associated access, parking and open space to allow for construction of a sub-station to Whitecotes Lane and for the introduction of a YWA in the s/western corner off Harehill Road at Land South of Walton Hospital,

Harehill Road, Grangewood, Chesterfield for
Vistry Partnership

- CHE/23/00449/DOC Discharge of conditions 12 (Materials) and 14 (Land levels) of application 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) at 20 Somersall Lane, Somersall, Chesterfield, S40 3LA for Rutland UK Property Ltd
- CHE/23/00478/DOC Discharge of conditions 9 (Surface water drainage) and 10 (separate foul and surface water drainage) of CHE/22/00749/FUL - Demolition of derelict cottage and erection of one dwelling with associated infrastructure, access, parking and gardens at 1 Ralph Road, Staveley, Chesterfield S43 3PY for Mr and Mrs Easson
- CHE/23/00486/DOC Discharge of conditions 4 (Phasing for vehicular and pedestrian accesses to Enterprise Way), 5 (Highway Construction Management Plan) and 8 (Tree protection plan and arboricultural method statement) of CHE/22/00272/FUL- Erection of electric vehicle charging station with ancillary uses including retail and food and drink with associated electrical infrastructure, car parking and landscaping at Land At Enterprise Way, Enterprise Way, Duckmanton, Chesterfield for GRIDSERVE Sustainable Energy Ltd
- CHE/23/00507/DOC Discharge of condition 4 (materials) of CHE/22/00828/FUL - Erection of single storey annex to be used in conjunction with existing house at 277 Handley Road, New Whittington, Chesterfield S43 2ES for Mrs J Knight
- CHE/23/00523/DOC Discharge of condition 3 (biodiversity) of CHE/22/00353/FUL- Proposed front, side and rear two storey extension, with new front porch canopy and render to front and rear elevations at

35 Brookside Glen, Chesterfield S40 3PG for Mr Logan Mantle

(d) Partial Discharge of Conditions

CHE/23/00518/DOC Discharge of Condition 8a-b (Site investigation) of application CHE/22/00749/FUL - Demolition of derelict cottage and erection of one dwelling with associated infrastructure, access, parking and gardens at 1 Ralph Road, Staveley, Chesterfield S43 3PY for Mr and Mrs Easson

CHE/23/00519/DOC Discharge of Condition 10a-b (Site investigation) of CHE/22/00748/OUT - Outline planning application (means of access submitted) for the erection of two dwellings with associated infrastructure, access, parking and gardens at 1 Ralph Road, Staveley, Chesterfield S43 3PY for Mr and Mrs Easson

(e) Unconditional permission

CHE/23/00494/TPO T4 Beech Tree - Fell and completely remove the tree. The tree has many dead branches and appears to be diseased/dying. I would like to apply for an exemption to planting a replacement tree as I feel the loss of this tree will not have a negative effect on the amenity value of the area. There are several existing very large, protected trees in close locality. There is very little space to plant a replacement tree without encroaching on neighbour's property or our existing lawn at 146 St Johns Road, Newbold S41 8PE for Ms Sue Atkin

CHE/23/00524/CA Complete removal of silver birch identified by T1 on sketch plan. The tree is too large for the plot by approx 8m high. It grows at an angle and predominantly encroaches on at 18 Grove Farm Close, Brimington, Chesterfield S43 1QA for Mr Alan Smith

CHE/23/00532/CA T3 Holly- left hand stem to be taken off to leave one single standing stem and up to 1-2 meter reduction and T4 Yew - to be reduced in height and spread by up to 1.5 meter at 16 Church Street North, Old Whittington, Chesterfield S41 9QW for Mr Dan Witham

(f) Prior approval not required

CHE/23/00481/TPD Single storey rear extension at 691 Chatsworth Road, Chesterfield S40 3PE for Mr Jon Richardson

CHE/23/00485/AGR Agricultural track at Land to the North of Balmoak Lane, Tapton, Chesterfield for Meadowland Holdings Limited

(g) Split decision with conditions

CHE/23/00462/TPO Oak tree - crown reduction, crown thinning and cut back from the building at 21 Pearson Croft, Upper Newbold, Chesterfield S41 8WX for Mrs Carol Sanders

CHE/23/00525/TPO Maple tree - Cut back, prune out some of the density and reduce the height at Maple Court, Avenue Road, Whittington Moor, Chesterfield for John Semple

(h) Withdrawn

CHE/23/00235/NMA Non-material amendment to application CHE/17/00685/REM- Application for approval of reserved matters of CHE/14/00404/OUT for residential development of 120 dwellings - For the removal of footpath link between plot no. 5 & 38 all the way to the turning head and footpath adjacent to plot 34 at Land North-East of Sainsburys Roundabout, Rother Way, Chesterfield for Harron Homes

58 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/23/00439/TPO Consent is granted to the pruning of one Oak tree reference T1 on the Order Map and which is situated at 281 Hady Hill, Hady

CHE/23/00453/TPO Consent is granted to the pruning of one Oak tree reference T1 on the Order Map and which is situated in the rear garden of 21 Hucknall Avenue, Ashgate

CHE/23/00496/TPO Consent is granted to the pruning of one Beech tree reference T59 on the Order Map and which is situated in the grounds of 96 The Green, Hasland

CHE/23/00494/TPO Consent is granted to the felling of one Beech tree reference T4 on the Order Map and which is situated in the grounds of 146 St Johns Road

CHE/23/00510/TPO Consent is granted to the pruning of one Beech reference T14 on the Order Map and which is situated in the grounds of 9 Abercrombie Street

CHE/23/00512/TPO Consent is granted to the pruning of four trees reference T26 & T32 Cherry and T25 & T31 Acacia on the Order Map and which are situated on the entrance to Woodcote Way, Whitecotes Lane

CHE/23/00530/TPO Consent is granted to the pruning of one Sycamore tree reference T54 and one Oak tree reference T55 on the Order Map and which is situated in the garden of 16 Church Street North, Old Whittington

CHE/23/00434/TPO Consent is refused to the felling of one Sycamore tree reference T3 on the Order map at Summerfield Place, Park Road, Boythorpe

CHE/23/00525/TPO Consent is refused to the pruning of one Maple tree reference T1 on the Order Map and which is situated to the frontage of Maple Court, Avenue Road, Whittington Moor

Consent is granted to crown thin the tree by 20% and crown lift

CHE/23/00462/TPO Consent is refused to the pruning of one Oak tree reference T1 on the Order map at 21 Pearson Croft, Newbold

Consent is granted to the crown lifting and crown thin the tree by 20%

CHE/23/00495/TPO Consent is refused to the felling of one Ash tree reference T4 on the Order Map and which is situated in the rear garden of 11 Woodland Walk, Holmehall

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

CHE/23/00524/CA Agreement to the felling of one Birch tree. The felling of the tree will have no adverse effect on the character and amenity of the area

The felling of one Silver Birch tree at 18 Grove Farm Close, Brimington

The tree is within the Brimington Conservation Area and the applicant wishes to fell the tree due to its size and small garden with the constant dropping of debris

CHE/23/00532/CA Agreement to the pruning of trees at 16 Church Street North. The pruning of the trees will have no adverse effect on the character and amenity of the area

The pruning of 2 trees, 1 Holly tree & 1 Yew at 16 Church Street North, Old Whittington

The trees are within the Old Whittington Conservation Area and the applicant wishes to

prune the trees to reshape and restrict future growth.

59 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.

60 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.

61 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 involves the likely disclosure of exempt information as defined in Paragraph 6 of Part I of Schedule 12A of the Act.

62 GRADE II BRAMPTON HOUSE

The Development Management and Conservation Manager submitted a report to inform members of the unauthorised alterations to the Grade II Listed Brampton House, 218 Old Hall Road, Chesterfield and to request authority to take enforcement action.

***RESOLVED –**

That authority be granted for the service of a Listed Building Enforcement Notice regarding the following unauthorised works at the Grade II Listed Brampton House, 218 Old Hall Road, Chesterfield, S40 1HQ and requiring the reinstatement of the detailing which existed prior to the following alterations being undertaken:

1. Removal of 2 No chimney stacks and roofing over the voids;
2. Removal of the projecting roof rafter structure to create an overhanging soffit to the eastern gable wall resulting in a flush gable end.
3. Removal of the decorative pierced and scalloped bargeboard from the eastern gable and replacement with modern uPVC dry verge system.
4. Removal of the timber bargeboard on the west elevation and replacement with a uPVC dry verge system.
5. The replacement of timber sash windows with uPVC windows on the east, west and north elevations.
6. The replacement of timber casement windows with uPVC casement windows on the east, west and south elevations.