



Please ask for Charlotte Kearsey
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The Chair and Members of Planning
Committee

Councillors J Innes and P Innes –
Site Visit 1
Councillors P Niblock and S Niblock –
Site Visit 2

17 January 2020

Dear Councillor,

Please attend a meeting of the PLANNING COMMITTEE to be held on MONDAY, 27 JANUARY 2020 at 3.00 pm in Committee Room 1, Town Hall, Rose Hill, Chesterfield S40 1LP, the agenda for which is set out below.

AGENDA

Part 1(Public Information)

PLEASE NOTE THAT THE MEETING WILL BE PRECEDED BY THE FOLLOWING SITE VISITS.

Planning Committee Members should assemble in Committee Room 1 at 13:25pm. Ward members wishing to be present should attend on site as indicated below:-

1. 13:40 Former Boatyard, Sheffield Road
CHE/19/00532/REM
2. 14:10 16 Rockingham Close
CHE/19/00731/FUL

Members are reminded that only those attending on site will be eligible to take part in the debate and make a decision on these items. Members intending to declare a Disclosable Pecuniary Interest, or any

other matter which would prevent them taking part in discussions on an item, should not attend the site visit for it

Ward members are invited to attend on site and should confirm their attendance by contacting Charlotte Kearsey on tel. 01246 345236 or via e-mail: charlotte.kearsey@chesterfield.gov.uk by 9.00 a.m. on Monday 27 January, 2020. If you do not confirm your attendance, it will be assumed that you will not be attending on site.

Please ensure that all mobile phones are switched off during site visits and at the meeting at the Town Hall.

1. Apologies for Absence
2. Declarations of Members' and Officers' Interests Relating to Items on the Agenda
3. Minutes of Planning Committee (Pages 3 - 34)
4. Applications for Planning Permission - Plans Determined by the Committee (Pages 35 - 78)
5. Applications for Planning Permission - Plans Determined by the Development Management and Conservation Manager (P140D) (Pages 79 - 90)
6. Applications to Fell or Prune Trees (P620D) (Pages 91 - 96)
7. Enforcement Report (P410) (Pages 97 - 102)

Yours sincerely,



Local Government and Regulatory Law Manager and Monitoring Officer

PLANNING COMMITTEE**Monday, 6th January, 2020**

Present:-

Councillor Callan (Chair)

Councillors	Bingham	Councillors	Simmons
	Catt		Kelly
	Caulfield		Marriott
	Davenport		Borrell

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

CHE/19/00634/FUL - Proposed change of use and elevational alterations of part of premises from class A1 to D1 use for Salvation Army Church (additional information provided 10/12/2019) at former Lidl, Foljambe Road, Chesterfield, Derbyshire S40 1NJ for Mr Martin Way.

Councillors Bingham, Callan, Catt, Caulfield, Davenport, Kelly, Marriott and Simmons.

CHE/19/00606/FUL - Change of use from hotel (use class C1) to a house in multiple occupation involving shared accommodation, associated alterations and provision of parking spaces at 85-87 Newbold Road, Newbold, Chesterfield.

Councillors Borrell, Callan, Catt, Caulfield, Davenport, Kelly, Marriott and Simmons.

CHE/19/00593/FUL - proposed erection of 4 no semi-detached 2/3 bedroomed dwellings with associated car parking and external works served from widened access drive (additional information received 04/11/2019 and 24/11/2019) at land to the side and rear of 102 Highfield Lane, Newbold, Chesterfield, Derbyshire for Lakeland Developments Limited.

Councillors Bingham, Borrell, Callan, Catt, Caulfield, Davenport, Kelly, Marriott and Simmons.

CHE/19/00600/RET - Retention of covered storage area to the rear and side of the premises and change of use from light industrial use (B1 class) to a shop (A1 class) at 1 Wharf Lane, Staveley, Chesterfield.

Councillors Bingham, Borrell, Callan, Catt, Caulfield, Davenport, Kelly, Marriott and Simmons.

CHE/16/00229/OUT - Outline application for development of 14 no residential units with new access at Bank Close House, Hasland Road, Hasland, Chesterfield for Vital Balance Ltd.

Councillors Bingham, Borrell, Callan, Catt, Caulfield, Davenport, Kelly, Marriott and Simmons.

*Matters dealt with under the Delegation Scheme

85 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Barr, Brady, G Falconer, T Gilby and Miles.

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

Councillor Bingham did not attend the site visit of agenda item 4, item 1 (CHE/19/00606/FUL - Change of use from hotel (use class C1) to a house in multiple occupation involving shared accommodation, associated alterations and provision of parking spaces at 85-87 Newbold Road, Newbold, Chesterfield) and did not take part in the debate or subsequent vote.

Councillor Borrell did not attend the site visit of agenda item 4, item 3 (CHE/19/00634/FUL - Proposed change of use and elevational alterations of part of premises from class A1 to D1 use for Salvation Army Church (additional information provided 10/12/2019) at former Lidl, Foljambe Road, Chesterfield, Derbyshire S40 1NJ for Mr Martin Way and did not take part in the debate or subsequent vote.

87 **MINUTES OF PLANNING COMMITTEE**

RESOLVED -

That the Minutes of the meeting of the Planning Committee held on 19 and 21 November, 2019 be signed by the Chair as a true record.

88 **APPLICATIONS FOR PLANNING PERMISSION - PLANS DETERMINED BY THE COMMITTEE**

*The Committee considered the under-mentioned applications in light of reports by the Development Management and Conservation Manager and resolved as follows:-

CHE/19/00600/RET - RETENTION OF COVERED STORAGE AREA TO THE REAR AND SIDE OF THE PREMISES AND CHANGE OF USE FROM LIGHT INDUSTRIAL USE (B1 CLASS) TO A SHOP (A1 CLASS) AT 1 WHARF LANE, STAVELEY, CHESTERFIELD

In accordance with Minute No. 299 (2001/2002) Mrs Wallhead (objector), Mr Paul Jacobs (objector) and Mr Khan (applicant) addressed the meeting.

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

1. The constraints of the site and the addition of the rear extension result in no parking for vehicles on site with very limited parking for staff and customers either on site or in the immediate vicinity. The area is characterised by terraced dwellings which depend on the street for parking. As a result staff, deliveries and customers to the site are forced to park on the surrounding highway including on the pavement, at a location which has double yellow lines in place to prevent parking and to protect the visibility of road users in the area. The extension intensifies the business activity at the site, where there is already a deficiency in available parking, and therefore leads to a proliferation of inappropriate parking and highway obstruction that is against the best interests of highway safety. In this context it is considered that the development is contrary to policies CS2, CS18 and CS20 of the Chesterfield Local Plan: Core Strategy 2011 – 2031 and the wider provisions of the NPPF.

2. The rear extension is considered to have an unsympathetic relationship with the existing building and surrounding character. The style and materials of the extension do not harmonise with the existing palette of the surrounding area and the metal sheeting finish appears to be of a temporary industrial nature. The structure protrudes above the

domestic boundary treatments of no. 3 Wharf Lane and no. 23 Lowgates to the detriment of their outlook. It is considered that the development is out of keeping and incongruous in the local area, and which harms visual amenity, which is contrary to Policy CS18 of the Chesterfield Local Plan: Core Strategy 2011 – 2031, paragraph 130 of the revised National Planning Policy Framework and the new National Design Guide 2019.

CHE/19/00606/FUL - CHANGE OF USE FROM HOTEL (USE CLASS C1) TO A HOUSE IN MULTIPLE OCCUPATION INVOLVING SHARED ACCOMMODATION, ASSOCIATED ALTERATIONS AND PROVISION OF PARKING SPACES AT 85-87 NEWBOLD ROAD, NEWBOLD, CHESTERFIELD

In accordance with Minute No. 299 (2001/2002) Mr Perkins (applicant) and Mr James Norton (applicant's agent) addressed the meeting.

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

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/documents (listed below) with the exception of any approved non material amendment.
 - Drawing Numbers Bck.01 rev B; Bck.10 rev L; Bck.11 rev J; Bck.12; Bck.13 rev A; Bck.14;
 - Planning and Sustainability Statement rev B
3. The proposed frontage car parking and cycle parking within the application site boundary shall be available for the use hereby approved and shall be maintained and be available for parking for the life of the development.
4. The 16 No units shall each be occupied only by 1 person.

CHE/16/00229/OUT - OUTLINE APPLICATION FOR DEVELOPMENT OF 14 No RESIDENTIAL UNITS WITH NEW ACCESS AT BANK CLOSE HOUSE, HASLAND ROAD, HASLAND, CHESTERFIELD FOR VITAL BALANCE LTD

In accordance with Minute No. 299 (2001/2002) Mr Peter Hill (applicant) addressed the meeting.

That the officer recommendation be upheld and that concurrent with the signing of the s106 agreement as now drafted, the application CHE/16/00229/OUT be approved subject to the conditions and notes set out in the original report and the addition of the following additional condition:-

Condition 23

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

CHE/19/00634/FUL - PROPOSED CHANGE OF USE AND ELEVATIONAL ALTERATIONS OF PART OF PREMISES FROM CLASS A1 TO D1 USE FOR SALVATION ARMY CHURCH (ADDITIONAL INFORMATION PROVIDED 10/12/2019) AT FORMER LIDL, FOLJAMBE ROAD, CHESTERFIELD, DERBYSHIRE S40 1NJ FOR MR MARTIN WAY

In accordance with Minute No. 299 (2001/2002) Lindsay Allen (objector) addressed the meeting.

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

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.

Site Location Plan – Rev A

19-026-01 P1 – Existing Floor Plans
19-026-02 P1 – Existing Elevations
19-026-03 P1 – Proposed Floor Plans
9-026-04 P1 – Proposed Elevations
9-026-Site P1 – Proposed Site Plan
Covering Letter dated 11th October 2019
Additional information provided by email (3 of 3) dated 11th December 2019.

3. Opening and delivery hours of the A1 retail use shall be restricted to between the hours of 07:30 – 20:00 Monday – Friday, 07:30 – 18:30 Saturday, and 10:00 – 16:00 Sunday.

4. Opening hours of the D1 use shall be restricted to between the hours of 07:30 - 20:00 Monday - Friday, 07:30 - 18:30 Saturday, and 08:00 - 16:00 Sunday.

5. Prior to their installation, further details of any freestanding donation banks and the machine masking kiosk shall be submitted to the Local Planning Authority for further consideration and written approval. Only those details which are subsequently approved in writing shall be installed on site.

CHE/19/00593/FUL - PROPOSED ERECTION OF 4 NO SEMI-DETACHED 2/3 BEDROOMED DWELLINGS WITH ASSOCIATED CAR PARKING AND EXTERNAL WORKS SERVED FROM WIDENED ACCESS DRIVE (ADDITIONAL INFORMATION RECEIVED 04/11/2019 AND 24/11/2019) AT LAND TO THE SIDE AND REAR OF 102 HIGHFIELD LANE, NEWBOLD, CHESTERFIELD, DERBYSHIRE FOR LAKELAND DEVELOPMENTS LIMITED

In accordance with Minute No. 299 (2001/2002) James Evans (applicant) attended the meeting to answer any questions but no questions were raised.

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

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

2. 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.

2019-14-28 - Site Location Plan, ~~Block Plan and Site Plan~~ (superceded by 21 and 28A below)

2019-14-20 - Site Layout As Existing

2019-14-11 Rev D Typical Floor Plans, Sections and Partical 3D Perspective

2019-14-21 Rev C - Site Layout As Proposed

2019-14-22 Rev A - Proposed Ground Floor

2019-14-23 Rev A - Proposed First Floor

2019-14-24 Rev A - Proposed Second Floor

2019-14-25 Rev A - Proposed Roof Plan

2019-14-26 Rev A - Proposed Elevations 1 of 2

2019-14-27 Rev A - Proposed Elevations 2 of 2 and Typical Section

2019-14-28 Rev A - Proposed Site Layout with Delivery Vehicle Tracking

2019-14-29 Rev - Proposed Rendering Perspectives

Phase I Desk Study and Coal Mining Risk Assessment

Drainage

3. The site shall be developed with separate systems of drainage for foul and surface water on and off site.

4. 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.

Land Condition/Contamination

5. 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 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.

6. A. Development shall not commence until details as specified in this condition have been submitted to the Local Planning Authority for consideration and those details, or any amendments to those details as may be required, have received the written approval of the Local Planning Authority.

i. A desktop study/Phase 1 report documenting the previous land use history of the site.

ii. A site investigation/Phase 2 report where the previous use of the site indicates contaminative use(s). The site investigation/Phase 2 report shall document the ground conditions of the site. The site investigation shall establish the full extent, depth and cross-section, nature and composition of the contamination. Ground gas, groundwater and chemical analysis, identified as being appropriate by the desktop study, shall be carried out in accordance with current guidance using UKAS accredited methods. All technical data must be submitted to the Local Planning Authority.

iii. A detailed scheme of remedial works should the investigation reveal the presence of ground gas or other contamination. The scheme shall include a Remediation Method Statement and Risk Assessment Strategy to avoid any risk arising when the site is developed or occupied.

B. If, during remediation works any contamination is identified that has not been considered in the Remediation Method Statement, then additional remediation proposals for this material shall be submitted to the Local Planning Authority for written approval. Any approved proposals shall thereafter form part of the Remediation Method Statement.

C. The development hereby approved shall not be occupied until a written Validation Report (pursuant to A II and A III only) has been submitted to and approved in writing by the Local Planning Authority. A Validation Report is required to confirm that all remedial works have been completed and validated in accordance with the agreed Remediation Method Statement.

Highway

7. 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 but not necessarily be restricted to the following as appropriate.

- Parking of vehicles of site operatives and visitors
- Routes for construction traffic, including abnormal loads/cranes etc.
- Hours of operation
- Method of prevention of debris being carried onto highway
- Pedestrian and cyclist protection
- Proposed temporary traffic restrictions
- Arrangements for turning vehicles

8. Prior to occupation of the dwellings, the subject of the application, the existing access to Highfield Lane shall be modified in accordance with the revised application drawings.

9. No dwelling shall be occupied until space has been laid out within the site in accordance with the revised drawing for cars to be parked and for vehicles to turn so that they may enter and leave the site in a forward gear.

10. There shall be no gates or other barriers on the access.

Ecology

11. Prior to the commencement of development a detailed enhancement strategy that provides details of enhancement measures for roosting bats and nesting birds shall be submitted to and approved in writing by the LPA. Such approved measures must be implemented in full and maintained thereafter.

Please note that it is expected that provision is made within the new dwellings (as integral boxes) rather than in retained trees to ensure that the roost and nest boxes cannot be tampered with and are secure in the long-term.

Tree Protection

12. 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 the adjacent land, 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.
- b) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees.
- c) Details of construction within the RPA or that may impact on the retained trees.
- d) a full specification for the installation of boundary treatment works.
- e) a full specification for the construction of any hard surfaces including details of the no-dig specification and extent of the areas of hardsurfaces to be constructed using a no-dig specification. Details shall include relevant sections through them.
- f) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.
- g) A specification for protective fencing/ground protection to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing or ground protection.
- h) A specification for scaffolding and ground protection within tree protection zones.
- i) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.

j) 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

k) Boundary treatments within the RPA

l) Methodology and detailed assessment of root pruning

m) 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.

13. Prior to completion or first occupation of the development hereby approved, whichever is the sooner; 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 treatment:

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

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

14. There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees located on the adjacent land 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).

Others

15. Construction work shall only be carried out on site between 8:00am and 6:00pm Monday to Friday, 9:00am to 5:00pm on a Saturday and no work on a Sunday or Public Holiday. The term "work" will also apply to the operation of plant, machinery and equipment.

16. 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.

17. Notwithstanding the provision of the Town and Country Planning (General Permitted) Development Order 1995 (as amended) there shall be no extensions, outbuildings or garages constructed (other than garden sheds or greenhouses of a volume less than 10 cubic metre) or additional windows erected or installed at or in the dwelling hereby approved without the prior written agreement of the Local Planning Authority.

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

(B) That a CIL Liability notice be served for £23,484 as detailed in section 5.8 of the officer's report, updated in accordance with the January 2020 CIL Indexation.

89 **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:-

Approvals

19/03402/DEXFP

Underpinning to provide additional storage space at 183 Sheffield Road Stonegravels Chesterfield

S41 7JQ

19/05300/OTHFP	Conversion of communal lounge and guest room to form two flats at Harehill Court Harehill Road Grangewood S40 2NZ
19/04611/DOMFP	Conversion of former church into 4 no dwellings with extensions to side and rear at St Joseph's RC Church Chesterfield Road Staveley Chesterfield S43 3QF
19/06546/DEXFP	Garage conversion at 32 Lake View Avenue Walton Chesterfield S40 3DR
19/06665/DEXFP	Proposed wall removal and new patio doors at 52 Langhurst Road Brockwell Chesterfield S40 4BD
19/03944/DEXPI	Single storey rear extension at 4 Hillside Drive Mastin Moor Chesterfield S43 3AE
19/05783/DEXFP	Single storey rear extension at 17 Horsley Close Holme Hall Chesterfield S40 4XD

90 **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/19/00045/RET	Retrospective consent for the retention of a rear single storey extension at 184 Peveril Road Newbold S41 8SH for Mr Dave McElvaney
CHE/19/00140/FUL	Demolition of existing workshop building and erection of a cattery building (with separate isolation building to the front) and creation of 4 parking spaces to the front - revised plans received 19 September 2019 at 36 Hady Lane

- Hady Derbyshire S41 0DF for Mrs Lisa Higginbottom
- CHE/19/00292/FUL Conversion of triple garage to 2 bedroom bungalow (amended Plans received on 11.09.2019 and structural report received 11.11.2019) at Plover Hill Farm Wetlands Lane Brimington Derbyshire S43 1QG for Mr Lee Jenkins
- CHE/19/00368/FUL Erection of 7 industrial units for B2 use (industrial) - Sequential Test received 27/08/2019; Mining Report received 29/09/2019; Revised drawings received 30/09/2019; Drainage info received 16/10/2019, and Flood-Risk Assessment received 17/10/2019 at Warehouse adj to Unit 17 Whitting Valley Road Old Whittington for A and J Properties Ltd
- CHE/19/00435/COU Use of additional room in property for dog day care business (additional drawings provided detailing internal layout of building 15.10.2019) at The Chantry 39 High Street Staveley Derbyshire for Mrs Nadia Rogers
- CHE/19/00506/FUL Re-submission of application CHE/14/00818/FUL - addition of an 8.64m 3.27m Portacabin to be attached to the front of the existing building for extra office space for new employees at Speeds Plastics Wheatbridge Road Chesterfield S40 2AB for Speed Plastics Ltd
- CHE/19/00541/FUL Installation of a 1,580sqm mezzanine at Spire Walk Business Park, Unit 2 Spire Walk Chesterfield S40 2WG for Dunelm (Soft Furnishings) Ltd
- CHE/19/00542/REM1 Variation of condition 15 of CHE/11/00339/REM1) to amend the quantum of approved use/floorspace restrictions (as set out in detail in the planning application submission) at Spire Walk Business Park, Unit 2 Spire Walk Chesterfield S40 2WG for

Dunelm (Soft Furnishings) Ltd

- CHE/19/00553/RET Continued siting of 5 metal clad storage units, and retention of palisade fencing and gates (to replace existing) at Chiltern Glass Fibre Barker Lane Chesterfield Derbyshire for Mr Darren Kuchta
- CHE/19/00557/FUL Re-submission of CHE/19 00298/FUL - First floor extension to the rear elevation at 189 Station Road Brimington S43 1LL for Mrs Laura Jenkins
- CHE/19/00571/FUL Proposed side extension at 6 Brincliffe Close Walton Derbyshire S40 3DU for Mr and Mrs Shepley
- CHE/19/00574/FUL External and site layout alterations consisting of external escape staircase, replacement of 2 trolley bays with covered trolley bay and the loss of two existing parking spaces to existing retail unit (Class A1) - amended plan received 18/11/2019 at Wheatbridge Retail Park, Wickes Building Supplies Ltd Wheatbridge Road Chesterfield S40 2AB for Wickes Building Supplies Limited
- CHE/19/00575/FUL Installation of a Class A1 mezzanine floor at Wheatbridge Retail Park, Wickes Building Supplies Ltd Wheatbridge Road Chesterfield S40 2AB for Wickes Building Supplies
- CHE/19/00580/FUL Demolition of existing single storey rear extension and change of use from offices (Class B1) into 2 residential dwellings (Class C3) (with revised drawings submitted 14.11.19) at 160-162 Derby Road Chesterfield S40 2EW for W.G Pollard Ltd
- CHE/19/00581/FUL Two storey side extension and single storey rear extensions including rebuilding of existing garage at 54 Morris Avenue Newbold Chesterfield S41 7BA for Mrs Janice Hoskin
- CHE/19/00585/RET Erection of a 2 metre high boundary fence of concrete posts and wooden panels at 8 Thorndon

- Way Walton Chesterfield S40 3DW for Mr Bryn Holmes
- CHE/19/00596/FUL Three storey rear extension and new external stairs from rear balcony at 66 Langer Lane Birdholme Derbyshire S40 2JG for Mrs Dawn Growcott
- CHE/19/00605/FUL Two storey front extension at 756 Chatsworth Road Chesterfield Derbyshire S40 3PN for Mr Mark Redford
- CHE/19/00608/FUL Single-storey glass room to the rear elevation of the property at 228 Manor Road Brimington Chesterfield S43 1NW for Mr Jones
- CHE/19/00609/FUL Extension for warehousing and ancillary offices and amenities at Peak Pipe Systems Smeckley Wood Close Chesterfield Trading Estate Chesterfield Derbyshire S41 9PZ for Bridgstock Ltd
- CHE/19/00615/FUL Demolition of existing extension to front of property and construction of new replacement extension at 706 Chatsworth Road Chesterfield S40 3PB for Mr and Mrs Mansell
- CHE/19/00618/FUL Single storey front extension (parking plan received 05.11.2019, additional car hardstanding drawing received 27.11.2019) at 230 Walton Road Walton S40 3BS for Mr Robert Colby
- CHE/19/00623/TPO T1 Lime - crown lift and crown clean to remove dead material. T2 Hawthorne - crown clean to remove dead material. Sweet Chestnut - remove deadwood and low level branch to the north of the stem at 93 High Street Old Whittington S41 9LB for Mrs Susan Smith
- CHE/19/00630/FUL Two storey side extension with single storey rear extension. Revised drawing received 18.11.2019 at 7 Norwood Close Hasland Chesterfield S41

ONL for Mr and Mrs Shaw

- CHE/19/00632/FUL Single storey side extension at 1 Ardsley Road Ashgate Chesterfield S40 4DG for B and V Burborough
- CHE/19/00637/TPO Pruning of oak tree at 7 Bunting Close Walton Derbyshire S42 7NU for Dr Anura Piyadigamage
- CHE/19/00639/NMA Non Material amendment to CHE/18/00619/FUL (Installation of a reserve power plant capacity following demolition of existing building) to allow the developers to re-arrange the structures within the power plant to facilitate greater efficiency at Units 1 - 3 Sheepbridge Lane Sheepbridge Derbyshire S41 9RX for EcoDev Group
- CHE/19/00656/NMA Non material amendment to CHE/19/00239/FUL (Residential development comprising the erection of 21 two, three and 4 bedroomed dwellings accessed by a new estate road from Cheedale Avenue, with associated footpaths and parking court/parking spaces, boundary walls and fences, retaining walls and area for public art) to allow for minor roof pitch modifications and window configuration to 'Cardinham', Thetford and Rockingham house types at former Brockwell Court Brockwell Lane Brockwell Chesterfield S40 4PJ for Chesterfield Borough Council
- CHE/19/00657/TPO T1 Beech - to be felled and replaced with an oak; and T2 Oak - to be pruned and reshaped at highway verge adj 5 Ashleigh Close Old Whittington Derbyshire S41 9NA for Derbyshire County Council
- CHE/19/00673/TPO x2 Large Sycamores located in adjacent property - crown lift to approx 5m to clear buildings, crown thin approx 15/20% at Amies Plastics Quarry Lane Chesterfield Derbyshire S40 3AT for Amies Plastics

- CHE/19/00689/TPO Crown clean and crown lift to approx. 3m of oak (T1) and crown clean and crown lift to approx 2-3m to give clearance from house of oak (T2) at 17 Wessington Drive Staveley Derbyshire S43 3NX for Clarion Housing
- CHE/19/00694/NMA Non material amendment to CHE/18/00477/ful (Mixed use B1, B2, and B8 Units with car parking) for the addition of one window to Unit 4 at Unit 1 Turnoaks Industrial Estate Turnoaks Lane Birdholme Derbyshire S40 2HA for Mr Whittaker
- CHE/19/00703/TPO Oak Tree TPO 99 - lift crown to clear lower branches over the driveway, footpath and highway. Clear crown to remove any dead wood. Prune back away from the property and telephone wires at 9 Grasmere Close Newbold Derbyshire S41 8EG for Mrs Heather Volli
- CHE/19/00705/TPO T1 - Lime - crown lift to give 3m clearance from ground, and crown thin by approx. 30%. Tree has Ganoderma at base, but client does not want to lose the tree, so is going to monitor over the next few years at 658 Chatsworth Road Chesterfield S40 3NU for Richard Neep
- CHE/19/00708/CA Crown lift and crown thin willow tree to allow access to public footpath, crown reduce and general pruning of apple tree, removal of conifer, crown reduce holly trees (4 and 5) to height of hedge, crown reduce tree (6) to hedge height, reduce height of privet hedge at Manor Hall Farm 102 Church Street North Old Whittington Derbyshire S41 9QP for Mr and Mrs Walters
- CHE/19/00710/TPO Cedar and copper beech to be felled at The Homestead 323 Ashgate Road Chesterfield Derbyshire S40 4DB for Mr Norman Tate
- CHE/19/00086/FUL Two storey extensions to side and rear of house to create larger bedrooms, shower room and garden room extension - revised plan received 27

November 2019 at 77 Brushfield Road Holme Hall
Chesterfield S40 4XF for Mr K More

- CHE/19/00154/RET Retrospective consent for change of use of car showroom and workshop (sui generis) to a tyre garage (sui generis) with office at the rear. Front office demolished and moved to the rear with new shutters to the front at rear of 34 Chatsworth Road Chesterfield Derbyshire S40 2AQ for 24 Tyres
- CHE/19/00161/FUL Proposed single storey bowls pavilion at Recreation Ground Stand Road Newbold for Chesterfield Borough Council
- CHE/19/00472/COU Change of use of land to permanent caravan storage at Sheepbridge Caravan Storage at land between River Drone and River Whitting Sheepbridge Lane Sheepbridge for Mrs Jennifer Rodgers
- CHE/19/00507/FUL Ground floor extension to front of property. Revised plans received 22 October 2019 at 19 Cromdale Avenue New Whittington S43 2DH for Mrs Amanda Gandee
- CHE/19/00538/FUL Single storey side and rear extension at 120 Mansfield Road Hasland S41 0JQ for Mr T Hayden
- CHE/19/00556/FUL Extension to existing double garage to provide ancillary accommodation at 2 The Hazelmeres Hazel Drive Walton S40 3FE for Mr Guy Rosewarne
- CHE/19/00609/FUL Extension for warehousing and ancillary offices and amenities at Peak Pipe Systems Smeckley Wood Close Trading Estate Chesterfield S41 9PZ for Bridgstock Ltd
- CHE/19/00613/LBC Proposed works to listed building including repair/replacement roof finish, works to chimney and works to guttering at Royal Oak 1 The

	Shambles Chesterfield S40 1PX for EI Group PLC
CHE/19/00631/FUL	Two storey rear extension. Revised drawings received 8.11.2019 at 26 Westbrook Drive Chesterfield S40 3PQ for Mr and Mrs Richards
CHE/19/00645/FUL	Two storey rear extension to dwelling at 1 Manknell Road Whittington Moor S41 8LZ for Mr G Tyson
CHE/19/00646/COU	Change of use from offices to community centre (Use Class A2 Financial and professional services to D1 Non-residential institutions) at 10A Marsden Street Chesterfield S40 1JY for Mr Mahroof Saddique
CHE/19/00650/TPO	Crown reduction and at the back of 27 Newbold Road at Deen and Da Awah Centre 29 Newbold Road Newbold S41 7PG for Mrs Sharon Whelan
CHE/19/00652/FUL	Single storey extension replacing existing conservatory at 8 Well Spring Close Brimington Chesterfield S43 1QX for Mr and Mrs Robert Elshaw
CHE/19/00659/FUL	Two storey side extension and single storey rear extension at 7 Mansfeldt Crescent Newbold S41 7BP for Mr S Barton
CHE/19/00662/FUL	Front extension to hallway and creation of additional hardstanding at 122 Mansfield Road Hasland S41 0JQ for Mr and Mrs M Oades
CHE/19/00679/REM1	Removal of condition 4 of CHE/12/00336/FUL (relating to the occupation of a garage/elderly persons ancillary accommodation) to allow temporary occupation, whilst the host dwelling is re-built at 23 Bridle Road Woodthorpe Chesterfield S43 3BY for Mr S Weatherall
CHE/19/00680/REM1	Variation of condition 2 of CHE/17/00855/FUL (Demolition of existing dwelling and erection of

replacement house) to allow insertion of additional windows and roof lights at 23 Bridle Road Woodthorpe S43 3BY for Mr S Weatherall

- CHE/19/00692/TPO Crown thinning and removal of one lower limb lifting back to 4.5m to retain tree health of oak tree at 46 Bentham Road Chesterfield Derbyshire S40 4EZ for Mr Christopher Drury
- CHE/19/00697/TPO Two Sycamore trees to be removed and two to be crown lifted and thinned at land formerly known as Brookside Farm Chesterfield Road Brimington for Mr Simon Parker
- CHE/19/00751/TPO T4 - Sycamore tree - 50% crown reduction in height and crown lift (2 lower branches). To increase lighting and drainage to neighbouring gardens at 32 Hillside Drive Walton S40 2DB for Mr Richard Hawksworth
- CHE/19/00755/CA T7 - Noble Fir- Remove. This tree is a constraint to development and has short term potential only. G1 - A group of self-set ash and sycamore - Prune back to boundary. G2 - A collection of conifers forming a low-level landscape feature - Remove to allow room for development. To be replaced with native shrubs during landscaping at 97 High Street Old Whittington S41 9LB for Mrs Susan Smith
- CHE/19/00757/NMA Non material amendment to CHE/18/00805/REM (Reserved Matters submission for the erection of 200 dwellings and associated landscaping) to alter garages to plots 145 and 146 and amendments to and re-naming of former house types B and D at land to the west of Dunston Lane Newbold for William Davis Limited
- CHE/19/00767/NMA Non material amendment to CHE/19/00574/FUL (External and site layout alterations consisting of external escape staircase, replacement of 2 trolley bays with covered trolley bay and the loss of two

existing parking spaces to existing retail unit (Class A1)) to allow for a re-figured car parking layout at Wickes Building Supplies Ltd Wheatbridge Retail Park Wheatbridge Road Chesterfield S40 2AB for Wickes Building Supplies Limited

(b) Refusals

- CHE/19/00389/COU Re-submission of CHE/19/00262/COU - Change of use from warehousing (B8) to Assembly and Leisure (D2) at Unit 18 Broombank Park Chesterfield Trading Estate Chesterfield for The Combat Academy (Chesterfield) Ltd
- CHE/19/00523/FUL Erection of detached bungalow at land to the rear of 175 Station Road Brimington Derbyshire for Ms Angerina Price
- CHE/19/00534/RET Retrospective application for existing children's play house with proposed wooden boarding and narrow piece of obscure laminated glass at 94 Chester Street Chesterfield Derbyshire S40 1DN for Mr Paul Servante
- CHE/19/00633/TPO Pines (TG1) - fell close to ground level 02/12/2019 Pine (T1) T2 T3 - fell close to ground level Pine (T2) - fell close to ground level Pine (T3) - fell close to ground level
1. The above tree works are proposed as a remedy to the differential foundation movement at the insured property and to ensure the long-term stability of the building.
 2. The above tree works are proposed to limit the extent and need for expensive and disruptive engineering repair works at the insured property. In this instance the estimated repair costs are likely to vary between £25,000 and £75,000, depending upon whether the tree/s can be removed or must remain.

3. The above tree works are proposed to limit the duration of any claim period and therefore allow the landowner their right to the peaceful enjoyment of their property.

4. It is the case that an alternative to felling such as pruning or significant 'pollarding' of the tree would not provide a reliable or sustainable remedy to the subsidence in this case. We do not consider that any other potential means of mitigation, including root barriers, would be effective or appropriate in the circumstances.

5. We are satisfied that the evidence obtained following completion of our Arboricultural Implication Assessment report completed 18th July 2019, clearly links the Pine trees as the cause of damage to the risk address.

6. Insurers understanding the requirement to offer replacement planting in the event consent to fell is granted.

at 406 Old Road Chesterfield Derbyshire S40 3QF
for Property Risk Inspection

CHE/19/00622/FUL Two storey rear and side extension at 112
Burnbridge Road Old Whittington Derbyshire for
Mr Robert Allen

(c) Discharge of Planning Condition

CHE/19/00568/DOC Discharge of condition 5 (tree protection),
condition 7 (lighting), condition 8 (ecology),
condition 9 (tree planting), condition 10 (ground
investigation) of CHE/18/00009/REM - Reserved
matters application for 1 dwelling - related to
CHE/15/00594/OUT Outline application for
residential development of up to 10 dwellings at
land surrounding 146 to 152 Hady Lane Hady
Lane Hady for Mrs Natalie Harbour

- CHE/19/00587/DOC Discharge of conditions 3 (surface water), 4 (surface water drainage), 5 (light glare to motorists), 8 (revised site layout) and 11 (external lighting) of CHE/19/207/FUL - New HGV testing station and ancillary offices at Plot 5 Markham Lane Duckmanton Derbyshire for Transcare Properties Ltd
- CHE/19/00591/DOC Discharge of condition 10 (AMS and Tree Protection Plan) and condition 15 (Training and Employment) of CHE/19/00373/MA - Extension of 1068sqm (GEA) to an existing industrial warehouse including associated proposed castings yard, car parking and landscaping. Upgrade to the existing external walls and new roof along with internal energy efficiency upgrade at Precision Products Ltd Cobnar Wood Close Chesterfield Trading Estate Chesterfield S41 9RQ for Precision Products Ltd
- CHE/19/00599/DOC Discharge of condition 3 (Site Investigation) of CHE/18/00826/FUL - Erection of portal framed warehouse/showroom with associated parking and yard at GKN Sheepbridge Stokes Ltd Sheepbridge Lane Sheepbridge S41 9QD for T G Beighton
- CHE/19/00604/DOC Discharge of condition 4 re drainage re CHE/19/00457/FUL - Removal of garden wall to create hard standing driveway at 599 Chatsworth Road Chesterfield Derbyshire S40 3JY for Mr S Humphreys
- CHE/19/00612/DOC Discharge of condition 13 (materials) of CHE/18/00605/FUL - Refurbish and extend existing property and change use to residential care home facility and demolition of existing ancillary building to the rear and erection of three storey building to create assisted living facility at 6 Ashgate Road Chesterfield Derbyshire S40 4AA for Aspire Health and Care

- CHE/19/00628/DOC Discharge of condition 4 (Employment and Training Scheme), condition 6 (Site Set up and Traffic Plan) condition 9 (Section 38 layout), condition 9 (Highway Details), condition 9 (Kerb Layout), conditions 9 and 24 (Manhole Schedule, Drainage simulation results, Drainage Strategy Plan, Drainage Catchment, Site Levels, S104 Layouts, Road and sewer sections and Manhole Details), condition 13 (Street Maintenance), condition 15 (Phase II Site Investigation Report) condition 16 (Materials), condition 19 (Site Layout), condition 19 (Bin Store and boundary treatments) of CHE/19/00239/FUL - Res development- the erection of 21 dwellings, new estate road with associated footpaths and
- CHE/19/00682/DOC Discharge of condition 9 (remediation method statement) of CHE/18/00826/FUL - Erection of portal framed warehouse/showroom with associated parking and yard at GKN Sheepbridge Stokes Ltd Sheepbridge Lane Sheepbridge Derbyshire S41 9QD for T G Beighton Limited
- CHE/19/00701/DOC Discharge of conditions 4 and 5 in relation to planning application no CHE/16/00333/FUL at 145 Burnbridge Road Old Whittington Derbyshire S41 9LT for Chris Johnson
- CHE/19/00706/DOC Discharge of condition 3 (tree protection measures) of CHE/19/00174/FUL - Erection of single storey rear extension at 16 Booker Close Inkersall Chesterfield S43 3WA for Samantha Townsend

- CHE/19/00589/DOC Discharge of planning conditions 6 (Surface Water) and 7 (Surface Water - Building Regs) of CHE/15/00344/OUT - Outline application for residential development at land to the rear of 292 Manor Road Brimington Chesterfield S43 1NX for Arncliffe Homes Ltd
- CHE/19/00614/DOC Discharge of conditions 5 (materials), 9 (surface water), 13 (site investigation) and 14 (mining) of CHE/18/00012/OUT - (Outline application for redevelopment of the existing site for residential use) and condition 7 (materials) of CHE/18/00867/REM - Reserved matters for application CHE/18/00012/OUT (Outline application for one residential unit) at land at Middlecroft Road Staveley for TGN Construction Ltd
- CHE/19/00643/DOC Discharge of conditions 4, 5, 6, 7 and 24 (Drainage simulation results, Catchment Area Plan, Drainage Layout Plan and Site Levels Plan), condition 8 (Coal Mining Risk Assessment), condition 9 (Site Investigation), condition 10 (CEMP), condition 11 (Planting scheme and LEMP), condition 13 (TMP), condition 16 (S38 Coloured Layout, Highway Construction details, Section 278 Plan , Private surfacing layout), condition 23 (Site waste management Plan, Waste Audit), condition 26 (Management company details), condition 27 (Employment and Training details), condition 30 (materials schedule), condition 31 (DWT recommendations, Tree contaminants Plan - Plot 1, Tree Protection Plan Plot 1, AMS, AIA) of CHE/15/00835/OUT - residential development at development land west of Loundsley Green Road Loundsley Green Chesterfield for Starfish Commercial
- CHE/19/00681/DOC Discharge of condition 11 (Ecology Enhancement scheme) of CHE/18/00768/REM - residential development of 33 dwellings at land to south of

Poplar Farm Rectory Road Duckmanton for
Trowbridge

(d) Prior notification approval not required

- CHE/19/00629/TPD Single storey rear extension at 72 Brearley Avenue New Whittington Derbyshire S43 2DY for Mr S Syddall
- CHE/19/00660/TPD Single storey rear extension at 191 Ashgate Road Ashgate Chesterfield Derbyshire S40 4AP for Ms Carolyn Le Lievre
- CHE/19/00664/TPD Extension to dwelling at 55 Hawksley Avenue Chesterfield Derbyshire S40 4TJ for Mrs Margaret Chapman
- CHE/19/00693/TPD Demolition of external toilet/washroom and garden store and replacing with single storey rear extension at 65 Rutland Road Chesterfield Derbyshire S40 1ND for Mr M Koniarski

(e) CLOPUD Granted

- CHE/19/00712/CLO Demolition of existing carport and erection of single storey side extension at 16 Ashgate Valley Road Chesterfield S40 4AX for Mr Bilby

(f) Split decision with conditions

- CHE/19/00667/TPO Trees require responsible management to ensure ongoing health and prevent nuisance at 10 Sherbourne Avenue Newbold Derbyshire S41 8TL for Mr Michael Nind
- CHE/19/00711/TPO Two trees, raise canopy to 5m, reduce height by 2m, at 1 The Dell Ashgate Chesterfield S40 4DL for Mrs Handley

91 **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/19/00637/TPO | Consent is granted to the pruning of one Oak tree reference T11 on the Order Map and which is situated in the rear garden of 7 Bunting Close, Walton for Mr Piyadigamage of 52 Foxbrook Drive, Walton. |
| CHE/19/00657/TPO | <p>Consent is granted to the The felling of one large mature Beech tree reference T17 which has Meripiulus fungus at the base which is known to cause brittle roots and timber and dieback of the upper crown. Also the pruning of one Oak tree reference T16 on the Order map to reshape the crown and crown lift over the highway for Derbyshire County Council Highways. The tree is located in the highway grass verge adjacent to High Street and 5 Ashleigh Close, Old Whittington.</p> <p>The replacement tree is to be an Oak tree which will be planted in the grassed area near the original tree to provide visual amenity to the area for the future.</p> |
| CHE/19/00689/TPO | Consent is granted to the pruning of two Oak trees reference T1 and T2 on the Order Map and which are situated in the front garden of 17 Wessington Drive, Middlecroft for Mr Chris Johnson of Clarion Housing. |
| CHE/19/00673/TPO | Consent is granted to the pruning of two Sycamore trees within A2 on the Order Map and which are situated in the grounds of 1 Quarry Lane, Brampton for Ken Portas Landscapes and Tree Surgery on behalf of Amies Plastics, Quarry Lane. |

- CHE/19/00703/TPO Consent is granted to the pruning of one Oak tree reference T1 on the Order Map and which is situated to the frontage of 9 Grasmere Close for Mrs Heather Volli.
- CHE/19/00705/TPO Consent is granted to the pruning of one Lime tree reference T7 on the Order Map for N and G Thomlinson on behalf of Mr Neep of 658 Chatsworth Road.
- CHE/19/00710/TPO Consent is granted to the felling of one dead Beech tree reference T22 and one dead Cedar within G3 on the Order map for Mr Tate of 323 Ashgate Road, Ashgate.
- The duty to plant two new trees has been dispensed with on this occasion due to existing tree cover which provides good visual amenity along Ashgate Road.
- CHE/19/00711/TPO Consent is granted to the pruning of two Lime trees reference T7 and T8 on the Order Map for Heathscapes on behalf of Mrs Handley of 1 The Dell, Ashgate.
- CHE/19/00650/TPO Consent is granted to the pruning of four trees reference T7 and T8 Lime, T9 Holly and T10 Horse Chestnut on the Order Map and which are situated in the grounds of The Chesterfield Muslim Association Centre, 29 Newbold Road for Mrs Whelan of 27 Newbold Road.
- CHE/19/00667/TPO Consent is granted to the felling of one Whitebeam tree reference T2 of TPO 205 and the pruning of two trees reference T2 Oak and T3 Maple of TPO 24 for Mr Nind of 10 Sherbourne Avenue, Newbold.
- The replacement is to be a Rowan or Silver Birch and planted in the first available planting season.

CHE/19/00697/TPO Consent is granted to the felling of two dead Sycamore trees within G6 and A1, with a condition to plant two new Oak trees in the same location, and the pruning of T1 and T2 Sycamore and two Ash trees within G4 on the Order Map for Simon Parker of Rye Croft Farm for trees in the agricultural field off Chesterfield Road, Brimington.

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

CHE/19/00708/CA
The felling of one Conifer and the pruning of 2 Holly, 1 Willow, 1 Apple and 1 Lilac for Mr and Mrs Walters of Manor Farm Cottage, Church Street North, Old Whittington.

Agreement to the felling of one conifer tree and the pruning of 5 trees. The felling and pruning will have no adverse effect on the amenity value of the area.

The trees are within the Old Whittington Conservation Area and the applicant wishes to fell the conifer tree to open up the view to the property and prune the trees for general maintenance, clear the public footpath and general health of the trees.

92 **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.

93 **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.

94 LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF PUBLIC**RESOLVED –**

That under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 6a of Part 1 of Schedule 12A of the Act.

95 UNAUTHORISED DEVELOPMENT AT 10 POTTERY LANE WEST, CHESTERFIELD, DERBYSHIRE

The Development Management and Conservation Manager submitted a report on the unauthorised developments at 10 Pottery Lane West, Chesterfield, Derbyshire.

***RESOLVED –**

1. That authority be granted for the issue of an Enforcement Notice requiring the removal of two unauthorised metal structures mounted on top of the structural concrete blocks located in the rear garden area of 10 Pottery Lane West, Chesterfield, Derbyshire.
2. That the period for compliance be 28 days.

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Agenda Item 4

COMMITTEE/SUB	Planning Committee
DATE OF MEETING	27 January 2020
TITLE	DETERMINATION OF PLANNING APPLICATIONS
PUBLICITY	*For Publication
CONTENTS SUMMARY	See attached index
RECOMMENDATIONS	See attached reports
LIST OF BACKGROUND PAPERS	For each of the attached reports, the background papers consist of the file specified in the top right hand corner on the front page of the report. Those background papers on the file which do not disclose exempt or confidential information are open to public inspection at the office of the Development Management and Conservation Manager – Planning Services. Additional background papers (if any) will be separately listed in the report.

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**INDEX TO DEVELOPMENT MANAGEMENT AND CONSERVATION
MANAGER'S REPORT ON THE 27 January 2020**

ITEM 1 CHE/19/00731/FUL - Re-submission of CHE/19/00481/FUL - two storey extension to side of house (revised drawings received 30.12.2019 showing reduced ridge height and parking plan provided 14.01.2020) at 16 Rockingham Close, Chesterfield for Mr J Eyre

ITEM 2 CHE/19/00532/REM - Reserved matters application for appearance, landscaping, layout and scale of CHE/16/00171/OUT - Outline application for the residential development and creation of new site access (all matters reserved save for access). Revised plans received 18 12 2019 at 955 Sheffield Road, Chesterfield for Galliford Try Partnerships

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Case Officer: E Casper
Report Date: 15.01.2020

Application No: CHE/19/00731/FUL
Committee Date: 27.01.2020

ITEM 1

RE-SUBMISSION OF CHE/19/00481/FUL - TWO STOREY EXTENSION TO SIDE OF HOUSE (REVISED DRAWINGS RECEIVED 30.12.2019 SHOWING REDUCED RIDGE HEIGHT AND PARKING PLAN PROVIDED 14.01.2020) AT 16 ROCKINGHAM CLOSE, CHESTERFIELD, S40 1JE FOR MR EYRE

Local Plan: Unallocated

Ward: West

Plot No: 2/184

1.0 CONSULTATIONS

DCC Highways	Comments as previous (see report)
Ward Members	No representations received
Neighbours and Site notice	4 letters for 3 neighbouring properties and 1 petition signed by residents of 5 neighbouring properties (7 Signatures in total)

2.0 THE SITE

2.1 The site subject of this application is situated on the west side of Rockingham Close highway, facing towards open playing fields to the east. The surrounding streetscene is formed of detached and semi-detached two storey dwellings.

2.2 The surrounding properties are largely similar in age and appearance to the host dwelling, principally characterised by dual pitched roofs with gable end forming the principle elevation. The surrounding properties are predominately faced in brick with some small areas of feature render and stone cladding.



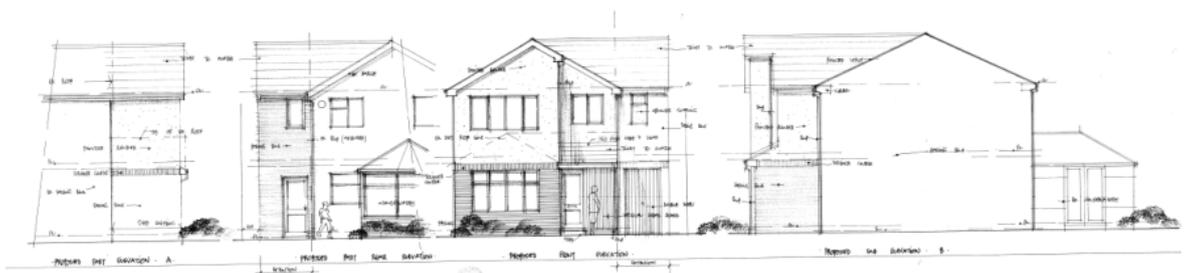


2.3 Observation of the streetscene shows some variation, including single storey forwards projecting extensions and two storey side extensions. The property subject of this application was previously extended by way a single storey extension to the principle elevation (application reference CHE/0596/0241) and conservatory structure to the rear. Notwithstanding existing projecting single storey extensions, the street retains a distinct character.

2.4 This application is a re-submission of previously refused application CHE/19/00481/FUL for an extension to front and side of the house. The previously refused application comprised of a first floor extension to the principle elevation, above the footprint of the existing single storey extension and the erection of a two storey side extension (for reference see previously refused elevational drawings below).

Drawings for previously refused application CHE/19/00481/FUL

Elevations of previously refused application (CHE/19/00481/FUL)



Reason for refusal for application CHE/19/00481/FUL

2.5 *'The proposal does not comply with policies CS2 and CS18 of the Chesterfield Local Plan: Core Strategy 2011 - 2031 and therefore the wider National Planning Policy Framework. Overall the proposed development fails to respond to the local context by virtue of its appearance, design and materials resulting in an incongruous feature which would be unduly dominant, adversely impacting the visual amenity and character of the streetscene. The proposed side extension would further disrupt the character and pattern of the street by introducing a terracing effect which is not subservient to the design of the host building and which is at odds with the prevailing character of the area.'*

3.0 **APPLICATION SITE PLANNING HISTORY**

3.1 CHE/19/00481/FUL - Extension to front and side of house – **REFUSED (24.09.2019)**

3.2 CHE/0596/0241 - Lounge hall and w.c. extension at 16 Rockingham Close – **CONDITIONAL PERMISSION (07.06.1996)**

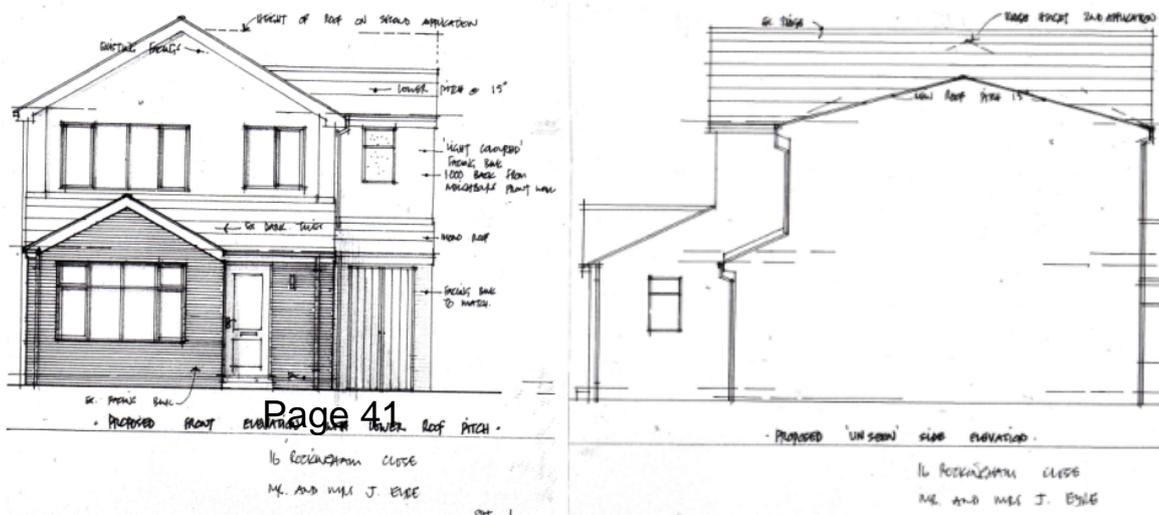
RELEVANT SURROUNDING PLANNING HISTORY

3.3 CHE/18/00455/FUL - Two storey side and rear extension (revised plans received 15.10.2018 and 19.10.2018) at 43 Rockingham Close – **CONDITIONAL PERMISSION (06.11.2018)**

3.4 CHE/19/00008/FUL - Proposed two storey side extension and single storey rear extension. Re-submission of previously approved application CHE/18/00455/FUL at 43 Rockingham Close – **CONDITIONAL PERMISSION (04.03.2019)**

4.0 **THE PROPOSAL**

4.1 The re-submission application proposes the erection of a two storey side extension only (see proposed elevational drawings below).



- 4.2 The proposed side extension measures 7.3m x 1.8m in footprint at ground floor and incorporates a 1m set back at first floor (measuring 6.3m x 1.8m in footprint at first floor level). Revised drawings propose reducing the pitch of the roof to 15 degrees thereby reducing the ridge height by 0.6m, measuring 5.7m to the ridge and 4.9m to the eaves. A separation of 0.6m is proposed between the side (north) elevation of the proposed extension and side (south) elevation of No 18 Rockingham Close to the north.
- 4.3 The application proposed internal reconfiguration at first floor level, moving the shared bathroom to create an additional bedroom and extending the existing third bedroom. The existing third bedroom will be served by a second window within the rear (west) elevation. The extension incorporates a bathroom at first floor level, served by a single obscurely glazed window within the principle (east) elevation
- 4.4 The ground floor of the extension is indicated to be a general store with roller shutter door to the principle (east) elevation with internal access door to the existing hallway and separate external door to the rear (west) elevation to the garden.
- 4.5 The plans and submitted application form indicate that the proposed side extension would be faced in brick to match the host dwelling.
- 4.7 The application is supported by the following plans/drawings;
- Application form
 - Block plan (received 22.11.2019)
 - Site location plan (received 22.11.2019)
 - Drawing number DSC.761.01 Revision A – showing existing ground floor layout, existing first floor layout, proposed first floor layout, ground floor layout and superseded proposed side, front and rear elevations (dated November 2019, received 22.11.2019)
 - Proposed front elevation with lower roof pitch, sheet 1 (received 30.12.2019)
 - Proposed 'unseen' side elevation, sheet 2 (received 30.12.2019)
 - Proposed car parking spaces (received 14.01.2020)

5.0 CONSIDERATIONS

5.1 Planning Policy

5.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that, ‘applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise’. The relevant Development Plan for the area comprises of the saved policies of the Replacement Chesterfield Local Plan adopted June 2006 (RCLP) and the adopted Chesterfield Borough Local Plan: Core Strategy (2011-2031).

5.2 Chesterfield Local Plan: Core Strategy 2011 - 2031 ('Core Strategy')

- CS1 Spatial Strategy
- CS2 Principles for Location of Development
- CS18 Design
- CS20 Influencing the Demand for Travel

5.3 Other Relevant Policy and Documents

- National Planning Policy Framework (NPPF)
- SPD ‘Successful Places’ (adopted July 2013)

5.4 Key Issues

- Principle of Development;
- Design of the Proposal;
- Impact on Neighbouring Residential Amenity;
- Highways Safety and Parking Provision;

5.5 Principle of development

5.5.1 The application site is positioned within a residential area wherein the principle of development, in particular works to a domestic property, is considered to be generally acceptable subject to consideration of policies CS2 and CS18 of the Core Strategy, as well as the wider objectives of the NPPF.

5.6 Design of the Proposal

- 5.6.1 Core Strategy Policy CS18 states that *'All development should identify, respond to and integrate with the character of the site and surroundings and respect the local distinctiveness of its context. b) respect the character, form and setting of the site and surrounding area by virtue of its function, appearance and architectural style, landscaping, scale, massing, detailing, height and materials;*
- 5.6.2 The Council's adopted 'Successful Places – A Guide to Sustainable Housing Layout and Design' supplementary planning document is also a material consideration
- 5.6.3 The host dwelling is situated on the west side of Rockingham Close highway. The surrounding streetscene is predominately formed of two storey detached and semi-detached dwellings of similar age and character, in particular Nos 6 to 16 have a distinct character and building pattern. The gable end design of the properties is a key visual feature and it is acknowledged that the existing single storey extension to the principle elevation of No 18, intrudes visually within the streetscene.
- 5.6.4 It is generally considered to be good practice to create extensions which are subservient to the host dwelling. For two storey extensions, particularly to the side they should seek to be 'set down' and 'set back' to create a visual subservience (each application is considered on its own merits, design can therefore vary based on the individual site context).
- 5.6.5 The revised scheme proposes a two storey side extension which is 'set back' at first floor level and 'set down' from the ridge of the host dwelling. The revised scheme is considered to lessen the visual impact of the proposal and appears visually subservient. The reduced ridge height creates a larger visual separation between the properties lessening the terracing impact. The ground floor of the extension is in line with the original principle elevation building line and will be largely screen by the existing single storey projecting extension.
- 5.6.6 Consideration of the impacts on the amenity of the adjoining neighbours with regards to overlooking and overshadowing will be considered in the following section (5.7).
- 5.6.7 On balance the revised scheme is considered to be acceptable, the first floor of the extension is set back from the principle elevation and the ridge line of the extension is set down from the host dwelling, the

proposal is therefore considered to accord with the design provisions of Core Strategy CS18 and 'Successful Places' SPD.

5.7 Impact on Neighbouring Residential Amenity

- 5.7.1 Core Strategy Policy CS2 states that *'All developments will be required to have an acceptable impact on the amenity of users or adjoining occupiers, taking into account things such as noise, odour, air quality, traffic, appearance, overlooking, shading or other environmental, social or economic impacts.'*
- 5.7.2 Core Strategy Policy CS18 states that all development should *'have an acceptable impact on the amenity of users and neighbours'*
- 5.7.3 The application site is bound by No 18 Rockingham Close to the north and No 14 Rockingham Close to the south. The rear garden of the site is bound by the rear garden of Nos 20 and 22 Rockingham Close to the west/north west.
- 5.7.4 The revised scheme proposes a two storey side extension only, due to the siting and orientation of the proposal potential adverse impacts of overshadowing are considered to be minimal.
- 5.7.5 Due to the nature of the design, siting of the proposed development and orientation of the proposal, potential adverse impacts of overshadowing are therefore considered to be directed towards No 18 Rockingham Close (situated to the north of the site).
- 5.7.6 The proposed two storey side extension features two windows, one obscurely glazed and a secondary window in the rear (west) elevation facing the rear garden of the application site. Taking into account the outlook achieved from existing first floor windows, potential adverse impact impacts of overlooking are not considered to be significant enough to warrant a refusal.
- 5.7.10 Having consideration for the observations above, the proposal is not considered to cause significant adverse impacts on residential amenity of the adjoining neighbours in terms of overshadowing and overlooking. In this respect the proposal accords with components of policies CS2 and CS18 of the Core Strategy.

5.7 Highways Safety and Parking Provision

- 5.7.1 The Local Highways Authority **Derbyshire County Council** Highways Team were consulted and referenced comments on the previous scheme (**which were not scanned onto the system at the time of writing the previous committee report**). See comments below;
- 5.7.2 *'No objection subject to applicant demonstrating and maintaining 3 no off-street parking spaces of 2.4m x 5.5m min dimension clear of any obstruction to their designated used in order to reduce likelihood of vehicles being parking on Rockingham Close in close proximity to a bend in alignment a situation considered against the best interests of safe operation of the public highway'*
- 5.7.3 Appendix G of the of the adopted Core Strategy details to recommended maximum number of parking spaces for dwellings. The recommended maximum for a 4+ bedroom dwelling is 3 spaces per unit. Taking into account the fact that this is a recommended maximum the site could accommodate off-street parking for 2 vehicles and on balance this is considered to be acceptable.
- 5.7.4 The application is supported by a parking plan, demonstrating that two off-street parking spaces can be accommodated on site (see drawing proposed car parking spaces, received 14.01.2020). It is recommended that a condition be imposed requiring two spaces to be installed as per the submitted drawing prior to the occupation of the extension and retained free from impediment to its intended use.

6.0 REPRESENTATIONS

- 6.1 The application has been publicised by neighbour notification letters sent on 03.12.2019. A site notice was also displayed on 17.12.2019. Neighbours and objectors were re-consulted on the revised plans on 15.01.2020. Any comments received between the date of this report being published and the date of Planning Committee will be read separately to members to ensure they can be taken into account.
- 6.2 18 Rockingham Close (email received 10.12.2019 and letter received 11.12.2019 with same content)
- We would like to object to this application as it has already been rejected by The Planning Committee meeting on 23rd September 2019.

- We still feel that this side extension will come to close to our property – there is not going to be enough access left to maintain our property e.g. do pointing, repair/change/clean guttering
- Enough access needs to be left to comply with health and safety regulations. 1 metre minimum required to comply with building regulations
- The two storey extension will make our property looked terraced and would contravene CS18 terracing.
- The development would contravene the boundary wall act of 2019

**6.3 Officer comments – The above comments have been noted. Private rights of access for maintenance (etc) is a non-material planning consideration and therefore cannot be given weight in the determination of this application
1m compliance with building regulations/health and safety
See section 5.6 for comments on design of the proposal with respect to CS18.
Issues contained with the Party Wall Act 1996 are a separate matter.**

6.4 Petition signed by residents of Nos 14 (x2), 10, 2, 31, 18 (x 2), dated 11.12.2019

- Resident of Rockingham Close objecting to the application which contravenes policy CS18 terracing

6.5 Officer comments – The petition has been noted. See sections 5.6 for consideration of the design and appearance of the proposal.

6.6 20 Rockingham Close (letter received 15.12.2019)

- Whilst the proposed planning application will not directly affect myself or my property it will affect the occupant at number 18
- Should any maintenance be required in the future such as repointing to the side of number 18, this will be impossible with the gap left not being wide enough for scaffolding and gap to carry out to work safely.
- The house frontage will not be in keeping with the rest of the properties opposite the Inkerman Playing Fields and will give the appearance of a terrace effect.
- The small gap left between 16 and 18 will encourage dirt and litter to accumulate therefore attracting vermin and becoming a hazard to health
- There would be no easy access to the garage at No 16 which I believe to be part asbestos should this need to be removed at a later date.

6.7 **Officer comments – The above comments have been noted. See paragraph 6.3 above and section 5.6 of the report for comments on the design and appearance of the proposal. The ‘gap’ between the properties will be for the land owner to maintain and is not a material planning consideration. The future potential removal of a garage roof is also not a material planning consideration.**

6.8 14 Rockingham Close (letter received 11.12.2019)

- Appeal against the application as it will make No 18 look like a semi
- Occupants of No 18 will not be able to maintain the side of their house or ‘clean their launders’
- It will spoil the front of the row of houses on Rockingham Close where most of the residents have lived for thirty or forty years
- It is upsetting for the occupants of No 18 who are in their seventies and they thought this was all over.

6.9 **Officer comments – The above comments have been noted. See paragraph 6.3 above and section 5.6 of the report for comments on the design and appearance of the proposal.**

7.0 **HUMAN RIGHTS ACT 1998**

7.1 Under the Human Rights Act 1998, which came into force on 2nd October 2000, an authority must be in a position to show:

- Its action is in accordance with clearly established law
- The objective is sufficiently important to justify the action taken
- The decisions taken are objective and not irrational or arbitrary
- The methods used are no more than are necessary to accomplish the legitimate objective
- The interference impairs as little as possible the right or freedom

7.2 It is considered that the recommendation is objective and in accordance with clearly established law.

7.3 The applicant has the right to appeal a refusal of planning permission.

8.0 **STATEMENT OF POSITIVE AND PROACTIVE WORKING WITH APPLICANT**

8.1 The following is a statement on how the Local Planning Authority (LPA) has adhered to the requirements of the Town and Country

Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 in respect of decision making in line with paragraph 38 of the July 2018 National Planning Policy Framework (NPPF).

8.2 Given that the proposed development does not conflict with the NPPF or with 'up-to-date' Development Plan policies, it is considered to be 'sustainable development' and there is a presumption on the LPA to seek to approve the application. The LPA has used conditions to deal with outstanding issues with the development and has been sufficiently proactive and positive in proportion to the nature and scale of the development applied for.

8.3 The applicant / agent and any objector will be provided with copy of this report informing them of the application considerations and recommendation / conclusion.

9.0 CONCLUSION

9.1 Overall the proposal is acceptable in design and appearance. It is not considered that that the proposal would result in an unacceptable impact on neighbouring properties in terms of overshadowing and overlooking. The proposal would not significantly compromise parking arrangements or highway safety. Therefore, the proposal complies with CS2 and CS18 of the Chesterfield Local Plan: Core Strategy 2011 – 2031 and the wider National Planning Policy Framework.

10.0 RECOMMENDATION

10.1 It is therefore recommended that the application be **GRANTED** subject to the following:

Conditions

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

Reason - The condition is imposed in accordance with section 51 of the Planning and Compensation Act 2004

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.

- Proposed first floor layout and proposed ground floor layout, Drawing number DSC.761.01 Revision A (dated November 2019, received 22.11.2019)
- Proposed front elevation with lower roof pitch, sheet 1 (received 30.12.2019)
- Proposed 'unseen' side elevation, sheet 2 (received 30.12.2019)

Reason - In order to clarify the extent of the planning permission in the light of guidance set out in "Greater Flexibility for planning permissions" by CLG November 2009.

3. Prior to the occupation of the hereby approved development, the car parking spaces and vehicular hardstanding as shown on drawing 'Proposed Car Parking Spaces' (received 14.01.2020) shall be provided in accordance with the approved drawing and thereafter be retained permanently for domestic car parking in perpetuity.

Reason - In the interests of highway safety and to ensure adequate parking provision

Informative Notes

1. If work is carried out other than in complete accordance with the approved plans, the whole development may be rendered unauthorised, as it will not have the benefit of the original planning permission. Any proposed amendments to that which is approved will require the submission of a further application.
2. The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted

alongside any subsequent application for Building Regulations approval (if relevant).

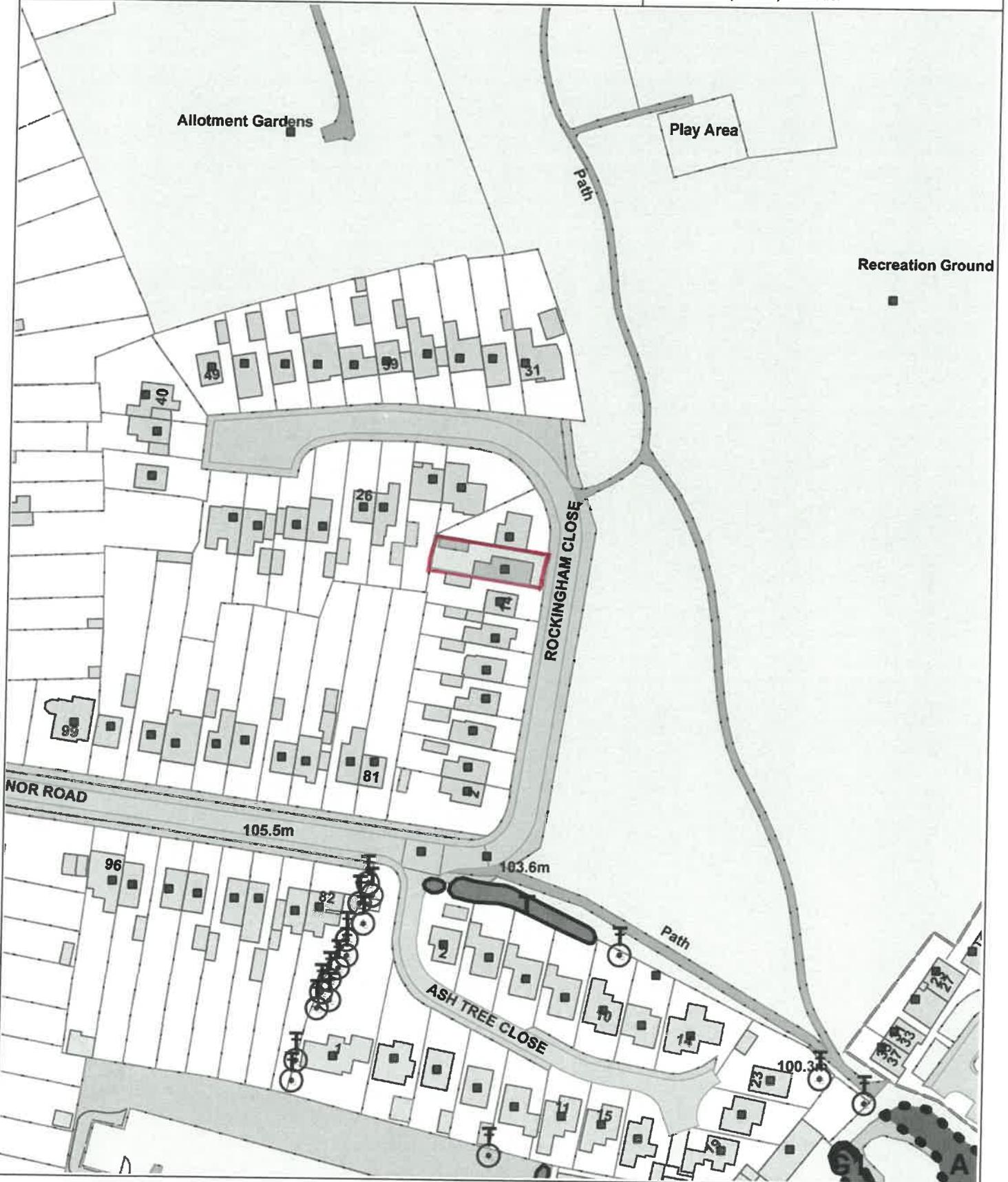
Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at: www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property-specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com or a similar service provider.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

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2Case Officer: Sarah Kay
Tel. No: (01246) 345786
Ctte Date: 27th January 2020

File No: CHE/19/00532/REM
Plot No: 2/235

ITEM 2

**RESERVED MATTERS APPLICATION FOR APPEARANCE,
LANDSCAPING, LAYOUT AND SCALE OF CHE/16/00171/OUT -
RESIDENTIAL DEVELOPMENT AND CREATION OF NEW SITE ACCESS
(REVISED / ADDITIONAL INFORMATION RECEIVED 18/12/2019,
13/01/2020, 13/01/2020 AND 15/01/2020) AT THE FORMER BOATYARD
SITE, 955 SHEFFIELD ROAD, SHEEPBRIDGE (NR UNSTONE),
CHESTERFIELD, DERBYSHIRE, S41 9EJ FOR GALLIFORD TRY
PARTNERSHIPS**

Local Plan: Economic Growth CS13
Ward: Old Whittington

1.0 CONSULTATIONS

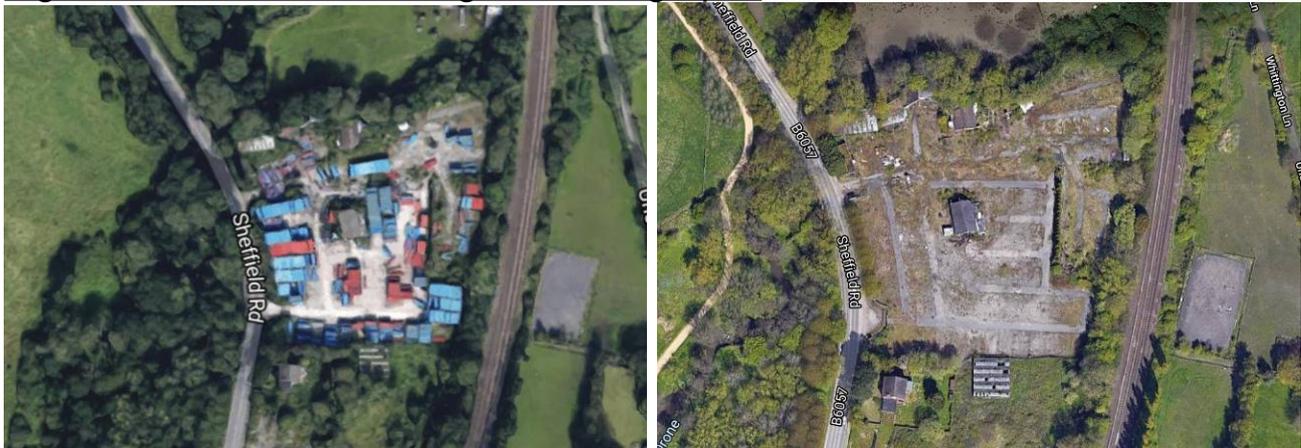
Coal Authority	Comments received 23/09/2019 and 03/01/2020 – see report
Crime Prevention Design Advisor	Comments received 24/09/2019 and 03/01/2020 – see report
DCC Archaeology	Comments received 02/10/2019 and 06/01/2020 – see report
DCC Highways	Comments received 08/11/2019 - see report
CBC Design Services	Comments received 03/10/2019, 07/01/2020, 15/01/2020 and 16/01/2020 – no objections
Derbyshire Wildlife Trust	Comments received 18/11/2019 and 08/01/2020 – see report
CBC Environmental Health Officer	Comments received 07/10/2019 and 08/01/2020 – see report
DCC Fire Officer	Comments received 03/01/2020 – recommendation made re: building regs
CBC Strategic Planning Team	Comments received 23/09/2019 and 24/12/2019 – see report
Lead Local Flood Authority	Comments received 14/10/2019 – see report

Network Rail	Comments received 30/09/2019 – see report
CBC Tree Officer	Comments received 28/11/2019 – see report
CBC Urban Design Officer	Comments received 06/11/2019 – see report
Yorkshire Water Services	Comments received 18/10/2019 and 03/01/2020 – see report
Ward Members	No representations received
Site Notice / Neighbours	No representations received

2.0 **THE SITE**

2.1 The application site is a former boat sales yard situated on Sheffield Road. The application site is located approximately 200, south of Unstone Green. The local centre / village of Dronfield lies 3.5km to the north-west, with Chesterfield town centre being approximately 5km to the south.

Figure 1 and 2 – Aerial Images / Photographs



2.2 The site is a parcel of land which is roughly square in shape measuring approximately 110m north-south by 120m east-west. The overall site area is 1.2987ha as measured on plan. The site is located between the main Midland railway lines on its eastern boundary, and the B6057 Sheffield Road along its western boundary. To the north lies a small stream that joins the river Drone at the north western corner of the site and this stream is edged with mature trees. The river Drone passes under Sheffield Road (Brierley Bridge) and runs south to the west of the site. The southern boundary of the site adjoins a single residential property which has a dilapidated smallholding to the rear.

- 2.3 Within the site there are a number of former buildings that once served the former boatyard, these comprise a former portacabin-style office, an open-fronted but covered boat sales area with concrete base, a former engine workshop, a shop/ chandlery and a residential bungalow. The existing buildings on site are a mix of temporary structures and more substantial brick buildings none of these are in a useable / habitable state and all are showing signs of distress and vegetation invasion.
- 2.4 The majority of the site is open un-surfaced ground that was used for the storage of boats, areas of tarmac and hardstanding being evident across the site. Due to the site being left unattended it is covered by self-seeded brambles and other scrub.
- 2.5 Topographically levels appear to be fairly consistent across much of the site, it is noted that a rise in level occurs towards the eastern boundary and this is more noticeable within the eastern part of the site where it features a step-change in ground level due to an area of raised ground.
- 3.0 **RELEVANT SITE HISTORY**
- 3.1 CHE/0784/0390 - Permission for change of use of office use to a dwelling together with the use of the balance of the site for boat repairs and sales. Approved 13/09/1984.
- 3.2 CHE/1284/0765 - Permission for carport for the storage of boats. Approved 13/02/1985.
- 3.3 CHE/0288/0090 - Permission for residential development. Approved 22/04/1988.
- 3.4 CHE/0488/0269 – Permission for extension of boat sales and repairs area. Approved 04/07/1988.
- 3.5 CHE/0596/0274 - Alterations to fence to improve access. Approved 10/07/1996.
- 3.6 CHE/07/00696/COU - Change of Use to secure storage of caravans, motorhomes, horseboxes and boats. Withdrawn 09/10/2007.

- 3.7 CHE/16/00171/OUT - Proposed outline application for residential development and creation of new site access (all matters reserved save for access). Approved conditionally 10/10/2017 (subject to S106 agreement).
- 3.8 CHE/20/00022/DOC - Discharge of condition 4 of CHE/16/00171/OUT - Written scheme of investigation for an archaeological evaluation by trial trenching and programme of historic building recording' produced by OSA. Application received / still pending consideration.

4.0 **THE PROPOSAL**

- 4.1 In October 2017 planning permission was granted in outline for residential development with all matters except for means of access being reserved, on land at the Former Boatyard, 955 Sheffield Road, Sheepbridge. The outline planning permission included 43 no. conditions and a S106 agreement.
- 4.2 This is an application which seeks reserved matters approval for that outline planning permission for the erection of 48 no. dwellings.
- 4.3 The site layout submitted (drawing no. 3GP1-MHA-FS-XX-DR-A-01010 S2 P11) shows a development of 48 no. dwellings (with a mix of detached, semi-detached and terrace properties) arranged off the new centralised junction to Sheffield Road. There are 4 no. house types proposed which are all two storey and a mix of 2, 3 and 4 bedroom properties. The applicant has indicated that the scheme would become a development of 100% affordable housing.
- 4.4 The application submission is supported by the following plans / documents:
Site Location Plan – 3GP1 DR-A-01-001 P3
Detailed Landscape Proposals C-1660-01 Rev A
Finished Floor Levels and Road Levels - 19032-RLL-19-XX-DR-C-100 Rev C
Road and Sewer General Arrangement Plan - 19032-RLL-19-XX-DR-C-101 Rev A
Adoptable Surface Finishes Plan - 19032-RLL-19-XX-DR-C-102 Rev A
Vehicle Tracking Plan - 19032-RLL-19-XX-DR-C-103 Rev A

Boundary Treatment Details - 3GP1-MHA-FS-XX-DR-A-05001 S2 P2

House Type 2 - 3GP1-MHA- 02-ZZ-DR-A-00001 S2 P3

House Type 3 - 3GP1-MHA- 03-ZZ-DR-A-00002 S2 P3

House Type 3A - 3GP1-MHA- 3A-ZZ-DR-A-00003 S2 P3

House Type 4 - 3GP1-MHA- 04-ZZ-DR-A-00004 S2 P3

House Type 2 Active Gable - 3GP1-MHA- 04-ZZ-DR-A-00005 S2 P3

House Type 3 Active Gable - 3GP1-MHA- 04-ZZ-DR-A-00006 S2 P3

~~House Type 4 Active Gable - 3GP1-MHA- 04-ZZ-DR-A-00007 S2 P3~~

~~Proposed Site Layout - 3GP1-MHA-FS-XX-DR-A-01010 S2 P8~~

~~Proposed Hard and Soft Landscaping Plan - 3GP1-MHA-FS-XX-DR-A-01011 S2 P6~~

~~Materials Treatment Plan - 3GP1-MHA-FS-XX-DR-A-01012 S2 P4~~

~~Boundary Treatment Plan - 3GP1-MHA-FS-XX-DR-A-01013 S2 P6~~

~~Parking Statistics Plan - 3GP1-MHA-FS-XX-DR-A-01014 S2 P4~~

~~Tenure Identification Plan - 3GP1-MHA-FS-XX-DR-A-01015 S2 P1~~

Street Elevations - 3GP1-MHA-XX-XX-DR-A-03016 S2 P2

Adopted Road Lighting - HLS-752

Design and Access Statement Rev P1 prepared by MHA Architects

Drainage Strategy Rev A prepared by Rodgers Leask Ltd (April 2019)

~~Environmental Noise Survey prepared by noise.co.uk (13 March 2019)~~

~~Reptile Survey prepared by Dr. Stefan Bodnar (May 2019)~~

Technical Note – Network Rail prepared by Rodgers Leask Ltd (15 March 2019)

Revised Plans 18/12/2019

House Type 4 Active Gable - 3GP1-MHA- 04-ZZ-DR-A-00007 S2 P5

Proposed Site Layout - 3GP1-MHA-FS-XX-DR-A-01010 S2 P11

Proposed Hard and Soft Landscaping Plan - 3GP1-MHA-FS-XX-DR-A-01011 S2 P8

Materials Treatment Plan - 3GP1-MHA-FS-XX-DR-A-01012 S2 P6

Boundary Treatment Plan - 3GP1-MHA-FS-XX-DR-A-01013 S2 P8

Parking Statistics Plan - 3GP1-MHA-FS-XX-DR-A-01014 S2 P6

Tenure Identification Plan - 3GP1-MHA-FS-XX-DR-A-01015 S2 P3

Reptile Survey prepared by Dr. Stefan Bodnar (May 2019)

Revised Details 13/01/2020
~~1 IN 100 YEAR + 30% EVENT REV A~~

Revised Plans / Details 15/01/2020

Environmental Noise Survey prepared by noise.co.uk (14 January 2020)

Highways General Arrangement Plan - 19032-RLL-18-XX-DR-C-510B

S104 General Arrangement Plan - 19032-RLL-18-XX-DR-C-550B

S104 Manhole Schedule - 19032-RLL-18-XX-DR-C-554B

Hydro Brake Design and Hydraulic Details - SHE-0086-5000-2600-5000

Drainage Pipe Strength Calcs

SW Network Details Rev B (inc.)

- 1 IN 1 YEAR EVENT REV B
- 1 IN 30 YEAR EVENT REV B
- 1 IN 100 YEAR + 30% EVENT REV B
- Polystorm Flyer Issue 7 Feb '19 and Polystorm Modular Cell Datsheet Issue 3

5.0 **CONSIDERATIONS**

5.1 **Planning Background / Principle of Development**

- 5.1.1 The site the subject of this reserved matters application benefits from a live outline planning permission CHE/16/00171/OUT for residential development which was approved on 10/10/2017 subject to 43 planning conditions and a S106 agreement covering the provision of public art, affordable housing, management of green space and suds infrastructure.
- 5.1.2 The live outline permission enables applications for reserved matters approval to be submitted for a period of three years following the date of the outline approval (i.e up to 09/10/2020) and this reserved matters application concerns that development.
- 5.1.3 Having regard to the principles and parameters set by the live outline planning permission the principle of development is already accepted and subject to the details of the reserved matters submission meeting the provisions of the outline planning conditions and the S106 agreement the issues already agreed and set by the outline permission cannot be revisited. Only the

outstanding reserved matters issues concerning appearance, landscaping, layout and scale are to be considered. Access to Sheffield Road was agreed at the time of the outline planning permission (subject to compliance with condition 18 of that consent). In respect of the S106 agreement it is considered that the reserved matters as detailed would meet with the provisions therein however from a planning policy point of view only 30% of the housing proposed is required to be affordable.

5.2 **Design and Appearance Considerations (inc. Neighbouring Impact)**

5.2.1 Having regard to the detailed design and appearance considerations of the proposed reserved matters details the Council's **Urban Design Officer (UDO)**, the **Crime Prevention Design Advisor (CPDA)** and the **Tree Officer (TO)** were invited to review the submission.

5.2.2 Initially both the UDO and CPDA undertook a thorough review of the reserved matters submission and offered a comprehensive appraisal of the scheme which highlighted where they felt necessary amendments were needed.

5.2.3 The TO also highlighted an initial objection to the scheme as the proposed drainage solution for the sites redevelopment relied upon a connection and easement running through the root protection area of trees located at the NW corner of the application site.

5.2.4 In response to these comments the case officer met with the applicant to discuss the design of the scheme and look at possible solutions to the issues highlighted. These discussions were positive and this resulted in the site layout plans being revised (amended plans were received 18 December 2019) and as part of these amendments the overall number of dwellings on the site layout were reduced from 50 to 48 no. units.

5.2.5 It is considered that the changes presented in the revised scheme addressed the issues and concerns of the UDO, CPDA and TO appropriately. The loss of 2 no. units on site allowed for the site layout to be loosened to incorporate a greater degree of on plot parking in driveway form, in turn this allowed for a greater amount of site frontage soft landscaping and tree planting across the site. The site layout entrance is now addressed positively with the

principle elevation of plots 1 and 2 fronting the highway; and plots 43 – 48 being turned 180 degrees so that their principle elevations face onto Sheffield Road and create an active streetscene frontage. Active gable windows and gable features have also been introduced to plots 1, 2, 3, 12, 13, 16, 18, 20, 21, 42 and 48 to ensure that these house types provide surveillance where their gable ends overlook the internal highway layout / parking. In the case of the house type 4 (plots 12 and 13) these plots have a projecting gable feature to their principle elevation to add a feature of interest to the terminating view at the main entrance to the site layout.

5.2.6 The revised site layout now requires the removal of all eleven lime trees (T3 – T13) where previously four were to be retained alongside the creation of the site access to Sheffield Road agree by the outline permission. However it is accepted that all the lime trees are planted too close together and their removal will allow for the planting of replacement trees along the Sheffield Road frontage which will be complementary to the redevelopment of the site and will be better placed in the long-term. The TO confirms his agreement with this approach (inc. commentary that the lime trees should perhaps not have been placed under a TPO due to the fact the lifespan and amenity value would inevitably be compromised as they matured and grew into each other). In addition the drainage solution for the site has been entirely revised to relocate the necessary SW drainage connection and easement clear of any root protection areas to the retained trees at the NW corner of the site known as T1 and T2.

5.2.7 Whilst a generalised hard and soft landscaping layout plan has been provided this will need to be further detailed with species, numbers and types of planting. The 'Detailed Landscape Proposals' on drawing no. C-1660-01 Rev A will also need to be updated to reflect the amended site layout and commentary above. As part of this detail three additional trees should be included in the frontage gardens of plots 43 – 46 to provide a continued tree lined streetscene to Sheffield Road. The TO has advised that Liquidambar styraciflua 'Slender silhouette'; Acer campestre 'Lienco'; Quercus x warei 'Regal Prince'; or Ginko biloba would all be appropriate species. The applicant has also agreed to update the boundary treatments plans to reflect the advice of the CPDA on the amended scheme, inc. placement of boundary fence gates and the use of trellis to allow surveillance of car parking spaces.

- 5.2.8 Overall it is now considered that the scheme presents an appropriate design response that has due regard to the site constraints and opportunities which have been appropriately treated in the proposed site layout to ensure a good standard of design overall is achieved.
- 5.2.9 The site has been laid out such that all adjoining and adjacent neighbouring properties have an acceptable separation distance to the new dwellings and all gardens are of appropriate depths to protect the privacy and amenity of neighbours commensurate with the requirements of the Council's adopted SPD 'Successful Places – Housing Layout and Design.
- 5.2.10 In conclusion it is considered that the development proposals are acceptable. The design, density, layout, scale, mass and landscaping proposals are considered to comply with the provisions of policy CS2 and CS18 of the Core Strategy, the wider NPPF and the adopted SPD such that the scheme is acceptable in this regard.

5.3 **Highways**

- 5.3.1 The **Local Highways Authority** (LHA) were consulted on the initial outline application in 2016, which sought approval of the site access as part of that permission. The outline permission considered that the access shown was acceptable and the permission was granted subject to conditions which included several relating specifically to highway matters.
- 5.3.2 The layout details the subject of this reserved matters application indicate that the developer will be seeking for the majority of the internal highway layout to be adopted under a S38 agreement under the Highways Act.
- 5.3.3 Having regard to the above the LHA were consulted on the reserved matter submission and the following comments were received:

The site layout is generally acceptable, the carriageways, shared surface and footways are all of a suitable width, however forward visibility around bends within the site, do not appear to have been demonstrated.

There would appear to be a raised table at the start of the shared use highway and adjacent to the visitor parking spaces. This should be removed and the boundary between these two surfaces should remain flush.

Tracking should be provided for a supermarket delivery/ambulance type vehicle within the private drive turning heads serving plots 24 and 6, otherwise the swept paths appear to be generally adequate.

The proposed parking provision within the site is inadequate. The total parking provision (including visitor spaces) is 85. There should be 106 spaces for the number and size of proposed plots, in accordance with the HA design guide, this is a shortage of 21 spaces.

Whilst the site is located on a public transport route, the site itself is not sustainably located - there are very few facilities within walking distance and therefore a high proportion of trips are likely to be made by private car. Whilst the Highway Authority appreciates the desire to avoid a car-dominated layout, experience shows that the demand for parking is likely to exist regardless of the parking provision. This may result in on-street parking within the development, and potentially on Sheffield Road given the limited on-street parking availability within the site due to the presence of private driveways. The resulting on-street parking will, in effect, lead to a more car-dominated layout than if adequate parking provision is provided on-plot, and may endanger highway users by obscuring forward visibility. Furthermore, parking on Sheffield Road near the site access may significantly obscure the exit visibility splays, again, adversely affecting the safety of highway users in this vicinity.

Parking provision should be made in line with the HA design guide, as conditioned within the Outline consent (2 spaces per 2/3 bed property and 3 spaces per 4 bed property).

The key on drawing 01014 Rev P4 refers to garages, however I cannot see any plots with a hash marking indicating a garage. If the key is inaccurate it should be removed from the drawing for the avoidance of doubt.

The proposed highway drainage is generally acceptable for planning purposes, however for the information of the applicant, contour plans and a gully catchment area plan should be submitted as part of the technical approval process.

Whilst the development of the site remains acceptable in principle from a highway viewpoint there are some issues the Highway Authority is obliged to raise before the proposals may be considered fully acceptable. These should be addressed by the applicant prior to determination of the application, ideally through revised information/drawings. However should the proposals be acceptable in planning terms and your Authority is minded to approve the application in its submitted form, I would welcome the opportunity to discuss possible highway related conditions and notes for inclusion in any decision notice issued.

5.3.4

In response to the commentary received from a number of consultees, a revised package of plans was submitted and these sought to address the comments made by the LHA above (inc. others). Forward visibility was demonstrated within the internal layout as requested and the raised table was removed. The site layout was re-configured with the loss of 2 no. units (48 from 50) and accordingly the private driveway components of the layout and placement of parking spaces were amended to facilitate turning. In addition parking provision on site was revised to increase on-site parking provision as follows:

<u>Plot No.</u>	<u>No. Beds</u>	<u>No. Spaces</u>	<u>Plot No.</u>	<u>No. Beds</u>	<u>No. Spaces</u>
1	3	2	26	3	2
2	3	2	27	3	1
3	3	2	28	3	1
4	3	2	29	3	2
5	3	2	30	3	2
6	3	2	31	3	2
7	3	2	32	3	2
8	2	1	33	3	2
9	2	1	34	3	2
10	2	1	35	3	2
11	2	1	36	3	2
12	4	2	37	3	2
13	4	2	38	3	2

14	2	1	39	3	2
15	2	1	40	3	2
16	2	1	41	3	2
17	2	1	42	2	1
18	2	1	43	4	2
19	3	2	44	4	2
20	3	2	45	4	2
21	3	2	46	4	2
22	3	2	47	3	2
23	3	2	48	3	2
24	3	2	Visitors	-	4
25	3	2			

5.3.5 Having regard to the commentary made by the LHA in respect of parking provision the revised site layout now secures 1 no. parking spaces per 2 bed dwelling, 2 no. parking spaces per 3/4 dwelling and 4 no. visitor spaces. This accords with the maximum parking standards set in Appendix G of Core Strategy and is therefore an acceptable level of provision.

5.3.6 It is noted that the applicant will follow a separate technical approval process with the LHA in connection with the adoption of the highway layout and this will ensure that any highway drainage, surfacing materials, street lighting and construction details are acceptable to the LHA.

5.3.7 Overall it is considered that the details submitted are acceptable from a highway perspective having regard to the provisions of policies CS2, CS18 and CS20 of the Core Strategy.

5.4 **Technical Considerations**

5.4.1 The reserved matters application has been reviewed by a number of consultees (listed in section 1.0 above) having regard to matters concerning flood risk, drainage, ecology protection / enhancement, land condition and contamination; however these matters and the detailed matter thereof will be dealt with (where they are not resolved by this reserved matter detail) under discharge of conditions applications which are yet to be submitted for consideration. Accordingly whilst some of the consultees have made comments in respect of this application reference; the

matters they have raised will be dealt with separately in connection with each planning condition / discharge of conditions application.

5.4.2 Under the terms of the outline planning permission however a number of conditions required the submission of information concurrent with the reserved matters application. These conditions and the technical information submitted and considered are set out below.

5.4.3 *Condition 11 required 'concurrent with the first reserved matters submission the application shall be accompanied and informed by the results of a further Noise Survey and Assessment (the parameters of which shall first have been agreed by the Local Planning Authority). The subsequent Noise Assessment shall include details of the necessary measures to mitigate any adverse impact of noise upon the development, arising from the adjacent railway line. Only those details which are agreed in writing by the Local Planning Authority shall be implemented in full on site and maintained as such thereafter.'*

In respect of this condition the application and amendments are supported by an Environmental Noise Survey. The Environmental Health Officer (EHO) provided some initial commentary on the survey and this was amended / updated with the revised plans submission.

The EHO has been consulted on the latest noise survey but is still yet to provide a response.

Notwithstanding this, the reports indicates that there is a series of mitigation measures which need to be incorporated into the design of the properties and the enclosure of some of the gardens to achieve an appropriate noise environment. Accordingly it is therefore necessary to impose a further condition which requires these measures to be implemented and validated (prior to the occupation of the dwellings) to ensure that the recommendations of the report are implemented. The following conditions is proposed:

Prior to the development proceeding beyond damp proof course level the final specification of the details of noise mitigation to the habitable rooms of plots 14 – 42 inclusive, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and validated in writing by

the Local Planning Authority prior to the first occupation of each respective dwelling and shall be retained as such throughout the lifetime of the development.

5.4.4 *Condition 15 required 'concurrent with the submission of the landscaping reserved matters the development must include a suitable trespass proof fence adjacent to Network Rail's boundary (minimum approx. 1.8m high) and make provision for its future maintenance and renewal; and an armco or similar barrier should be located in positions where vehicles may be in a position to drive into or roll onto the railway or damage the lineside fencing. Only those details which receive subsequent written approval shall be implemented on site prior to the occupation of the first dwelling. Network Rail's existing fencing / wall must not be removed or damaged without prior approval.'*

Condition 16 required 'concurrent with the submission of the landscaping reserved matters full details of the proposed soft landscaping and any external lighting shall be submitted to the Local Planning Authority for consideration. Both elements of landscaping shall take into account the comments made by Network Rail in consultation on the outline planning permission dated 11/03/2016. Only those details which receive subsequent written approval shall be implemented on site.'

In respect of these conditions they were imposed at the request of Network Rail, who originally commented on the outline planning permission. **Network Rail** (NR) was re-consulted on this latest application and their response did not raise any objections in principle to the development proposals or the details submitted. A series of further comments / conditions of undertaking works adjacent to the railway were recommended and these can be included as an advisory note of any subsequent permission granted.

5.4.5 *Condition 17 required 'concurrent with the submission of the first reserved matters a detailed access design indicating the proposed junction with Sheffield Road with exit visibility measuring 2.4m x 73m in both directions and including all relocation and/ or removal of existing street furniture/ apparatus, shall be submitted to the Local Planning Authority for written approval.'*

In respect of this condition the site layout plans submitted demonstrate the site access to Sheffield Road with 2.4m x 73m visibility splays, which are acceptable.

- 5.4.6 *Condition 31 required 'concurrent with the submission of the first reserved matters a reptile survey shall be undertaken and the results shall be submitted to confirm the presence and / or otherwise of reptiles within the site boundary. If the surveys do reveal any reptile presence a mitigation strategy shall be prepared alongside this submission that includes measures to avoid harm to any reptile population to be employed during the site preparation and construction process and thereafter measures to provide sufficient suitable habitat is incorporated within the final layout to protect and promote the recovery of any species. Development shall only commence thereafter (following written approval by the Local Planning Authority) in strict accordance with the approved strategy.'*

In respect of this condition the reserved matters application is accompanied by a reptile survey which concludes that survey work has been undertaken and no reptiles were found. The report recommends appropriate measures to mitigate against impacts upon any reptiles found on the site during site construction and these measures can be included in any CEMP submitted under the provisions of condition 32 of the outline consent.

- 5.4.7 *Condition 38 required 'concurrent with the submission of the first reserved matters application a tree protection plan shall also be prepared demonstrating appropriate root protection areas and above ground construction techniques. Only those details which received written approval shall be implemented on site.'*

In respect of the above condition the original application was accompanied by PDP Associates detailed landscape proposals: c-1660-01 Rev A which included detailed landscape and root protection measures. This plan has not been updated alongside the revised package of plans and therefore it will be necessary to re-impose this condition to ensure the details reflect the latest site layout plan.

- 5.5 **Community Infrastructure Levy (CIL)**

5.5.1 Having regard to the nature of the application proposals the development comprises the creation of new dwellings and the development is therefore CIL Liable.

5.5.2 The site the subject of the application lies within the medium CIL zone and therefore the CIL Liability has been calculated as per the table below (using calculations of gross internal floor space and be index linked).

	A	B	C	D	E
Proposed Floorspace (GIA in Sq.m)	Net Area (GIA in Sq.m)	CIL Rate	Index (permission)	Index (charging schedule)	CIL Charge
15 x 2 bed (71sqm)	1065	£50 (Medium Zone)	334	288	£227,364
27 x 3 bed (84 sqm)	2268				
6 x 4 bed (98 sqm)	588				
	Total – 3921sqm				

Net Area (A) x CIL Rate (B) x BCIS Tender Price Index (at date of permission) (C) / BCIS Tender Price Index (at date of Charging Schedule) (D) = CIL Charge (E)

5.5.3 Alongside the application submission the applicant has indicated that the development will compromise a scheme of 100% affordable housing, which may be subject to CIL exemption if the appropriate application is made and agreed by the Local Planning Authority under the CIL Regulations.

6.0 **REPRESENTATIONS**

6.1 The application has been publicised by site notice posted on 30/09/2019; by advertisement placed in the local press on 26/09/2019; and by neighbour notification letters sent on 19/09/2019 and 23/12/2019 (re-consultation).

6.2 As a result of the applications publicity there have been no representations received.

7.0 **HUMAN RIGHTS ACT 1998**

7.1 Under the Human Rights Act 1998, which came into force on 2nd October 2000, an authority must be in a position to show:

- Its action is in accordance with clearly established law
- The objective is sufficiently important to justify the action taken
- The decisions taken are objective and not irrational or arbitrary
- The methods used are no more than are necessary to accomplish the legitimate objective
- The interference impairs as little as possible the right or freedom

7.2 It is considered that the recommendation is objective and in accordance with clearly established law.

7.3 The recommended conditions are considered to be no more than necessary to control details of the development in the interests of amenity and public safety and which interfere as little as possible with the rights of the applicant.

7.4 Whilst, in the opinion of the objector, the development affects their amenities, it is not considered that this is harmful in planning terms, such that any additional control to satisfy those concerns would go beyond that necessary to accomplish satisfactory planning control.

8.0 **STATEMENT OF POSITIVE AND PROACTIVE WORKING WITH APPLICANT**

8.1 The following is a statement on how the Local Planning Authority (LPA) has adhered to the requirements of the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 in respect of decision making in line with paragraph 38 of the National Planning Policy Framework (NPPF).

8.2 Given that the proposed development does not conflict with the NPPF or with 'up-to-date' Development Plan policies, it is considered to be 'sustainable development' and there is a presumption on the LPA to seek to approve the application. The LPA has used conditions to deal with outstanding issues with the

development and has been sufficiently proactive and positive in proportion to the nature and scale of the development applied for.

- 8.3 The applicant / agent and any objector will be provided with copy of this report informing them of the application considerations and recommendation / conclusion.

9.0 **CONCLUSION**

- 9.1 The proposals are considered to be appropriately designed having regard to the character of the surrounding area and would not have an unacceptable detrimental impact on the amenities of neighbouring residents or highway safety. As such, the proposal accords with the requirements of policies CS2, CS18 and CS20 of the Core Strategy and the wider National Planning Policy Framework.

- 9.2 The outline planning permission already includes appropriate planning conditions such that the proposals are considered to demonstrate wider compliance with policies CS7, CS8, CS9 and CS10 of the Core Strategy and the wider NPPF in respect of technical considerations.

10.0 **RECOMMENDATION**

- 10.1 It is therefore recommended that the application be GRANTED subject to the following conditions:

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

Site Location Plan – 3GP1 DR-A-01-001 P3

Detailed Landscape Proposals C-1660-01 Rev A

Finished Floor Levels and Road Levels - 19032-RLL-19-XX-DR-C-100 Rev C

Road and Sewer General Arrangement Plan - 19032-RLL-19-XX-DR-C-101 Rev A

Adoptable Surface Finishes Plan - 19032-RLL-19-XX-DR-C-102 Rev A

Vehicle Tracking Plan - 19032-RLL-19-XX-DR-C-103 Rev A

Boundary Treatment Details - 3GP1-MHA-FS-XX-DR-A-05001 S2 P2

House Type 2 - 3GP1-MHA- 02-ZZ-DR-A-00001 S2 P3
House Type 3 - 3GP1-MHA- 03-ZZ-DR-A-00002 S2 P3
House Type 3A - 3GP1-MHA- 3A-ZZ-DR-A-00003 S2 P3
House Type 4 - 3GP1-MHA- 04-ZZ-DR-A-00004 S2 P3
House Type 2 Active Gable - 3GP1-MHA- 04-ZZ-DR-A-00005 S2 P3
House Type 3 Active Gable - 3GP1-MHA- 04-ZZ-DR-A-00006 S2 P3
~~House Type 4 Active Gable - 3GP1-MHA- 04-ZZ-DR-A-00007 S2 P3~~
~~Proposed Site Layout - 3GP1-MHA-FS-XX-DR-A-01010 S2 P8~~
~~Proposed Hard and Soft Landscaping Plan - 3GP1-MHA-FS-XX-DR-A-01011 S2 P6~~
~~Materials Treatment Plan - 3GP1-MHA-FS-XX-DR-A-01012 S2 P4~~
~~Boundary Treatment Plan - 3GP1-MHA-FS-XX-DR-A-01013 S2 P6~~
~~Parking Statistics Plan - 3GP1-MHA-FS-XX-DR-A-01014 S2 P4~~
~~Tenure Identification Plan - 3GP1-MHA-FS-XX-DR-A-01015 S2 P1~~
Street Elevations - 3GP1-MHA-XX-XX-DR-A-03016 S2 P2
Adopted Road Lighting - HLS-752

Design and Access Statement Rev P1 prepared by MHA Architects

Drainage Strategy Rev A prepared by Rodgers Leask Ltd (April 2019)

~~Environmental Noise Survey prepared by noise.co.uk (13 March 2019)~~

~~Reptile Survey prepared by Dr. Stefan Bodnar (May 2019)~~

Technical Note – Network Rail prepared by Rodgers Leask Ltd (15 March 2019)

Revised Plans 18/12/2019

House Type 4 Active Gable - 3GP1-MHA- 04-ZZ-DR-A-00007 S2 P5

Proposed Site Layout - 3GP1-MHA-FS-XX-DR-A-01010 S2 P11

Proposed Hard and Soft Landscaping Plan - 3GP1-MHA-FS-XX-DR-A-01011 S2 P8

Materials Treatment Plan - 3GP1-MHA-FS-XX-DR-A-01012
S2 P6
Boundary Treatment Plan - 3GP1-MHA-FS-XX-DR-A-01013
S2 P8
Parking Statistics Plan - 3GP1-MHA-FS-XX-DR-A-01014 S2
P6
Tenure Identification Plan - 3GP1-MHA-FS-XX-DR-A-01015
S2 P3
Reptile Survey prepared by Dr. Stefan Bodnar (May 2019)

Revised Details 13/01/2020

~~1 IN 100 YEAR + 30% EVENT REV A~~

Revised Plans / Details 15/01/2020

Environmental Noise Survey prepared by noise.co.uk (14
January 2020)
Highways General Arrangement Plan - 19032-RLL-18-XX-
DR-C-510B
S104 General Arrangement Plan - 19032-RLL-18-XX-DR-C-
550B
S104 Manhole Schedule - 19032-RLL-18-XX-DR-C-554B
Hydro Brake Design and Hydraulic Details - SHE-0086-5000-
2600-5000
Drainage Pipe Strength Calcs
SW Network Details Rev B (inc.)

- 1 IN 1 YEAR EVENT REV B
- 1 IN 30 YEAR EVENT REV B
- 1 IN 100 YEAR + 30% EVENT REV B
- Polystorm Flyer Issue 7 Feb '19 and Polystorm Modular
Cell Datsheet Issue 3

*Reason - In order to clarify the extent of the planning
permission in the light of guidance set out in "Greater
Flexibility for planning permissions" by CLG November 2009.*

02. Notwithstanding the details accompanying this reserved
matters application, prior to commencement of development
revised soft landscaping and tree protection measure (inc.
details for any above ground construction or works within
defined root protection areas) shall be submitted to the Local
Planning Authority for consideration and subsequent
approval in writing. Only those details agreed shall be
implemented on site.

Reason - The condition is imposed in order to enhance the appearance of the development and in the interests of the area as a whole.

03. If, within a period of five years from the date of the planting of any tree or plant, that tree or plant, or any tree or plant planted as a replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason - The condition is imposed in order to enhance the appearance of the development and in the interests of the area as a whole.

04. Prior to the development proceeding beyond damp proof course level the final specification of the details of noise mitigation to the habitable rooms of plots 14 – 42 inclusive, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and validated in writing by the Local Planning Authority prior to the first occupation of each respective dwelling and shall be retained as such throughout the lifetime of the development.

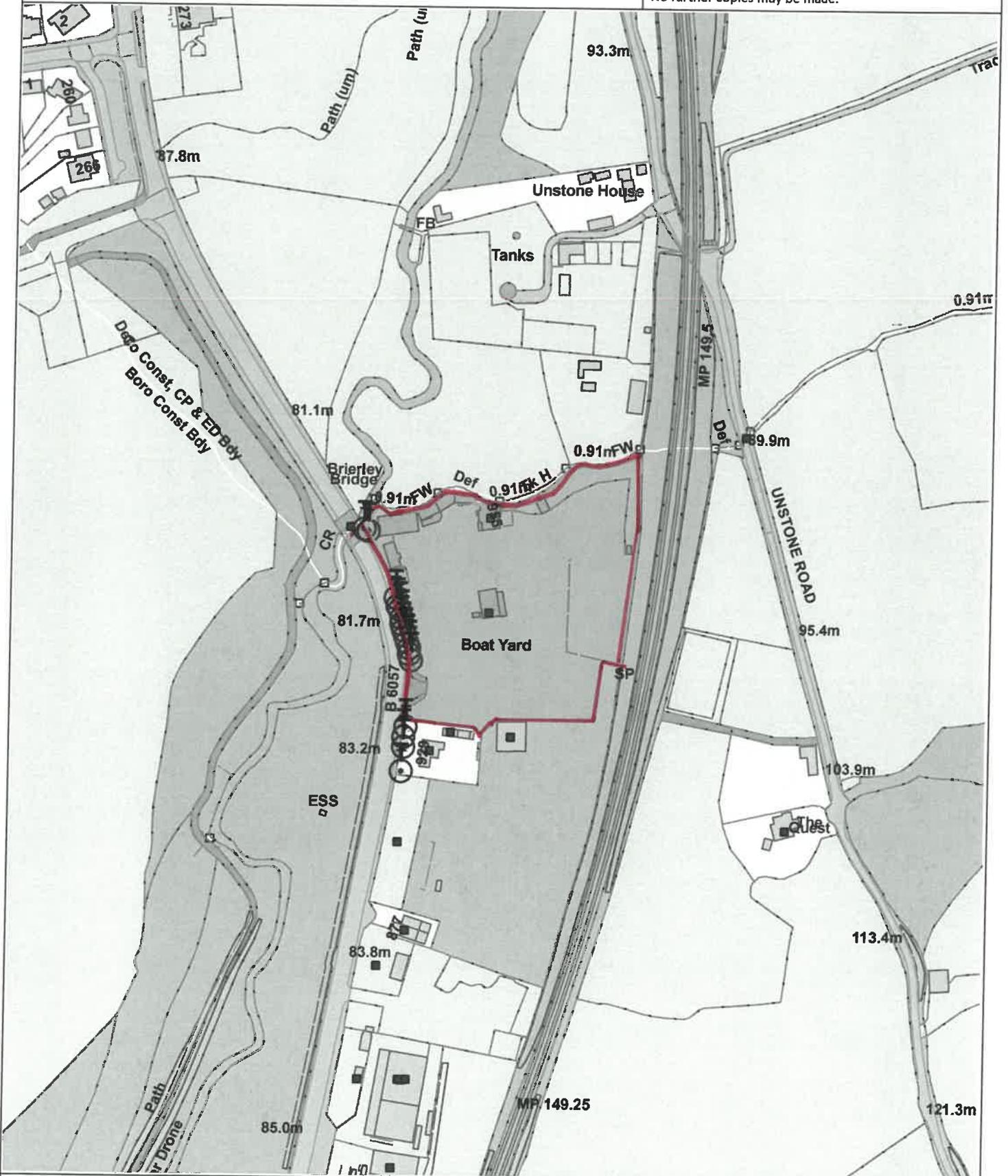
Reason - In the interests of residential amenity.

Notes

01. If work is carried out other than in complete accordance with the approved plans, the whole development may be rendered unauthorised, as it will not have the benefit of the original planning permission. Any proposed amendments to that which is approved will require the submission of a further application.
02. This approval contains condition/s which make requirements prior to development commencing. Failure to comply with such conditions will render the development unauthorised in its entirety, liable to enforcement action and will require the

submission of a further application for planning permission in full.

03. This permission is granted further to an earlier grant of outline planning permission (CHE/16/00171/OUT) to which any developer should also refer.



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Agenda Item 5

COMMITTEE/SUB	Planning Committee
DATE OF MEETING	27 January 2020
TITLE	DELEGATION
PUBLICITY	For Publication
CONTENTS	Items approved by Development Management and Conservation Manager under the following Delegation references:- Planning Applications P020D, P200D to P250D, P270D to P320D, P350D to P370D, P390D, P420D to P440D Agricultural and Telecommunications P330D and P340D
RECOMMENDATIONS	Not applicable
LIST OF BACKGROUND PAPERS	Relevant applications

These are reported to Planning Committee for information only.
Anyone requiring further information on any of the matters
contained in this report should contact:-

Planning Applications	Paul Staniforth	345781
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Delegated List
Planning Applications

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/19/00086/FUL 5635	Linacre	Two storey extensions to side and rear of house to create, larger bedrooms, shower room and garden room extension - revised plan received 27 November 2019 At 77 Brushfield Road Holme Hall Chesterfield Derbyshire S40 4XF For Mr K More	CP	20/12/2019
CHE/19/00120/FUL 1250	St Leonards	Increase the window size to the shop front and form a new window opening to the eastern elevation - revised plan rec'd 05.09.2019 At 33 Holywell Street Chesterfield Derbyshire S41 7SA For Pinewood Properties	REF	24/12/2019
CHE/19/00121/ADV 1250	St Leonards	Existing fascia sign over the existing shop front and new fascia sign to the eastern elevation over the proposed window opening At 33 Holywell Street Chesterfield S41 7SA For Pinewood Properties	CP	24/12/2019
CHE/19/00361/LBC 768	Barrow Hill And New Whittington	Listed Building Consent for replacement of various timber doors At Barrow Hill Primary School Station Road Barrow Hill S43 2PG For Barrow Hill Academy	CP	09/01/2020

CHE/19/00475/FUL	Hasland	Replacement of flat roof with new pitched roof and erection of detached annexe building	REF	13/01/2020
866		At 29 Handby Street Hasland S41 0AT For Mr Peter Hopkinson		
CHE/19/00551/FUL	Dunston	Demolition of the existing church hall, new extension to be built on the footprint of the previous church hall (bat survey rec'd 11/12/2019)	CP	09/01/2020
		At St Johns Church St Johns Road Newbold S41 8QN For Reverend Griffiths		
CHE/19/00588/ADV	St Leonards	New halo illuminated fascia sign above shop front and illuminated projecting sign	CP	09/01/2020
		At 34 Knifemithgate Chesterfield Derbyshire S40 1RQ For Hidden Hearing		
CHE/19/00611/FUL	Dunston	Ground floor extension to kitchen side. New off street parking. (Revised drawings received 27/11/19)	CP	06/01/2020
		At 73 Coniston Road Newbold Derbyshire S41 8JE For Mr Dan Gerrard		
CHE/19/00665/FUL	Dunston	Two storey extension to rear.	CP	10/01/2020
313		At 43 Ulverston Road Newbold S41 8ED For Mr and Mrs Wilson		

CHE/19/00671/FUL	Walton	Single storey extension to front of an existing detached dwelling. New cladding to first floor front elevation. Revised drawing received 17 12 2019	CP	23/12/2019
1668		At 4 Upland Rise Walton Chesterfield S40 2DD For Ms Angela Owen		
CHE/19/00675/FUL	Middlecroft And Poolsbrook	Provision of artificial grass pitch; car park resurfacing and installation of 11 No flood lighting columns.	CP	14/01/2020
2818		At Staveley Miners Welfare Fc Inkersall Road Staveley Derbyshire S43 3WL For Mr Damms		
CHE/19/00677/RET	Moor	Retention of single storey rear extension to No 102, and raised rear garden levels to No.s 100 and 102 Highfield Lane	CP	07/01/2020
1213		At 100 - 102 Highfield Lane Newbold Chesterfield S41 8BA For Mr G Evans		
CHE/19/00678/FUL	Walton	First floor side extension (amended block plan, location plan and parking provision received 18.12.2019)	CP	23/12/2019
5903		At 17 Berwick Close Walton Derbyshire S40 3NY For Mr Daniel Bayliss		

CHE/19/00690/FUL	Brimington South	Detached concrete sectional garage. Revised drawing received 07-01-2020.	CP	09/01/2020
2792		At Land To The Rear 114 Station Road Brimington Derbyshire S43 1LU For Mr Andrew Bellas		
CHE/19/00691/ADV	St Leonards	Illuminated and non-Illuminated signage to the exterior of the building.	CP	31/12/2019
2111		At Sun Inn 13 West Bars Chesterfield S40 1AQ For Hawthorn Leisure Ltd		
CHE/19/00698/DEM	St Leonards	Demolition of Former Chesterfield Hotel.	PADEM	30/12/2019
		At Chesterfield Hotel Malkin Street Chesterfield Derbyshire S41 7UA For Prestige Hotels (Midland) Ltd		
CHE/19/00699/FUL	Hasland	Detached dwelling along with garden room and basement.	CP	10/01/2020
6397		At 85 The Green Hasland Chesterfield S41 0LW For Mr S Whitehead		
CHE/19/00714/FUL	Hollingwood And Inkersall	Demolition of existing conservatory and erection of replacement rear extension.	CP	10/01/2020
16		At 8 Hucklow Avenue Inkersall Chesterfield S43 3EX For Musgrove		

CHE/19/00715/RET	Brimington South	Retention of boundary fence (side of property along footpath/pavement 19m long by 1.92m high)	CP	13/01/2020
1456		At 1 Fuller Drive Tapton Chesterfield Derbyshire S41 0UG For Mr Jeffrey Fisher		
CHE/19/00717/RET	Hollingwood And Inkersall	Retrospective consent for the retention of front porch	UP	13/01/2020
1073		At 16 Chestnut Drive Hollingwood S43 2LZ For Mr Miller		
CHE/19/00720/REM1	And Woodthorpe	Lowgates Variation of condition 2 (materials - to allow use of rubber roofing as metal will be noisy) and removal of condition 10 (ancillary accommodation only to allow use as holiday let) of CHE/17/00804/FUL - Conversion of existing goat shed/stables into holiday let using shared access drive.	CP	14/01/2020
5617		At Poppy Barn 23 Bridle Road Woodthorpe S43 3BY For Mr Geoff Hall		
CHE/19/00722/DOC	Lowgates And Woodthorpe	Discharge of planning conditions 3 (foul and surface water drainage), 5 (storage space on site), 7 (tree root protection) and 9 (Materials) of CHE/17/00804/FUL - Conversion of existing goat shed/stables into holiday let using shared access of 23 Bridle Road, Woodthorpe	REF	09/01/2020
5617		At Poppy Barn 23 Bridle Road Woodthorpe S43 3BY For Mr Geoff Hall		

CHE/19/00723/FUL	West	Single storey construction for utility / wc CP and conversion of existing garage to bedroom		15/01/2020
1388		At 7 Ardsley Road Ashgate Chesterfield S40 4DG For Mr Mike Watkinson		
CHE/19/00742/TPD	West	Single storey rear extension	PANR	07/01/2020
		At 32 Rhodesia Road Chesterfield Derbyshire S40 3AL For Mr Daniel O'Donnell		
CHE/19/00755/CA	Old Whittington	T7 - Noble Fir- Remove. This tree is a constraint to development, and has short term potential only. G1 - A group of self set ash and sycamore- Prune back to boundary. G2 - A collection of conifers forming a low level landscape feature - Remove to allow room for development. To be replaced with native shrubs during landscaping.	UP	20/12/2019
		At 97 High Street Old Whittington S41 9LB For Mrs Susan Smith		
CHE/19/00758/DOC	St Leonards	Discharge of condition 8 (retention of existing shop front) of CHE/15/00676/FUL - Change of use and internal refurbishment of former department store to hotel (C1), independent ground floor units (a1/A3/A4) and basement gym (D2) including new external courtyard and alterations to servicing, demolition of bridge, fire escape stair tower and single storey link block and erection of a single storey rear extension	DPC	10/01/2020
2056		At Former Department Store Knifemithgate Chesterfield For Jomast Developments		

CHE/20/00002/TPO Old Whittington T40 and T42 poplars - All round crown reduction by 40% to create high pollard CP 13/01/2020

At
178 Broomhill Road
Old Whittington
Chesterfield
S41 9EB
For
JM Ground Care Ltd

CHE/20/00009/TPO St Leonards T1 Horse Chestnut. Declining tree with basal defects and vertical decay pockets on main stem. Significant fungal presence (Polyporus squamosus) at base and on stem suggest decline has been ongoing for some time. CP 09/01/2020
Proposed works to include major crown reduction to stabilise and retention as standing as habitat provision.

At
Trevilla
73 Hady Hill
Hady
Chesterfield
S41 0EE
For
Mr Gary McCarthy

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Delegated List - Planning Applications

Key to Decisions

Code	Description
AC	Historic
AP	Historic
APPRET	Application returned to applicant
CI	Called in by secretary of state
CIRNO	Circular 18/84 no objection
CNOCO	Circular 18/84 no objs but conditions
CONCOM	Confirmation Compliance with Conditions
CP	Conditional permission
CPEOTZ	Conditional Permission Extension of Time
CPMAZ	Conditional consent for material amendment
CPRE1Z	Conditional Permission Vary Conditions
CPRET	Conditional Approval Retrospective
DPC	Discharge of Planning Conditions
FDO	Finally Disposed Of
GR CLOPUD	CLOPUD Granted
GRANT CLUD	CLUD Granted
GRNTEX	Permission Granted with Exemption
ND	Non Development
OBJ	Other Council objection
OC	Other Council no obj with comments
OW	Other Council no obj without comments
PA	Prior Notification Approval
PADEM	Prior Notification Demolition Approve
PD	Found to be Permitted Development
PR	Prior Notification Refusal
RAP	Retrospective Application Refused
RARETZ	Retrospective Application Approved
RC	Application Refused
REF	Refused
RETAP	DO NOT USE
RETRFZ	Retrospective Application Refused
RF CLODUP	CLOPUD Refused
RTN	Invalid Application Returned
S106	S106 Approved pending planning obligation
SC	Split decision with conditions
SU	Split decision - approval unconditional
UP	Unconditional permission
UPRET	Unconditional Approval Retrospective
WDN	Withdrawn
XXXXXX	Recommendation Pending

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COMMITTEE/SUB	Planning Committee
DATE OF MEETING	27 January 2020
TITLE	DELEGATION
PUBLICITY	For Publication
CONTENTS	Items approved by the Development Management and Conservation Manager under the following Delegation references:- Felling and Pruning of Trees P100D, P120D, P130D
RECOMMENDATIONS	Not applicable
LIST OF BACKGROUND PAPERS	Relevant applications

These are reported to Planning Committee for information only. Anyone requiring further information on any of the matters contained in this report should contact:-

Applications to Fell or Prune Trees	Steve Perry	345791
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SECTION 1**APPLICATION TO FELL OR PRUNE TREES**

<u>CODE NO</u>	<u>DESCRIPTION OF PROPOSAL</u>	<u>TERMS OF DECISION</u>
CHE/19/00751/TPO TPO 4901.15 18/12/19	The pruning of one Sycamore tree reference T4 on the Order map for Mr Hawksworth of 32 Hillside Drive, Walton.	Consent is granted to the crown reduction of the tree by 50% to gradually reduce the height of the tree to old pollarding points. Consent is also granted to remove two lower branches.
CHE/19/00692/TPO TPO 4901.67 18/12/19	The pruning of one Oak tree reference T2 on the Order map for Mr Drury of 39 Newbold Back Lane. The tree is located in the rear garden of 46 Bentham Road and overhangs the rear garden of 39 Newbold Back Lane.	Consent is granted to the crown lifting of the tree by 4 metres and the crown thinning by 25% to allow more light into the garden.
CHE/20/00009/TPO TPO 4901.186 09/01/20	The felling of one Horsechestnut tree reference T1 on the Order map for Gary McCarthy on behalf of Chesterfield Borough Council. The tree has severe decay in the main stem and is located next to the entrance to a public park and access to a new development adjacent to Trevilla, 73 Hady Hill.	Consent is granted to the felling of T1 Horsechestnut by virtue of Part VIII, Chapter 1, Section 198, paragraph 6(a) of the Town and Country Planning Act 1990 as amended under The Town and Country Planning (Tree Preservation) (England) Regulations 2012, which has provision for dead and dangerous trees. A condition is attached to plant an Oak tree in the public park as near as is reasonably possible to the original tree.
CHE/20/00002/TPO	The pruning of two Poplar trees	Consent is granted to the crown reduction by

TPO 4901.89 13/01/20	reference T40 and T42 on the Order map for JM Grounds Care Ltd on behalf of Broomhouse Nursing Home, Brommhill Road, Old Whittington.	40% of two Poplar trees to create a high pollard. The trees are over the public highway and the crown reductions will reduce the risk of large branches failing and falling onto the main road.
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SECTION 2**NOTIFICATION OF INTENT TO AFFECT TREES IN A CONSERVATION AREA**

<u>CONTENTS OF NOTICE</u>	<u>SUMMARY OF CONSIDERATIONS</u>	<u>TERMS OF DECISION</u>	<u>DATE OF DECISION</u>
<p>CHE/19/00755/CA The felling of one Noble Fir and a small group of conifers and the pruning of a group of self-set Ash and Sycamore trees to facilitate the development on land adjacent to 97 High Street, Old Whittington for Mrs Smith of DLS Construction Ltd.</p>	<p>The trees are within the Old Whittington Conservation Area and the applicant wishes to fell the trees which are in the location of the approved detached garage and the pruning of trees along the boundary to allow the construction of the garage.</p>	<p>Agreement to the felling and pruning of trees. The felling and pruning will have no adverse effect on the amenity value of the area.</p>	<p>20/12/19</p>

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FOR PUBLICATION Agenda Item 7

ENFORCEMENT REPORT

MEETING: PLANNING COMMITTEE

DATE: 27TH JANUARY 2020

REPORT BY: LOCAL GOVERNMENT AND REGULATORY LAW MANAGER
DEVELOPMENT MANAGEMENT & CONSERVATION MANAGER

WARD: As listed in the report

FOR PUBLICATION

TITLE: D255 and Non-exempt papers (if any) on relevant files

BACKGROUND PAPERS

LOCATION: LEGAL SERVICES

1.0 PURPOSE OF REPORT

1.1 To update members, and get further authority, on formal enforcement.

2.0 BACKGROUND

2.1 The table summarises formal planning enforcement by the Council.

3.0 INFORMAL ACTION

3.1 Formal enforcement is a last resort, with most planning problems resolved without formal action (in accordance with government guidance). More information on informal enforcement is available from the Planning Service.

4.0 MORE INFORMATION ABOUT THE TABLE

4.1 A summary of the main types of planning enforcement action available to the Council and penalties for non compliance is available from Legal Services.

5.0 RECOMMENDATION

5.1 That the report be noted.

GERARD ROGERS
LOCAL GOVERNMENT AND
REGULATORY LAW MANAGER

PAUL STANIFORTH
DEVELOPMENT MANAGEMENT
& CONSERVATION MANAGER

Further information on this report from Gerard Rogers, Legal Services
Tel 01246 345310 or email gerard.rogers@chesterfield.gov.uk

ENFORCEMENT REPORT

Enforcements currently Authorised: 9

17 January 2020

Address	Authorised <small>days from</small>	Breach	CHE/	Issued <small>days to issue</small>	Effective <small>days to (-) /from</small>	Comply <small>days to (-) /from</small>	Notes	update <small>last update</small>	Ward
Breach of Condition Notice		<i>Total currently Authorised: 1</i>		<i>Authorised to Issue Average: days</i>					
York Street	2 <small>116</small>	23/09/19 <small>116</small>	balcony, canopy and french door	17/00800/FUL			Instructed. About to be issued.	<input type="checkbox"/> <small>03/12/19</small>	Ha
Enforcement Notice		<i>Total currently Authorised: 7</i>		<i>Authorised to Issue Average: 248.5 days</i>					
Markham Road	Markham House	18/02/08 <small>4,351</small>	storage of commercial vehicles	20/03/08 <small>31</small>	18/04/08 <small>4291</small>	20/10/08 <small>4106</small>	Complied by 2009. Unauthorised use has started again. Prosecute - awaiting instructions.	<input type="checkbox"/> <small>14/11/19</small>	HI
Pottery Lane West	10	06/01/20 <small>11</small>	two unauthorised metal structures.				Initially action against one structure, then further report on second structure approved.	<input checked="" type="checkbox"/> <small>14/01/20</small>	
Station Lane		03/04/18 <small>654</small>	importation of materials - creation of hard surfacing	03/07/18 <small>91</small>	08/08/18 <small>527</small>	08/08/19 <small>162</small>	Application for partial retention (CHE/19/00242/FUL) now approved subject to S106 agreement for wildlife habitat area (draft received)	<input type="checkbox"/> <small>04/11/19</small>	BHW

Address	Authorised <i>days from</i>	Breach	CHE/	Issued <i>days to issue</i>	Effective <i>days to (-) /from</i>	Comply <i>days to (-) /from</i>	Notes	update <i>last update</i>	Ward
Station Lane	03/04/18 654	importation of materials - industrial use		03/07/18 91	08/08/18 527	08/08/19 162	Application for partial retention (CHE/19/00242/FUL) now approved subject to S106 agreement for wildlife habitat area (draft received)	<input type="checkbox"/> 04/11/19	
Station View Road	47	unauthorised extension	16/00648	14/06/19 781	22/07/19 179	22/01/20 -5	Application for retention dismissed on appeal. Application for changes to extension CHE/17/00827/FUL approved, but unauthorised extension not removed. Issued, requiring demolition of unauthorised part and to make good.	<input checked="" type="checkbox"/> 24/06/19	SH

Address	Authorised <i>days from</i>	Breach	CHE/	Issued <i>days to issue</i>	Effective <i>days to (-) /from</i>	Comply <i>days to (-) /from</i>	Notes	update <i>last update</i>	Ward
Walton Works	27/06/16 1,299	use for war and horror style games					Cease war and horror style games at weekends and after 18:00 hours, and pyrotechnics at any time. 12/12/16 Committee approval for Section 106 planning obligation to regulate unauthorised use. Operator now looking to relocate to new premises.	<input type="checkbox"/> 04/11/19	Wa
York Street	2	conversion and extension of roof space	17/00800/FUL				Flat conversion approved 03/04/18, conditions requiring removal of balcony, canopy, french windows appealed, but dismissed 18/12/18. Not complied with conditions. BCN authorised - see separate entry.	<input checked="" type="checkbox"/> 19/12/18	Ha

Stop Notice

Total currently Authorised: 1 Authorised to Issue Average: days

Address	Authorised <i>days from</i>	Breach	CHE/	Issued <i>days to issue</i>	Effective <i>days to (-) /from</i>	Comply <i>days to (-) /from</i>	Notes	update <i>last update</i>	Ward
Walton Works	27/06/16 <i>1,299</i>	use for war and horror style games of game play					See notes for Enforcement Notice.	<input type="checkbox"/> <i>03/03/17</i>	Wa

Action authorised by Committee except Breach of Condition, Planning Contravention, Section 215 Notices, Advertisement Discontinuance, prosecutions and urgent action which are authorised by officers

Key to Ward abbreviations: BNW Barrow Hill and New Whittington • BN Brimington North • BS Brimington South • B Brockwell • D Dunston • Ha Hasland • Hb Holmebrook • HI Hollingwood and Inkersall • L Linacre • LG Loundsley Green • LW Lowgates and Woodthorpe • MP Middlecroft and Poolsbrook • Mo Moor • N Newbold • OW Old Whittington • R Rother • SH St Helens • SL St Leonards • Wa Walton • We West

SJ - single justice procedure: prosecutions dealt with by the Magistrates Court on paper without a hearing in open court.

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