

PLANNING COMMITTEE

Monday, 28th January, 2019

Present:-

Councillor Brittain (Chair)

<p>Councillors P Barr Bingham Brady Callan Catt Davenport</p>	<p>Councillors Dickinson Hill Miles Sarvent Simmons</p>
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The following site visits took place immediately before the meeting and were attended by the following Members:

CHE/18/00532/OUT - Outline application for residential development (of up to 150 dwellings) and associated access works - re-submission of CHE/16/00614/OUT (additional information rec'd inc. 12/09/2018 5yr HLS addendum, 11/01/2019 air quality information, 11/01/2019 ground nesting birds mitigation strategy and 15/01/2019 archaeological evaluation report; and emails / letters from agent 07/11/2018, 04/12/2018 and 05/12/2018) on Land to The North West Of Northmoor View, Brimington, Chesterfield, Derbyshire for FG Sissons (Chesterfield) Ltd

Councillors Barr, Bellamy (ward member), Bingham, Brady, Brittain, Callan, Catt, Davenport, Dickinson, Tricia Gilby (ward member), Hill, Miles, Sarvent and Simmons.

CHE/18/00694/FUL - Residential development comprising 10 no. new dwellings and garages - revised plans rec'd 07/01/2019, 09/01/2019 and 15/01/2019 at Heaton Court, Meynell Close (Off Heaton Street), Brampton, Chesterfield, Derbyshire for Chesterfield Borough Council

Councillors Barr, Bingham, Brady, Brittain, Callan, Catt, Davenport, Dickinson, Hill, Miles, Sarvent and Simmons.

*Matters dealt with under the Delegation Scheme

Apologies for absence were received from Councillors Caulfield, T Gilby and Wall.

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

No declarations of interest were received.

96 MINUTES OF PLANNING COMMITTEE

RESOLVED -

That the Minutes of the meeting of the Planning Committee held on 7 January, 2019 be signed by the Chair as a true record.

97 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/18/00532/OUT - OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT (OF UP TO 150 DWELLINGS) AND ASSOCIATED ACCESS WORKS - RE-SUBMISSION OF CHE/16/00614/OUT (ADDITIONAL INFORMATION REC'D INC. 12/09/2018 5YR HLS ADDENDUM, 11/01/2019 AIR QUALITY INFORMATION, 11/01/2019 GROUND NESTING BIRDS MITIGATION STRATEGY AND 15/01/2019 ARCHAEOLOGICAL EVALUATION REPORT; AND EMAILS / LETTERS FROM AGENT 07/11/2018, 04/12/2018 AND 05/12/2018) ON LAND TO THE NORTH WEST OF NORTHMOOR VIEW, BRIMINGTON, CHESTERFIELD, DERBYSHIRE FOR FG SISSONS (CHESTERFIELD) LTD

In accordance with Minute No. 299 (2001/2002) Mrs Pam Wright (objector), Mr Kevin Pratt (objector), Councillor Andy Bellamy (ward member), Councillor Tricia Gilby (ward member) and Mr Roland Bolton (agent for the applicant) addressed the meeting. As agreed prior to the meeting, the four parties speaking against, and the one party in support, of the application had the same total amount of time to address the meeting (12 minutes).

That the officer recommendation be upheld and the application be refused for the following reasons:-

Principle of Development

1. The site the subject of the application is on land allocated under policy EVR2 of the 2006 Local Plan (a saved designation of the Chesterfield Local Plan: Core Strategy 2011 – 2031) as open countryside and land located under policy CS1 as a Strategic Gap between Brimington and Tapton. Policy CS10 of the Chesterfield Local Plan: Core Strategy 2011 – 2031 states that greenfield led housing development will not be accepted where the Local Planning Authority is able to demonstrate a 5 year housing land supply.

On the basis that the Local Planning Authority is currently able to demonstrate a 5 year housing land supply the development would be contrary to the provisions of policy CS10 and EVR2 of the Chesterfield Local Plan: Core Strategy 2011 – 2031, the wider provisions of the National Planning Policy Framework and it is therefore unacceptable.

Strategic Gap

2. The development proposals would introduce an extension to the built settlement of Brimington which would encroach into land which is Open Countryside and has been identified to form part of the Strategic Gap between Tapton and Brimington under the provisions of policies CS1, CS2 and CS9 of the Chesterfield Local Plan: Core Strategy 2011 – 2031 and the wider National Planning Policy Framework. The development proposals are considered to be contrary to the provisions of these policies which seek to maintain open land between neighboring settlements to prevent merging (perceptual and physical) and protect the setting and separate identity of settlements; support appreciation and wider perceptual benefits of open countryside; and maintain existing or influence form and direction of settlements and for this reason they are unacceptable.

Air Quality

3. Overall it is considered that the development proposals fail to adequately address the provisions of Policy CS8 of the Chesterfield Local Plan: Core Strategy 2011 – 2031 in so far as they do not incorporate

measures to avoid or mitigate increases in air pollution where the development proposals would clearly have a demonstrable impact (worsening) upon an area designated as an Air Quality Management Area. Contrary to the conclusions reached in the Air Quality Assessment the Local Planning Authority hold monitoring records that show the Air Quality Standard (AQS) being breached, and the levels of traffic pollution increasing. The LPA dispute the applicants interpretation that the impacts of the development proposed are 'negligible'. Given this opinion it is considered that a development of this scale should include appropriate mitigation measures and failure to do so conflicts with the provisions of Policy CS8 and the wider aspirations of the National Planning Policy Framework paragraph 181.

CHE/18/00694/FUL - RESIDENTIAL DEVELOPMENT COMPRISING 10 NO. NEW DWELLINGS AND GARAGES - REVISED PLANS REC'D 07/01/2019, 09/01/2019 AND 15/01/2019 AT HEATON COURT, MEYNELL CLOSE (OFF HEATON STREET), BRAMPTON, CHESTERFIELD, DERBYSHIRE FOR CHESTERFIELD BOROUGH COUNCIL

In accordance with Minute No. 299 (2001/2002) Craig Alleston (applicant's representative) were present to answer questions from the committee.

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

Time Limit etc

(A) 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

2584 0001 - Topographical and Utility Survey

7525-101 – Site Location Plan

Design Statement by CBC Design Services (dated Oct 2018)

Ground Investigation by Nicholls Colton Group (dated August 2018)

Preliminary Ecological Appraisal by Whitcher Wildlife Limited (dated July 2018)

Received 27/11/2018

Design Statement Rev A by CBC Design Services (dated Nov 2018)

Received 28/11/2018

Arboricultural Report and Impact Assessment by EMEC Arboriculture
(dated Oct 2018)

Received 07/01/2019

7525-102C – Proposed Site Plan
7525-103C Option 1 – The Rockingham House Type
7525-103C Option 2 – The Rockingham House Type
7525-104C Option 1 – The Thetford House Type
7525-104C Option 2 – The Thetford House Type
7525-105C – The Holt House Type (Style 1)
7525-106C – The Holt House Type (Style 2)
7525-107C – The Thetford House Type (Style 2)
7525-108C – The Cardinham House Type

Received 09/01/2019

7525-109D – Proposed Site Plan
7525-110 – Existing Site Entrance Layout
7525-111 – Proposed Site Entrance Layout
7525-112 – New Road and Footway Alteration
M2-Sketch Drainage B – Indicative Drainage Details

Received 15/01/2019

HEA-AWP-S38-XX-SK-C-0001 P4 VEHICLE TRACKING (SHEET 1) –
Fire Appliance
HEA-AWP-S38-XX-SK-C-0002 P5 VEHICLE TRACKING (SHEET 2) –
Refuse Vehicle Option 1
HEA-AWP-S38-XX-SK-C-0003 P3 VEHICLE TRACKING (SHEET 3) -
Refuse Vehicle Option 2

Drainage

3. 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.

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;
- 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; and
- d) details of either the proposed diversion of the public sewer which crosses the site and its easement protection which accords with the requirements of Yorkshire Water Services, or confirmation of a build over agreement approved with Yorkshire Water Services.

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.

Land Condition

4. Development shall not commence until intrusive site investigations have been carried out by the developer to establish the exact situation regarding coal mining legacy issues and contamination on the site; and appropriate interpretation of these results have been agreed. The investigation and conclusions shall include any remedial works and mitigation measures required/proposed for the remediation/stability of the site. Only those details which receive the written approval of the Local Planning Authority shall be carried out on site.

Highways

5. No development shall take place including any works of demolition until a construction management plan or construction method statement has been submitted to and been approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:

- Parking of vehicles of site operatives and visitors
- routes for construction traffic
- hours of operation
- method of prevention of debris being carried onto highway
- pedestrian and cyclist protection
- proposed temporary traffic restrictions
- arrangements for turning vehicles

6. The premises, the subject of the application, shall not be occupied/taken into use until the site access/exit has been modified in accordance with the revised and approved application drawings to be provided with exit visibility sightlines (as shown) to the nearside carriageway channel in each direction and all areas in advance of the sightlines being over controlled land/existing highway and maintained clear of any obstructions greater than 1.0m in height (600mm in the case of vegetation) relative to the same channel level.

7. The premises, the subject of the application, shall not be occupied/taken into use until space has been provided within the application site in accordance with the revised and approved application drawings for the parking/loading and unloading/manoeuvring of residents/visitors/staff/customers/ service and delivery vehicles, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.

Trees/Ecology

8. Prior to the commencement of the development, 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. The development thereafter shall be implemented in strict accordance with the approved details.

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

- a) Location and installation of services/utilities/drainage.
 - b) Details of construction within the RPA or that may impact on the retained trees.
 - c) A full specification for the construction of any hard landscaping and footways, including details of any no-dig specification and extent of the areas hard landscaping and footpaths to be constructed using a no-dig specification. Details shall include relevant sections through them.
 - d) A specification for protective fencing to safeguard trees during construction phases and a plan indicating the alignment of the protective fencing.
 - e) A specification for scaffolding and ground protection within tree protection zones.
 - f) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.
 - g) 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
9. No vegetation clearance works shall take place between 1st March and 31st August inclusive, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period, and details of measures to protect the nesting bird interest on the site, have first been submitted to and approved in writing by the local planning authority and then implemented as approved.
10. Prior to the commencement of development, a biodiversity enhancement strategy as outlined in the ecology report shall be submitted to and approved in writing by the Council, to ensure no net loss for biodiversity and aim for a net gain (NPPF 2018). Such approved measures should be implemented in full and maintained thereafter. Measures may include:
- details of bird and bat boxes will be clearly shown on a plan (positions/specification/numbers).

- hedgehog connectivity measures will be clearly shown on a plan, such as small fencing gaps (130 mm x 130 mm), railings or hedgerows.
- summary of ecologically beneficial landscaping (full details to be provided in Soft Landscape Plans).

Landscaping

11. Within 2 months of commencement of development 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 dwellings.

12. Within 2 months of commencement of development 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.

Others

13. 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.

14. Prior to development commencing 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.

15. Construction work (inc. demolition works) 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.

16. Upon commencement of development the applicant shall submit a 'Percent For Art' scheme which details the commissioning and provision of public art (up to the value of 1% of the overall development costs) within the application site boundary. Only the approved piece of public art shall be installed on site in accordance with the approved scheme and an approved timescale agreed in writing by the Local Planning Authority. The approved artwork installed on site shall be retained in situ as such for the life of the development.

(B) That a CIL Liability Notice be served for £53,989 as detailed in section 5.9.2 of the officer's report.

98 **BUILDING REGULATIONS (P880D)**

*The Chief Building Control Officer reported that pursuant to the authority delegated to him he had determined the under-mentioned plans under the Building Regulations:-

(a) Approvals

18/06529/DEXBN	Single storey rear extension at 26 Netherthorpe Close Staveley Chesterfield S43 3PX
19/00033/DEXBN	Single storey entrance hallway extension at 79 Smithfield Avenue Hasland Chesterfield S41 0PR
19/00120/DEXBN	Small kitchen extension, loft alterations, new windows x 2 at 6 Somersall Lane Somersall Chesterfield S40 3LA
19/00175/DEXBN	Top up insulation in roof at 13 Middlecroft Road Staveley Chesterfield S43 3XN

18/06455/DEXFP	Rear kitchen extension and internal alterations at 23 South Lodge Court Ashgate Chesterfield S40 3QG
18/06574/DEXFP	Internal alterations at 6 Brookside Glen Chesterfield S40 3PF
19/00038/DEXFP	Proposed rear extension at 103 Hucknall Avenue Loundsley Green Chesterfield S40 4BZ
19/00039/DEXFP	Proposed front extension and internal alterations at 12 Oakley Avenue Brockwell Chesterfield S40 4DS
19/00124/DEXFP	First floor bathroom extension at 28 Hillside Drive Walton Chesterfield S40 2DB
19/00045/DEXRG	Replacement windows and doors to whole house at 5 Rother Avenue Brimington Chesterfield S43 1LH
19/00129/DEXRG	Converted existing garage into a play room, utility room, and cloakroom at 16 Marine Drive Chesterfield S41 0FG
18/06527/IND	Single storey rear extension and two storey side extension at 21 Wikeley Way Brimington Chesterfield S43 1AS
18/06531/IN	Single storey extension to form potato room and relocation of access door to flat above shop at Tasty Bites Chesterfield Road Staveley Chesterfield S43 3RX
18/06579/IND	Land adjacent to Cranleigh Road Woodthorpe Chesterfield S43 3BH
19/00042/IND	Single storey rear extension and single detached garage at 14 Highfield Lane Newbold Chesterfield S41 8AU
19/00054/IND	Two storey side extension and single storey rear extension at 8 Brookfield Avenue Chesterfield S40

3NX

- 19/00055/IND Porch and wall knockout/garage conversion with new roof/new roof on existing extension and internal steels at 42 Glenthorne Close Chesterfield S40 3AR
- 19/00063/IND Detached garage at 1 Aviemore Close New Whittington Chesterfield S43 2AY
- 19/00064/IND Single storey front extension at 38 Eastwood Park Drive Hasland Chesterfield S41 0BD
- 19/00094/IND Single storey rear and side extension, and internal alterations at 12 Matlock Road Chesterfield Derbyshire S40 3JQ
- 19/00096/IND Replacement of existing conservatory roof with solid roof to form sun lounge ONLY at 21 Oadby Drive Hasland Chesterfield S41 0YF
- 19/00110/IND Structural alterations to include removal of chimney breast at 14 Ashgate Avenue Ashgate Chesterfield Derbyshire S40 1JB
- 19/00118/IND Internal structural floor removal and upgrade to existing premises ONLY at 36 Chesterfield Road Staveley Chesterfield S43 3QF
- 19/00134/IND Replacement of glazed/transparent roof with solid, lightweight tiled and internally insulated roof at 32 Dukes Drive Newbold Chesterfield Derbyshire S41 8QG
- 19/00144/IND Structural alterations to remove existing internal wall between kitchen and dining room and fit steel beam to support also replace existing steel adjacent and add connection detail ONLY at 257 Walton Road Walton Chesterfield S40 3BT
- 19/00161/IND Removal of chimney and associated steelwork at 232 Old Road Chesterfield S40 3QN

19/00176/IND	Existing garage to be divided into two and back half converted into a hobby/craft room, single storey at 21 Skeldale Drive Chesterfield S40 2UW
19/00177/IND	Replacement of existing conservatory roof with solid roof to form sun lounge ONLY at 6 Harvest Way Holme Hall Chesterfield S42 7JX
19/00182/IND	Single storey extension at 53 Meadowhill Road Hasland Chesterfield Derbyshire S41 0BG
19/00186/IND	Single storey rear extension at 70 Bower Farm Road Old Whittington Chesterfield S41 9PS
19/00194/IND	Replacement conservatory at 42 Errington Road Walton Chesterfield Derbyshire S40 3EP
18/06564/DM	Demolition of 2 connected unused industrial buildings at Unit 32 And 33 M1 Commerce Park Markham Lane Duckmanton Chesterfield

99 **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/18/00607/LBC	Replacement of rotten timber windows and door for traditional timber windows and doors at Barrow Hill Primary School Station Road Barrow Hill for Derbyshire County Council
CHE/18/00631/FUL	Single storey rear extension and raising of garage roof (revised drawings received 20.12.2018) at 9 Westbourne Grove Ashgate Chesterfield Derbyshire S40 3QD for Mr Richard George

- CHE/18/00640/FUL Proposed single storey side extension (Revised Drawing received 09.01.2019) at 47 Lucas Road Newbold Derbyshire S41 7DA for Mr Andy Dunn
- CHE/18/00660/FUL Loft conversion with a flat roofed dormer window on the rear elevation and a roof light on the front elevation - revised plans received showing changes to front dormer roof 27/11/2018, further revised plans received 02/01/2019 (for a pitched roof dormer window on the front elevation and 3 roof at 602 Chatsworth Road Chesterfield Derbyshire S40 3JX for Ms Rebecca Charlesworth
- CHE/18/00674/FUL Single storey garage attached to the side of the property at 21 Heathcote Drive Hasland Derbyshire S41 0BB for Mr Jacek Chibowski
- CHE/18/00676/RET Retention of the use of the land as a vehicle compound with fencing, lighting portocabins in association with the main Ford dealership at Spire Walk at vacant land between B and Q and Fire Station Braidwood Way Chesterfield S40 2WG for Perrys East Midlands Ltd
- CHE/18/00684/CLO Certificate of lawful use of premises for A3 and A5 use at China Dragon 72 High Street New Whittington Derbyshire S43 2AJ for Mr Hoo Shem Young
- CHE/18/00689/FUL Erection of mono-pitched roof to replace the existing flat roof situated on front elevation of the residential dwelling at 37 Norwood Avenue Hasland S41 0NN for Mr Jack Hardy
- CHE/18/00702/LBC New slate roof cover to "House" area only (including re-use of decorative copings, new timber, slate lathe and breathable sacking at Pomegranate Theatre Corporation Street Chesterfield Derbyshire S41 7TX for Chesterfield Borough Council

- CHE/18/00704/RET Extension to existing drop kerb for parking bay at 265 Handley Road New Whittington Derbyshire S43 2ES for Ms Anne Noone
- CHE/18/00707/FUL Two storey side and rear extension at 10 Easedale Close Holme Hall Chesterfield S40 4XP for Mr Steve Higham
- CHE/18/00708/FUL Two storey side and rear extensions with single storey front extension (revised drawings received 04.12.2018) at 18 Steeping Close Brimington Chesterfield S43 1ND for Mr J Hewson
- CHE/18/00728/FUL Resubmission of application CHE/17/00549/FUL - Proposed single storey extension at 63 Norwood Avenue Hasland S41 0NN for Mr David Keeton
- CHE/18/00737/FUL Detached garage and widen dropped kerb at 134 Salisbury Avenue Newbold Derbyshire S41 8PQ for Mr Robert Plant
- CHE/18/00741/FUL Detached garage at 1 Aviemore Close New Whittington Derbyshire for Mr Steve Lock
- CHE/18/00744/COU Change of use from C2 (Residential Institution) to C3 (Dwelling-house) at 1 Highfield Road Newbold S41 7EY for Carislease 2 Limited
- CHE/18/00747/FU Single storey extension to rear of existing dwelling to provide new kitchen, with lantern light over at 2 Foljambe Avenue Walton S40 3EW for Mr and Mrs A Fareham
- CHE/18/00753/FUL Proposed single storey rear extension and loft conversion with gable and dormer - revised plans rec'd 02/01/2019 - at 52 Gloucester Road Stonegravels Chesterfield S41 7DG for Mr Simon Waterfall
- CHE/18/00758/OUT Outline application for one dwelling at 8 High Street New Whittington Derbyshire S43 2DX for Mr David Penney

- CHE/18/00763/FUL Ground floor extension to the rear elevation at 4 Thorpleigh Road Woodthorpe S43 3BJ for Mrs Marilyn Longstaffe
- CHE/18/00765/PNC Change of use of existing agricultural building to class C3 (Dwelling-house) including creation of domestic curtilage and vehicle parking area at Oldfield Farm Wetlands Lane Brimington for Messrs P and R Walters
- CHE/18/00767/FUL Proposed self build dormer bungalow with drive for on-site car at land at Bamford Road Inkersall for Mr Simon Whittam
- CHE/18/00769/COU Change of use of first floor from residential (C3) to commercial (Hairdressing) A1 at 98A Derby Road Chesterfield S40 2EF for Mrs Angela Briggs
- CHE/18/00770/FUL Side extension to a detached dwelling at 169 Somersall Lane Somersall S40 3LZ for Mr David Main
- CHE/18/00771/ADV Free standing noticeboard at Pentecostal Church Newbold Road Newbold S41 7PU for Central Pentecostal Church
- CHE/18/00779/FUL Change of use and conversion of former County Court building to 12 dwellings including internal and minor external alterations - information received 10/01/2019 - at Chesterfield County Court St Marys Gate Chesterfield Derbyshire for County Developments (Bakewell) Ltd
- CHE/18/00782/FUL Re-submission of CHE/18/00339/FUL - Single storey side and rear extension and detached single garage with store (with reduced rear extension with flat roof and smaller garage) at 14 Milford Road Inkersall for Patterson
- CHE/18/00784/FUL Change of use and conversion to 9 apartments at 87 New Square Chesterfield Derbyshire S40 1AH

for Leverton UK Ltd

- CHE/18/00785/LBC Listed Building Consent for change of use and conversion to 9 apartments at 87 New Square Chesterfield Derbyshire S40 1AH for Leverton UK Ltd
- CHE/18/00812/FUL Proposed ground floor alterations including provision of external stairs and alterations to existing first floor flat at Phylls Grill 395 - 397 Sheffield Road Whittington Moor Derbyshire S41 8LS for Mr Mark Hallam
- CHE/18/00849/CA Ash Tree - prune away from dwelling to give 3m clearance, prune back to suitable replacement branches and reduction in height of
- CHE/18/00854/NMA Non material amendment to CHE/18/00625/FUL (installation of 2 electric vehicle charging points alongside 2 existing car parking spaces, with ancillary bollards, signage posts and power feeder pillar) to relocate electric parking bays and increase number from 2 to 3 at The Little Castle Enterprise Way Duckmanton Derbyshire S44 5FD for Engenie Ltd
- CHE/19/00006/CA Pruning of one quince tree at 84 Saltergate Chesterfield Derbyshire S40 1LG for Derbyshire Health Care Foundation Trust
- CHE/19/00014/TPO Removal of a dead Hawthorn and Horse Chestnut Tree within G6 of TPO 160 at High Trees 89 The Green Hasland S41 0LW for Mr John Queening
- CHE/19/00025/TPO Removal of dead wood off 2 Oak Trees (T14 and T15) at 92 Highland Road New Whittington Derbyshire S43 2EZ for Mr Joe Cuddy
- (b) Refusal
- CHE/18/00657/FUL Extension to the rear elevation - revised drawings received - at 96 Boythorpe Road Boythorpe

Derbyshire S40 2LR for Mr Peter Walters`

- CHE/18/00726/FUL Two storey extension at 18 Devonshire Avenue North New Whittington Derbyshire S43 2DB for Mr Derek Pratt
- CHE/18/00793/REM1 Removal of condition 9 (car parking spaces) of CHE/16/00721/OUT - Residential development of one detached house at land between 16 - 18 Eyre Street East Hasland for Mr Yukkee Chan
- CHE/18/00807/TPO Ash (T.1) - Fell due to - possibility of subsidence, nuisance to the retaining wall on the side of the brook, the canopy of the tree is close to the bus stop and possibility of falling branches .canopy of the tree overhangs the care home access path on the other side and is the access route for people of age and mobility issues - garage is suffering from cracking, risk of falling branches on people at the bus stop and will need regular maintenance and inspections. Tree is part of a larger group of trees and cannot be seen easily when travelling along the road, works have revealed staining within the branches. tree is a large mature tree and is dominant within the useable garden assessed on its suitability it is unlikely that a tree of such species would be proposed for this residential location at 9 Norbriggs Road Woodthorpe S43 3BW for Mrs Samantha Asquith

(c) Discharge of Planning Condition

- CHE/18/00666/DOC Discharge of conditions 1, 2, 3, 4, 5, 6, 7, 8, 9 of application CHE/18/00224/REM - Re-submission of all matters reserved application
CHE/17/00281/REM - Approval of reserved matters of CHE/15/00594/OUT - Construction of up to 10 dwellings - revised drawing received 30.10.18 - at land surrounding 146 ro 152 Hady Lane Hady Lane Hady Derbyshire for Mr John Stone, Kevin Bailey and Katrina Bailey

- CHE/18/00732/DOC Discharge of planning conditions 4 (materials) 8 (site investigation) and 9 (boundary treatments) of CHE/18/00349/FUL - residential development for 2 three bedroom detached dwellings at 12 Cavendish Street North Old Whittington Derbyshire for Mr Paul Kitchen
- CHE/18/00799/DOC Discharge of condition 3 (bin storage) of CHE/17/00578/REM - pair of semi-detached starter homes at 97 Station Road Old Whittington S41 9AW for Mr James Lough

(d) Prior notification approval not required

- CHE/18/00803/TPD Proposed single storey rear extension at 24 Westbrook Drive Chesterfield S40 3PQ for Mr Richard Brewster
- CHE/18/00809/TPD Proposed rear extension at 103 Hucknall Avenue Loundsley Green Chesterfield S40 4BZ for M Kennelly
- CHE/18/00810/TPD Proposed single storey rear extension at 19 Mayfield Road Chesterfield Derbyshire S40 3AJ for K McGwyre

(e) Conditional Permission to Vary Conditions

- CHE/18/00824/REM1 Variation of wording of condition 5 (access works prior to occupation of dwelling) of application CHE/15/00348/FUL. Construction of new dwelling at 115 Coniston Road S41 8JE for Holymoorside at 115 Coniston Road Newbold Derbyshire S41 8JE for Holymoorside Properties

100 **APPLICATIONS TO FELL OR PRUNE TREES (P620D)**

(a) The felling and pruning of trees:-

- CHE/19/00014/TPOEXP Consent is granted to the felling of two dead trees within G6 on the order map for Mr Queening of 89 The Green, Hasland, with a

condition to plant one Mountain Ash in the first available planting season after felling.

CHE/19/00025/TPOEXP Consent is granted to the pruning of two Oak trees reference T14 and T15 on the order map for Mr Cuddy of 92 Highland Road, New Whittington.

CHE/18/00807/TPO Consent is refused to the felling of one Ash tree reference T1 on the order map for Apex Environmental Ltd on behalf Mr and Mrs Asquith of 9 Norbriggs Road, Woodthorpe.

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

CHE/18/00849/CA Agreement to the pruning of one Ash tree by reducing the branches growing towards the property to give a 3 metre clearance from the structure. The pruning will have no adverse effect on the amenity value of the area.

The pruning of one Ash tree for Mr for Mr Richard Carter of 19 Hunters Walk.

The tree is within the Town Centre Conservation Area and the applicant wishes to prune the tree which is located in the neighbouring land and close to the new property.

CHE/19/00006/CA The pruning of one Quince tree for Ms Slinn on behalf of the NHS Trust Bayheath House, Rose Hill West.

Agreement to the pruning of one Quince tree by reducing the branches growing towards the structure and driveway and crown lifting the lower branches. The pruning will have no adverse effect on the amenity value of the area.

The tree is within the Town Centre Conservation Area and the applicant wishes to prune the tree which is located in the neighbouring land at 82 Saltergate and overhanging the

entrance driveway to Bayheath House.

101 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.

102 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.