



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

21 May 2020

Dear Councillor,

Please attend a meeting of the PLANNING COMMITTEE to be held on MONDAY, 1 JUNE 2020 at 1.00 pm the agenda for which is set out below.

This meeting will be held virtually via Microsoft Teams software, for which members of the Committee and others in attendance will receive an invitation. Members of the public will be able to access Part 1 (Public Information) of the meeting online by following the link [here](#).

AGENDA

Part 1(Public Information)

1. Apologies for Absence
2. Declarations of Members' and Officers' Interests Relating to Items on the Agenda
3. Minutes of Planning Committee (Pages 3 - 36)
4. Applications for Planning Permission - Plans Determined by the Committee (Pages 37 - 114)
5. Building Regulations (P880D) (Pages 115 - 122)
6. Applications for Planning Permission - Plans Determined by the Development Management and Conservation Manager (P140D) (Pages 123 - 164)

7. Applications to Fell or Prune Trees (P620D) (Pages 165 - 168)
8. Appeals Report (P000) (Pages 169 - 172)
9. Enforcement Report (P410) (Pages 173 - 176)

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Randy', written in a cursive style.

Local Government and Regulatory Law Manager and Monitoring Officer

PLANNING COMMITTEE

Monday, 9th March, 2020

Present:-

Councillor Callan (Chair)

Councillors Barr
Bingham
Brady
Catt
Caulfield
Davenport

Councillors T Gilby
Simmons
Kelly
Marriott
G Falconer

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

CHE/19/00790/FUL - Detached dormer dwelling and detached garage (revised layout plan received 13.02.2020 showing amended parking layout and detached garage removed, amended elevations and floor plans received 26.02.2020) at land to the rear of 68 Storrs Road, Chesterfield, Derbyshire for Mr Stephen Martschenko

Councillors Bingham, Brady, Callan, Catt, Caulfield, Davenport, Falconer, Gilby, Kelly, Marriot, P Niblock (ward member), S Niblock (ward member) and Simmons.

CHE/19/00719/FUL - Two storey detached house with attached garage 152 Hady Lane, Hady, Chesterfield, Derbyshire for Mr and Mrs Bailey

Councillors Barr, Bingham, Brady, Callan, Catt, Caulfield, Davenport, Falconer, Kelly, Marriot and Simmons.

CHE/20/00054/OUT - Outline application for erection of b1 offices with car park of approximately 41 spaces at Chesterfield Hotel, Malkin Street, Chesterfield, Derbyshire S41 7UA for Chesterfield Borough Council

Councillors Barr, Bingham, Brady, Callan, Catt, Caulfield, Davenport, Falconer, Kelly, Marriot and Simmons.

CHE/19/00784/FUL - Change of use from dwelling-house (use class c3) to house in multiple occupancy (use class c4) at 20 Albion Road, Chesterfield for Mr R Cusimano

Councillors Barr, Bingham, Brady, Callan, Catt, Caulfield, Davenport, Falconer, Kelly, Marriot and Simmons.

*Matters dealt with under the Delegation Scheme

112 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Borrell and Miles.

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

Councillor Gilby did not attend the site visit of agenda item 4(1, 2 and 5) (CHE/20/00054/OUT, CHE/19/00784/FUL and CHE/19/00719/FUL) and did not take part in the debate or subsequent vote.

Councillor Barr did not attend the site visit of agenda item 4(4) (CHE/19/00790/FUL) and did not take part in the debate or subsequent vote.

114 MINUTES OF PLANNING COMMITTEE

RESOLVED -

That the Minutes of the meeting of the Planning Committee held on 17 February, 2020 be signed by the Chair as a true record.

115 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:-

Councillor Gilby took no part in the items relating to Chesterfield Hotel and left the meeting before the debate on the item relating to Albion Road and as he had not attended the site visits so was precluded from

participating in the debate and making decisions on the applications to be determined by Committee.

CHE/20/00054/OUT - OUTLINE APPLICATION FOR ERECTION OF B1 OFFICES WITH CAR PARK OF APPROXIMATELY 41 SPACES AT CHESTERFIELD HOTEL, MALKIN STREET, CHESTERFIELD, DERBYSHIRE S41 7UA FOR CHESTERFIELD BOROUGH COUNCIL

In accordance with Minute No. 299 (2001/2002) Ryan Fish of Whittam Cox Architects (applicant's agent) addressed the meeting.

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

Time Limit etc

1. Approval of the details of the access, layout, scale, external appearance of the building(s), and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
3. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Drainage

4. The site shall be developed with separate systems of drainage for foul and surface water on and off site.
5. No development shall take place until details of the proposed means of disposal of surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the local planning authority. Furthermore, unless otherwise approved in writing by the local planning authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works.

Land Condition

6. No development shall commence until intrusive site investigations have been carried out on site to establish the exact situation in respect of coal mining legacy features. The findings of the intrusive site investigations shall be submitted to the Local Planning Authority for consideration and approval in writing. The intrusive site investigations shall be carried out in accordance with authoritative UK guidance.

7. Where the findings of the intrusive site investigations (required by condition 6 above) identify that coal mining legacy on the site poses a risk to surface stability, no development shall commence until a detailed remediation scheme to protect the development from the effects of such land instability has been submitted to the Local Planning Authority for consideration and approval in writing. Following approval, the remedial works shall be implemented on site in complete accordance with the approved details.

Electric Vehicle Charing Points

8. Electric Vehicle charging points (EVCPs) shall be provided in accordance with the approved site layout for at least 10 percent of the car parking spaces on the site. The Charging points shall be available for use concurrent with the first use of the office building hereby approved. Thereafter the EVCPs shall be retained and maintained operational for the lifetime of the development.

Cycle Parking

9. The development hereby approved shall include provision for cycle parking at the rate of 10% of the number of car parking spaces and full details shall be submitted to local planning authority for consideration as part of the reserved matters submission. The details agreed in writing shall be implemented on site and shall be available concurrent with the use of the new office building and shall be retained as such thereafter.

CHE/19/00784/FUL - CHANGE OF USE FROM DWELLING-HOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPANCY (USE CLASS C4) AT 20 ALBION ROAD, CHESTERFIELD FOR MR R CUSIMANO

In accordance with Minute No. 299 (2001/2002) Mr G Campbell (objector), Councillor Fordham (ward councillor and objector), Mr Cusimano (applicant) and Mr J Church (applicant's agent) addressed the meeting.

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

1. The development is contrary to the best interests of the amenity of local residents. The proposed conversion to a property in multiple occupation would increase the likelihood of the property being occupied by short term tenancies which are more likely to attract a higher proportion of residents with social problems, chaotic lifestyles and no connection or affinity for their surroundings. The street is already suffering from serious anti-social behaviour issues which are causing significant impacts on the existing residents who fear for their safety and the proposal brings with it the prospects of a worsening situation. This is considered to be harmful to the safety of the local community and residential amenity in general and is considered to be contrary to the requirements of Policy CS2, CS15 and CS18 of the Chesterfield Borough Council Local Plan: Core Strategy 2011 – 2031 and the wider requirements of the NPPF 2019.

2. The development is contrary to the best interests of pedestrian and highway safety. The proposed development would increase the likelihood of indiscriminate vehicle parking on the pavement and cycle route. This is considered to be harmful to the safe operation of the highway on a one way road of limited width. The proposal therefore fails to accord with the requirements of Policy CS18 (g) of the Chesterfield Borough Council Local Plan: Core Strategy 2011 – 2031, which expects developments to provide adequate and safe vehicle access and parking. The development would conflict with the wider requirements of the NPPF.

Councillor Barr left the meeting at this point as he had not attended the site visits so was precluded from participating in the debate and making decisions on the applications to be determined by Committee.

Councillor Gilby returned to the meeting as he had attended the site visit for the following item.

CHE/19/00790/FUL - DETACHED DORMER DWELLING AND
DETACHED GARAGE (REVISED LAYOUT PLAN RECEIVED

13.02.2020 SHOWING AMENDED PARKING LAYOUT AND DETACHED GARAGE REMOVED, AMENDED ELEVATIONS AND FLOOR PLANS RECEIVED 26.02.2020) AT LAND TO THE REAR OF 68 STORRS ROAD, CHESTERFIELD, DERBYSHIRE FOR MR STEPHEN MARTSCHENKO

In accordance with Minute No. 299 (2001/2002) Mrs Bradley (objector), Miss Johnson (objector) and Mr Martschenko (agent) addressed the meeting.

That the officer recommendation be upheld and the application be refused on the basis of the following:-

1. The proposal does not comply with policies CS2 and CS18 of the Chesterfield Local Plan: Core Strategy 2011 – 2031 and the wider National Planning Policy Framework. The proposal will increase the density of development resulting in an overdevelopment of the plot in a manner which is at odds with the character and grain of the area and which does not accord with policy CS18 b and c and which is contrary to the 'Successful Places' SPD which requires development to reflect the character and grain of the settlement by virtue of layout and density. The development also conflicts with paragraph 122 d of the NPPF.
2. The proposal will introduce an irregular built form within the defined building line of Storrs Road. Due to the height, scale and massing of the proposal and presence of a first floor window in the rear elevation, the proposed development is considered to have an adverse impact on the amenity of the adjoining neighbours at 1 Brookfield View Drive and does not accord with the principles of CS2, CS18 and the Successful Places SPD which states that proposal should not cause a loss of daylight, overshadowing or create overbearing relationships between buildings where this would be detrimental to residential amenity.
3. The proposal will have an adverse impact on highway safety due to the lack of turning facility on site for larger service vehicles which may result in either vehicles reversing down the length of the driveway or vehicles waiting on Storrs Road for longer periods than usual contrary to the best interests of highway safety . The proposal therefore does not accord with the provisions of Core Strategy CS18 g) provide adequate and safe vehicle access and parking.

Councillors Gilby left the meeting at this point as he had not attended the site visits so was precluded from participating in the debate and making decisions on the applications to be determined by Committee.

Councillor Barr returned to the meeting.

CHE/19/00719/FUL - TWO STOREY DETACHED HOUSE WITH ATTACHED GARAGE 152 HADY LANE, HADY, CHESTERFIELD, DERBYSHIRE FOR MR AND MRS BAILEY

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

That the officer recommendation be upheld and the application be approved after 19 March, 2020 subject to the following conditions.

Public notice had been given that the application was a departure from the local plan, with last date for representations being 19 March, 2020. Any new issues raised in representations received to be considered by the Development Management Manager:-

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; 30 revC; 40 revA; 41; 42 revA; 43; 44; 45 revA; 46; 50; KBH/51 and KBH/52

3. There shall be no gates within 5m of the nearside highway boundary and any gates shall open inwards only.

4. Before any other operations are commenced, space shall be provided within the site for storage of plant and materials, site accommodation, loading, unloading and manoeuvring of goods, vehicles, parking and manoeuvring of employees and visitors' vehicles, laid out and constructed in accordance with detailed designs first submitted to and approved in writing by the Local Planning Authority. Once implemented the facilities shall be retained free from any impediment to their designed use throughout the construction period.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking

and/or re-enacting that Order) the car parking spaces hereby permitted shall be retained as such and shall not be used for any purpose other than the parking of private motor vehicles associated with the residential occupation of the properties without the grant of further specific planning permission from the Local Planning Authority.

6. Before any other operations are commenced a new vehicular access shall be created to Hady Lane in accordance with the application drawings no's: KBH 51(visibility splay south) and KBH 52 (visibility splay north) as dated 26.02.20, laid out, constructed and provided with visibility sightlines extending from a point 2.4m from the carriageway edge, measured along the centre line of the access, to the extremities of the site frontage abutting the highway in each direction. The land in advance of the sightlines shall be maintained thereafter in perpetuity clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to the adjoining nearside carriageway edge.

7. The premises, the subject of the application, shall not be occupied until the on-site parking spaces have been provided for in accordance with the application drawings laid out and constructed as may be agreed with the Local Planning Authority and maintained thereafter free from any impediment to designated use.

8. 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.

9. 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, or additional windows erected or installed at or in the dwellings hereby approved without the prior written agreement of the Local Planning Authority.

10. A residential charging point shall be provided with an IP65 rated domestic socket 13amp socket, directly wired to the consumer unit with 32 amp cable to an appropriate RCD. This socket should be located where it can later be changed to a 32amp EVCP. Non-residential charging points shall be supplied by an independent 32 amp radial circuit and equipped with a type 2, mode 3, 7-pin socket conforming to IEC62196-2. Alternative provision to this specification must be approved in writing, by the local planning authority. The electric vehicle charging

points shall be provided in accordance with the stated criteria prior to occupation and shall be maintained for the life of the approved development.

10. The development shall include a scheme for the provision of surface water run-off on site, either via the use of a SUDs channel or permeable block paving. If this is not possible the applicant is required to contact the Local Planning Authority to discuss alternative options; and then not complete works until an alternative solution has been agreed in writing by the LPA. The scheme shall incorporate sustainable drainage principles and shall be implemented in full.

11. Prior to occupation a scheme of separate foul and surface water drainage which demonstrates that sustainable techniques have been used where feasible and viable shall be submitted to and approved in writing to the Local Planning Authority. This shall include precise details of the soakaway infiltration rates if soakaways are intended to be used. The development shall be carried out in accordance with the approved scheme.

12. No development shall commence until intrusive site investigations have been carried out on site to establish the exact situation in respect of coal mining legacy features. The findings of the intrusive site investigations shall be submitted to the Local Planning Authority for consideration and approval in writing. The intrusive site investigations shall be carried out in accordance with authoritative UK guidance.

13. Where the findings of the intrusive site investigations (required by the condition 12 above) identify that coal mining legacy on the site poses a risk to surface stability, no development shall commence until a detailed remediation scheme to protect the development from the effects of such land instability has been submitted to the Local Planning Authority for consideration and approval in writing. Following approval, the remedial works shall be implemented on site in complete accordance with the approved details.

14. A tree protection plan (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/soakaways.

- b) Details of construction within the RPA or that may impact on the retained trees.
- c) a full specification for the installation of boundary treatment works and boundary treatments within the RPA.
- d) A specification for protective fencing to safeguard trees during land stripping and construction phases and a plan indicating the alignment of the protective fencing.
- e) a specification for scaffolding and ground protection within tree protection zones.
- f) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.
- g) details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires

18. Before the ordering of external materials takes place, precise specifications or samples of the walling and roofing materials to be used on the dwelling and garage 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.

19. Prior to occupation of the development hereby approved, details of any floodlighting and uplighting shall be submitted to and approved by the Local Planning Authority. Such details shall include siting, angles, levels of illumination and any shields. The details shall be implemented in accordance with those approved and should ensure that the light falls wholly within the curtilage of the site and does not significantly impact upon wildlife in the area.

20. A landscape and biodiversity enhancement and management plan (LBEMP) shall be submitted to, and be approved in writing by, the LPA prior to the commencement of the development. The LBEMP should combine both the ecology and landscape disciplines and include the following:-

- a) Description and location of features to be created, planted, enhanced and managed.
- b) Aims and objectives of management.
- d) Appropriate management methods and practices to achieve aims and objectives.
- e) Prescriptions for management actions.

- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a ten-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring visits, targets and remedial measures when conservation aims and objectives of the plan are not being met.
- i) Locations of bat boxes, bird boxes, hedgehog holes and habitat piles (include specifications/installation guidance/numbers).

The LBEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The approved plan will be implemented in accordance with the approved details.

21. No removal of hedgerows, trees, shrubs or brambles shall take place between 1st March and 31st August inclusive, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period, and details of measures to protect the nesting bird interest on the site, have first been submitted to and approved in writing by the local planning authority and then implemented as approved.

22. No development above floor-slab/D.P.C level shall take place until details for the treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:

- a) a scaled plan showing trees and plants to be planted:
- b) proposed hardstanding and boundary treatment:
- c) a schedule detailing sizes and numbers of all proposed trees/plants
- d) Sufficient specification to ensure successful establishment and survival of new planting. Any new tree(s) that die(s), are/is removed, become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Replacement planting shall be in accordance with the approved details.

23. As part of the landscaping condition (condition 22), suitable habitat shall be created that enhances the ecological interest of the site, in line with guidance within Paragraph 175d of the NPPF. This could include native landscaping, retention of existing features of ecological value (such as the hedgerow) and incorporation of bat and bird boxes into the new dwellings and hedgehog gaps in the fences. These shall be installed prior to the occupation of the development hereby approved in accordance with details to have been submitted to and approved by the Local Planning Authority beforehand. These features shall be maintained in accordance with the approved details.

B. That a CIL Liability notice be served for £17,558.33 as detailed in section 5.12 of the officer's report.

CHE/19/00131/OUT - UPDATE/ADDENDUM REPORT - OUTLINE PLANNING PERMISSION FOR UP TO 400 DWELLINGS AND PROVISION OF AN AREA OF PUBLIC OPEN SPACE WITH ASSOCIATED LANDSCAPING AND ACCESS FROM INKERSALL ROAD AND INKERSALL GREEN ROAD AT LAND WEST OF INKERSALL ROAD, INKERSALL, CHESTERFIELD, DERBYSHIRE FOR HOLLINS STRATEGIC LAND LLP

That the list of planning conditions, previously agreed by planning committee on the 19 November 2019 be amended with advisory notes as set out below.

That the officer recommendations be upheld and delegated authority be granted to the Principal Planner to agree any further revisions to conditions and Section 106 planning obligation drafting.

1. Approval of the details of the layout, scale, appearance, landscaping and those remaining access details beyond the 2 no. key entry points at Inkersall Road and Inkersall Green Road approved by this permission (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development or phase of development is commenced on site or on that phase of development.

2. Applications for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of three (3) years from the date of this permission.

3. The development hereby approved shall be begun either before the expiration of five (5) years from the date of this permission or before the expiration of two (2) years from the date of approval of the reserved matters whichever is the later.
4. Prior to or no later than concurrent with the first reserved matters application submitted for the site the subject of this permission, a supplementary Development Framework Masterplan shall be submitted to the Local Planning Authority for approval in writing. The Framework shall seek to establish the overarching design approach for the entire site to inform any phased reserved matters proposals. The Framework should be compatible and expand upon the principles set in the Design and Access Statement (DAS) and those of the adopted Supplementary Planning Document 'Successful Places: Housing Layout and Design'.
5. The submission of the reserved matters applications shall be broadly in accordance with the details shown in the Design and Access Statement (DAS) and the Development Framework Masterplan (agreed under the provisions of condition 4 above).
6. Prior to or no later than concurrent with the first reserved matters application submitted for the site the subject of this permission, a site wide phasing programme (that shall be generally in accordance with the submitted outline application) shall be submitted to the Local Planning Authority for approval in writing.

The phasing programme shall include details of the proposed sequence of development across the entire site, strategic drainage and SuDS infrastructure, the extent and location of individual development phases and the associated access arrangements and timescales for implementation of all the off-site highway improvements works (as required by conditions 8, 11, 12 and 13 below).

7. No development shall commence until the site wide phasing programme required by condition 6 has been approved in writing by the Local Planning Authority and thereafter each subsequent reserved matters application for any phase (or part thereof) shall be accompanied by an updated programme or statement of compliance for approval by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the phasing programme as approved and/or updated.

8. No development shall take place within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above) until detailed designs for the following works has been submitted to the Local Planning Authority for written approval:-

- Proposed new estate street junction with Inkersall Road
- Proposed new estate street junction with Inkersall Green Road
- Proposed multi-user links with the Trans-Pennine-Trail, including upgrade of existing links where applicable
- Proposed mitigation Works to footways on Inkersall Road north of the proposed development site

The Works shall thereafter be completed in accordance with the agreed sequencing/phasing programme (agreed under the terms of condition 6 and 7) unless otherwise agreed in writing by the Local Planning Authority.

9. No development shall take place within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), including any works of demolition until a construction management plan or construction method statement for the proposed phase of development has been submitted to and been approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:

- parking of vehicles of site operatives and visitors
- routes for construction traffic
- hours of operation
- method of prevention of debris being carried onto highway
- pedestrian and cyclist protection
- proposed temporary traffic restrictions
- arrangements for turning vehicles
- details indicating how additional surface water run-off from the site will be avoided (as requested by the Lead Local Flood Authority - comments dated 09/05/2019).

10. Development shall not be commenced within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), until a detailed scheme of highway improvement works for the signalisation of the existing junction of Inkersall Road with Inkersall Green Road together with a programme for

the implementation and completion of the works has been submitted to and approved in writing by the Local Planning Authority.

Thereafter the required highway improvement works shall be constructed in accordance with the approved details and shall be completed in accordance with the agreed programme for the implementation and completion of the works which should accord with the phasing/sequencing of development agreed under the terms of condition 6 and 7 above.

For the avoidance of doubt the developer will be required to enter into a 1980 Highways Act S278 Agreement with the Highway Authority in order to comply with the requirements of this Condition.

11. Development shall not be commenced within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), until a detailed scheme of highway improvement works for the provision of a pedestrian and cycle crossing facility of Inkersall Road together with a programme for the implementation and completion of the works has been submitted to and approved in writing by the Local Planning Authority.

Thereafter the required highway improvement works shall be constructed in accordance with the approved details and shall be completed in accordance with the agreed programme for the implementation and completion of the works which should accord with the phasing/sequencing of development agreed under the terms of condition 6 and 7 above.

For the avoidance of doubt the developer will be required to enter into a 1980 Highways Act S278 Agreement with the Highway Authority in order to comply with the requirements of this Condition.

12. Development shall not be commenced within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), until a review of existing street lighting adjacent to the application Site on Inkersall Road and Inkersall Green Road has been carried out with a detailed scheme of improvement works to upgrade to the appropriate standards any lengths not meeting current design criteria together with a programme for the implementation and completion of the works has been submitted to and approved in writing by the Local Planning Authority.

Thereafter the required highway improvement works shall be constructed in accordance with the approved details and shall be completed in accordance with the agreed programme for the implementation and completion of the works which should accord with the phasing/sequencing of development agreed under the terms of condition 6 and 7 above.

For the avoidance of doubt the developer will be required to enter into a 1980 Highways Act S278 Agreement with the Highway Authority in order to comply with the requirements of this Condition.

13. Before any other operations are commenced within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), (excluding creation of the proposed temporary accesses for construction purposes), a scheme showing how all the existing vehicular and pedestrian accesses to the public highway made redundant as a result of the development shall be permanently closed with a physical barrier and the existing vehicle crossovers reinstated as footway or verge shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter the required works shall be constructed in accordance with the approved details and shall be completed in accordance with the agreed programme for the implementation and completion of the works which should accord with the phasing/sequencing of development agreed under the terms of condition 6 and 7 above.

For the avoidance of doubt the developer will be required to enter into a 1980 Highways Act S278 Agreement with the Highway Authority in order to comply with the requirements of this Condition.

14. Prior to the commencement of the development within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), details for the proposed phase of development shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of water from the development onto the highway.

The approved scheme shall be undertaken and completed prior to the first use of the access and retained as such thereafter.

15. The Approved Travel Plan shall be implemented in accordance with the timescales specified therein, to include those parts identified as being

implemented prior to occupation and following occupation, unless alternative timescales are agreed in writing with the Local Planning Authority. The Approved Travel Plan shall be monitored and reviewed in accordance with the agreed Travel Plan targets.

16. No development shall be commenced within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into under Section 38 of the Highways Act 1980 or a private management and maintenance company has been established.

17. No building or other obstruction including landscape features shall be located over or within 5 metres either side of the centre line of each of the public sewers i.e. protected strip widths of 10 metres per sewer, that cross the site. If the required stand-off distance is to be achieved via diversion or closure of a sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that prior to construction in the affected area, the approved works have been undertaken.

18. The site shall be developed with separate systems of drainage for foul and surface water on and off site. If sewage pumping is required, the peak pumped foul water discharge shall not exceed 6 (six) litres per second.

19. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.

20. Development shall not commence within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), until a detailed design and associated management and maintenance plan of the surface water drainage for the site, in accordance with the principles outline within:

a. “Inkersall Road Staveley Flood Risk Assessment and Drainage Management Strategy”, Betts Hydro Consulting Engineers (15/08/2018) including any subsequent amendments or updates to those documents as approved by the Flood Risk Management Team,

b. And DEFRA’s Non-statutory technical standards for sustainable drainage systems (March 2015), have been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved detailed design, prior to the use of the building commencing.

21. Development shall not commence within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), until a detailed assessment has been provided to and approved in writing by the Local Planning Authority, to demonstrate that the proposed destination for surface water accords with the drainage hierarchy as set out in paragraph 80 of the planning practice guidance.

I. into the ground (infiltration);

II. to a surface water body;

III. to a surface water sewer, highway drain, or another drainage system;

IV. to a combined sewer.

22. A. Development shall not commence within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), 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 site investigation/Phase 2 report (which accords with the conclusions of the Desk Study Assessment Report by Brownfield Solutions Ltd dated May 2018). 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.

II. 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 I and A II 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.

23. In respect of each individual phase of development (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), prior to the submission of reserved matters approval for each phase, a scheme of intrusive site investigations for the mine entries; high walls; and shallow coal workings shall be submitted to the Local Planning Authority for written approval. Thereafter those intrusive investigations shall be carried out as approved to inform any subsequent reserved matters application.

24. Concurrent with each reserved matters submission (inc. any phased development) in accordance with the provisions of the condition detailed above there shall be a report detailing the following:

- findings arising from both of the intrusive site investigations,
- the submission of a layout plan which identifies the opencast high walls and appropriate zones of influence for the recorded mine entries within the site, and the definition of suitable 'no-build' zones;
- the submission of a scheme of treatment for the recorded mine entries for approval; and

- the submission of a scheme of remedial works for the shallow coal workings for approval.

Only those remedial details that receive detailed written approval alongside any reserved matters consent, or separate approval under the provisions of this condition shall be implemented on site.

25. No vegetation clearance works shall take place within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), between 1st March and 31st August inclusive, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period, and details of measures to protect the nesting bird interest on the site, have first been submitted to and approved in writing by the local planning authority and then implemented as approved.

26. No development shall take place (including demolition, ground works, vegetation clearance) within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), until a construction environmental management plan (CEMP: Biodiversity) relevant to that phase of development has been submitted to and approved in writing by the local planning authority. This shall include recommendations in the Ecological Survey and Assessment, ERAP, 2018. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of “biodiversity protection zones”.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

27. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the commencement of the development within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above). This shall include recommendations in the Ecological Survey and Assessment, ERAP, 2018. The LEMP should combine both the ecology and landscape disciplines and include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a fifteen-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring visits, targets and remedial measures when conservation aims and objectives of the LEMP are not being met.
- i) Locations of bat boxes, bird boxes, hedgehog holes and habitat piles (include specifications/installation guidance/numbers).
- j) Key features of SuDS design to benefit wildlife.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The approved plan will be implemented in accordance with the approved details.

28. Prior to building works commencing above foundation level within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), a detailed lighting strategy shall be submitted to and approved in writing by the LPA to safeguard bats and other nocturnal wildlife. This should provide details of the chosen luminaires and any mitigating features such as dimmers, PIR sensors and timers. A lux contour plan should be provided to demonstrate acceptable levels of lightspill to any sensitive ecological zones/features. Guidelines can be found in Guidance Note 08/18 - Bats and Artificial

Lighting in the UK (BCT and ILP, 2018). Such approved measures will be implemented in full.

29. Concurrent with any reserved matters application concerning landscaping within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), 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:

- 1) a scaled plan showing all existing vegetation and landscape/habitat features to be retained and trees/plants to be planted and new habitats created;
- 2) location, type and materials to be used for hard landscaping including specifications, where applicable, for:
 - a) permeable paving
 - b) tree pit design
 - c) underground modular systems
 - d) Sustainable urban drainage integration
 - e) use within tree Root Protection Areas (RPAs);
- 3) a schedule detailing sizes and numbers/densities of all proposed trees/plants;
- 4) specifications for operations associated with plant establishment and maintenance that are compliant with best practice; and
- 5) types and dimensions of all boundary treatments.

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

Unless required by a separate landscape management condition, all soft landscaping shall have a written five year maintenance programme following planting. Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new

planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details.

30. Prior to the commencement of the development within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), a scheme for the protection of the retained trees, hedgerows and habitats in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.

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

31. The landscaping details submitted to accompany any reserved matters application for any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), shall be accompanied by details for the proposed means of permanent management and maintenance for all public areas (any areas not proposed to be contained within the curtilage of any individual properties/dwellings) at all times following completion of that phase or sub-phase of development, including timescales for implementation. The agreed details shall thereafter be implemented and maintained in a manner as approved in perpetuity.

32. a) No development shall take place in any phase of the scheme until a Written Scheme of Investigation for archaeological work has been submitted to and approved by the local planning authority in writing, and until any pre-start element of the approved scheme has been completed to the written satisfaction of the local planning authority. The scheme shall include an assessment of significance and research questions; and

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation

5. Provision to be made for archive deposition of the analysis and records of the site investigation

6. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation

b) No development shall take place other than in accordance with the archaeological Written Scheme of Investigation approved under condition (a).

c) No phase of the development shall be occupied until the site investigation and post investigation assessment for that phase has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under condition (a) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

33. Prior to development commencing within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), an Employment and Training Scheme shall be submitted to the Local Planning Authority for consideration and written approval. The Scheme shall include a strategy to promote local supply chain, employment and training opportunities throughout the construction of the development.

34. A residential charging point shall be provided for each new 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.

35. 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.

36. Before construction works commence or ordering of external materials takes place within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), 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.

37. Prior to the commencement of the development within any phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), details of the existing and proposed land levels and the proposed floor levels of the dwellings hereby approved shall be submitted to the Local Planning Authority for consideration. The details submitted shall include sufficient cross sections to fully assess the relationship between the proposed levels and immediately adjacent land/dwellings. The dwelling shall be constructed at the levels approved under this condition unless otherwise agreed, in writing, by the Local Planning Authority.

38. The submission of reserved matters applications shall be made in accordance with the recommendations of the Noise Risk Assessment prepared by REC dated March 2019 and each phase (or sub-phase as may be agreed in writing by the Local Planning Authority under the terms of condition 6 and 7 above), shall be accompanied by an Acoustic Design Survey setting out appropriate noise mitigation measures to the dwellings hereby approved. The agreed details shall thereafter be implemented and maintained in a manner as approved in perpetuity.

116 **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

| | |
|----------------|-------------------------------------------------------------------------------------------------------------------|
| 20/00670/DEXFP | Single storey rear extension at 191 Ashgate Road Chesterfield S40 4AP |
| 20/00664/DEXFP | Single storey rear extension at 54 The Green Hasland Chesterfield S41 0LN |
| 20/00826/DEXPI | Replace conservatory roof with Guardian solid roof system at 17B Grove Road Brimington Chesterfield S43 1QL |

| | |
|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 20/00826/DEXFP | Conversion of existing hairdressers to habitable apartment at 6 Newbold Back Lane Chesterfield S40 4HF |
| 20/00744/DEXFP | Single storey rear extension at 37 Eastwood Park Drive Hasland Chesterfield S41 0BD |
| 20/00904/DCC | Conversion of a ground floor store room into a WC at 68 Edinburgh Road Newbold Chesterfield S41 7HE |
| 20/00937/DEXFP | Renew flat roof coverings incorporating tapered insulation system and rainwater gulleys discharged into existing surface water system at 9 Victoria Street Brimington Chesterfield S43 1HY |
| 20/00930/DEXFP | Rear extension and garage at 18 Medlock Road Walton Chesterfield S40 3NH |

117 **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/19/00229/FUL | Extension to provide 3 apartments and internal reconfiguration - additional information received 20/5/2019, 19/7/2019, 6/8/2019, 8/8/2019, 19/9/2019, 22/11/2019, 28/11/2019, 3/12/2019 and 21/1/2020 at Chesterfield County Court St Marys Gate Chesterfield S41 7TD for County Developments (Bakewell) Ltd |
| CHE/19/00626/FUL | Erection of two detached bungalows - revised drawings received 4/12/2019, 11/12/2019, 13.01.2020 and 21.01.2020 at 39 Station Road Brimington S43 1JU for Mrs Kelly Easto |

| | |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CHE/19/00707/LBC | Listed Building Consent for internal alterations for the relocation of kitchen and toilet facilities at Spread Eagle Inn 7 Beetwell Street Chesterfield S40 1SH for Midall and Stones Property Ltd |
| CHE/19/00718/COU | Change of use from D1/Sui Generis (consulting room) to C3 (dwelling). Revised information received 06.12.2019 at Dunston Cottage land to the north-east of Dunston Hole Farm Dunston Road Chesterfield S41 9RL for Ms Sally Chisholm |
| CHE/19/00726/LBC | Listed Building Consent for the provision of level access at ground and first floor, installation of fire escape at second floor, erection of a smoking shelter adj to the fire escape, cladding of main facade and part of elevation facing the highway with architectural mesh cladding, replacement of existing external doors and windows and painting of existing brickwork at CCS Media New Birdholme House Derby Road Birdholme S40 2EX for CCS Media |
| CHE/19/00727/LBC | Listed Building Consent for internal alterations and refurbishment to wall, floor and ceiling finishes and removal of central storage space to create a more open and lighter stairwell at Old Birdholme House Derby Road Birdholme Chesterfield S40 2EX for CCS Media |
| CHE/19/00748/FUL | Single storey side extension at 30 Highland Road New Whittington Chesterfield S43 2EZ for Mr and Mrs David Millington |
| CHE/19/00756/FUL | Re submission of CHE/19/00492/FUL - rear single storey extension with dormer roof extension for additional bedroom and en suite to existing loft space at 5 Chiltern Close Chesterfield Derbyshire S40 4QY for Mr and Mrs Maclean |
| CHE/19/00763/FUL | Extension to existing garage at 7 Holbrook Close Walton Derbyshire S40 3JP for Mr Maynard |

| | |
|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CHE/19/00764/FUL | 2 storey side extension and 2 storey rear extension and alterations to entrance at 3 Westbrook Drive Chesterfield S40 3PQ for Mr and Mrs Bricknell |
| CHE/19/00765/LBC | Removal of internal wall between kitchen and dining room to create open plan space for new kitchen area at 19 Brearley Hall Woodmere Drive Old Whittington Chesterfield S41 9TA for Mrs Lucie Wainwright |
| CHE/19/00769/FUL | Proposed rear extension and garage at 18 Medlock Road Walton Derbyshire S40 3NH for S Wright |
| CHE/19/00772/FUL | Single storey rear extension (revised plans received 03.02.2020 showing reduced ridge height of rear extension, garage conversion and off-street parking for 3 vehicles) at 15 Westwood Drive Inkersall Chesterfield S43 3DF for Mr and Mrs Hunt |
| CHE/19/00773/FUL | Removal of existing Victorian outbuildings and erection of replacement block of 3 detached garages at 1 Avondale Road Chesterfield S40 4TF for Miss Emma Proctor |
| CHE/19/00777/FUL | Two storey side extension together with the raising of the roof height of the original dwelling and installation of two rear dormer windows to facilitate the creation of additional rooms in the roof space at 262 Handley Road New Whittington Chesterfield S43 2ET for Mr Hardcastle |
| CHE/19/00779/REM1 | Variation of condition 2 (external dimensions of the link building) of CHE/18/00603/FUL - Demolition of existing link building with proposed replacement link building at 9D Holywell Street Chesterfield S41 7SA for Mr Roy Cutt |

| | |
|------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CHE/19/00781/FUL | Construction of a replacement bay window on front of property at 14 Douglas Road Tapton Derbyshire S41 0UD for Mr David Knight |
| CHE/19/00783/FUL | Two storey side and rear extension and single storey rear extension at 55 Princess Street Brimington Chesterfield S43 1HP for Miss Kelly Scothorn |
| CHE/19/00786/FUL | Single storey side extension and single storey front extension at 15 Cranborne Road Newbold Chesterfield S41 8PG for Mr and Mrs Owdziej |
| CHE/19/00789/COU | Change of use A1 (shop) to A4 (micropub selling quality ales and spirits) at 24 Mansfield Road Hasland Derbyshire S41 0JA for Hasland Hops Ltd |
| CHE/19/00791/FUL | Resubmission of CHE/19/00467/FUL - Two storey extension to the side elevation and external render (white) to the existing house at 48 Langhurst Road Brockwell Chesterfield S40 4BD for Mr Andrew Ingman |
| CHE/19/00796/FUL | Erection of a 3 bay detached garage at 73 Station Road Brimington Derbyshire S43 1LJ for Mr Sam Redfern |
| CHE/19/00798/FUL | Extensions to side and rear of property - part single storey and part two storey at 19 Dukes Drive Newbold Chesterfield S41 8QB for Margot Stansbury |
| CHE/19/00799/FUL | First floor side/rear extension (revised plans received 03.02.2020) at The Uplands Barlow Road Chesterfield S18 7TB for Mr David Robinson |
| CHE/19/00801/FUL | Two storey and single storey rear extension |

together with loft conversion at 34 Kent Street
Hasland Chesterfield S41 0PL for Turner

| | |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CHE/19/00803/NMA | Non-material amendment to CHE/19/00189 (demolition of existing outbuildings and installation of timber clad garden studio) to change approved cladding finish from black and cedar cladding to less obstructive green and cream cladding - retention as works already done at 40 Kent Street Hasland Derbyshire S41 0PL for Rivers and Tanner |
| CHE/19/00805/FUL | Single storey rear extension to form sun lounge at 65 Yew Tree Drive Somersall Chesterfield S40 3NB for Mrs Judi Coley |
| CHE/20/00010/TPO | Chestnut (T25) Tree trunk has large crack all the way up. Fell the tree, replace with a Rowan tree at 42 Netherleigh Road Ashgate Chesterfield S40 3QJ for Mr Peter Passmore |
| CHE/20/00019/TPO | Beech (TGI) Reduce Height 6 Metres Reduce Sides 2 Metres at 396 Old Road Chesterfield S40 3QF for Mr Peter Jackson |
| CHE/20/00042/TPO | Felling of dangerous pear tree and rest of trees on site crown cleaned and dead wooded at Broom House Broomhill Road Old Whittington Derbyshire S41 9EB for JM Ground Care |
| CHE/20/00043/TPO | Lift driveway trees to 5.2m to allow for deliveries (T2, T3, T4, T5, T6, T7, T8 and T9) at Broom House Broomhill Road Old Whittington Derbyshire S41 9EB for JM Ground Care Ltd |
| CHE/20/00053/NMA | Removal of single garage to facilitate additional double garage to plot 20 - access and boundaries amended to suit at land to south of Poplar Farm Rectory Road Duckmanton Derbyshire for Woodall Homes |

CHE/20/00068/CA 3 Lime trees to re-pollard at the front of the property at Seventh Day Adventist Church Church Street North Old Whittington S41 9QN for Elder at Seventh Day Adventist Church

(b) Discharge of Planning Condition

CHE/19/00776/DOC Discharge of planning conditions 6 (storage of plant) 7 (construction management plan) ,8 (Estate Street Phasing plan),11 (discharge of water on highway) and 14 (materials) of CHE/19/00163 - Environmental improvements to the southern area of London Boroughs Estate, Barrow Hill. The improvements will include resurfacing road/parking courts, paving, street lighting and boundary treatments within the area identified as Phase 2 at London Borough Estate Barrow Hill Chesterfield for Chesterfield Borough Council

CHE/19/00793/DOC Discharge of condition 6 (materials) of CHE/17/00772/FUL - Two storey pitched roof extension to side of property and a single storey pitched roof extension to the rear at 25 West Croft Drive Inkersall Derbyshire S43 3GA for Mrs Sarah Saunders

CHE/19/00794/DOC Discharge of planning condition 26 (bin storage) of CHE/17/00685/REM - residential development of 120 dwellings at land north-east of Sainsburys Roundabout Rother Way Chesterfield Derbyshire for Harron Homes

CHE/20/00023/DOC Discharge of planning condition 3 (render colour) of CHE/19/00319/REM1 and condition 4 (external render colour) of CHE/19/00320/LBC - (Conversion of the Grade II listed building to 10

CHE/20/00031/DOC Discharge of condition 2 (landscaping proposals) and condition 5 (bin collection and waste storage proposals) of CHE/18/00190/REM - Reserved matters application for appearance, landscaping,

layout and scale for residential development for up to 75 dwellings at land at Cranleigh Road Woodthorpe Derbyshire for Avant Homes

CHE/20/00067/DOC Discharge of planning condition 4 (soft landscaping) of CHE/14/00508 - Orangery ground floor rear extension, new stone terrace, remodel and replacement garage at 135 High Street Old Whittington Derbyshire S41 9LQ for Mr Lee Fletcher

(c) Prior notification approval not required

CHE/19/00785/PNC Change the use of small shop from hairdresser's salon (Class A1) to a single occupancy supported housing unit (Class C3b) which will be monitored and managed by Keystone Support located on the floor above at 39A Prospect Terrace Brockwell Chesterfield Derbyshire S40 4HD for The Property Chaps Limited

CHE/20/00030/TPD Single storey side/rear extension including demolition of inward facing walls on outhouse at 68 Highfield Lane Newbold Derbyshire S41 8AY for Mr Tim Daggett

(d) Prior notification approval not required

CHE/20/00003/TPD Kitchen extension to the rear and side elevation, mono pitch roof, cavity wall construction of 100mm, internal blockwork, 100mm insulation and 100mm external facing brickwork to match the existing dwelling. Width 2450 mm, length 3400 mm, eaves height 2500 mm at 14 Douglas Road Tapton Derbyshire S41 0UD for Mr David Knight

(e) Split decision with conditions

CHE/20/00026/TPO Oaktree - T11 - Crown clean to remove dead branches. Crown thin and lift to allow light. Reduction of branches growing towards the rear of No 7 (conservatory) and Nos 7 and 9 to retain

balance of the tree at 7 Bunting Close Walton
Derbyshire S42 7NU for Mr Martin Eaton

118 **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/20/00010/TPO | Consent is granted to the felling of one Horsechestnut tree reference T25 on the order map for Mr Passmore of 42 Netherleigh Road, with a condition to plant a Rowan tree as a replacement in the first available planting season after felling. |
| CHE/20/00042/TPO | Consent is granted to the felling of one Pear tree reference T53 on the order map for JM Ground Care on behalf of Broomhouse Nursing Home, Broomhill, Old Whittington, with a condition to replant with an Oak in the first available planting season. |
| CHE/20/00043/TPO | Consent is granted to the pruning of 6 Lime trees reference T2-T7 and 2 Horsechestnut trees reference T8 and T9 on the order map for JM Ground Care on behalf of Broomhouse Nursing Home, Broomhill, Old Whittington. |
| CHE/20/00026/TPO | Consent is refused to the pruning of one Oak tree reference T11 on the order map for Mr Eaton of 7 Bunting Close, Walton. |

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

| | |
|---------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|
| CHE/20/00068/CA The pruning of 3 Lime trees at the Seventh Day Adventist Church, Church Street North, Old Whittington. | Agreement to the re-pollarding of 3 Lime trees. The pollarding 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 re-pollard the trees as they are overhanging the public highway and general maintenance.

119 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.

120 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.

| | |
|------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COMMITTEE/SUB | Planning Committee |
| DATE OF MEETING | 1 June 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 1st June 2020**

- ITEM 1 CHE/20/00159FUL - ERECTION OF A 64 BED, 2 STOREY,
RESIDENTIAL CARE HOME FOR THE ELDERLY WITH
ROOFSPACE ANCILLARY ACCOMMODATION AND
ASSOCIATED EXTERNAL WORKS AT THE FORMER WALTON
PH, 59 ST AUGUSTINES ROAD, CHESTERFIELD,
DERBYSHIRE, S40 2SA FOR CROWN CARE DEVELOPMENTS**
- ITEM 2 CHE/20/00125/OUT - OUTLINE APPLICATION FOR DETACHED
TWO BEDROOM DWELLING AT 15 NEWBRIDGE LANE,
BRIMINGTON, CHESTERFIELD, S43 1LX**

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Case Officer: Sarah Kay
Tel. No: (01246) 345786
Ctte Date: 1st June 2020

File No: CHE/20/00159/FUL
Plot No: 2/2903

ITEM 1

ERECTION OF A 64 BED, 2 STOREY, RESIDENTIAL CARE HOME FOR THE ELDERLY WITH ROOFSpace ANCILLARY ACCOMMODATION AND ASSOCIATED EXTERNAL WORKS AT THE FORMER WALTON PH, 59 ST AUGUSTINES ROAD, CHESTERFIELD, DERBYSHIRE, S40 2SA FOR CROWN CARE DEVELOPMENTS

Local Plan: Unallocated
Ward: Rother

1.0 CONSULTATIONS

| | |
|----------------------------------------------|----------------------------------------------|
| Local Highways Authority | Comments received 11/05/2020 – see report |
| CBC Environmental Health Officer | Comments received 11/03/2020 – see report |
| CBC Strategic Planning | Comments received 19/05/2020 – see report |
| CBC Design Services | Comments received 18/03/2020 – see report |
| CBC Economic Development | Comments received 10/03/2020 – see report |
| Yorkshire Water Services | Comments received 09/04/2020 – see report |
| Lead Local Flood Authority | Comments received 23/04/2020 – see report |
| Crime Prevent Design Advisor | Comments received 24/03/2020 – see report |
| DCC Strategic Planning | Comments received 31/03/2020 – see report |
| C/Field Cycle Campaign Coal Authority | No comments received |
| CBC Urban Design Officer | Comments received 07/04/2020 – see report |
| DCC Archaeology | Comments received 24/03/2020 – see report |

| | |
|----------------------------------|----------------------------------------------|
| Derbyshire Wildlife Trust | Comments received 17/04/2020 – see report |
| NE Derbyshire CCG | No comments received |
| Ward Members | No comments received |
| Site Notice / Neighbours | Four representations received |

2.0 **THE SITE**

- 2.1 This application is on the site of the former Walton Hotel Public House on St Augustines Road, which measures approximately 0.43 hectares in area.

Site (pre PH demolition)



Site (post PH demolition)



- 2.2 The plot frontage is situated between a bungalow (No. 61) to the west, and the Walton Stores convenience shop to the east (converted from a house with a flat above). The pub building has been demolished in preparation for the current proposal.



- 2.3 The site is a broadly rectangular, elongated shape that is approximately 110m in length and 44m in width at its widest point, with a relatively narrow frontage onto the street. A large surfaced car park lies to the rear of the former pub footprint which occupies approximately one third of the site area. Beyond the car park the remaining area is consists of overgrown scrub and unmanaged ground.



- 2.4 The site is bounded to the north, east and west by established residential properties on St Augustines Road, Boythorpe Road, Clarkson Avenue and St Augustines Mount. Many of the surrounding properties have long rear gardens. However, Nos. 22-30 St Augustines Mount are noticeably closer to the site than the majority of the surrounding houses. These properties have shorter gardens and are also at a lower level relative to the application site.



- 2.5 The site itself slopes gradually upwards towards its northern end. The land around the site is also sloping with differences in levels

from east to west in particular. To the west the land is at a higher level and in places is retained by walls. The land to the east is generally at a lower level and many of the neighbouring gardens and properties are situated below the site.

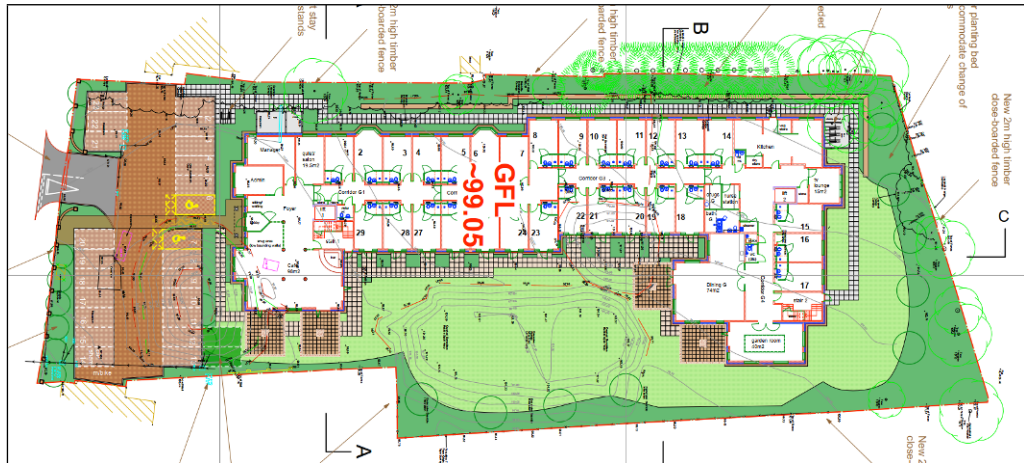
- 2.6 The northern and eastern boundaries are defined by a mixture of timber fencing and vegetation in places. The western boundary comprises a retaining wall of concrete slabs alongside the neighbouring bungalow (No. 61), which gives way to a traditional stone wall along much of its length and behind which are a mixture of domestic timber fences together with some trees, shrubs and mature leylandii hedgerows.

3.0 **RELEVANT SITE HISTORY**

- 3.1 CHE/16/00522/DOC - Discharge of conditions of 3, 4, 5, 7, 8, 9, 11, 15, 16 and 17 of CHE/15/00611/FUL.
- decision letter issued 22/03/2019 – conditions 3, 4, 5, 7, 8, 9, 11 and 16 agreed / conditions 15 and 17 outstanding.
- 3.2 CHE/15/00611/FUL - Erection of a residential care home with car parking and associated landscaping and tree planting. Approved conditionally 17/05/2016.
- 3.3 CHE/15/00375/DEM - Prior notification for demolition of former public house and related buildings and extensions. Prior approval not required 17/09/2015.

4.0 **THE PROPOSAL**

- 4.1 The application, submitted in full, seeks planning permission for a two storey 64-bed care home with associated external works to form a new site access, car parking area, service areas and residents amenity / garden areas.
- 4.2 The proposal is for an elongated two-storey building aligned north-south along the length of the site and situated along the western half of the site. The front area would see the building set back behind a modest landscaped parking area which will include the provision of 25 no. parking spaces (inc. 2 no. disabled and 2 no. staff overflow spaces). A residents garden would be situated to the east with landscaped margins around the perimeter of the site.



4.3

The application is accompanied by the following plans / documents:

- Location Plan – 1902
- Site Plan As Existing – 1902 FL(0-)01
- Site Plan As Proposed – 1902 CL(0-)02F
- Block Plan – 1902 CL(0-)03
- GF Plan – 1902 CL(2-)01D
- FF Plan – 1902 CL(2-)02E
- SF Plan – 1902 CL(2-)03E
- Roof Plan – 1902 CL(27)01E
- Elevations – 1902 CL(2-)04B
- Street Sections – 1902 CL(2-)05A
- Elevations with Overlay – 1902 CL(2-)06
- Design and Access Statement

- Phase I SI Desk Top Study
- Coal Mining Search
- Intrusive Site Investigation
- Ecological Survey
- Ecological Survey with Updated Walkover
- Landscape & Ecological Management Plan
- Drainage Layout
- Green Travel Plan
- Visualisation of Scheme (3D)
- Site Photographs

5.0 **CONSIDERATIONS**

5.1 **Planning Policy Background**

5.1.1 The site is situated within the built settlement of Rother ward in an area predominantly residential in nature.

5.1.2 Having regard to the nature of the application proposals policies CS1 (Spatial Strategy), CS2 (Location of Development), CS3 (Presumption in favour of Sustainable Development), CS4 (Infrastructure Delivery), CS6 (Sustainable Design), CS7 (Management of the Water Cycle), CS8 (Environmental Quality), CS9 (Green Infrastructure and Biodiversity), CS10 (Flexibility in delivery of Housing), CS11 (Range of Housing), CS13 (Economic Growth), CS18 (Design), CS19 (Historic Environment) and CS20 (Demand for Travel) of the Core Strategy and the wider National Planning Policy Framework (NPPF) apply.

5.1.3 In addition the Councils Supplementary Planning Document on Housing Layout and Design 'Successful Places' is also a material consideration.

5.2 **Principle of Development**

5.2.1 The proposal is for a 64 bed care home with the application form indicating that the development would create 2797sqm of C2 use class floorspace (C2 – Residential Institutions).

5.2.2 The site is located within the built settlement of Rother ward and is unallocated. Both the adopted and emerging Local Plan make no specific distinction between 'housing' and 'residential', or between

C3 and C2 use classes. The proposed use is therefore in accordance with the adopted and emerging Local Plans as set out in policies CS1 and CS2. As a location within walking distance of Chesterfield Town Centre, regular public transport services, GP services, the site is particularly well suited to a care home facility.

5.2.3 If granted permission for a C2 use, the site would not be able to be added to the council's five year housing supply (but would count proportionally towards the Housing Delivery Test results). This is a material consideration but should be given little weight in comparison to the delivery of specialist housing and the suitability of the location for the proposed use.

5.2.4 As a C2 use the proposed development would not be liable for CIL, and policy CS11's ('range of housing') provisions relating to a proportion of affordable housing would not apply - although if approved it would contribute to the policy's objective to increase local housing choice, respond to emerging needs and create sustainable communities.

5.2.5 The location of the development accords with policy CS20 ('Influencing the Demand for Travel'), being located within easy walking distance of a range of regular bus services, chesterfield town centre and GP facilities.

5.2.6 Overall in the context of the above, the principle of development is considered to be acceptable.

5.3 **Design and Appearance (inc. Neighbouring Impact / Amenity)**

5.3.1 The site is within a predominantly residential area, although the former use as a pub and adjacent shop represent modest commercial uses serving the local community. The redevelopment of the site as a care home has the potential to reinstate a positive frontage to St Augustines Road, given that the demolition of the public house has left a gap within the streetscene. In locational terms the proposal would accord with policies set out within the Local Plan.

5.3.2 The proposals have been reviewed by the Council's **Urban Design Officer** (UDO) who has provided the following commentary in respect of design and appearance issues:

Use

The use of the site for residential care has previously been approved and remains an acceptable land use in principle, within a mainly residential context.

Amount

The application seeks permission for a 64-bed facility (the previously approved care home was an 80-bed facility). The building occupies a similar proportion of the site to the previously approved development. The amount of development is therefore considered to be acceptable in principle.

Layout

The layout proposes the care home to be situated on the western part of the site, aligned north-south along its length. Access is situated in broadly the same position as the previous pub and a parking area is proposed at the front of the site.

The front elevation and building entrance is set back approximately 23m from the frontage with St Augustines Road. A front boundary enclosure is indicated on the 3D impression of the development, although no specific details are contained within the submission. As such, it is recommended that the details of all boundary enclosures are either provided at this stage or are the subject of a suitably worded condition.

Retaining wall

A large residents garden is located to east of the care home and landscaped margins are indicated around the perimeter of the site. A length of retaining wall is proposed along part of the western boundary as a result of the scheme reducing ground levels, in order to create a level platform across the site. Details of the retaining wall should be provided to ensure its design provides an appealing outlook for adjacent rooms with a westerly outlook. This could be managed by condition.

Relationship to neighbouring properties

The site is enclosed on three sides by surrounding neighbouring properties whose gardens back onto the development. The applicant has sought to minimise the impact on the development neighbour amenity in a number of ways.

- *The design proposes a two-storey building compared with the three-storey development previously approved.*

- *The ground levels are to be reduced across the site to further lower the height and presence of the building relative to neighbouring properties (the amount of levelling varies across the site – site section drawings).*
- *The building has been positioned off-centre to move it away from the eastern boundary and nearest the neighbouring dwellings and associated gardens situated on St Augustines Mount, and which sit at lower level.*
- *The two-storey element is set away from the properties on St Augustines Mount. The nearest element of the building is a single storey lounge room to reduce its scale presence relative to the adjacent neighbouring homes and gardens.*
- *The building has been set back from the site frontage and positioned behind the building line of No. 61 St Augustines Road.*
- *The pitched roof design reduces the scale and mass of the built form (relative to the previously approved 3-storey flat roof design). The roof pitch has also been kept relatively shallow and hipped roofs utilised to minimise the scale and impact of the built form.*
- *The lower building height, ground level and installation of a side boundary fence would prevent direct overlooking of the garden of No. 61.*
- *Rooms within the roof space serve functional staff and ancillary facilities. Roof windows are indicated to have a cill height of 1.7m which is sufficient to prevent casual overlooking towards neighbouring areas.*
(see site sections in application submission to illustrate relationship with neighbouring properties).

Overall, the design of the built form and layout has sought to minimise the impact of the building on the amenity of neighbouring occupants and break down its apparent scale and massing.

The two-storey element closest to St Augustines Mount includes a first-floor lounge room and corridor window in the east elevation. Although the two-storey component is set back (11.5m approx.) from the site boundary this element remains the closest point to these properties, which have smaller rear gardens and are lower than the site. This relationship would be further improved by reducing the size of the first floor east facing windows (serving Dining Room F and Corridor F4) to single casements and glazing these windows with obscured glass.

Bin storage

External bin storage is indicated on the site layout plan on the SW corner of the building.

Details of the appearance of the bin enclosures should either be provided at this stage or managed by condition.

Cycle and shower facilities

Both staff and visitor cycle facilities are proposed, although no staff showering facilities are identified on the internal plans. A staff shower facility should be provided and show on the floor plan, together with details of cycle storage enclosures. These should be both weather tight and secure. Details of any cycle storage enclosures should be provided at this stage or managed by condition.

Scale and massing

The scale and massing of the building has been moderated by reducing the grounds levels on parts of the site in order to achieve a level platform and lower the overall height of the building. Details of existing and proposed finished floor ground levels should be required by condition. It is expected that these reflect the site sections provided in the current submission in order to achieve an acceptable level of amenity.

The roof pitch and height have also been reduced from earlier pre-application designs to further moderate the scale and mass of the built form as perceived from the neighbouring properties.

Landscaping

The submitted plans indicate a landscape perimeter around the site. The Design and Access Statement identifies the inclusion of native species planting, together with measures to support wildlife, such the inclusion of hedgehog gaps (highways) within external fencing, as well as bat and bird nesting boxes. Such measures are supported in principle. However, no specific hard and soft planting details are identified at this stage. As such, detailed landscaping proposals should be required by condition, together with its implementation.

Appearance

The proposed building is intended to be faced with red brick and slate effect roof tiles to help assimilate the development into its setting in respect of materials and appearance.

The south elevation addresses the frontage with St Augustines Road well, with two feature gables and the main entrance defined with a stone porch canopy.

The elongated building form is broken down by introducing a 'step back' in the building line halfway along the length of the building, effectively splitting the building into two components, which is echoed in changes to the roof form. This assists in breaking up the buildings roofscape.

The introduction of a feature gable (east elevation) and two two-storey bays (west elevation) add elements of visual interest within the two extended side elevations. In addition, the square windows are given vertical window proportions through introduction of a central mullion and horizontal glazing bar. These elements assist in providing additional visual interest within these broad side elevations and to help mitigate the apparent scale and form of the care home.

The use of hipped roof designs also echo the roofs of some nearby houses and assist in reducing the height and present of the building as seen from the surrounding properties.

Access

The proposed access point appears to be the same as the existing entrance position. Advice from the DCC Highways Engineer should be sought regarding access, parking and servicing arrangements.

Conclusion

In light of the above comments the proposals are largely acceptable on the grounds of urban design, although the design would benefit from some modest amendments in respect of:

- The inclusion of a shower room in the staff welfare area to provide employees traveling by bicycle with a suitable shower facility.*
- The first-floor east facing windows serving Dining Room F and Corridor F4 being reduced in size to single casements and obscurely glazed. In addition, the following conditions are recommended:*
 - 1. Details of external materials details (notwithstanding stated materials) including samples if requested.*
 - 2. Landscaping details (hard and soft) together with proposals for their implementation.*

- 3. Details of all external boundary enclosures (notwithstanding submitted details), including height, appearance, location extent and finished treatment and requirement for their implementation prior to occupation.*
- 4. Details of existing ground levels and proposed finished floor levels.*
- 5. Details of any retaining structures including their location, extent, height and appearance.*
- 6. Details of the appearance of the proposed bin enclosures.*
- 7. Details of the appearance of the staff cycle store (this should be weathertight and secured (e.g. using a coded lock or key fob access for staff).*
- 8. A requirement for the provision of an obscurely glazed screen to the east side of the balcony serving Dining Room F. Details should be provided in respect of height, extent and opacity.*
- 9. A requirement for the east facing first-windows serving Dining Room F and Corridor F4 to be obscurely glazed and remain so.*

5.3.3 The application submission was also reviewed by the **Crime Prevention Design Advisor** (CPDA) who commented on the proposals as follows:

We would concur with the principle of the application and the majority of detail.

We would recommend some minor enclosure from the front building elevation, to separate and secure private grounds from the car park and public entrance, and also to prevent higher risk residents from wandering out of the private gardens.

There is no detail of such enclosure shown on supporting plans, however 3D visualisations show an enclosure of a decorative metal rail, similar to but higher than the roadside treatment, enclosing the café courtyard to the immediate right front of the building.

Can I ask that form and securing schedule of this boundary treatment are confirmed, and that a similar provision is included to enclose and secure the opposite left hand front of the building grounds.

5.3.4 In response to the comments made by the UDO and CPDA above the applicant was invited to review and respond to their queries. They provided the following response:

UDO: comments are generally agreed with and concur with those made during pre-app process. The proposed conditions are accepted but please note that a shower had been included in the staff facilities on submitted drawing: 1902 CL(2-) 03D Loft Floor Plan.

CPDA: recommend enclosure of the private garden for the safety of vulnerable residents and note that this is indicated on the visualisation.

This is agreed and a 1.1m high decorative metal fence will be erected fully enclosing the garden along these lines;

- at the building corner on the edge of cafe patio through to the eastern boundary*
- at the building corner on the edge of garden room patio through to the eastern boundary*

These will be shown, together with type of fence, on the detailed external works layout.

5.3.5 Overall taking into account the comments of the UDO and CPDA it is considered that the development proposals are of an acceptable design, that responds to the scale and massing constraints of the surrounding area. The development will sit within the envelope of the site without harm to the amenity of adjoining neighbours, although it is accepted that they will be able to see the building and their relationship with the site (which is open) will change. Appropriate separation distance and design parameters mitigate the impacts of the development to an acceptable level. The architecture of the building is appropriate and is of a more traditional appearance to the previous approval scheme, which takes cues from the local context and streetscene. Where additional detail is required (as set out in the UDO / CPDA commentary above) these details can be required by the imposition of planning conditions, which will ensure that the finer details of the scheme are agreed (such as materials and hard / soft landscaping details and finishes).

5.3.6 The design of the building and the layout of the site have all been considered and overall it is considered that the siting, design and scale of the development proposals are acceptable having regard to the provisions of policies CS2 and CS18 of the Core Strategy and the wider provisions of the Housing Layout and Design Guide SPD.

5.4 **Highways Issues**

5.4.1 The application submission has been reviewed by the **Local Highways Authority (LHA)** who had the following comments to make:

The details demonstrate modifications to the existing access to the western side of the site frontage to serve the proposed development. Whilst introduction of kerbed entry/ exit radii and junction surface markings have been shown, the access will need to take the form of a dropped kerb crossing of the footway. As the modifications would also appear to indicate widening of the access to the east, it's recommended that swept paths for the largest vehicles likely to frequently visit the site are submitted demonstrating that turning manoeuvres may be made comfortably (400mm clearance) clear of the existing pedestrian refuge located within the central carriageway hatch markings on St Augustine's Road.

The existing dropped kerb access located at the eastern extremity of the site frontage made redundant by the development proposals will need to be formally closed by introduction of a permanent physical barrier and reinstatement of the kerb and footway to the appropriate level.

I trust that you will ensure that the proposed level of off-street parking satisfies the requirements of your own Authority's standards. In order to meet current recommendations, parking spaces should be of 2.4m x 5.5m minimum dimension (larger in the case of disabled parking spaces) with adequate space for manoeuvring behind each space. Without benefit of a drawing printed to scale it isn't possible to assess whether the spaces are of appropriate dimension, however, the disabled spaces do appear to be the same width as the other standard spaces. Any under-provision would be likely to result in vehicles being parked within areas dedicated to manoeuvring, thereby negating them for their designated purpose and leading to reversing to/ from St Augustine's Road, or on the fronting road/ part on its footway thereby causing obstruction, each situation considered against the best interests of safe and efficient flow of traffic on the category CIII classified public highway.

All off-street parking should be provided clear of adequate space for manoeuvring to enable the largest vehicle likely to frequently access the site to enter and exit the public highway in a forward gear. If waste collections are to be made from within the site, this should be a Large Refuse Vehicle of 11.6m length. It's recommended that the views of the local refuse collection service are sought with respect to the suitability of the proposals for their purposes. It should be noted that the presence of the aforementioned pedestrian refuge may prejudice roadside collections associated with commercial scale waste and servicing should be taken into consideration as a part of the internal site design rather than being fitted around what may be being proposed.

Specific comments with respect to the Green Travel Plan will be forwarded when received following review by this Authority's Transportation Section.

Therefore, whilst there are no highway objections to the principle of the development proposals, it's recommended that the applicant is given opportunity to submit revised details demonstrating measures to satisfactorily address the above access layout and off-street parking and manoeuvring issues as these may impact on the proposed development layout.

5.4.2

In response to the comments made above the applicant provided some additional information (11 May 2020) to clarify the LHA's point of query.

- *Access form: it is accepted that the modified existing access will require a dropped kerb arrangement to current Highway standards. We can provide a detail for approval now, or it can remain subject to a condition related to the full external works details.*
- *Access widening: this observation is correct the access is widened ~800mm to the east.*
- *Existing dropped kerb at East site corner: agree that it would be made up and footpath reinstated.*
- *Off street parking; dimensioned section of site plan of the parking is attached. All the parking bays are 2.4x4.8m with min 6m manoeuvring as per your SPD on Residential Design (extract attached) that refers back to HMG "Design for Streets". The 2 disabled parking spaces have the requisite min 1.2m side space (actually 1.8m here as the footpath access incorporates them) as*

recommended by HMG "inclusive mobility" document (extract attached).

- *Large vehicle manoeuvring: a large vehicle is able to enter, turn around within the site and exit, see swept path plot of bin-wagon attached. This is shown coming in down the road and out up the road, which keeps well away from the traffic island. The Applicant has advised they will dictate these terms with the commercial waste disposal company in their contract. There are no other regular very large vehicle deliveries to the site; food, clinical and laundry supplies being delivered in Transit van size vehicles.*

- 5.4.3 It is considered that the commentary above clarifies the points raised by the LHA and where appropriate conditions can be imposed which require the provision of additional information (the final access design for example) these can be imposed.
- 5.4.4 It is noted that there is disparity between the dimensions of car parking spaces set out in the SPD, Manual for Streets and the DCC's own guide; however given that the national guide (Manual for Streets) is likely to be the benchmark, spaces measuring 2.4m x 4.8m are readily accepted by the Local Planning Authority.
- 5.4.5 Having regard to the maximum car parking standards which are set in the adopted Core Strategy, car parking for a C2 Residential Institution should be provided based upon the following ratio:
1 space per 2 members of staff; and 1 space per 4 bed spaces.
On the basis of the above the 20 no. staff likely to be present on site at any one time (0.5 of the 40 staff proposed) would calculate the need for 10 no. spaces; whilst the 64 no. beds would generate a calculated need for 16 no. spaces. On this basis the adopted parking spaces would stipulate the site provide a maximum of 26 no. spaces overall.
- 5.4.6 The scheme provides for 23 no. on site parking spaces, inc. the provision of 10 no cycle parking spaces and a green travel plan initiative. On this basis it is considered that the level of parking proposed is acceptable.
- 5.4.7 Overall therefore, subject to the imposition of appropriate conditions there are no highway safety concerns arising from the development and it therefore meets the provisions of policies CS2, CS18 and CS20 in respect of highway safety.

5.5 Flood Risk / Drainage

5.5.1 Policy CS7 requires all new development proposals to consider flood risk and incorporate, where appropriate, Sustainable Drainage Systems (SuDS) to ensure the maximum possible reduction in surface water runoff rates are achieved commensurate with the development being proposed.

5.5.2 In accordance with policy CS7 of the Core Strategy and wider advice contained within the NPPF the application submission has been reviewed by the **Lead Local Flood Authority (LLFA)**, **Yorkshire Water Services (YWS)** and the Councils **Design Services (DS)** team.

5.5.3 The **LLFA** commented as follows:
We are recommending an objection on the proposed development as it is not possible to provide an informed comment until such a time that the applicant has submitted further information (Detail accordingly)
As a statutory consultee for surface water the minimum details required on all major planning applications are as follows:

- *Appropriate evidence to support how the site will drain, including confirmation of where the surface water will outfall to (photographs / maps / a confirmation letter from a water company)*
- *Basic calculations of the greenfield/brownfield runoff and discharge rates, (refer to Point J in the Advisory Notes)*
- *A storage estimate to show the required storage volume of surface water on site and an indication of the likely location*
- *Calculations should include allowances for the current Environment Agency guidance for climate change and urban creep (Refer to Point J in the Advisory Notes)*
- *Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate (as per National Planning Policy Framework 165).*

These details are required to demonstrate that the proposed site is able to drain and that due consideration has been given to the space required on site for surface water storage.
Please note the level of detail submitted should be proportionate to the size and scale of the development.

The proposed site has a very high likelihood of persistent or seasonally shallow groundwater.

From historic maps the Boythorpe Colliery appeared to have been

located less than 200 metres to the north of the proposed site. There are two separate historic records of sewer flooding 70 metres to the east of the proposed site boundary which may be a potential outfall for the proposed site and that the condition and suitability of the sewers present are suitable as a proposed destination that accords with the drainage hierarchy for surface water as set out in paragraph 80 reference

ID: 7-080-20150323 of the planning practice guidance.

- *The LLFA consider that a suitably detailed drainage strategy for this proposed application is required.*

5.5.4

YWS commented as follows:

If planning permission is to be granted, the following conditions should be attached in order to protect the local aquatic environment and Yorkshire Water infrastructure:

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

(In the interest of satisfactory and sustainable drainage)

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.*

(To ensure that no surface water discharges take place until proper provision has been made for its disposal)

1) The developer is proposing to discharge surface water to the public sewer network, however, sustainable development requires appropriate surface water disposal. Yorkshire Water promote the surface water disposal hierarchy and the developer must provide evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical before considering disposal to public sewer.

The developer and LPA are strongly advised to seek comments on surface water disposal from other drainage bodies as further restrictions may be imposed.

2) As a last resort, and upon receipt of satisfactory evidence to confirm the reasons for rejection of other methods of surface water disposal, curtilage surface water may discharge to public surface

water sewer network, at a maximum rate of 5 (five) litres per second.

- 5.5.5 The Councils **DS team** commented as follows:
A small area of land is shown to be at low risk of surface water flooding, according to the Environment agency Flood Maps. We would like to see a full drainage strategy of how the developer intends to dispose of surface water and foul drainage from the site.
- 5.5.6 Having regard to the comments made above the application submission is now accompanied by a Drainage Strategy and Flood Risk Assessment which have been prepared by the applicant. All consultees have been re-consulted on these documents however at the time of writing this report their comments had not yet been received back.
- 5.5.7 Notwithstanding the above this site and the proposals are somewhat untypical due to the fact there is a previous permission in place which the applicant sought full conditional discharge on in Summer 2019. As part of this process the site was subject to site investigations that have enabled the applicant to support this latest application with site condition details tailoring solutions to drainage etc.
- 5.5.8 Despite the initial objections the case officer is satisfied that the Strategy and FRA submitted address the consultees concerns. The supporting information has examined ground conditions and concluded that main sewer connection is the only viable option for this development and the Strategy put forward includes on site attenuation that will control outflow from the site to a restricted rate which is concordant with the requirements of YWS (as set out in their consultee response). YWS will be the statutory body agreeing any main sewer connection, and therefore this is considered to be acceptable.
- 5.5.9 Therefore it is considered that appropriate details have been submitted to enable the application to be determined. Full drainage details / designs will still need to be the subject of a pre-commencement planning condition to ensure that all the details are agreed by the relevant consultees and the requirements of policy CS7 of the Core Strategy are met.

5.6 **Land Condition / Contamination / Noise / Air Quality**

- 5.6.1 Having regard to issues relating to land condition and contamination the application submission is supported a geotechnical and geo-environmental site investigation report and the full application has been reviewed by both the **Coal Authority** and the Councils own **Environmental Health Officer** (EHO) in this regard.
- 5.6.2 The Councils EHO has raised no objections to the proposals, subject to the imposition of the standard construction hour's condition if permission is granted to protect neighbouring amenity, the provision of electric vehicle charging points on site, and the recommendations of the ground investigation report being implemented as recommended. Appropriate conditions can be imposed to this effect.
- 5.6.3 Having regard to coal mining legacy / land condition the CA made the following comments:

The planning application is accompanied by a Phase 2 Geotechnical and Geo-Environmental Site Investigation report (26 February 2019, prepared by Eastwood & Partners). We note that this report was previously submitted to address Condition 8 attached to planning permission CHE/15/00611/FUL for a previous care home development proposal for the site.

The submitted report indicates that a boreholes investigation was carried out at the site. No coal seams or evidence of worked coal seams was encountered during these works. As such, the report author considers that the Deep Hard coal seam is not present beneath the site and concludes that remedial drilling and grouting works are not required.

The Coal Authority notes the conclusions of the report author and we acknowledge that we ultimately raised no objection to the LPA discharging Condition 8 of the previous permission. However, we must highlight that the Phase 2 report was produced specifically to inform the previously proposed scheme of development at the site.

In light of the above, the applicant should be requested to provide confirmation from their technical consultant that they are satisfied that the conclusions of the Phase 2 report regarding the risk posed by shallow coal mining legacy are

applicable to the revised scheme of development which is currently under consideration by the LPA.

- 5.6.4 Having regard to the comments made by the CA above the applicant has confirmed as follows:
The potential risk from shallow mine workings is noted and the Applicant's consultants are being made aware that they are to make sure they are satisfied with the intrusive SI to date.
- 5.6.5 To ensure that the comments of the CA are fully addressed, it is considered that an appropriate planning condition can be imposed on any consent issued to ensure that a suitably qualified person confirms that the SI's undertaken are adequate to address matters of coal mining legacy; or if necessary that further SI's can be undertaken in accordance with the amended scheme. This would ensure that the provisions of policy CS8 of the Core Strategy and the wider NPPF are met.
- 5.7 **Ecology / Trees**
- 5.7.1 The site the subject of the application is previously developed land, which has been cleared of all buildings but some areas of hard surfacing remain. There is a pocket of scrub land located towards the rear of the site. There is a mix of soft landscaped boundaries surrounding the site which are associated with residential gardens.
- 5.7.2 Having regard to potential tree and ecological constraints the application submission is accompanied by an Ecological Appraisal Report and follow up Ecological Walkover Survey, which have both been reviewed by **Derbyshire Wildlife Trust** (DWT) under their service level agreement with the LPA. The following comments were made:

Sufficient information has been provided within the existing Preliminary Ecological Appraisal (Wildlife Discovery, 2016) to enable determination of the planning application. Whilst it is noted that the ecological appraisal is more than two years old, the site is of low ecological value and the likelihood that protected species would have colonised the site in the interim is low. A net biodiversity gain is considered possible and the Landscape and Ecological Management Plan (Ecus Ltd, 2019) should be updated to reflect the current proposal. Should the LPA be minded to approve the application, we advise that the following conditions are

attached:

Nesting Birds

No vegetation clearance or tree removal shall take place between 1st March and 31st August inclusive, unless preceded by a nesting bird survey undertaken by a competent ecologist. If nesting birds are present, an appropriate exclusion zone will be implemented and monitored until the chicks have fledged. No works shall be undertaken within exclusion zones whilst nesting birds are present.

Hedgehogs

Measures to maintain connectivity for hedgehogs shall be clearly shown on a plan (gaps 130 mm x 130 mm in close-board fencing and/or railings and/or hedgerows) and submitted to the LPA for approval.

Landscape and Ecological Management Plan

The existing Landscape and Ecological Management Plan (Ecus Ltd, 2019) will be updated to reflect current proposals to ensure a net biodiversity gain is achieved. This shall be approved in writing by the LPA and implemented in full.

- 5.7.3 In respect of the advice by DWT the suggested conditions detailed in their comment could be imposed to secure appropriate measures of up to date assessment, mitigation and enhancement to the development site. It is considered the imposition of these conditions would secure an acceptable balance such that the development can be accepted in the context of policy CS9 where it relates to ecology and habitat issues.

5.8 **Other Considerations**

5.8.1 Archaeology

Having regard to heritage and archaeology there are no designated heritage assets located within the application site boundary however there are listed buildings located immediately opposite the site which are Grade II listed. Given this proximity, it is appropriate to consider whether the development proposed poses any threat to these designated assets and also the existence of associated below ground heritage interest given these building used to form the historic settlement core of Boythorpe.

The **Derby and Derbyshire Development Control Archaeologist** has reviewed the application submission providing the following comments:

The site is adjacent to the historic settlement core at Boythorpe, as shown on historic mapping. Boythorpe was a medieval settlement first attested in the Domesday Book of 1086. 19th century historic mapping shows 'Boythorpe Farm' immediately to the south and west of the proposal site: it is likely that the farm dated at least as early as the 17th century, based upon the dates of the associated listed buildings on Bacon's Lane. Sanderson's map of 1835 suggests that there may have been further buildings within the proposal site, though the detail is not clear.

Archaeological preservation on the site is likely to have been compromised to a greater or lesser degree by the 20th century buildings at the frontage (former Walton Hotel) and the hardstanding to the rear. It is also likely that the site has experienced episodes of terracing/levelling into the prevailing hillslope.

The site therefore has potential for below-ground archaeology associated with medieval settlement, although preservation is likely to be limited by subsequent use of the site. I recommend that this interest is best addressed by archaeological monitoring of the initial development groundworks, particularly with regard to any initial site strip or cut and fill operation. This work should be secured by a planning condition and would allow archaeological remains to be rapidly identified and recording in line with NPPF para 199. The following condition should therefore be attached to any planning consent:

"No development shall take place until a written scheme of investigation (WSI) for archaeological work has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives; and:

- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works*
- The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged*

until these elements have been fulfilled in accordance with the programme set out in the WSI.”

In addition with regard to the nearby listed buildings whilst the Councils **Conservation Officer** (CO) did not respond this is specific application consultation, he had commented on the previous sites redevelopment as follows:

St Augustines Road is not within a Conservation Area, nor is it an area that I would identify as having the potential for future CA status (given the uniform post-war residential character of the area). However, the proposal would be within the setting of Stables and Stud Farm Cottages (at the apex of Bacon’s Lane) both of which are listed buildings. Local Planning Authorities should consider the effects new proposals will have on the settings of historic assets, including the setting of listed buildings (NPPF, para 128).

Given the distance of the two cottages from the proposal and the fact that the cottages (eighteenth century) are already something of an anomaly in the modern residential setting, my view is that there is a lack of a functional or aesthetic relationship between the proposal site and listed buildings; any new impacts on the setting of the listed buildings resulting from the proposal are likely to be minimal and peripheral (but this is subject to the proposal satisfying the Council’s Local Plan design policy CS18).

Having regard to the comments received from both the County Archaeologist and the Conservation Officer above it is not considered that the development proposals are unacceptable. Clearly the County Archaeologist is satisfied that whilst the site may hold some below ground archaeological interest an appropriate planning condition imposed as a pre-commencement condition would ensure this was investigated. Thereafter any findings would be recorded in accordance with a written / prescribed scheme of investigation which would be overseen to the satisfaction of the County Archaeologist prior to any development on the site taking place.

Upon reflection of the CO’s comments the scheme the subject of this application is of a much smaller scale to that he previously commented on. Furthermore the scheme is of a more traditional design and the built footprint is set back into the site with greater separation to the nearby LB’s than the previous approval, and thus arguably the visual impacts of the latest proposals are far less.

On the basis of these conclusions it is not considered that the development would be contrary to the provisions of policy CS19 of the Core Strategy or the wider NPPF in respect of heritage considerations. The impact of the development proposals upon the setting of the nearby designated heritage assets would be regarded as less than substantial for the purposes of the NPPF para. 193 – 197.

5.8.2 S106 Contributions

Having regard to the nature of the application proposals several contribution requirements are triggered given the scale and nature of the proposals. Policy CS4 of the Core Strategy seeks to secure necessary green, social and physical infrastructure commensurate with the development to ensure that there is no adverse impact upon infrastructure capacity in the Borough.

Internal consultation has therefore taken place with the Councils own **Economic Development**, as well as externally with **North Derbyshire Care Commissioning Group (CCG)** and **DCC Strategic Planning (DCC SP)** on the development proposals to ascertain what specific contributions should be sought.

The responses have been collaborated and it will be necessary to look to secure by planning condition the requirement for local labour (best endeavours) in accordance with the ED response, which is standard approach taken to deal with local labour / supply as required by the provisions of policy CS13 for all major development schemes. The CCG did not respond so it is assumed no GP / Health Contribution is to be sought.

As a major application, under the provisions of policy CS18 of the Core Strategy, the development proposals would be required to make a contribution to the Council's Percent for Art scheme; which is usually secured by S106 agreement as a proportioned contribution of up to 1% of the overall development costs.

5.8.3 Community Infrastructure Levy (CIL)

The proposed use of the building falls within Use Class C2 (Residential Institutions) and therefore the development is not CIL liable. CIL only applies to C3 or A1 – A5 uses.

6.0 REPRESENTATIONS

6.1 The application has been publicised by site notice posted on 13/03/2020; by advertisement placed in the local press on 19/03/2020; and by neighbour notification letters sent on 10/03/2020.

6.2 As a result of the applications publicity there have been four representations received as follows:

Stud Farm Cottage, Bacons Lane

This is a busy road, a bus route with frequent HGVs in addition to cars and commercial vehicles. At peak times there are queues on both sides of the road so any traffic accessing this site will have to wait. Traffic from a new car home will increase congestion adding to high air and noise pollution in this residential area – not to mention high driver frustration.

Stud Farm Cottage, Bacons Lane

This is an extremely busy road, with heavy traffic and long queues at peak times. This inc. many HGVs. The development will add to this with visitor cars and service vehicles. Vehicles turning right into the site will have to cross the heavy traffic queuing down the road causing others to have to wait and blocking traffic behind. St Augustines is too narrow for cars to pass alongside cars turning. The development is also opposite Bacons Lane so will cause problems for people exiting this junction. This is a residential area and is already heavily polluted and noise levels are high.

182A Boythorpe Road

Stance: Customer objects to the Planning Application

Comment Reasons:

- Policy
- Visual

Comment: I object due to lack of privacy and light pollution as this directly backs onto my garden and home.

182 Boythorpe Road

Stance: Customer objects to the Planning Application

Comment Reasons:

- Traffic or Highways
- Visual

Comment: I object to this due to the fact it is two storey and will infringe on our privacy.

6.3 Officer response: please see sections 5.3 and 5.4 above.

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 proposed development is considered to be appropriately sited, detailed and designed such that the development proposals comply with the provisions of policies CS1, CS2, CS4, CS11, CS13, CS18, CS19, CS20 and PS1 of the Chesterfield Local Plan: Core Strategy 2011 – 2031.

- 9.2 Planning conditions have been recommended to address any outstanding matters and ensure compliance with policies CS7, CS8, CS9, CS18 and CS20 of the Chesterfield Local Plan: Core Strategy 2011 – 2031 and therefore the application proposals are considered acceptable.

10.0 **RECOMMENDATION**

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

Time Limit etc

01. 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.

02. 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.

Location Plan – 1902

Site Plan As Existing – 1902 FL(0-)01

Site Plan As Proposed – 1902 CL(0-)02F

Block Plan – 1902 CL(0-)03

GF Plan – 1902 CL(2-)01D

FF Plan – 1902 CL(2-)02E

SF Plan – 1902 CL(2-)03E
Roof Plan – 1902 CL(27)01E
Elevations – 1902 CL(2-)04B
Street Sections – 1902 CL(2-)05A
Elevations with Overlay – 1902 CL(2-)06

Design and Access Statement
Phase I SI Desk Top Study
Coal Mining Search
Intrusive Site Investigation
Ecological Survey
Ecological Survey with Updated Walkover
Landscape & Ecological Management Plan
Drainage Layout
Green Travel Plan
Visualisation of Scheme (3D)
Site Photographs

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.

Drainage

03. The site shall be developed with separate systems of drainage for foul and surface water on and off site. The maximum foul water discharge rate shall not exceed 5 (five) litres per second.

Reason - In the interest of satisfactory and sustainable drainage.

04. 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.

Reason - To ensure that no surface water discharges take place until proper provision has been made for its disposal and in the interest of sustainable drainage.

Land Condition

05. Development shall not commence until the results and conclusions of the intrusive site investigations already undertaken have been considered and corroborated by a suitably qualified person to address the comments of the Coal Authority (dated 24 March 2020); and if necessary a further scheme of remediation and mitigation has been prepared and submitted to the Local Planning Authority for consideration and written approval. Only those details which receive the written approval of the Local Planning Authority shall be carried out on site.

Reason - To ensure that the site is remediated to an appropriate standard having regard to ground conditions and coal mining legacy.

Archaeology

06. No development shall take place until a written scheme of investigation (WSI) for archaeological work has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives; and:
- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
 - The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason – To ensure that any archaeological interest is appropriately assessed and documented prior to any other works commencing which may affect the interest in accordance with policy CS19 of the Core Strategy and the wider NPPF.

Highways

07. Prior to the commencement of development a detailed scheme of highway improvement works for the provision of the amended access onto St Augustines Road, together with a programme for the implementation and completion of the works, shall be submitted to and approved in writing by the Local Planning Authority. These works shall include the creation of a dropped kerb access arrangement, the closure of any redundant access points and provision of exit visibility splays. No part of the development shall be brought into use until the required highway improvement works have been constructed in accordance with the approved details.

Reason – In the interests of highway safety.

08. No development shall take place until a Construction Management Plan or Construction Method Statement (CMP / CMS) has been submitted to and been approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:
- parking of vehicles of site operatives and visitors
 - routes for construction traffic
 - swept paths for construction vehicles expected to enter the site (largest vehicle to be demonstrated)
 - hours of operation
 - method of prevention of debris being carried onto highway
 - pedestrian and cyclist protection
 - proposed temporary traffic restrictions
 - arrangements for turning vehicles

Reason – In the interests of highway safety.

09. Throughout the period of development vehicle wheel cleaning facilities shall be provided and retained within the site. All construction vehicles shall have their wheels cleaned

before leaving the site in order to prevent the deposition of mud and other extraneous material on the public highway.

Reason – In the interests of highway safety.

10. No part of the development hereby approved shall be occupied until space has been laid out within the site in accordance with the approved plan for cars to be parked and for vehicles to be manoeuvred such that they may enter and leave the site in forward gear. Thereafter all spaces and dedicated manoeuvring areas shall be maintained free from any impediment to their designated use in perpetuity.

Reason - In the interests of highway safety.

11. No building or use hereby permitted shall be occupied until a Travel Plan comprising immediate, continuing and long-term measures to promote and encourage alternatives to single-occupancy car use has been prepared, submitted to and been approved in writing by the Local Planning Authority. The approved Travel Plan shall then be implemented, monitored and reviewed in accordance with the agreed Travel Plan Targets.

Reason – In the interests of highway safety.

12. The development hereby permitted shall not be occupied until further details of the 10 no. cycle parking spaces have been submitted, approved in writing by the Local Planning Authority and implemented. The cycle parking facilities shall thereafter be retained for use by the staff, occupants of, and visitors to, the development at all times.

Reason – In the interests of highway safety.

Ecology

13. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the commencement of the development.
The LEMP shall include details of the legal and funding mechanism(s) by which the long-term implementation of the

plan will be secured by the developer with the management body(ies) responsible for its delivery for a period of no less than 10 years.

The scheme shall include a timetable for implementation relative to the completion of dwellings hereby approved.

Thereafter the approved ecological mitigation, compensation and enhancement scheme shall be implemented in full in accordance with the approved timetable and retained as such thereafter.

The approved plan will be implemented in accordance with the approved details.

Reason - To mitigate against the loss of existing biodiversity and habitats and provide biodiversity benefit, in accordance with Policy CS9 and the National Planning Policy Framework.

14. There shall be no removal of hedgerows, trees, shrubs, brambles or ground clearance take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of the area for active birds' nests immediately before the work is commenced. Provided that the ecologist is satisfied that no birds will be harmed, and/or that there are appropriate measures in place to protect nesting bird interest on site and the Local Planning Authority receive written confirmation of such (which shall subsequently need to be approved in writing), works will thereafter be permitted to take place in accordance with any protection measures recommended without restriction.

Reason – To ensure that any ecological interest on site is appropriately addressed and can be mitigated against, prior to any development taking place, in accordance with policy CS9 and the National Planning Policy Framework.

15. Measures to maintain connectivity for hedgehogs shall be clearly shown on a plan (gaps 130 mm x 130 mm in close-board fencing and/or railings and/or hedgerows) and the detail thereof shall be submitted to the Local Planning Authority for their written approval prior to any boundary treatments being implemented on site. Thereafter these details shall be retained on site throughout the lifetime of the development.

Reason – To ensure that any ecological interest on site is appropriately addressed and can be mitigated against in accordance with policy CS9 and the National Planning Policy Framework.

Landscaping

16. Within 2 months of commencement of development, unless otherwise agreed in writing by the Local Planning Authority, details of a soft landscaping scheme for the approved development shall be submitted to the Local Planning Authority for consideration.

The required soft landscape scheme shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers; densities where appropriate, an implementation programme and a schedule of landscape maintenance for a minimum period of five years. Those details, or any approved amendments to those details shall be carried out in accordance with the implementation programme.

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

17. 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.

18. Within 2 months of commencement of development, unless otherwise agreed in writing by the Local Planning Authority,

full details of hard landscape works for the approved development shall be submitted to the Local Planning Authority for consideration.

Hard landscaping includes proposed finished land levels or contours; means of enclosure (boundary treatments / fences / railings); minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.) retained historic landscape features and proposals for restoration, where relevant. These works shall be carried out as approved prior to the occupation of the building.

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

Local Labour

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

Reason - In order to support the regeneration and prosperity of the Borough, in accordance with the provisions of Policy CS13 of the Core Strategy.

Others

20. Consent hereby approved does not extend to the window openings serving Dining Room F and the F4 Corridor. Prior to commencement of development revised details shall be submitted amending these windows to single casement and detailing them as obscurely glazed. Only those details which receive written approval by the Local Planning Authority shall be implemented on site in accordance with the approved scheme and shall thereafter be maintained as approved in perpetuity.

Reason - In the interests of the amenities of occupants of adjoining dwellings.

21. Prior to the commencement of the development, details of the existing and proposed land levels and the proposed floor levels of the development hereby approved shall be submitted to the Local Planning Authority for consideration. The details submitted shall include sufficient cross sections to fully assess the relationship between the proposed levels and immediately adjacent land/dwellings. The development shall be constructed at the levels approved under this condition unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - The condition is imposed in order to enhance the appearance of the development and in the interests of the amenity of adjoining neighbours.

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

Reason – In the interests of residential amenity.

23. 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.

Reason - The condition is imposed in order to ensure that the proposed materials of construction are appropriate for use on the particular development and in the particular locality.

24. Electric Vehicle Charging Points (EVCPs) shall be provided in accordance with the approved site layout for at least 2 no. car parking spaces; and passive provision shall be made available for the remainder of the site so that spaces are capable of being readily converted to EVCPs in the future. Thereafter the EVCP's shall be retained and maintained operational for the lifetime of the development.

Reason - In the interests of reducing emissions in line with policies CS20 and CS8 of the Core Strategy.

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. Pursuant to Section 184 of the Highways Act 1980 and Section 86(4) of the New Roads and Streetworks Act 1991 prior notification shall be given to the Department of Economy, Transport & Environment at County Hall, Matlock regarding access works within the highway. Information, and relevant application forms, regarding the undertaking of access works within highway limits is available via the County Council's website
http://www.derbyshire.gov.uk/transport_roads/roads_traffic/development_control/vehicular_access/default.asp
E-mail highways.hub@derbyshire.gov.uk or
Telephone Call Derbyshire on 01629 533190.
04. The Highway Authority recommends that the first 5m of the proposed access should not be surfaced with a loose material (i.e. unbound chippings or gravel etc.). In the event that loose material is transferred to the highway and is regarded as a hazard or nuisance to highway users, the Authority reserves the right to take any necessary action against the householder.
05. Pursuant to Sections 149 and 151 of the Highways Act 1980, steps shall be taken to ensure that mud or other extraneous

material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.

06. Lead Local Flood Authority Notes:

A. The County Council does not adopt any SuDS schemes at present (although may consider ones which are served by highway drainage only). As such, it should be confirmed prior to commencement of works who will be responsible for SuDS maintenance/management once the development is completed.

B. Any works in or nearby an ordinary watercourse may require consent under the Land Drainage Act (1991) from the County Council. For further advice, or to make an application please contact Flood.Team@derbyshire.gov.uk.

C. No part of the proposed development shall be constructed within 3-8m of an ordinary watercourse and a minimum 3 m for a culverted watercourse (increases with size of culvert). It should be noted that DCC have an anti-culverting policy.

D. The applicant should be mindful to obtain all the relevant information pertaining to proposed discharge in land that is not within their control, which is fundamental to allow the drainage of the proposed development site.

E. The applicant should demonstrate, to the satisfaction of the Local Planning Authority, the appropriate level of treatment stages from the resultant surface water discharge, in line with Table 4.3 of the CIRIA SuDS Manual C753.

F. The County Council would prefer the applicant to utilise existing landform to manage surface water in mini/sub-catchments. The applicant is advised to contact the County Council's Flood Risk Management team should any guidance on the drainage strategy for the proposed development be required.

G. The applicant should provide a flood evacuation plan which outlines:

- The flood warning procedure
- A safe point of extraction
- How users can safely evacuate the site upon receipt of a flood warning
- The areas of responsibility for those participating in the plan

- The procedures for implementing the plan
- How users will be made aware of flood risk
- How users will be made aware of flood resilience
- Who will be responsible for the update of the flood evacuation plan

H. Flood resilience should be duly considered in the design of the new building(s) or renovation. Guidance may be found in BRE Digest 532 Parts 1 and 2, 2012 and BRE Good Building Guide 84.

I. Surface water drainage plans should include the following:

- Rainwater pipes, gullies and drainage channels including cover levels.
- Inspection chambers, manholes and silt traps including cover and invert levels.
- Pipe sizes, pipe materials, gradients, flow directions and pipe numbers.
- Soakaways, including size and material.
- Typical inspection chamber / soakaway / silt trap and SW attenuation details.
- Site ground levels and finished floor levels.

J. On Site Surface Water Management;

- The site is required to accommodate rainfall volumes up to the 1% probability annual rainfall event (plus climate change) whilst ensuring no flooding to buildings or adjacent land.
- The applicant will need to provide details and calculations including any below ground storage, overflow paths (flood routes), surface detention and infiltration areas, etc, to demonstrate how the 100 year + 30% Climate Change rainfall volumes will be controlled and accommodated, also incorporating a sensitivity test to 40% Climate Change. In addition, an appropriate allowance should be made for urban creep throughout the lifetime of the development as per 'BS 8582:2013 Code of Practice for Surface Water Management for Developed Sites' (to be agreed with the LLFA).
- Production of a plan showing above ground flood pathways (where relevant) for events in excess of the 1% probability annual rainfall event, to ensure exceedance routes can be safely managed.
- A plan detailing the impermeable area attributed to each drainage asset (pipes, swales, etc).

Peak Flow Control

- For greenfield developments, the peak run-off rate from the development to any highway drain, sewer or surface water body for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event, should never exceed the peak greenfield run-off rate for the same event.
- For developments which were previously developed, the peak run-off rate from the development to any drain, sewer or surface water body for the 100% probability annual rainfall event and the 1% probability annual rainfall event must be as close as reasonably practicable to the greenfield run-off rate from the development for the same rainfall event, but should never exceed the rate of discharge from the development, prior to redevelopment for that event.

Volume Control

- For greenfield developments, the runoff volume from the development to any highway drain, sewer or surface water body in the 6 hour 1% probability annual rainfall event must not exceed the greenfield runoff volume for the same event.
- For developments which have been previously developed, the runoff volume from the development to any highway drain, sewer or surface water body in the 6 hour 1% probability annual rainfall event must be constrained to a value as close as is reasonably practicable to the greenfield runoff volume for the same event, but must not exceed the runoff volume for the development site prior to redevelopment for that event.
- Note:- If the greenfield run-off for a site is calculated at less than 2 l/s, then a minimum of 2 l/s could be used (subject to approval from the LLFA).
- Details of how the on-site surface water drainage systems shall be maintained and managed after completion and for the lifetime of the development to ensure the features remain functional.
- Where cellular storage is proposed and is within areas where it may be susceptible to damage by excavation by other utility contractors, warning signage should be provided to inform of its presence. Cellular storage and infiltration systems should not be positioned within the highway.
- Guidance on flood pathways can be found in BS EN 752.

- The Greenfield runoff rate which is to be used for assessing the requirements for limiting discharge flow rates and attenuation storage for a site should be calculated for the whole development area (paved and pervious surfaces - houses, gardens, roads, and other open space) that is within the area served by the drainage network, whatever the size of the site and type of drainage system. Significant green areas such as recreation parks, general public open space, etc., which are not served by the drainage system and do not play a part in the runoff management for the site, and which can be assumed to have a runoff response which is similar to that prior to the development taking place, may be excluded from the greenfield analysis.

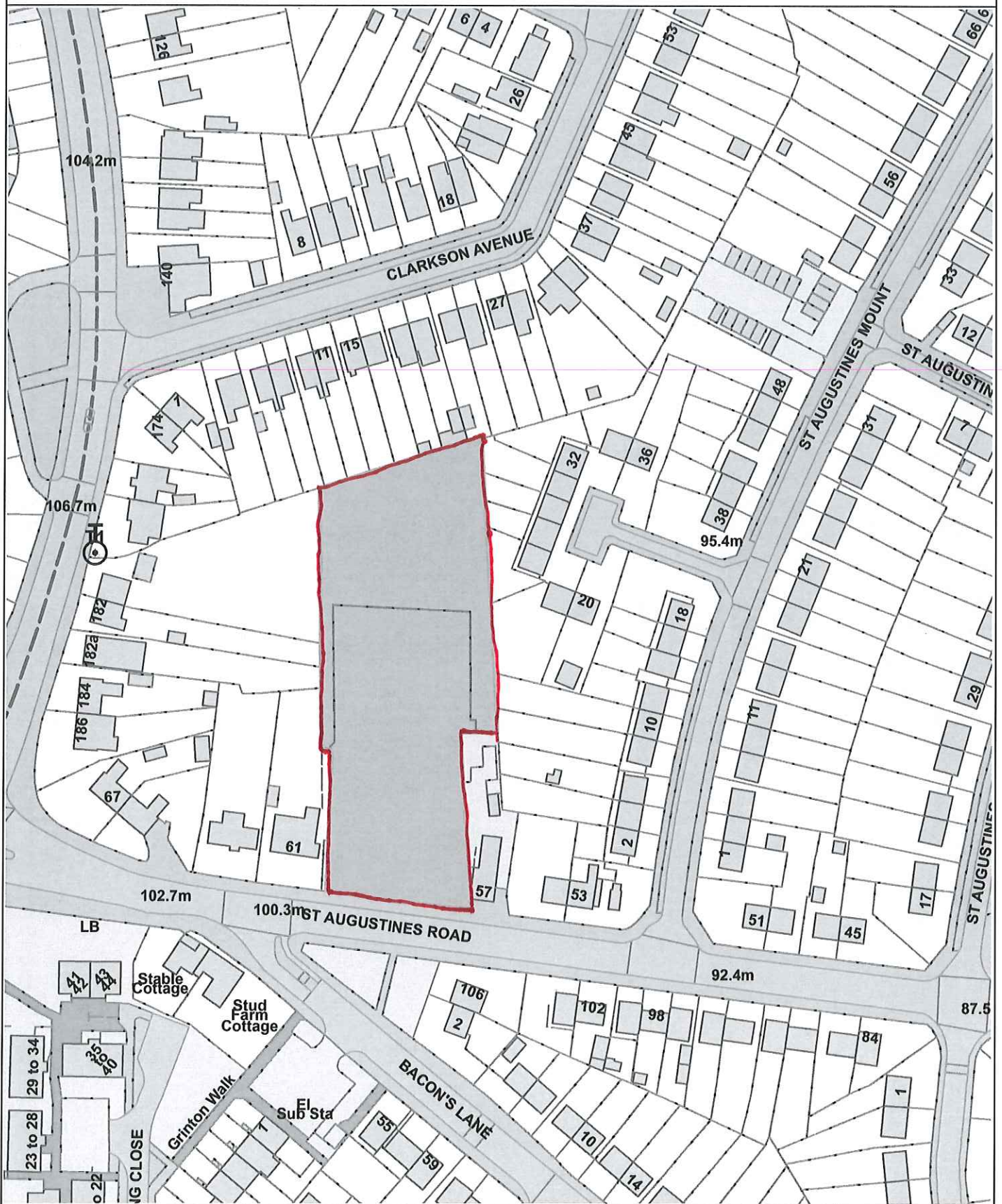
K. If infiltration systems are to be used for surface water disposal, the following information must be provided:

- Ground percolation tests to BRE 365.
- Ground water levels records. Minimum 1m clearance from maximum seasonal groundwater level to base of infiltration compound. This should include assessment of relevant groundwater borehole records, maps and on-site monitoring in wells.
- Soil / rock descriptions in accordance with BS EN ISO 14688-1:2002 or BS EN ISO 14689-1:2003.
- Volume design calculations to 1% probability annual rainfall event + 30% climate change standard. An appropriate factor of safety should be applied to the design in accordance with CIRIA C753 – Table 25.2.
- Location plans indicating position (soakaways serving more than one property must be located in an accessible position for maintenance). Soakaways should not be used within 5m of buildings or the highway or any other structure.
- Drawing details including sizes and material.
- Details of a sedimentation chamber (silt trap) upstream of the inlet should be included.
- Soakaway detailed design guidance is given in CIRIA Report 753, CIRIA Report 156 and BRE Digest 365.

L. All Micro Drainage calculations and results must be submitted in .MDX format, to the LPA. (Other methods of drainage calculations are acceptable.)

M. The applicant should submit a comprehensive management plan detailing how surface water shall be

managed on site during the construction phase of the development ensuring there is no increase in flood risk off site or to occupied buildings within the development.



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Case Officer: EC
Committee date: 1st June 2020

File No: CHE/20/00125/OUT
Plot No: 2/3576

ITEM 2

OUTLINE APPLICATION FOR DETACHED TWO BEDROOM DWELLING AT 15 NEWBRIDGE LANE, BRIMINGTON, CHESTERFIELD, S43 1LX

Local Plan: Unallocated
Ward: Brimington South

1.0 CONSULTATIONS

| | |
|----------------------------|----------------------------------------------------------------------------------------------------------------------|
| CIL Officer | No comments received |
| Local Highways Authority | Comments received, no objection subject to conditions– see report |
| Design Services Drainage | Comments received, no objection subject to details of surface water disposal– see report |
| Environmental Services | Comments received, no objection subject to conditions– see report |
| Parish Council | No comments received |
| Policy/Forward Planning | Comments received, no objection in principle– see report |
| Yorkshire Water | Comments received – no conditions required, building over identified sewer can be controlled by building regulations |
| Ward Members | No comments received |
| Neighbours and Site Notice | 4 letters of representation received – see report |

2.0 THE SITE

2.1 The site subject of this application is located on the south side of Newbridge a lane and accessed from Hedley Drive. The plot currently forms part of the curtilage of No 15 Newbridge Lane. No 15 is situated to the east of the application site and is served by amenity space to the north, south and west. The application site is largely laid to lawn with some soft planting, a garden outbuilding and a detached garage with off-street parking.

2.2 The site is measures a maximum of 36m in length (taken from Hedley Drive frontage to the northern boundary) and measures a maximum of 8.5m in width. The site measures approximately 211m² in area (0.021 hectares) overall.



Aerial photo taken from
Google ©



Extract of submitted
location plan



Photo taken from Hedley Drive
facing north west



Photo taken from the
application site facing south

2.3 The surrounding streetscene is formed of residential dwellings. The architectural character of the immediate streetscene is mixed, comprising of two storey and single storey terraced, semi-detached and detached properties. The dominant material is facing brick with some

examples of render.

- 2.4 Access to the site is gained by an adopted public highway known as Hedley Drive. The application site is largely flat and No 15 Newbridge Lane is elevated above the ground level of the site with a raised patio/entrance door and raised rear garden.
- 2.5 The site is located in an area considered to be at low risk of flooding (as defined by the Environment Agency) and is considered to be in an area requiring standing advice for coal mining risk as opposed to requiring referral to The Coal Authority. The site is approximately 820m walking/cycling distance from the defined Brimington Local Service Centre.

3.0 RELEVANT PLANNING HISTORY

- 3.1 CHE/11/00128/FUL - Proposed two bedroom dwelling with associated parking – **REFUSED (18.04.2011)**

3.2 Reason for refusal

'In the opinion of the Local Planning Authority the proposal is unacceptable. It is considered that the proposed new dwelling would present itself as a cramped form of development, neither reflective of nor sympathetic to the surrounding context and it would be an incongruous addition to the street scene. The design of the dwelling is poor and it fails to respect the character of the area. The constrained nature of the dwelling results in limited levels of outlook for potential residents and the proposal is not considered to provide a high quality living environment. The proposal is considered to be contrary to the objectives of PPS1 and Policies GEN10, HSN5 and HSN6 of the replacement Chesterfield Borough Local Plan.'

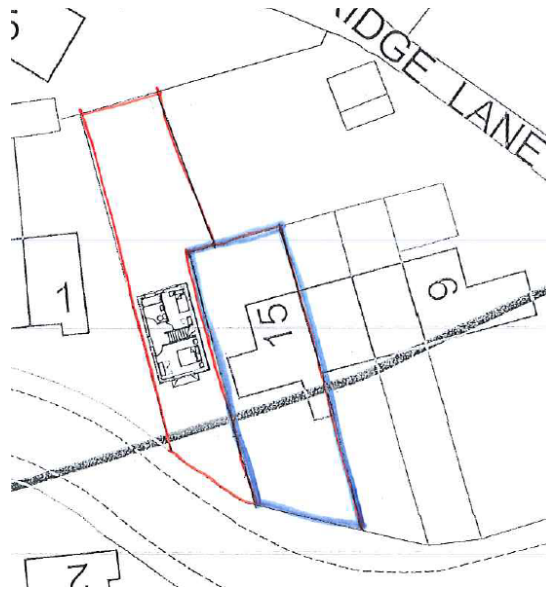
- 3.3 CHE/0187/0048 - Permission for erection of a garage at 15 Newbridge Lane Brimington for Mr. R. Crich – **CONDITIONAL PERMISSION (25.03.1987)**

4.0 THE PROPOSAL

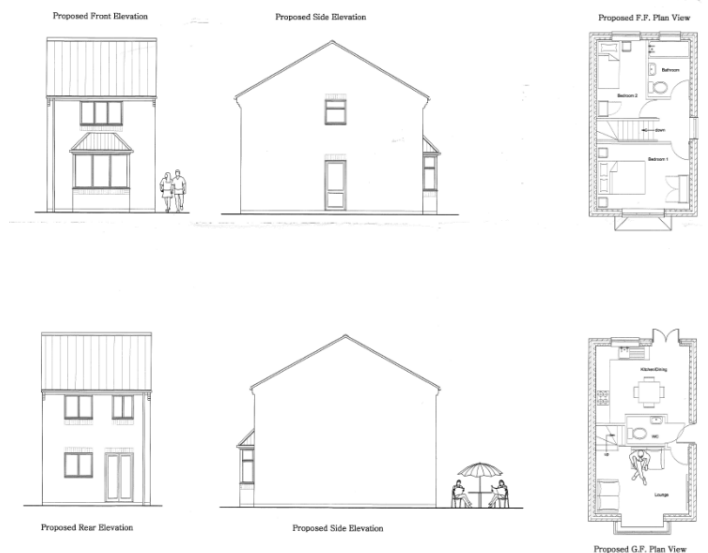
- 4.1 The application seeks outline consent for the demolition of the existing detached garage and for the erection of a detached two bedroom dwelling with all matters reserved. The application is supported by indicative layout and elevational drawings for illustrative purposes. If

approved matters including access, appearance, landscaping, layout and scale would be 'reserved' for consideration at reserved matters stage.

- 4.2 The indicative plan illustrates that the site could accommodate a 2 storey, 2 bedroom dwelling. The indicative plan shows the proposed dwelling is set back from Hedley Drive by approximately 6m and it is considered that there is sufficient space to provide off-street parking for the proposed dwelling and also to provide compensatory parking for No 15.



Extract of indicative layout plan



Indicative elevations and floor plans

- 4.3 Based on the indicative plans it is considered that the application site could accommodate a dwelling with private amenity space which significantly exceeds the minimum recommended requirement of 50sqm

for a 2 bedroom property and will retain amenity space for No 15 comprising of a rear and front garden. Whilst the front garden of No 15 is not completely 'private' it is faces south and as such benefits from direct sunlight and is served by an existing patio area and soft landscaping which suggest the 'front' garden is already used by the occupier for residential amenity purposes.

4.4 The application submission is supported by the following plans / documents:

- Application form
- Proposed Site Location Plan (received 21.02.2020)
- Site Plan (received 21.02.2020)
- Proposed new two bedroom dwelling adjacent to 15 Newbridge Lane, Brimington, S43 1LX, Drawing number 1 (showing indicative Proposed Front Elevation, Proposed Rear Elevation, Proposed Side Elevation(S), Proposed F.F. Plan View and Proposed G.F. Plan View (received 21.02.2020)

5.0 CONSIDERATIONS

5.1 Planning Policy Background

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
- CS3 Presumption in Favour of Sustainable Development
- CS4 Infrastructure Delivery
- CS6 Sustainable Design
- CS7 Managing the Water Cycle
- CS8 Environmental Quality
- CS9 Green Infrastructure and Biodiversity
- CS10 Flexibility in Delivery of Housing

- CS18 Design
- CS20 Influencing the Demand for Travel

Submission Local Plan 2018

- LP4 Flexibility in Delivery of Housing

5.3 Other Relevant Policy and Documents

- National Planning Policy Framework (February 2019)
- SPD 'Successful Places: A Guide to Sustainable Housing Layout and Design' (adopted July 2013)

5.4 Key Issues

- Principle of development (section 5.5)
- Design of the Proposal (Impact on Neighbours and Future Occupiers) (section 5.6)
- Highways safety, parking provision and air quality (see section 5.7)
- Biodiversity (see section 5.8)
- Flood risk and drainage (see section 5.9)
- Environmental Quality (see section 5.10)
- Community Infrastructure Levy (CIL) (see section 5.11)
- Representations received (see section 6.0)

5.5 Principle of Development

Relevant Policies

- 5.5.1 Policy CS1 states that *'The overall approach to growth will be to concentrate new development within walking and cycling distance of centres.'*
- 5.5.2 Policy CS2 states that when *'assessing planning applications for new development not allocated in a DPD, proposals must meet the following criteria / requirements:*
- a) adhere to policy CS1*
 - b) are on previously developed land*
 - c) are not on agricultural land*
 - d) deliver wider regeneration and sustainability benefits*
 - e) utilise existing capacity in social infrastructure*
 - f) maximise walking / cycling and the use of public transport*
 - g) meet sequential test requirements of other national / local policies'*

All development will be required to have an acceptable impact on the amenity of users or adjoining occupiers taking into account noise, odour, air quality, traffic, appearance, overlooking, shading or other environmental, social or economic impacts.'

- 5.5.3 Policy CS10 states that *'Planning permission for housing-led greenfield development proposals on unallocated sites will only be permitted if allocated land has been exhausted or if annual monitoring shows that there is less than a 5-year supply of deliverable sites and where:*
a) they accord with the strategy of 'Concentration and Regeneration' as set out in policy CS1 and the criteria set out in policy CS2; or
b) a specific housing need can be demonstrated that can only be met within a particular location'

Consultee comments

- 5.5.4 To assess whether the principle of development accords with planning policy it was necessary to consult the **Strategy/Forward Planning Team**, the following comments were provided:
- 5.5.5 *'The current development plan for Chesterfield Borough consists of the Local Plan Core Strategy (2013) and the saved policies of the Replacement Chesterfield Borough Local Plan (2006). However, there is also the emerging Local Plan (2018 to 2035) – this is currently being examined and was the subject of hearing sessions in October/November 2019. The Inspectors' initial response has indicated a number of modifications that are currently being consulted on. Weight should be given to the emerging policies in accordance with the criteria of para 48 of the NPPF. Where this is relevant to the determination of this application it is highlighted below.*

PRINCIPLE OF DEVELOPMENT

The application site appears to be within a residential curtilage. The NPPF does not include residential gardens within the definition of Previously Developed Land. Although there is an existing garage on this part of the site, the Site Layout plan provided shows a new property predominantly on garden. Also, as an outline application with all matters reserved, including layout and siting, the final siting would not be restricted to the location shown. The application should be treated as greenfield site in applying local and national planning policy.

The key policy considerations in determining this application will therefore relate to policies CS1, CS2, CS10 and CS20 of the Core Strategy.

The site also falls within the extent of the 'Urban Area' proposed as a modification to the emerging Local Plan Policies Map, for the application of emerging policy LP4. The implications of this and weight to be given to the emerging plan are discussed further below.

The council can demonstrate a five year supply of suitable housing sites (<https://www.chesterfield.gov.uk/media/990534/excbc002-five-year-supply-position-april-2019.pdf>) and the main policies for the determination of the application are considered up to date and in accordance with the NPPF. Paragraph 11(d) of the NPPF (the presumption in favour of sustainable development) is therefore not engaged and the application should be determined according to the policies of the Local Plan and other material considerations.

Location of Development

Policies CS1 and CS2 seek to concentrate new development within walking and cycling distance of centres. Policy CS20 seeks to maximise walking, cycling and the use of public transport through the location and design of development. Paragraph 103 of the NPPF also states that planning should actively manage patterns of growth to support the use of public transport, walking and cycling. The council's Residential Design SPD indicates a distance of 800m to a centre is considered 'walkable'. The application site is over a 800m to a range of facilities including Brimington Centre, GP services and the nearest Infant School (Henry Bradley Infants). It is also over 400m to the nearest bus stop. That said, there is a small rank of shops including a local convenience store within 150m, and the nearest Junior School is within walking distance. There is also POS and a children's play area at Thistle Park and the site is relatively close to walking and cycling routes alongside Chesterfield Canal.

Bearing in mind the small scale of the development proposed (a single dwelling), that it is within the urban area (and will be within the Urban Area as defined in the new Local Plan), I am satisfied that the proposed development is sustainably located and is broadly in line with the Spatial Strategy as set out in policies CS1 and CS2.

Loss of Greenfield Site

Policy CS10 of the Core Strategy seeks to restrict housing led development on greenfield sites where the council can demonstrate a five-year supply of suitable housing sites. The council can also demonstrate a five-year supply of suitable housing sites. The proposal is therefore in conflict with policy CS10.

The replacement policy for CS10, LP4, moves the emphasis purely from greenfield sites to sites 'outside the urban area'. A modification to the emerging policies map has been prepared at the request of the Local Plan Inspectors establishing the extent of the urban Area, which would include the application site. Only limited weight should be given to the proposed boundary as it has not yet been the subject of consultation (which is expected to begin in March of this year following a report to the council's Cabinet on 25th February), but it is relevant in demonstrating the direction of travel for emerging policy. I would note that, if applied as proposed to be modified, the proposal would not be in conflict with policy LP4.

On this basis the technical loss of a greenfield site would not compromise the purposes of policy CS10 or the Core Strategy generally and limited weight should be given to this conflict in the circumstances.

OTHER MATTERS

Should planning permission be granted, the adopted and emerging Local Plan policies would require the following:

- *Electric Vehicle charging provision (one point per property) – secured by condition*
- *A condition requiring measures to result in a net gain of biodiversity through planting, nesting and roosting provision*

The development would be CIL liable (although a liability notice would not be issued until relevant reserved matters are approved). The site falls into the CIL medium zone. With index linking the CIL rate is currently £57.99 per sqm gross internal floorspace. Exemptions and reliefs are available in specific circumstances (eg: social housing or self build) but, if relevant, these must be applied for prior to any commencement on site. The applicant should be made aware of these exemptions and the necessity of applying for them (if relevant) in a timely manner.

SUMMARY

The proposed development does not conflict with the objectives of policies CS1, CS2, CS10 and CS20 of the adopted Local Plan. If approved, conditions should be applied as set out above and the development would be CIL liable.'

Considerations

- 5.5.6 The application site is situated within the built settlement of Brimington. The immediate streetscene is residential in character. Policies CS1, CS2, and CS10 of the Core Strategy and the wider National Planning Policy Framework (NPPF) are therefore considered to apply. In addition, the Councils Supplementary Planning Document on Housing Layout and Design 'Successful Places' is also a material consideration.
- 5.5.7 Core Strategy Policy CS1 seeks to concentrate new development within walking and cycling distances of centres. The site is marginally outside the specified 800m walking/cycling distance, measuring approximately 820m to the edge of the defined Brimington Local Service Centre. The Local Service Centre provides access to a range of services and public transport with local schools also in walking distance. The site is therefore considered to be sustainably located and accords with the principles of CS1 with regards to the location of the development.
- 5.5.8 Core Strategy Policy CS2 sets out the principles for the location of the development. Part b) requires development to utilise previously developed land. The application site is the former garden of an existing dwelling and as such would not be classified as previously developed land. It is therefore acknowledged that the proposal does not fully meet the requirements of Core Strategy Policy CS2.
- 5.5.9 Core Strategy Policy CS10 refers to the development of unallocated 'greenfield land' as being inappropriate whilst the Council is able to demonstrate a deliverable 5 year supply of housing land. Domestic gardens are excluded for the definition of previously developed land and are therefore regarded as greenfield. CS10 indicates that planning permission should not be granted for the development of residential gardens, however it is accepted that infill plots within established residential areas which are sustainably located and meet the objectives of concentration of development should not necessarily resisted provided the development is at a scale and density appropriate to the area.
- 5.5.10 It is necessary to acknowledge that Policy CS10 will be replaced by emerging policy LP4, which will be more flexible in its wording on sites within the urban area, similar to this one. However as that policy is still the subject of outstanding objections that will need to be addressed through consultation on modifications, little weight can be afforded to the new policy at this stage of plan preparation, as per para 48b of the NPPF.
- 5.5.11 Policy CS10 must be read in combination with policy CS1 and CS2 which sets out that the overall approach to growth which is desirable will

be to concentrate new development within walking and cycling distance of centres. The weight given to Core Strategy CS10 is therefore finely balanced and must be considered in the context of each individual application.

- 5.5.12 The opportunity to give more weight to Core Strategy policies CS1 and CS2 must therefore be determined on the basis that the proposal would not adversely impact the amenity of the adjoining neighbours and would not result in any other issues such as highway safety. Indeed Core Strategy CS2 does require all development 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.
- 5.5.13 On balance the proposal is considered to be sustainably located and broadly in line with the spatial strategy set out in policies CS1 and CS2 and is therefore considered to be acceptable in principle. Further detailed discussion of material considerations will be covered in the following sections including impact on the amenity of neighbour/future occupiers, highway safety and parking provision, biodiversity, flood risk and drainage, environmental quality (covering policies CS2, CS7, CS8, CS9, CS18 and CS20 and Council's adopted SPD 'Successful Places').

5.6 Design of the Proposal (Impact on Neighbours and Future Occupiers)

Relevant Policies

- 5.6.1 Core Strategy Policy CS18 states that *'all development should 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 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.'*
- 5.6.3 The Council's SPD 'Successful Places' provides further guidance in respect of privacy, day light and sunlight, overshadowing and external amenity space and is a material consideration.

- 5.6.4 The application is for outline consent with all matters reserved. An indicative layout has been provided to illustrate how a dwelling could potentially be accommodated on the site.
- 5.6.5 The surrounding streetscene is characterised by residential dwellings which are mixed in style, comprising of single storey and 2 storey properties. The immediate streetscene to the east (No 15 Newbridge Lane) and to the west (No 1 Hedley Drive) comprises of two storey dwellings, therefore the introduction of a two storey property in this location would reflect the scale of adjacent properties.
- 5.6.6 No 15 Newbridge is a 2.5 storey end of terrace and appears to have been previously extended by way of a loft conversion and side extension. The property occupies an elevated position with respect of the application site and it is noted that there are no windows in the main side gable (west elevation) facing towards the application site which would be adversely impacted by a development (see photo below)



Photo taken from the application facing east towards the side gable of No 15



Photo taken from the public highway facing west towards the side gable of No 15 and principle elevation of No 1 Hedley Drive

- 5.6.7 No 1 Hedley Drive is a two storey semi-detached dwelling served by an attached garage and rear conservatory extension. A first floor window is present in the side (east) elevation of the dwelling facing towards the application site. The window appears to be secondary and is thought to serve the first floor landing.



Photo taken from the application facing south east towards the rear and side gable of No 1

Photo taken from the application facing west towards the side gable of No 1

- 5.6.8 Careful consideration of the final siting and scale of a new dwelling will be required at reserved matters stage, to create a dwelling which responds to the surrounding context and preventing overlooking and overshadowing impacts to the adjoining neighbours.
- 5.6.9 The layout of the dwelling should also provide future occupants with private amenity space which accords with the Successful Places SPD (minimum outdoor amenity space requirements are 50sqm for a 1 or 2 bedroom house). The layout of the site should take into account parking requirements as defined by appendix G (p146) of the Core Strategy (see section 5.7).
- 5.6.10 By reference to the history of the site the committee will see the latest application on the site for a dwelling was refused in 2011. This was a detailed scheme and was refused for design reasons since the scheme put forward at the time was excessive and not reflective of the local character. The refusal did not relate to matters of principle. Clearly on an outline submission with all matters reserved for approval at a later date the issue of design is a matter which will need to be considered further at a later date.
- 5.6.11 Overall the application site is considered to be appropriately sized to accommodate a dwelling which responds to the provisions of policies CS2 and CS18 of the Core Strategy and the wider SPD. No further assessment can be made until additional information is supplied as part of a reserved matters application. It is also recommended that a condition be imposed restricting construction hours to protect the amenity of the surrounding neighbours.

5.7 Highways Safety, Parking Provision and Air Quality

Relevant Policies

- 5.7.1 Core Strategy Policy CS18 states that development will be expected to part 'g) *provide adequate and safe vehicle access and parking*'

- 5.7.2 Core Strategy Policy CS20 states that development proposals should demonstrate the following 'c) ... *appropriate parking provision in accordance with the guidance set out in Appendix G*' and requires the installation of electric charging facilities (part e).
- 5.7.3 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.'

Consultee comments

- 5.7.4 The **Local Highways Authority** Derbyshire County Council Highways Team were consulted on the scheme and provided the following comments;

- 5.7.5 'The above outline application with all matters reserved has been forwarded to this Authority for highway considerations and I have the following comments to make :-

It is noted that a similar proposal was subject to a planning application in 2011 which was refused although not on highway grounds.

Any applicant should note that the Highway Authority would look for the provision of replacement parking for the existing dwelling which would involve the formation of a new access/extension of the existing access. It is assumed that this could be suitably conditioned at the present time given that the existing property is shown as being in the ownership/control of the applicant. This would need, however, to be secured at this time as it is considered likely that in the event planning permission is granted and the proposal proceeds the two plots will be separated. This situation would also mean that visibility from the existing access needs to be secured over the frontage of the existing property at the present time.

Replacement parking would presumably be provided to the front of the existing property and it is noted that this is currently on two levels, engineering works may well, therefore, be required taking into account that driveway should ideally be no steeper than 1:14 and not exceed 1:12 and parking space dimensions should be minimum 2.4m x 5.5m.

1.Before any other operations are commenced, the existing access to Newbridge Lane shall be modified in accordance with details to be

submitted for approval under an application for approval of reserved matters or full planning permission, laid out, constructed and provided with visibility splays of 2.4m x 25m in the critical direction and 2.4m x maximum achievable over land the subject of the application, land in the ownership/control of the applicant and highway to 1.0m into the carriageway in the non-critical direction, the area in advance of the sightlines being maintained clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to the adjoining nearside carriageway channel level.

2. There shall be no gates or other barriers on the existing or new access.

3. The proposed access/driveway to serve the replacement parking for the existing dwelling shall ideally be no steeper than 1:14 and definitely no steeper than 1:12.

4. The premises, the subject of the application, shall not be occupied until parking for the existing and proposed dwelling has been provided, located, designed, laid out and constructed all as agreed in writing with the Local Planning Authority and maintained throughout the life of the development free from any impediment to its designated use.

In addition, the following notes shall be included for the benefit of the applicant.

1. Pursuant to Section 184 of the Highways Act 1980 and Section 86(4) of the New Roads and Streetworks Act 1991 prior notification shall be given to the Department of Economy, Transport & Environment at County Hall, Matlock regarding access works within the highway. Information, and relevant application forms, regarding the undertaking of access works within highway limits is available via the County Council's website

http://www.derbyshire.gov.uk/transport_roads/roads_traffic/development_control/vehicular_access/default.asp E-mail highways.hub@derbyshire.gov.uk or Telephone Call Derbyshire on 01629 533190.

2. The Highway Authority recommends that the first 5m of the proposed access/driveway should not be surfaced with a loose material (i.e. unbound chippings or gravel etc.). In the event that loose material is transferred to the highway and is regarded as a hazard or nuisance to highway users, the Authority reserves the right to take any necessary action against the householder.

3. Pursuant to Section 163 of the Highways Act 1980, where the site curtilage slopes down towards the public highway, measures shall be taken to ensure that surface water run-off from within the site is not permitted to discharge across the footway margin. This usually takes the form of a dish channel or gulley laid across the access immediately behind the back edge of the highway, discharging to a drain or soakaway within the site.

4. Pursuant to Sections 149 and 151 of the Highways Act 1980, steps shall be taken to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.

5. Car parking provision for the existing and proposed dwelling should be made on the basis of two spaces per two/three bedroom dwelling or three spaces per four/four plus bedroom dwelling. Each space should have minimum dimensions of 2.4m x 5.5m.'

- 5.7.6 The **Environmental Health Officer** reviewed the proposal and highlighted '*As the government has set an aspirational target for all new vehicles in the UK to be zero emission at source by 2040 (as contained in The UK Plan for Tackling Roadside Nitrogen Dioxide Concentrations: Detailed Plan, published July 2017), I ask that infrastructure for electric charging points be installed as part of the build phase.'*

Considerations

- 5.7.7 The comments from the Local Highways Authority have been noted, no objections have been raised subject to the imposition of conditions including details of visibility splays, restriction on gates/barriers, gradient of access and requiring parking for the proposed and existing dwelling prior to occupation.
- 5.7.8 It is recommended that the conditions requested by the Local Highways Authority be imposed on the decision. Based on the size of the plot it is considered that the site could accommodate off-street parking for two vehicles, each space measuring 2.4m x 4.8m (as per the adopted SPD). Provision for the existing dwelling to compensate for the loss of one off-street parking space could be incorporated within the frontage of No 15 and accessed from Hedley Drive. It is considered that a relevant condition can be imposed to ensure adequate off-street parking arrangements at reserved matters stage and to be retained in perpetuity.

The recommended informative notes should be included on the decision notice.

5.7.9 In so far as Air Quality, one electric charging point for the new dwelling should be installed as part of the build phase and controlled by condition.

5.7.10 Overall it is considered that sufficient space is available on site to provide an adequate level of off-street parking, therefore subject to the imposition of relevant conditions the proposal is considered to accord with the provisions of CS2, CS18 and CS20 of the adopted Core Strategy.

5.8 Biodiversity

Relevant Policies

5.8.1 Core Strategy Policy CS9 Green Infrastructure and Biodiversity states that *'Development proposals will be expected to demonstrate that they will not adversely affect, or result in the loss of, features of recognised importance' and the enhancement of the boroughs biodiversity (f).'*

5.8.2 The NPPF also requires net gains in biodiversity (see paragraph 170 d).

Considerations

5.8.3 The site subject of the application is largely laid to lawn with some soft landscaping, a detached garage and hardstanding for off-street parking.

5.8.4 It is considered that there is scope for new planting within the proposed garden area, including potential for wildlife friendly shrubs to create a similar habitat structure including a range of plants such as climbers/hedging to provide enhanced botanical diversity and food sources for wildlife. Additional biodiversity enhancements such as bat bricks/roosts built within the house and swift bricks to encourage nesting birds could be included. It is therefore recommended that a condition be imposed requiring the development to demonstrate a net gain in biodiversity in accordance with the requirements of CS9 and the NPPF.

5.9 Flood Risk and Drainage

Relevant Policies

5.9.1 Core Strategy Policy CS7 Managing the Water Cycles states that *'The council will require flood risk to be considered for all development*

commensurate with the scale and impact of the proposed development' and 'Sustainable Drainage Systems (SuDS) should be incorporated into all development, unless it can be demonstrated that this is not appropriate in a specific location. The council will seek the maximum possible reduction in surface water run-off rates based on the SFRA or most recent national guidance'

- 5.9.2 The application site is located in 'Flood Zone 1' as defined by the Environment Agency and is therefore considered to be at low risk of flooding. Having regards to the provisions of CS7 and the wider NPPF the application was referred to the Council's **Design Services (Drainage) Team** and **Yorkshire Water** for comments in respect of flood risk and drainage/waste water

Consultee Comments

- 5.9.3 **Design Services (Drainage) Team** reviewed the application and provided the following comments; *'The site is not shown to be at risk of flooding, according to the Environment Agency Flood Maps. A public sewer is shown to cross the development site. Prior approval is required from Yorkshire Water as a Building Over agreement or easement may be required. It is also noted that the developer may use soakaways as a means of surface water disposal. Infiltration tests should be carried out and calculations provided in accordance with BRE Digest 365 to ensure no flooding for a 1 in 30 year rainfall event. Any amendments to existing drainage on site may require Building Control approval.'*
- 5.9.4 **Yorkshire Water** stated *'We have reviewed the building proposals and any building over can be controlled by Part H4, Building Regulations 2000. There are no planning conditions needed for this development.'*

Considerations

- 5.9.5 The above comments have been noted. Policy CS7 requires all development to consider sustainable drainage systems to deal with surface water arising as a result of the development, it is therefore recommended that a condition be imposed requiring the submission of proposed surface water drainage limitation measures be submitted concurrent with a reserved matters application to the LPA for written approval to accord with the provisions of CS7.

5.10 Environmental Quality and Land Condition

Relevant Policies

- 5.10.1 Core Strategy Policy CS8 states that ***‘Unstable and Contaminated Land: Proposals for development on land that is, or is suspected as being, contaminated or unstable will only be permitted if the land is capable of remediation and fit for the proposed use and shall include:***
- a) a desk top survey with the planning application***
 - b) a phase II study and strategy for remediation and final validation where the desk top survey (a) indicates remediation may be necessary, on any full or reserved matters planning applications***
- A programme of remediation and validation must be agreed before the implementation of any planning permission on contaminated and/or unstable land. The requirement to undertake this programme will be secured using planning conditions.’***
- 5.10.2 Paragraph 178 of the NPPF states that *‘Planning policies and decisions should ensure that:*
- a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);*
 - b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and*
 - c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.’*
- 5.10.3 The Council’s **Environmental Health Team** reviewed the proposal and provided the following comments;
- ‘Should planning permission be granted for this proposal, I would strongly recommend that the developer ensure the site is `suitable for use’ by completion of: -*
- a) a Phase 1/desk study*
 - b) a Phase 2/intrusive site investigation*
 - c) a Remediation Strategy (if necessary) and*
 - d) a Validation report*

All the reports a) to d) shall be submitted to the Council and approved in writing by the Local Planning Authority prior to the development commencing.'

- 5.10.4 It is therefore recommended that a condition be imposed requiring the submission of a desk top study and if required a scheme for investigation and remediation.

5.11 Community Infrastructure Levy (CIL)

- 5.1 Having regard to the nature of the application proposals the development comprises the creation of 1 no. new dwelling and the development is therefore CIL Liable. A liability notice would not be issued until reserved matters stage. For reference the index linked CIL rate is currently £57.99 per sqm gross internal floorspace. Exemptions and reliefs are available in specific circumstances (eg: social housing or self build) but, if relevant, these must be applied for prior to any commencement on site.

6.0 REPRESENTATIONS

- 6.1 Neighbour notification letters were sent to adjoining neighbours and 3 site notices were also displayed. Four letters of representation have been received as a result and are summarised below;

6.2 Hedley Lodge, 7 Newbridge Lane (13.03.2020)

'Comments reasons

- Traffic or Highways*
- Visual*

Comments: It would look cramped. It would not suit the surroundings. Added vehicle parking is a safety concern'

6.3 Address unknown

'I wish to ensure my severe obligation to this planning application is registered. I have several issues with this:

The building is far too small to be habitable. The last application was declined on this reason but the land in question has not increased.

please see Ref. No: CHE/11/00128/FUL | Status: REF

The building is out of character for the area, it will also look like its been squeezed in between other houses. The building is far too close to other properties, this will not allow privacy and a comfortable life.

There is no where near enough parking on Newbridge lane to accommodate the residents living here. We can never park in the

carpark, even if this proposed dwelling by some miracle acquired off road parking we do not have the space for visitor parking. There is also further concern for parking for no15, the current parking area would be allocated to the new building therefore, the businesses that are being run from this property (see my objections on last application for further clarification and photographs Ref. No: CHE/11/00128/FUL | Status: REF) Were will these vehicle move to?

We have a large proportion of children in the area, with more vehicles comes more risk and danger. I myself am pregnant and not wanting more vehicles adding to the area. this is a family area, this proposed dwelling is not a family home.

Furthermore Mrs Chrich is elderly and this family property (no15) will be inhabited by new residents eventually, people who will appreciate the land and garden, chopping up the land is making no 15 less desirable to a family in the future.

I also have questions regarding the structure of the proposed building, no 7 newbridge lane has to carry out extensive pilling to build a bungalow, now it has not been mentioned if pilling will be taking place for this building should the application be granted? If so this causes further concern for surrounding properties. We do not wish for the piling to take place in such close proximity to our homes due to damage.

I would also like further clarification on the position of the sewers / drainage systems for numbers 7,9,11,13 & 15 which are accessible via no 15 manhole. this would be under the proposed new building.

i also reiterate all objections for application Ref. No: CHE/11/00128/FUL | Status: REF are still valid.

The below is taken from the last applicatin" It is considered that the proposed new dwelling would present itself as a cramped form of development, neither reflective of nor sympathetic to the surrounding context and it would be an incongruous addition to the street scene. The design of the dwelling is poor and it fails to respect the character of the area " nothing has changed.'

Additional points raised by neighbour regarding CHE/11/00128/FUL – summarised below;

- *Increase in traffic to family orientated area*

- *Letter of objection suggests that the applicant's son runs a business from property and mainly details concerns regarding cars/vehicles parking at the address and the problems this causes for residents including limiting visibility and highway safety concerns. Letter includes attached photographs.*
- *Letter suggests that the applicant's son has 4 business vehicles and parks them either on the road or in the car park across from the application site and suggests that the applicant has only one car.*

6.4 3 Hedley Drive (24.04.2020)

'Comment Reasons:

- *Noise*
- *Policy*
- *Residential Amenity*
- *Traffic or Highways*
- *Visual*

Comment: Far too small, not a home, out of place in street, unwanted in a family focused area'

6.5 5 Hedley Drive (08.05.2020)

'Comment Reasons:

- *Noise*
- *Policy*
- *Residential Amenity*
- *Traffic or Highways*
- *Visual*

Comment: Invasive & too close to own property. Loss of privacy; inappropriate: not in keeping with the street'

6.6 Officer comments

- Highway safety/additional traffic – The Local Highways Authority reviewed the application and has not recommended a refusal on highway safety grounds. Conditions have been requested to ensure the development provides adequate off-street parking and meets visibility requirements.
- Visual/cramped appearance of dwelling/loss of privacy – the application is submitted in outline with all matters reserved and is supported by an indicative layout/floorplan and elevations. The design and appearance of the dwelling would be detailed in full at reserved matters stage. Due to the width of the plot it is acknowledged that a subsequent reserved matters application will likely produce a relatively narrow dwelling however this will introduce

a further mix of house types into the area. It is considered that there is acceptable levels of separation between the application site and surrounding properties. A future reserved matters application would enable further consideration of window placement/siting to prevent adverse overlooking impacts.

- Piling – the site is not located in an area classified as at high risk by The Coal Authority. Works to address or remediate stability issues (if they arise) would likely be covered by building regulations.
- Drains/sewers – see section 5.9 of report. Yorkshire Water raised no objections to the proposal and did not request conditions be imposed. Yorkshire Water stated that building over the drains/sewer could be dealt with under part H4 of the building regulations.

8.0 HUMAN RIGHTS ACT 1998

8.1 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

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

8.3 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.

8.4 Whilst in the opinion of the objectors, the development could affect 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

9.0 STATEMENT OF POSITIVE AND PROACTIVE WORKING WITH APPLICANT

9.1 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).

9.2 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.

9.3 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 proposal is in outline form only with all matters reserved. The proposed development is considered to be acceptable in principle and the site is of an appropriate size and shape to accommodate a new dwelling without detriment to the street scene or the amenity of nearby properties. As such, the proposal accords with the requirements of Policies CS1, CS2, CS3, CS7, CS8, CS9, CS10, CS18 and CS20 of the Local Plan: Core Strategy and the wider National Planning Policy Framework subject to the imposition of relevant conditions.

10.1 **RECOMMENDATION**

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

Conditions

Reserved matters submission

1. Approval of the details of the access, appearance, landscaping, layout and scale of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason - The condition is imposed in accordance with article 3 (1) of The Town and Country Planning (General Development Procedure) Order 1995 (as amended).

Time frame for reserved matters submission

2. Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason - The condition is imposed in accordance with sections 91, 56 and 93 of the Town and Country Planning Act 1990.

Time frame for commencement

3. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason - The condition is imposed in accordance with sections 91, 56 and 93 of the Town and Country Planning Act 1990.

Land contamination

4. Concurrent with the submission of a reserved matters application, evidence that the site is suitable for use shall be submitted to the Local Planning Authority for consideration and written approval. The evidence shall include the completion of
 - a. *a Phase 1/desk study* report documenting the previous land use history of the site.
 - b. *a Phase 2/intrusive site investigation* 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 contamination. Ground gas, ground water and chemical analysis, identified as being appropriate 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.
 - c. *a Remediation Strategy (if necessary) and*
 - d. *a Validation report*

All the reports a) to c) shall be submitted to the Council and approved in writing by the Local Planning Authority prior to the development commencing.

Reason - To protect the environment and ensure that the redeveloped site is reclaimed to an appropriate standard in accordance with CS8.

Hours of construction

5. Construction work shall only be carried out between the hours of 8:00 am to 6:00 pm Monday to Friday and 9:00 am to 5:00 pm on a Saturday. Construction work shall not be carried out on Sundays or Public Holidays. The term 'construction work' shall include mobile and fixed plant/machinery, (e.g. generators) radios and the delivery of construction materials

Reason - In the interests of residential amenities.

Details of surface water drainage

6. Concurrent with a reserved matters application details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works shall be submitted to the Local Planning Authority for written approval. Only those details which have been approved in writing by The Local Planning Authority shall be installed on site.

Reason - To ensure that the development can be properly drained.

Highways – submission of visibility splays

7. The details submitted as part of the reserved matters scheme shall include detail showing the existing access to Newbridge Lane to be modified in accordance with details to be submitted for consideration. The detail shall provide visibility splays of 2.4m x 25m in the critical direction and 2.4m x maximum achievable over land the subject of the application, land in the ownership/control of the applicant and highway to 1.0m into the carriageway in the non-critical direction. The area in advance of the sightlines shall be maintained clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to the adjoining nearside carriageway channel level.

Reason - In the interests of highway safety.

Highways – no gates or barriers

8. There shall be no gates or other barriers on the existing or new access.

Reason - In the interests of highway safety.

Highways – gradient of access

9. The proposed access/driveway to serve the replacement parking for the existing dwelling shall ideally be no steeper than 1:14 and no steeper than 1:12.

Reason - In the interests of highway safety.

Highways – parking provision provided prior to occupation

10. The details submitted as part of the reserved matters scheme shall include parking provision for the existing dwelling (1 space) and the proposed dwelling (2 spaces). The dwelling hereby approved shall not be occupied until the agreed parking for both the existing and proposed dwelling has been provided and constructed all as agreed in writing with the Local Planning Authority and which shall thereafter be maintained throughout the life of the development free from any impediment to its designated use.

Reason - In the interests of highway safety.

Electric charging provision

11. 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.

Reason - In the interests of reducing emissions in line with policies

Materials

12. Concurrent with the submission of a reserved matters application, 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 unless otherwise agreed by the Local Planning Authority in writing.

Reason - The condition is imposed in order to ensure that the proposed materials of construction are appropriate for use on the particular development and in the particular locality.

Biodiversity enhancement

13. Concurrent with the submission of landscaping details as part of a reserved matters application plans/drawings shall be submitted to the Local Planning Authority for written approval demonstrating the creation of suitable habitat which enhances the ecological interest of the site, in line with guidance within Paragraph 175d of the NPPF. This could include native landscaping, retention of existing features of ecological value (such as the hedgerow) and incorporation of bat and bird boxes into the new dwelling. The approved biodiversity enhancement shall be installed in accordance with the approved details in the first planting season after completion or first occupation of the development whichever is the sooner.

Reason - In the interests of ecology and policy CS7.



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Agenda Item 5

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| COMMITTEE/SUB | Planning Committee |
| DATE OF MEETING | 1 June 2020 |
| TITLE | DELEGATION |
| PUBLICITY | For Publication |
| CONTENTS | Items approved by the Group Leader, Development Management under the following Delegation references:- No Agenda Item |
| 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:-

| | | |
|----------------------|-----------------|--------|
| Building Regulations | Stuart Franklin | 345820 |
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Committee List - Chesterfield

| Reference Number | Site Address | Description Of Work | Decision Date | Decision Type |
|------------------|---------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| 20/00930/DEXFP | 18 Medlock RoadWaltonChesterfieldS40 3NH | Rear Extension and Garage | 21/02/2020 | A |
| 20/01010/DEXFP | 17 St Pauls AvenueHaslandChesterfieldS41 0NG | Removal of internal Wall | 25/02/2020 | A |
| 20/00740/DEXFP | 72 Morris AvenueNewboldChesterfieldS41 7BA | Removal of loadbearing wall between kitchen and dining room | 25/02/2020 | A |
| 20/00950/DEXFP | 40 Langtree AvenueOld WhittingtonChesterfieldS41 9HP | Creation of Ground Floor WC and Removal of Loadbearing Wall between Kitchen and Dining Area | 25/02/2020 | A |
| 20/01200/DCC | 85 Elm StreetHollingwoodChesterfieldS43 2LQ | Installation of level access shower, step lift, concrete upper and lower landings, retaining walls, paths and ramps | 06/03/2020 | A |
| 20/01198/DCC | 22 Taylor CrescentSpitalChesterfieldS41 0HR | Alteration of utility/toilet area to provide level access shower and new rear entrance door | 06/03/2020 | A |
| 20/00578/DEXFP | 66 South Street NorthNew WhittingtonChesterfieldS43 2AB | Convert existing Detached Dwelling into 2 No. Semi Detached Dwellings | 10/03/2020 | C |
| 20/01203/DEXFP | 210 Walton RoadWaltonChesterfieldS40 3BS | Extension | 10/03/2020 | C |
| 20/01341/DEXFP | 47 Herriot DriveChesterfieldS40 2UR | Extension and alterations | 12/03/2020 | C |
| 20/00443/DEXPI | 1 Tideswell CloseStaveleyChesterfieldS43 3TE | Replace conservatory roof with Guardian solid roof system | 13/03/2020 | A |
| 20/01348/DEXFP | 11 Ramsey AvenueWaltonChesterfieldS40 3EF | Internal Alterations & New Windows | 19/03/2020 | A |
| 20/01263/DCC | 72 Gorse Valley RoadHaslandChesterfieldS41 0JP | Proposed widening of entrance door with level access and ramp. | 23/03/2020 | C |

| Reference Number | Site Address | Description Of Work | Decision Date | Decision Type |
|------------------|------------------------------------------------------|---------------------------------------------------------------------------------|---------------|---------------|
| 20/00518/DEXFP | 15 Pevensey AvenueNewboldChesterfieldS41 8QF | Loft Conversion | 24/03/2020 | C |
| 20/01415/DEXFP | 17 Southfield AvenueHaslandChesterfieldS41 0LX | Single storey rear extension | 25/03/2020 | C |
| 20/01227/DEXFP | 22 Hady CrescentHadyChesterfieldS41 0EA | Loft Conversion | 27/03/2020 | A |
| 20/00917/DEXFP | 27 Ashgate AvenueAshgateChesterfieldS40 1JB | Two Storey Rear Extension | 27/03/2020 | A |
| 20/01382/DEXFP | 51 Clarkson AvenueBirdholmeChesterfieldS40 2RS | Chimney breast removal to first floor ceiling and ground floor wall removal | 31/03/2020 | A |
| 20/01638/DEXFP | 525 Chatsworth RoadChesterfieldS40 3JS | Loft Conversion | 01/04/2020 | C |
| 20/00597/DCC | 13 North CrescentDuckmantonChesterfieldS44 5EX | Replacement through floor lift | 02/04/2020 | C |
| 20/01672/DEXFP | 18 Belvedere CloseSomersallChesterfieldS40 3LU | Wall removal | 03/04/2020 | A |
| 20/01633/DEXFP | 14 Springfield AvenueChesterfieldS40 1DJ | Internal wall removal | 03/04/2020 | A |
| 20/00405/DEXFP | Stand Road Park Stand RoadNewboldChesterfieldS41 8SW | Construction of bowls pavilion | 08/04/2020 | A |
| 20/00812/DEXFP | 17 Enfield RoadNewboldChesterfieldS41 7HN | Single Storey Shower Room, Entrance Lobby and Utility Room Extension | 08/04/2020 | A |
| 20/01674/DEXFP | 22 Peak View RoadBrockwellChesterfieldS40 4NW | Garage Conversion including raising the roof | 08/04/2020 | A |
| 20/01649/DEXFP | 8 Rayleigh AvenueBrimingtonChesterfieldS43 1JS | Alteration to hipped end to gable end and loft conversion with rear roof dormer | 08/04/2020 | A |
| 20/01698/DEXFP | 38 Langer LaneBirdholmeChesterfieldS40 2JG | Single storey rear extension | 08/04/2020 | C |

| Reference Number | Site Address | Description Of Work | Decision Date | Decision Type |
|------------------|-----------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| 20/00667/OTHFP | Chesterfield And North Derbyshire Royal Hospital Chesterfield RoadCalowChesterfieldS44 5BL | Bed Store project | 15/04/2020 | A |
| 20/01742/DCC | 32 Oak StreetHollingwoodChesterfieldS43 2HL | Creation of WC within part of existing Bedroom and Conversion of existing Ground Floor Bathroom into a Wet Room for Disabled Person | 16/04/2020 | C |
| 20/01486/DEXFP | 88 Newbold Back LaneChesterfieldS40 4HQ | Single storey rear extension | 17/04/2020 | C |
| 20/00944/DEXFP | 24 Ashgate AvenueAshgateChesterfieldC | Proposed Single Storey Extension | 20/04/2020 | A |
| 20/01720/DEXFP | 2 Pingle GrangeBrimingtonChesterfieldS43 1QE | Removal of wall and Installation of new french doors and new door to garage | 22/04/2020 | A |
| 20/01632/DEXFP | 175 Handley RoadNew WhittingtonChesterfieldS43 2EP | Side Extension and internal alterations | 27/04/2020 | A |
| 20/00508/DEXFP | 1 Beeley CloseInkersallChesterfieldS43 3EB | Two storey side and rear extension | 27/04/2020 | C |

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Committee List - Chesterfield

| Reference Number | Site Address | Description Of Work | Decision Date | Decision Type |
|------------------|---------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|---------------|
| 20/00508/DEXFP | 1 Beeley CloseInkersallChesterfieldS43 3EB | Two storey side and rear extension | 27/04/2020 | C |
| 20/01632/DEXFP | 175 Handley RoadNew WhittingtonChesterfieldS43 2EP | Side Extension and internal alterations | 27/04/2020 | A |
| 20/01363/DEXPI | 15 LowgatesStaveleyChesterfieldS43 3TT | 2 No First Floor Flats | 29/04/2020 | C |
| 20/01745/DEXFP | 19 Hawthorn WayHolme HallChesterfieldS42 7JS | Conversion of Existing Garage into Study and Utility Room, Internal Alterations, Ground Floor Kitchen Extension and First Floor Extension to Create New Bedroom and Extend Existing Bedroom | 30/04/2020 | C |
| 20/01861/DEXFP | 67 Swaddale AvenueTaptonChesterfieldS41 0SX | Garage conversion | 30/04/2020 | A |
| 20/01878/DEXFP | 20 Tunstall WayWaltonChesterfieldS40 2RH | Two storey side extension to create dining area and cloakroom with bedroom over | 01/05/2020 | C |
| 20/01153/DEXFP | 43 Ulverston RoadNewboldChesterfieldS41 8ED | Two Storey Extension | 11/05/2020 | C |
| 20/01604/DEXFP | 6 Trevorrow CrescentChesterfieldS40 2GH | Garage Conversion | 12/05/2020 | A |
| 20/01972/DEXFP | 10 Larch WayBrockwellChesterfieldS40 4ET | Single storey rear extension and alterations | 14/05/2020 | A |
| 20/02062/DCC | Fairview Children's Home 267 Newbold RoadNewboldChesterfieldS41 7AL | Renew pitched roof covering and upgrade roll out mineral insulation | 15/05/2020 | A |

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Agenda Item 6

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|----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COMMITTEE/SUB | Planning Committee |
| DATE OF MEETING | 1 June 2020 |
| TITLE | DELEGATION |
| PUBLICITY | For Publication |
| CONTENTS | <p>Items approved by Development Management and Conservation Manager under the following Delegation references:-</p> <p>Planning Applications P020D, P200D to P250D, P270D to P320D, P350D to P370D, P390D, P420D to P440D</p> <p>Agricultural and Telecommunications P330D and P340D</p> |
| 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:-

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| Planning Applications | Paul Staniforth | 345781 |
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Delegated List **Planning Applications**

| Code No FileNo | Ward | Proposal | Decision | Decision Date |
|----------------------------------------------------------|---------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|----------------------|
| CHE/19/00414/REM To vary the drawing 2/949 | Brimington South | Variation of condition 2 (to allow single storey sun lounges at rear of Plots 1 and 2) of CHE/16/00042/FUL - Demolition of existing house and associated outbuildings, sheds and barns and construction of four new houses on site numbers relating to the approval in relation to Plots One and Two At Lodge Farm ,Westwood Lane, Brimington. S43 1PA For Syndicate of Owners | CP | 02/03/2020 |
| CHE/19/00428/FUL 3619 | St Helens | Two storey rear extension for dining room and playroom and additional bedrooms above and porch to front of property (revised site location plan received 23.08.2019, revised drawings received 11.10.2019) At 5 Infirmary Road, Chesterfield S41 7NF For Mr Rajib Paul | CP | 10/03/2020 |
| CHE/19/00544/LBC Whittington | Old Whittington | Replacement of three windows. At Manor House 84 Whittington Hill Old Whittington S41 9HA For Mrs Linda Banks | CP | 27/02/2020 |
| CHE/19/00594/FUL | St Helens | Single storey side extension and porch extension (amended drawings received 31.01.2020, alterations to northern elevation materials 12.02.2020) At Lockwood House 24 Abercrombie Street Chesterfield S41 7LW For Mr D Daniels | CP | 02/03/2020 |

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|------------------|---------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|------------|
| CHE/19/00595/FUL | Walton | Two storey side extension with single storey rear extension and new front bay window (revised drawings received 20.11.2019 and 13.12.2019) Additional information (revised plans) received 19.12.2019. At 7 Lake View Avenue Walton Chesterfield S40 3DR For Mr A Dix | CP | 16/03/2020 |
| CHE/19/00602/FUL | Hollingwood And Inkersall | Side extension to property. 75 Laurel Crescent Hollingwood Derbyshire S43 2LS For Mrs Sharon May | CP | 20/03/2020 |
| CHE/19/00640/FUL | St Helens | Raising of ridge height to outbuilding, internal alterations, replacement windows, forming new openings and re-roofing outbuildings with slate roof. At Ashton Lodge 28 Abercrombie Street Chesterfield S41 7LW For Mr A Bird | CP | 17/03/2020 |
| CHE/19/00641/LBC | St Helens | Listed Building Consent to raise ridge height to outbuilding, internal alterations, replacement windows, forming new openings and re-roofing outbuildings with slate roof. At Ashton Lodge 28 Abercrombie Street Chesterfield S41 7LW For Mr A Bird | CP | 17/03/2020 |
| CHE/19/00687/FUL | Moor | Extension to existing car showroom and erection of a new valet bay (red line boundary amended, revised site layout plan and Coal Mining Risk Assessment received 18.02.2020) At Stoneacre Chesterfield Honda Lockoford Lane Chesterfield S41 7JB For Stoneacre Motor Group | CP | 14/04/2020 |

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|------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|------------|
| CHE/19/00709/DOC St Leonards | Discharge of planning conditions 4 (windows and doors schedule) and 6 (courtyard details) of CHE/16/00225/LBC -Refurbishment and extension of the existing Bank Close House with provision for new vehicular access off Hasland Road At Bank Close House Residential Home Hasland Road Hasland Derbyshire S41 0RZ For Vital Balance Ltd | DPC | 15/04/2020 |
| CHE/19/00730/FUL Brockwell | Detached dormer bungalow with attached single garage (revised parking layout, drawings and supporting information regarding Coal Mining site investigations and mine shaft capping details received 21.01.2020, additional supporting information received 20.02.2020) At Land Adjacent To 19 Bentham Road Chesterfield S40 4EZ For Mr David Jackson | CP | 24/04/2020 |
| CHE/19/00735/FUL Holmebrook | Re-submission of CHE/19/00341/FUL - demolition of existing garages and erection of 6 self contained single storey complex behavioural bungalows and 6 self contained assisted living apartments over 2 storeys and new tarmac through road linking Bank Street and Chester Street. Revised drawing and information received 05.12.2019. Revised drawings received 14.1.2020 - additional information received 23 01 2020. Revised drawings received 14.02.2020. At Garage Sites Bank Street Chesterfield Derbyshire S40 1BH For Chesterfield SSL Ltd | CP | 03/03/2020 |

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|------------------|---------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|------------|
| CHE/19/00760/FUL | Hasland | Single storey extension to side of house CP and re-building of rear extension | | 02/04/2020 |
| | | At 45 Calow Lane Hasland Derbyshire S41 0AP For Mrs Hannah Colin | | |
| CHE/19/00762/DOC | St Helens | Discharge of planning condition 22 (Acoustic fence detail (1004 Noise Bund Details) of CHE/19/00007/REM - Approval of reserved matters of appearance, layout and scale, of CHE/18/00083/REM1, for the development of 177 dwellings, public open space and associated infrastructure. Amendment 27.02.2020. | DPC | 25/03/2020 |
| | | At Land At East Of A61 Known As Chesterfield Waterside Brimington Road Tapton Derbyshire For Avant Homes (Central) | | |
| CHE/19/00766/FUL | Brimington South | First floor extension over existing ground floor extension At 244 Brimington Road Tapton Derbyshire S41 0TB For Mr Adrian Clarke | CP | 09/03/2020 |
| CHE/19/00771/FUL | Brimington South | Residential development of 31 affordable dwellings with associated access, parking and landscaping. Revised design and access statement and revised transport statement received 27 1 2020. Phase II Site Investigations received 04 02 2020. At Land To The East Of Lodge Close Brimington Chesterfield S43 1PB For The Guinness Partnership | REF | 31/03/2020 |

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|------------------|---------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|------------|
| CHE/19/00772/FUL | Hollingwood And Inkersall | Single storey rear extension (revised plans received 03.02.2020 showing reduced ridge height of rear extension, garage conversion and off-street parking for 3 vehicles) At 15 Westwood Drive Inkersall Chesterfield S43 3DF For Mr and Mrs Hunt | CP | 19/02/2020 |
| CHE/19/00778/DOC | Old Whittington | Discharge of planning conditions 2 (drainage layout), 4 (materials), 7 (landscaping) and 10 (car parking) of CHE/19/00096.REM -(Erection of a two storey dwelling At12 Cavendish Street North Old Whittington Derbyshire S41 9DH For Mr Thomas Hunt | DPC | 07/04/2020 |
| CHE/19/00779/REM | St Leonards | Variation of condition 2 (external dimensions of the link building) of CHE/18/00603/FUL - Demolition of existing link building with proposed replacement link building At 9D Holywell Street Chesterfield S41 7SA For Mr Roy Cutt | CP | 20/02/2020 |
| CHE/19/00780/FUL | St Leonards | Demolition of existing detached garage, formation of single storey rear extension, new access steps to garden and timber fencing to form enclosed garden space At 106 Spital Lane Spital Chesterfield S41 0HN For Mr and Mrs Gundry | CP | 03/03/2020 |
| CHE/19/00782/RET | St Leonards | Retrospective consent for retention of signage At 5 Lordsmill Street Chesterfield Derbyshire S41 7RW For The Goldsmith Clinic | UP | 09/04/2020 |

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| CHE/19/00792/FUL Moor | <p>Re-submission of CHE/19/00157/FUL - CP Erection of mixed use leisure development comprising. Mixed use office/leisure complex comprising office, retail, bar, restaurant (Use Classes A1, A2, A3, A4, A5, B1 and D1), car parking and servicing, landscaping and access</p> <p>At Former Derbyshire Fire and Rescue Station Sheffield Road Whittington Moor Derbyshire S41 8LF</p> <p>For Blue Deer Ltd</p> | 20/03/2020 |
| CHE/19/00794/DOC Brimington South | <p>Discharge of planning condition 26 (bin DPC storage) of CHE/17/00685/REM - residential development of 120 dwellings</p> <p>At Land North-East Of Sainsburys Roundabout Rother Way Chesterfield For Harron Homes</p> | 19/02/2020 |
| CHE/19/00795/FUL St Leonards | <p>Level access to branch with installation CP of external platform lift and steps (revised plans received 12.02.2020 showing level access from public highway and internal steps and platform lift)</p> <p>At 27 Market Place Chesterfield S40 1PN For TSB Bank</p> | 11/03/2020 |
| CHE/19/00797/REM Middlecroft V And Poolsbrook | <p>Variation of condition 2 of CP CHE/15/00591/FUL (Change of use from mixed office/residential to a three bedroom detached house and external modifications) to change the position of the front garden from the right to the left hand side</p> <p>At 37A High Street Staveley Derbyshire S43 3UU</p> <p>For Mr Barrie Collins</p> | 27/02/2020 |

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| CHE/19/00804/FUL 2614 | Lowgates And Woodthorpe | Rear single storey extension. At 21 Bent Lane Staveley Derbyshire S43 3UG For Mr Neil Wright | CP | 05/03/2020 |
| CHE/19/00805/FUL | West | Single storey rear extension to form sun lounge. At 65 Yew Tree Drive Somersall Chesterfield S40 3NB For Mrs Judi Coley | CP | 24/02/2020 |
| CHE/19/00808/FUL | West | Demolition of existing single storey garage and erection of a single storey side / rear extension to provide second downstairs reception room or alternative ground floor accommodation for dependent relatives At 62 Netherfield Road Somersall Chesterfield S40 3LS For Mr Kurt Goodman | CP | 04/03/2020 |
| CHE/19/00809/COU | Brimington South | Change of use from a two bedroom house to a site office for a contractor carrying out a new housing development on the land at the rear of this property for a period of 10 months At 31 Manor Drive Brimington Derbyshire S43 1NJ For Chesterfield Borough Council | CP | 02/03/2020 |
| CHE/19/00814/FUL | Brimington South | All-weather viewing shelter. Consultation letters issued again 06.02.2020 due to website issues. At Bowling Green Broom Gardens Brimington Derbyshire S43 1NH For Mrs Pamela Wright | CP | 17/03/2020 |

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| CHE/20/00006/FUL | St Leonards | New external timber porch structure to side elevation and extending existing external step to fire doors. At The Barley Mow 52 Saltergate Chesterfield S40 1JR For Punch Pub Co | REF | 06/03/2020 |
| CHE/20/00007/FUL | Dunston | Change of use of ground floor of flat 2 from joint office (with flat 7) to a separate one bedroomed flat (revised plans received 02.03.2020) At Newbold Court Offices 2 and 7 Brome Head Way Newbold S41 8AN For Action Housing and Support | CP | 03/03/2020 |
| CHE/20/00012/FUL | Hollingwood And Inkersall | Pitch roof to existing side and rear single storey extension At 14 Pine Street Hollingwood Chesterfield S43 2LG For Mr and Mrs Carole Pearce | CP | 03/03/2020 |
| CHE/20/00013/FUL | Brimington South | Demolition of existing integral garden room and construction of utility room extension in its place, first floor extension above lounge to create master bedroom sitting area and first floor extension above dining room to create new bedroom 4. At Manor Cottage Balmoak Lane Tapton Chesterfield S43 1QQ For Mr and Mrs Gilbert | CP | 05/03/2020 |
| CHE/20/00016/RET | St Leonards | Retrospective application to retain the advert sign currently in place after the change of use application no: CHE/19/00184/COU At 35 Stephenson Place Chesterfield Derbyshire S40 1XL For Bar 35 Chesterfield | UP | 04/03/2020 |

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| CHE/20/00021/FUL | Rother | Single storey rear extension At 106 Langer Lane Birdholme Derbyshire S40 2JJ For Mr Phil Green | CP | 10/03/2020 |
| CHE/20/00024/FUL | Old Whittington | Erection of two storage structures for wooden pallets At Inspirepac Ltd Carrwood Road Chesterfield Trading Estate Chesterfield S41 9QB For Smurfit Kappa Inspirepac | CP | 16/03/2020 |
| CHE/20/00026/TPO | Walton | Oaktree - T11 - Crown clean to remove dead branches. Crown thin and lift to allow light. Reduction of branches growing towards the rear of No:7 (conservatory) and Nos: 7 and 9 to retain balance of the tree. At 7 Bunting Close Walton Derbyshire S42 7NU For Mr Martin Eaton | SC | 19/02/2020 |
| CHE/20/00029/FUL | Loundsley Green | Change of use of a disused former vicarage (house and office complex) to mixed community centre purpose and office space At Loundsley Green Community Centre Cuttholme Road Loundsley Green Chesterfield S40 4QU For Mr Simon Redding | CP | 07/04/2020 |
| CHE/20/00031/DOC | Lowgates And Woodthorpe | Discharge of condition 2 (Landscaping proposals) and condition 5 (Bin collection and waste storage proposals) of CHE/18/00190/REM - Reserved matters application for appearance, landscaping, layout and scale for residential development for up to 75 dwellings At Land At Cranleigh Road Woodthorpe Derbyshire Page 133 For Avant Homes | DPC | 24/02/2020 |

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| CHE/20/00032/FUL | Walton | Single storey side/rear extension to existing bungalow At 251 Walton Road Walton Derbyshire S40 3BT For Ms Sharon Jones | CP | 17/03/2020 |
| CHE/20/00033/FUL | Brimington South | Replace existing front fence with a 2 metre high fence. At 44 Wikeley Way Brimington S43 1AQ For Mr Richard Reddish | REF | 02/04/2020 |
| CHE/20/00034/DOC | St Leonards | Discharge of condition 3 (off street parking provision) of CHE/18/00787/FUL - Front extension forming 2 garage spaces set partially below ground with 2 floors above and loft conversion above existing bungalow. Off road parking and increase in extent of dropped kerb to form off street parking/turning area At 92 Spital Lane Spital Chesterfield S41 0HJ For Mrs Joanne Youd | DPC | 12/03/2020 |
| CHE/20/00035/LBC | Hasland | Listed Building Consent for re-roofing with natural slate and replacement cast iron effect guttering At Manor House Farm 118 The Green Hasland Derbyshire S41 0JU For Mr John Vaughan | CP | 06/04/2020 |
| CHE/20/00036/DOC | St Leonards | Discharge of planning condition 2 (acoustic testing) of CHE/19/00319/REM1 -Variation of condition 2 (changes to internal layout) of CHE/18/00144/FUL (Conversion of the Grade II listed building to 10 residential apartments at first and second floor and refurbishment of ground floor (former Post Office) A1 unit with change of use to include A1-A3 uses. Works to include partial | DPC | 10/03/2020 |

demolition of rear single storey structures and brick service flue, internal alterations and upgrades, with proposed new residential access stair to the rear courtyard to connect to the existing stairs at first floor level.

At The Old Post Office
1 Market Place
Chesterfield
Derbyshire

For Mr Nav Kalkat

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| CHE/20/00038/OUT | Barrow Hill And New Whittington | Outline application for residential development for 1 - 2 dwellings At 103 London Street New Whittington Derbyshire S43 2AQ For Mr John Ward | CP | 17/03/2020 |
| CHE/20/00040/DOC | Brimington South | Discharge of planning conditions 4 (surface water drainage), 6 (materials), 9 (vehicle and pedestrian access), and 13 (bin storage) of CHE/18/00444/MA - erection of one 3 bed bungalow and three 2 bed bungalows and additional parking At Land Adjacent 31 Manor Drive Brimington Derbyshire For Chesterfield Borough Council | DPC | 03/03/2020 |
| CHE/20/00041/RET | Old Whittington | Retrospective application for installation of 2 external Air Source Heat Pumps At Broomhill Care Centre Broomhill Road Old Whittington Derbyshire S41 9EB For Intacare Ltd | RARETZ | 20/03/2020 |
| CHE/20/00044/LBC | West | Removal of existing cement based render and replace with new white lime render At Lodge Cottage 2 Somersall Lane Somersall Derbyshire S40 3LA For Apple Downer | CP | 12/03/2020 |

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| CHE/20/00046/REM Brimington North | Variation of condition 1 (Approved Drawings) of CHE/15/00838/REM - Redevelopment of training centre for residential purposes (37 Dwellings) - Approval for Access, Appearance, Landscaping, Layout and Scale) - to allow for a new site plan showing minor amendments to house types on Phase 3 At Former Ringwood Centre Victoria Street Brimington Derbyshire S43 1HY For Rockliffe Homes | CP | 14/04/2020 |
| CHE/20/00047/RET Brockwell | Retention of a fence to rear of property At1 Magpie Way Newbold Derbyshire S41 7FA For Mrs Anne Rogers | CP | 06/04/2020 |
| CHE/20/00048/FUL Lowgates And Woodthorpe | Rear double storey extension, single storey side extensions and removal of existing conservatory. At 9 Woodthorpe Road Woodthorpe S43 3BZ For Mr and Mrs Matthew Green | CP | 02/04/2020 |
| CHE/20/00050/DOC West | Discharge conditions 3 (materials) and 4 (garage door) of CHE/18/00690/FUL - demolition of garage and bathroom and two storey extension to side and rear of house to create a garage, ground floor living and 2 first floor bedrooms and bathrooms At 17 Storrs Road Chesterfield Derbyshire S40 3QA For Mr Les King | DPC | 26/03/2020 |
| CHE/20/00055/DOC Holmebrook | Discharge of planning conditions 3 (surface water drainage), 4 (site storage), 9 (permeable driveway), 10 (materials), 13 (site investigation), 14 (site investigation), 15 (hard and soft landscaping), 16 (bin and cycle storage), 18 (bats and birds) and 19 | DPC | 26/03/2020 |

(lighting strategy) of
CHE/16/00216/FUL - Residential
development of 7 units and associated
ancillary works

At Jacksons Bakery
New Hall Road
Chesterfield
Derbyshire
S40 1HE
For Mr James Blackburn

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| CHE/20/00056/FUL | Old Whittington | Erection of a single storey building for storage of foundry consumables items. | CP | 08/04/2020 |
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At Hi Quality Steel Castings Chesterfield
Foundry
Pottery Lane East
Chesterfield
S41 9BH

For Hi Quality Steel Casting Ltd

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| CHE/20/00058/OUT | Old Whittington | Outline application for erection of a detached dwelling. | REF | 30/03/2020 |
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At 105 Church Street North
Old Whittington
Derbyshire
S41 9QN

For Mr K Layton

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| CHE/20/00059/ADV | Dunston | Installation of 2 non-illuminated fascia signs to fencing adjacent the vehicle entrance gates at the southern boundary of the site facing Dunston Road (work not yet started). | CP | 01/04/2020 |
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Installation of 1 no. non-illuminated
fascia sign to the West elevation of
Unit 5 (work already complete).

At Unit 1 - 5
Dunston Trade Park
Dunston Road
Chesterfield
S41 9QD

For Somero Enterprises Ltd

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| CHE/20/00060/FUL | Dunston | Construction of a permanent wash bay area, associated screening and linking to existing drainage, installation of an additional conditioning condensor unit to rear elevation of Unit and Installation of 1 additional floodlight over the wash bay area. At Units 1-5 Dunston Trade Park Dunston Road Chesterfield Derbyshire For Somero Enterprises Ltd | CP | 01/04/2020 |
| CHE/20/00061/FUL | Brimington South | Removal of flat roofed dormer,renovation of and small extension to outbuilding and raising ridge line of outbuilding. Information received 20.03.2020. At Crewe Cottage Dark Lane Brimington Derbyshire S43 1QQ For Mr and Mrs James Coleman | CP | 31/03/2020 |
| CHE/20/00062/LBC | Brimington South | Removal of flat roofed dormer, renovation of and small extension to outbuilding and raising of ridge line of outbuilding. Information received 20.03.2020. At Crew Cottage Dark Lane Brimington Derbyshire S43 1QQ For Mr and Mrs James Coleman | CP | 31/03/2020 |
| CHE/20/00063/FUL | West | Resubmission of CHE/19/00442/FUL - Porch extension and dormer roof extension At 18 Horsecwood Road Walton S42 7LS For Mr Leigh Drummond | CP | 30/03/2020 |
| CHE/20/00066/TPD | West | Single storey rear pitched roof extension At 12 Endowood Road Somersall Derbyshire S40 3LX | PANR | 02/03/2020 |

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| CHE/20/00067/DOC | Barrow Hill And New Whittington | Discharge of planning condition 4 (soft landscaping) of CHE/14/00508 - Orangery ground floor rear extension, new stone terrace, remodel and replacement garage At 135 High Street Old Whittington Derbyshire S41 9LQ For Mr Lee Fletcher | DPC | 20/02/2020 |
| CHE/20/00069/SOL | Brimington South | Installation of a 38.7kW solar pv system (119 JA Solar 325 watt panels) on the south facing roof of the building At Unit 8 Devonshire Industrial Hamlet Station Road Brimington Derbyshire S43 1JU For Phoenix Sealing | UP | 02/03/2020 |
| CHE/20/00070/DOC | Barrow Hill And New Whittington | Discharge of planning conditions 3 (site investigation) and 10 (materials) of CHE/18/00738/FUL - Erection of one new dwelling At Land At Highgate Close New Whittington Derbyshire For Mr Mapes | DPC | 16/04/2020 |
| CHE/20/00072/FUL | Loundsley Green | Proposed garage conversion including raising of the roof. At 22 Peak View Road Brockwell Chesterfield Derbyshire S40 4NW For J Stark | CP | 01/04/2020 |
| CHE/20/00073/FUL | St Helens | Demolition of existing extension and detached garage and erection of a two storey extension, attached garage and associated works - resubmission of CHE/19/00421/FUL At 41 Gloucester Road Stonegraves | CP | 07/04/2020 |

Chesterfield
Derbyshire
S41 7EF
For Mrs Liz Roberts

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| CHE/20/00074/FUL | Hasland | Rear extension and re-siting of garage (additional garage information received 05/03/2020) At 37 Eastwood Park Drive Hasland Derbyshire S41 0BD For Mr Mallender | CP | 10/04/2020 |
| CHE/20/00075/REM | St Leonards | Variation of condition 2 (Approved Plans) of CHE/16/00222/FUL due to error in floor levels between first floor stables and new build link extension At Bank Close House Residential Home Hasland Road Hasland Derbyshire S41 0RZ For Vltal Balance Ltd | CPRE1Z | 17/04/2020 |
| CHE/20/00076/REM | St Leonards | Variation of conditions 3 (sections through lobby) and 7 (sectional drawings of link between extension and stable) of CHE/16/00225/LBC - Refurbishment and extension of the existing Bank Close House with provision for new vehicular access off Hasland Road in order to change first floor level of new build and link roof and walls and connection to stables At Bank Close House Residential Home Hasland Road Hasland Derbyshire S41 0RZ For Vltal Balance Ltd | CPRE1Z | 17/04/2020 |
| CHE/20/00077/FUL | St Leonards | Alterations and single storey side extension with associated external works (Revised drawings received 05.03.2020) At 47 Herriot Drive Chesterfield Derbyshire S40 2UR For Mr and Mrs Moor | CP | 06/04/2020 |

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| CHE/20/00080/FUL | Brockwell | Conversion of the rear of the existing integral garage into playroom and widening of existing driveway to create additional parking space At 26 Pomegranate Road Newbold Derbyshire S41 7BN For Mr Andrew Woodward | CP | 09/04/2020 |
| CHE/20/00082/DOC | Brockwell | Discharge of condition 3 in relation to planning application number CHE/16/00132/FUL At 15 Oakley Avenue Brockwell Chesterfield S40 4DS For ASW (Consultants) Ltd | DPC | 26/03/2020 |
| CHE/20/00084/FUL | Middlecroft And Poolsbrook | Ground floor extension to the front and side elevation At Direct Tyres 41 High Street Staveley Derbyshire S43 3UU For Mr Brian Hutton | CP | 20/04/2020 |
| CHE/20/00085/FUL | Linacre | Demolition of existing conservatory and erection of a single storey side extension to dwelling At 28 Elkstone Road Holme Hall Chesterfield S40 4UT For Mr Nick Hawkins | CP | 06/04/2020 |
| CHE/20/00086/FUL | Rother | Single storey rear extension and construction of terrace At 46 Langer Lane Birdholme S40 2JG For Mr and Mrs Richard Wilson | CP | 09/04/2020 |

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| CHE/20/00087/FUL | Middlecroft And Poolsbrook | Sub division of former bank premises to two separate units and installation of new front entrance doorway to 13 Church Street. At 13 Church Street Staveley S43 3TL For Lloyds Banking Group | CP | 08/04/2020 |
| CHE/20/00089/FUL | Brockwell | Single storey front extension with pitched roof At 8 Linden Park Grove Chesterfield S40 1HY For Mr and Mrs Lawrence Mc Cran | CP | 07/04/2020 |
| CHE/20/00090/FUL | Lowgates And Woodthorpe | Erection of non-advertising two bay cantilever with full end panels bus shelter, complete with hardstanding. (shelter dimensions:- 3:18m x 1.7m x 2.6m high) Hardstanding dimensions :- 4.0m x 2.5m At Land Situated Off Lansbury Avenue, Opposite Junction Saddletree View Lansbury Avenue Mastin Moor Derbyshire For Chesterfield Borough Council | CP | 08/04/2020 |
| CHE/20/00092/FUL | Linacre | Two storey side extension and single storey rear extension At 19 Weston Close Holme Hall Chesterfield S40 4UN For Mrs Emily Redmond | CP | 28/04/2020 |
| CHE/20/00095/FUL | Hollingwood And Inkersall | Single storey front and side extension adjoining existing porch At 11 Whisperwood Close Duckmanton S44 5HL For Mr Paul Clarke | CP | 15/04/2020 |
| CHE/20/00097/TPO | Old Whittington | Lime (T3) - Thin crown by 25%. crown lift over public footpath. To reduce lowest limb by 2-3 metres on western side which is overhanging neighbours property and footpath. At 81 High Street Old Whittington Derbyshire | SC | 17/03/2020 |

S41 9LA

For Mr Timothy Swift

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| CHE/20/00099/DOC Brockwell | Discharge of conditions 13 (bat survey), 15 (lighting strategy) and 16 (ecology report) of CHE/17/00421/FUL - Residential development of 12 units and associated ancillary works | DPC | 03/03/2020 |
| | At 46 Newbold Road Newbold Derbyshire S41 7PL | | |
| | For Mr Cordin. Peppermint Grove Ltd | | |
| CHE/20/00102/DOC Dunston | Discharge of condition 2 (construction of estate roads) of CHE/17/00326/REM | DPC | 28/02/2020 |
| | At Former Cammac Coal Depot Dunston Road Chesterfield S41 9RL | | |
| | For Strata | | |
| CHE/20/00104/NMA Lowgates And Woodthorpe | Non material amendment to CHE/17/00855/FUL (Demolition of existing dwelling and erection of replacement house) to change the rear from render to brickwork | UP | 28/02/2020 |
| | At 23 Bridle Road Woodthorpe Derbyshire S43 3BY | | |
| | For Mr Shane Weatherall | | |
| CHE/20/00107/DOC Hasland | Discharge of planning conditions 5 (grassland management plan), 6 (Ecological Enhancement), 8 (Construction Method Statement), 10 (Parking provision), 13 (Drainage), 15 (Surface Water), 17 (hard and soft landscaping) and 18 (external lighting) of CHE/17/00893/FUL - alterations and refurbishment of existing animal welfare facility | DPC | 14/04/2020 |
| | At R S P C A 137 Spital Lane Spital Chesterfield S41 0HL | | |

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| CHE/20/00109/DOC St Leonards | Discharge of planning conditions 4 (materials), 5 (Site Set Up) 13 (Coal mining risk assessment) and 15 (tree protection) of CHE/19/00498/FUL - Construction of new four bedroom, one and a half storey detached dwelling, served from new access drive At Trevilla 73 Hady Hill Hady S41 0EE For Mrs Fletcher | DPC | 27/03/2020 |
| CHE/20/00117/DOC Brockwell | Discharge of conditions 8 (Site compound / Construction Method Statement), 16 (ecological enhancement), 17 (soft landscaping), 19 (hard landscaping), 20 (tree protection), 21 (arboricultural method statement), 23 (Employment and Skills Plan) and 25 (materials) of CHE/19/00385/FUL - erection of 72 bed carehome with associated private amenity space and parking facilities, including change of use from "sui generis" car park At Goldwell Rooms Car Park Ashgate Road Chesterfield Derbyshire For Ashgate Road Developmnents Ltd | DPC | 18/03/2020 |
| CHE/20/00118/FUL West | Demolition of existing detached garage and erection of two storey extension. At 294 Ashgate Road Chesterfield S40 4BW For Mr Peter Fox | CP | 16/04/2020 |
| CHE/20/00120/TPD Rother | Single storey conservatory to rear At 6 St Augustines Crescent Chesterfield Derbyshire S40 2SG For Mr Elliott and Ms Bradbury | PANR | 02/04/2020 |

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| CHE/20/00121/DOC Brockwell | Discharge of condition 5 (Phase 3 Remediation Strategy) of CHE/17/00421/FUL residential development of 12 units and associated ancillary works At 46 Newbold Road Newbold Derbyshire S41 7PL For Peppermint Grove Ltd | DPC | 27/03/2020 |
| CHE/20/00122/REM St Helens | Variation of condition 1 (Approved drawings House type G and C 180-15-RevA to be changed to 180-15-Rev C) of CHE/19/00346/REM - demolition of existing commercial buildings and erection of 34 dwellings and conversion and change of use of existing Thornfield House to 4 flats At Former Commerce Centre Canal Wharf Chesterfield S41 7NA For Woods and Sons Developmemnts Ltd | CPRE1Z | 22/04/2020 |
| CHE/20/00123/DOC St Helens | Discharge of planning condition 26 (hard and soft landscaping) of CHE/17/00237/OUT -Retention and conversion of Thornfield House and the demolition of other associated buildings and redevelopment for residential use At Commerce Centre Canal Wharf Chesterfield S41 7NA For Woods and Sons Developmemnts Ltd | DPC | 24/03/2020 |
| CHE/20/00126/DOC Old Whittington | Discharge of planning conditions 12 (railway excavation and earthworks) and 13 (vibro compaction machinery) of CHE/16/00171/OUT - Outline application for the residential development and creation of new site access At 955 Sheffield Road Sheepbridge S41 9EJ For Vistry Partnerships | REF | 14/04/2020 |

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| CHE/20/00127/DOC Old Whittington | Discharge of planning conditions 32 (Env Management Plan), 33 (Landscape and Ecological Management plan) and 35 (Biodiversity Enhancement) of CHE/16/00171/OUT - Outline application for the residential development and creation of new site access At 955 Sheffield Road Sheepbridge S41 9EJ For Vistry Partnerships | DPC | 02/04/2020 |
| CHE/20/00129/DOC Old Whittington | Discharge of conditions 6 (drainage) and 8 (SW management) of CHE/16/00171/OUT - Outline application for the residential development and creation of new site access At 955 Sheffield Road Sheepbridge S41 9EJ For Vistry Partnerships | REF | 20/04/2020 |
| CHE/20/00130/DOC Old Whittington | Discharge of condition 10 (site investigation) of CHE/16/00171/OUT - Outline application for the residential development and creation of new site access At 955 Sheffield Road Sheepbridge S41 9EJ For Vistry Partnerships | REF | 15/04/2020 |
| CHE/20/00131/DOC Old Whittington | Discharge of planning conditions 22 (details of estate roads) and 28 (discharge of water to highway) of CHE/16/00171/OUT - Outline application for the residential development and creation of new site access At 955 Sheffield Road Sheepbridge S41 9EJ For Vistry Partnerships | DPC | 14/04/2020 |
| CHE/20/00132/DOC Old Whittington | Discharge of condition 30 (future management and maintenance) of CHE/16/00171/OUT - Outline application for the residential | DPC | 19/03/2020 |

development and creation of new site access

At 955 Sheffield Road
Sheepbridge
S41 9EJ

For Vistry Partnerships

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| CHE/20/00133/DOC Old Whittington | Discharge of conditions 40 (Employment and Training Scheme) and 41 (Broadband details) of CHE/16/00171/OUT - Outline application for the residential development and creation of new site access At 955 Sheffield Road Sheepbridge S41 9EJ For Vistry Partnerships | REF | 24/03/2020 |
| CHE/20/00134/DOC Old Whittington | Discharge of planning condition 19 (site set up) and 43 (materials) of CHE/16/00171/OUT - Outline application for the residential development and creation of new site access At 955 Sheffield Road Sheepbridge S41 9EJ For Vistry Partnerships | DPC | 19/03/2020 |
| CHE/20/00135/DOC Old Whittington | Discharge of condition 2 (Landscaping) of CHE/19/00532/REM - Reserved matters application for appearance, landscaping, layout and scale of CHE/16/00171/OUT (Residential Development) At 955 Sheffield Road Sheepbridge S41 9EJ For Vistry Partnerships | DPC | 19/03/2020 |
| CHE/20/00136/DOC Old Whittington | Discharge of condition 4 (Env Noise survey) of 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 | DPC | 20/04/2020 |

At 955 Sheffield Road

Sheepbridge
S41 9EJ

For Vistry Partnerships

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| CHE/20/00137/CA | Brockwell | 3 Mountain Ash - Crown lift to 2.5m and UP crown clean At Chesterfield Labour Club 111 - 113 Saltergate Chesterfield S40 1NF For Labour Club | | 03/03/2020 |
| CHE/20/00139/FUL | Walton | Single storey rear extension and hip to CP gable loft conversion with rear dormer At 173 Whitecotes Lane Walton S40 3HJ For Mrs Wendy Smith | | 27/04/2020 |
| CHE/20/00141/FUL | Hollingwood And Inkersall | Installation of step lift with concrete CP platforms, masonry retaining walls, concrete landings and concrete paved paths At 85 Elm Street Hollingwood Derbyshire S43 2LQ For Mrs Ann Cartwright | | 24/04/2020 |
| CHE/20/00142/FUL | Walton | Two storey side extension to gable end CP of house for kitchen/utility and first floor bedroom/en-suite. At 2 Sandiway Walton S40 3HG For Mr Martin Decent | | 28/04/2020 |
| CHE/20/00144/NMA | Loundsley Green | Non-material amendment to UP CHE/19/00239/FUL (Residential development comprising erection of 21 no 2, 3 and 4 bedroomed dwellings) to allow for the addition of new sub station to rear of Plot 1 to facilitate charging for electric powered vehicles At Former Brockwell Court Brockwell Lane Brockwell Chesterfield S40 4PJ For Starfish Group | | 17/03/2020 |

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| CHE/20/00146/DOC | Hollingwood And Inkersall | Discharge of condition 9 (hard landscaping layout) of CHE/18/00768/REM - residential development of 33 dwellings) At Land To South Of Poplar Farm Rectory Road Duckmanton Derbyshire For Woodall Homes | DPC | 25/03/2020 |
| CHE/20/00147/FUL | Dunston | Move existing fence from back edge of footpath to area to the west of the site. At P A R Insulations And Wires Ltd Foxwood Close Sheepbridge S41 9RB For P A R Insulations and Wires Ltd | CP | 22/04/2020 |
| CHE/20/00148/FUL | Rother | Front and rear extension At 27 Clarkson Avenue Birdholme Derbyshire S40 2RS For A Hull | CP | 24/04/2020 |
| CHE/20/00151/TPO | Hasland | T1 Beech - Prune back 2 low branches by 2metres. Branch overhanging booundary fence and garden. T2 Horsechestnut Tree - 2 low branches too close to building. Prune back 2 metres from building. At Hasland Junior School Broomfield Avenue Hasland Derbyshire S41 0LP For Derbyshire County Council | CP | 17/03/2020 |
| CHE/20/00153/TPO | Linacre | Land to the rear of above address. T7 - Ash - Crown lift approx 8m and crown reduction 15% reduce overhang garden At 4 Foxbrook Close Holme Hall Chesterfield S42 7PA For Taylor Wimpey Yorkshire | SC | 02/04/2020 |

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| /00157/TPO | Hasland | T31 - Oak tree - Crown lift to 5.2m and CP crown clean to remove dead, damaged /dangerous branches. Remove new growth on the main stem to the first major fork. At 55 The Green Hasland Derbyshire S41 0LW For Mrs Jean Goddard | | 17/03/2020 |
| CHE/20/00162/DOC Walton | | Discharge of condition 5 (site investigation) of CHE/17/00459/FUL - new dwelling on land adjacent to 82 Walton Road, including reconfiguring of boundary between 82 Walton Road and new dwelling along with new site crossover onto Delves Close. At 82 Walton Road Walton Derbyshire S40 3BY For Ms Andrea Collins | REF | 14/04/2020 |
| CHE/20/00164/REM Middlecroft And Poolsbrook | | Removal of condition 6 (lighting) of CHE/19/00675/FUL - Provision of artificial grass pitch; car park resurfacing and installation of 11 No flood lighting columns. At Staveley Miners Welfare Fc Inkersall Road Staveley Derbyshire S43 3WL For Staveley Miners Welfare Football | CP | 26/03/2020 |
| CHE/20/00165/TPO West | | To fell one conifer At 400 Old Road Chesterfield Derbyshire S40 3QF For Mr Shaun Drury | CP | 03/04/2020 |
| CHE/20/00170/TPO Hasland | | G1: Sycamore and beech crown thinning on both trees by 20%. Prune back lone branch, crown lift to 1st major fork. T3 Oak - Remove dead wood At The Green Nursing Home 45 The Green Hasland | CP | 17/03/2020 |

Derbyshire
S41 0LW
For Mr Mark Collier

| | | | | |
|------------------|---------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|------------|
| CHE/20/00171/EIA | Hollingwood And Inkersall | Request for a screening opinion for the construction of a solar farm, batteries and associated infrastructure At Inkersall Farm Inkersall Road Staveley Derbyshire S43 3YH | EIANR | 16/03/2020 |
|------------------|---------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|------------|

For Low Carbon

| | | | | |
|------------------|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|------------|
| CHE/20/00172/TPO | Rother | 5 Beech trees at bottom of garden. 25% thinning from crown tp allow more light into garden. Remove one limb over playhouse. Remove limb overhanhing the the road for safety. At 161 Langer Lane Birdholme Derbyshire S40 2JW | CP | 06/04/2020 |
|------------------|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|------------|

For Mr Darren Cooling

| | | | | |
|------------------|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|------------|
| CHE/20/00174/TPO | St Leonards | T1 walnut tree - crown clean 20% T2,3,4,5 Sycamore ivy covered - crown lift 15% T6,7,8 Sycamore pollard to original point T9 Beech needs crown thin T10_ - Damson to fell (poor tree, leaning towards house). T11 Silver Birch crown thin 15% T12,13,14, Beech -crown thin 15% T15 Ash - crown thin 15% T16 - Ash for removal. | CP | 16/04/2020 |
|------------------|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|------------|

At14B Spital Lane
Spital
Chesterfield
Derbyshire
S41 0HJ

For Mr David Turner

| | | | | |
|------------------|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|------------|
| CHE/20/00175/NMA | Brockwell | Non material amendment to CHE/19/00385/FUL(Erection of 72 bed carehome with associated private amenity space and parking facilities, including change of use from "sui generis" car park) to allow alterations to approved plans. | UP | 24/03/2020 |
|------------------|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|------------|

At 6 Ashgate Road

Chesterfield
Derbyshire
S40 4AA

For Ashgate Road Developments Ltd

| | | | |
|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|------------|
| CHE/20/00178/NMA Dunston | This NMA relates to the proposal to change the detail of 15 number units (plots 92 to 106) located in the south east corner of the scheme adjacent to the site entrance from Dunston Road. Strata Homes propose to amend external finishes of plots 92 to 106 from masonry to a timber framed and clad finish, along with a reduced the roof pitch, as part of a more carbon efficient design as part of the affordable housing offer. This only layout change is the subdivision of the terrace of 5 houses (plots 102 to 106) into a terrace of 3 houses (102 to 104) and 2 semi detached houses (plots 105 and 106). | UP | 17/03/2020 |
|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|------------|

At 360 Dunston Road
Chesterfield
Derbyshire
S41 9RL

For Strata Homes Yorkshire Ltd

| | | | |
|------------------------------|---------------------------------------------------------------------------------------------------------------------------------|------|------------|
| CHE/20/00189/TPD St Leonards | Single storey rear extension, matching materials with gable front. Pitched tile roof with the room being used as a lounge diner | PANR | 16/04/2020 |
| | At 6 Steeple Grange Chesterfield Derbyshire S41 0HU | | |

For Mr Lee Walker

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|----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|------------|
| CHE/20/00192/NMA Brockwell | Non material amendment to 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) to replace glazed screens on ground floor with individual windows | UP | 30/03/2020 |
|----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|------------|

At 6 Ashgate Road
Chesterfield

Derbyshire
S40 4AA

For William May Developments Ltd

| | | | |
|------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|------------|
| CHE/20/00201/DOC St Leonards | Discharge of conditions 3,4 and 6 in relation to planning application number CHE/19/00292/FUL At Plover Hill Farm Wetlands Lane Brimington Derbyshire S43 1QG | DPC | 15/04/2020 |
|------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|------------|

For Tracy Jenkins

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|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|------------|
| CHE/20/00205/TPD West | Single storey brick extension to rear of property At 97 Hucknall Avenue Loundsley Green Chesterfield Derbyshire S40 4BZ For Mrs Diane Broadhead | PANR | 16/04/2020 |
|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|------------|

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|------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|------------|
| CHE/20/00213/EIA Lowgates And Woodthorpe | Chesterfield Canal restoration (Eckington Road to Hague Lane) - Request for Environmental Impact Assesment screening At Eckington Road To Hague Lane Eckington Road Staveley Derbyshire For Chesterfield Canal Trust | EIANR | 17/04/2020 |
|------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|------------|

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|----------------------|-----------------------------------------------------------------------------------------------------------|----|------------|
| CHE/20/00231/CA West | Fell Ash Tree At 6 The Willows Oakfield Avenue Chesterfield S40 3HN For Mr John Mc Donnell | UP | 24/04/2020 |
|----------------------|-----------------------------------------------------------------------------------------------------------|----|------------|

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|-------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|----|------------|
| CHE/20/00258/TPO Walton | Felling of one dangerous Robinia tree at the former car park of Walton Hospital. At Grounds Walton Hospital Whitecotes Lane Walton Derbyshire | CP | 22/04/2020 |
|-------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|----|------------|

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|------------------|---------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|------------|
| CHE/20/00259/TPO | Loundsley Green | T2 oak cut back lower limb back to main stem. T3 oak cut branch back to main stem deadwood both trees. At Street Record Cheedale Avenue Loundsley Green Chesterfield Derbyshire For Starfish Commercial | CP | 27/04/2020 |
| CHE/18/00373/ADV | Holmebrook | Installation of 3 fascia signs At 39 Chatsworth Road Chesterfield S40 2AH For Cardtronics UK Ltd, Trading As Cashzone | REF | 13/05/2020 |
| CHE/19/00661/FUL | Middlecroft And Poolsbrook | Change of use from retail shop across 2 floors to retail shop (Use Class A1) and hot food takeaway (Use Class A5) at ground floor, creation of 2 self contained flats at first floor, alterations to entrance door to front and installation of cooking extraction flue and 2 external escape stairs to rear. Information received 31.01.2020 and 10.03.2020 At 30 High Street Staveley Derbyshire S43 3UX For Mr and Mrs Hardie | CP | 15/05/2020 |
| 2570 | | | | |
| CHE/19/00663/FUL | Barrow Hill And New Whittington | Two storey side and rear extension (amended drawings received 25.11.2019, revised drawings received 03.02.2020 and revised drawings showing porch received 25.02.2020) At 56 Dale Bank Crescent New Whittington Chesterfield S43 2DN For Mr Richard Bradwell | CP | 07/05/2020 |
| 202 | | | | |
| CHE/20/00028/RET | Barrow Hill And New Whittington | Two storey rear extension At 31 Brearley Street Old Whittington Derbyshire | CP | 07/05/2020 |
| 6561 6561 | | | | |

S41 9LN

For Mr M Cotton

| | | | | |
|------------------|---------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|------------|
| CHE/20/00051/FUL | Dunston | New fence to boundary - max 2.5 m high. | CP | 04/05/2020 |
| 2101 | | At 107 Coniston Road Newbold Derbyshire S41 8JE For Mr Christopher Humphreys | | |
| CHE/20/00071/FUL | Barrow Hill And New Whittington | Conversion of existing 4 bed house into two new 2 bedroom semi's at 66 South Street North, New Whittington, Chesterfield S43 2AB. - Additional drawing received 14th April 2020 | CP | 05/05/2020 |
| | | At 66 South Street North New Whittington Derbyshire S43 2AB For Mr Ash Rawson | | |
| CHE/20/00079/FUL | Moor | Construction of new parts hub building and separate valet/photo building and provision of new compound to the south of the motorstore site with wash building | CP | 18/05/2020 |
| 1062 | | At Arnold Clark Motorstore Meltham Lane Chesterfield S41 7LG For Arnold Clark Automobiles | | |
| CHE/20/00092/FUL | Linacre | Two storey side extension and single storey rear extension | CP | 28/04/2020 |
| 5630 | | At 19 Weston Close Holme Hall Chesterfield S40 4UN For Mrs Emily Redmond | | |

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|------------------|----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|------------|
| CHE/20/00096/TPO | West | TREE PRESERVATION ORDER: TPO Old Road 4901.172 (T41) | REF | 06/05/2020 |
| TREE | | T3 Oak of MWA Arboricultural Report | | |
| | | Works - Reduce height by 3m and crown radius by 2.0m. Prune on a biennial cycle to maintain at broadly reduced dimensions. | | |
| Reason: The | | above tree is considered to be responsible for root induced clay shrinkage subsidence damage to 402 Old Road, Chesterfield, S40 3QF Please see attached statement of reasons for works. At 402 Old Road Chesterfield S40 3QF For Mr Upfold | | |
| CHE/20/00106/COU | Middlecroft And Poolsbrook 2444 | Change of use of ground floor to A3 (restaurant/cafe) At 41A High Street Staveley Derbyshire S43 3UU For Mr Brian Hutton | CP | 04/05/2020 |
| CHE/20/00108/FUL | West | Removal of redundant chimney stack and installation of a dormer type extension for en suite bathroom. Revised drawings received 14.04.2020. At 5 Miriam Avenue Somersall S40 3NF For Mr and Mrs Roger Buckley | CP | 29/04/2020 |
| CHE/20/00111/ADV | Brockwell | Erection of an illuminated pharmacy cross sign At Ashgate Manor, Pharmacy At Ashgate Road Chesterfield S40 4AA For PCT Healthcare Limited | CP | 15/05/2020 |

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|-------------------------------------|------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|------------|
| CHE/20/00116/FUL | Walton | Single storey extension to front (north) elevation At 48 Foxbrook Drive Walton S40 3JR For Mr A Dalton | CP | 28/04/2020 |
| 5586 | | | | |
| CHE/20/00142/FUL | Walton | Two storey side extension to gable end of house for kitchen/utility and first floor bedroom/en-suite. At 2 Sandiway Walton S40 3HG For Mr Martin Decent | CP | 28/04/2020 |
| CHE/20/00149/FUL | Hollingwood And Inkersall | Demolition of existing conservatory and erection of a ground floor extension to front, side and rear with raised rear patio area. At 3 Sycamore Lane Hollingwood Derbyshire S43 2LD For Mr Peter Marples | CP | 07/05/2020 |
| 1073 | | | | |
| CHE/20/00152/FUL | West | Single storey front extension and two storey side extension. At 19 Westfield Close Chesterfield S40 3RS For Mr and Mrs S Randell | CP | 28/04/2020 |
| CHE/20/00168/FUL | Walton | Erection of a 2.2m double skin boundary wall to the above property. (revised on 11/05/20 to 1.8m in height via email) At 2 Woodbridge Rise Walton Derbyshire S40 3LL For Mr Peter Bissett | CP | 14/05/2020 |
| CHE/20/00169/REM1 (opening hours | CP | Holmebrook 04/05/2020 of D1 use to be increased to 7:00 - 22:30 Monday to Friday and 7:00 - 22:30 Saturday and Sunday) of CHE/19/00634/FUL - Change of use and elevational alterations of part of | Variation of condition 4 | |

premises from Class A1 to Class D1
use for Salvation Army Church. At

866
Lidl
Foljambe Road
Chesterfield
S40 1NJ
For Salvation Army Trading Company Limited

| | | | |
|-------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|------------|
| CHE/20/00179/DOC Old Whittington | Discharge of planning conditions 3 (materials), 4 (windows and doors), 8 (hard and soft landscaping), 9 (site storage), 15 (drainage) and 17 (tree protection) of CHE/18/00121/FUL - Erection of new cottage, garage/carport and tree works. At | DPC | 30/04/2020 |
|-------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|------------|

381
Land North Of 87 High Street and West Of 3
Ashleigh Close
Old Whittington
Derbyshire

For Mr Robert Smith

| | | | |
|-----------------------------|------------------------------------------------------------------------------------------|----|------------|
| CHE/20/00181/FUL Holmebrook | (i) Formation of new openings (ii) Formation of new access ramp to serve fire escape. At | CP | 04/05/2020 |
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866
Lidl
Foljambe Road
Chesterfield
Derbyshire
S40 1NJ

For Salvation Army Trading Company Ltd

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|-----------------------------|---------------------------------------------------------------------------|----|------------|
| CHE/20/00182/ADV Holmebrook | 6 illuminated fascia signs and 2 illuminated freestanding totem signs. At | CP | 04/05/2020 |
|-----------------------------|---------------------------------------------------------------------------|----|------------|

866
Lidl
Foljambe Road
Chesterfield
S40 1NJ

For Salvation Army Trading Company Ltd

| | | | |
|----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|------------|
| CHE/20/00185/RET St Helens | Retrospective application for the installation of an ATM installed through a secure panel to the far right hand side of the shop front (revised drawing 23/04/20). At | CP | 07/05/2020 |
|----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|------------|

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|------------------|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|------------|
| 2566 | | 2 Wharf Lane Chesterfield S41 7NE For Notemachine UK Ltd | | |
| CHE/20/00186/ADV | St Helens | Retrospective consent for retention of internally illuminated ATM fascia and internally illuminated cash signage above the ATM. At 2 Wharf Lane Chesterfield S41 7NE For Notemachine UK Ltd | CP | 07/05/2020 |
| 2566 | | | | |
| CHE/20/00191/DOC | Moor | Discharge of conditions 2 (Dimension to elevational treatments) 3 (Health and safety plan) 4 (External Lighting) 5 (Desktop study) 6 (Contractors management plan) 7 and 8 and 9 (School Travel plan), 10 and 11 (drainage) 12 (tree survey) of CHE/19/00105/FUL - Proposed new nursery building. Revised drawing 28.04.2020. At Newbold C of E School Cranborne Road Newbold S41 8PF For Newbold C of E Primary School, | DPC | 06/05/2020 |
| 1644 | | | | |
| CHE/20/00199/FUL | Brimington South | Front and rear single storey extensions At 210 Lockoford Lane Tapton S41 0TQ For Mr Paul Precious | CP | 12/05/2020 |
| CHE/20/00209/DOC | Brockwell | Discharge of conditions 10 (Footpath connection) and 14 (Site Remediation) of CHE/19/00385/FUL - Erection of 72 bed carehome with associated private amenity space and parking facilities, including change of use from "sui generis" car park. At Goldwell Rooms Car Park Ashgate Road Chesterfield Derbyshire For Ashgate Road Developmnents Ltd | DPC | 04/05/2020 |

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|------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|------------|
| CHE/20/00216/DOC St Leonards | Discharge of planning conditions 4 (drainage), 6 (construction management plan) 7 (access points) 10 (biodiversity enhancement strategy) 12 (materials) and 14 (Employment and Training Scheme) of CHE/18/00672/FUL - 32 office enterprise centre including hard and soft landscaping works and alterations to the remaining car park layout. At | DPC | 14/05/2020 |
| 1645 | Holywell Cross Car Park Holywell Street Chesterfield For Robert Woodhead Ltd | | |
| CHE/20/00221/NMA Lowgates And Woodthorpe | Non material amendment to CHE/13/00675/OUT (Re-development of land for employment uses) to allow amendments to conditions to enable the development of the site in a progressive manner. At | CPNMAZ | 18/05/2020 |
| | Land Accessed From Farndale Road Staveley Derbyshire For Tawnywood Ltd | | |
| CHE/20/00235/DOC Moor | Discharge of condition no's 5 (site investigation), 6 (desk top study), 7 (construction management plan), 12 (tree protection). and 16 (materials) in respect of planning application number CHE19/00593/FUL-Erection of 4 No semi-detached 2/3 bedroomed dwellings with associated car parking and external works served from widened access drive. At Land To The Side and Rear Of 102 Highfield Lane Newbold Derbyshire | DPC | 14/05/2020 |
| | For JJK Project Services | | |
| CHE/20/00256/DOC St Helens | Discharge of conditons 5 (materials) and 26 (hard and soft landscaping) of CHE/17/00237/OUT - See covering letter and drawing 180-23-B. At Development Site At Former Commerce Centre Canal Wharf Chesterfield S41 7NA | DPC | 12/05/2020 |
| 2165 | | | |
| | For Woods and Sons Developmemnts Ltd | | |

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|----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| CHE/20/00261/DOC Dunston | Discharge of condition 25 (materials) of DPC CHE/15/00116/OUT - Outline planning application for the development of up to 146 residential dwellings with approval of access from Dunston Road. At | 13/05/2020 |
| 208 1926 | Land Off Dunston Road Chesterfield Derbyshire S41 9RL For Strata | |
| CHE/20/00268/NMA St Helens | Non material amendment to UP CHE/18/00626/REM1 (Outline planning application with all matters reserved except for means of access proposing the demolition of existing buildings and erection of a comprehensive mixed use regeneration scheme comprising residential (use class C3); retail (use class A1); financial/professional services (use class A2); restaurants, drinking establishments and hot food establishments (use classes A3, A4 and A5); offices (use class B1); doctors surgery and creche (use class D1); two hotels (use class C1); health and fitness (use class D2); nursing home (use class C2); ancillary creative uses including a possible arts centre, a new canal link, new open spaces including linear and eco parks, new public realm and car parking arrangements including two multi storey car parks at Chesterfield Waterside, A61 Corridor))to vary condition 31 (highway improvements). At Land At East Of A61Known As Chesterfield Waterside Brimington Road Tapton Derbyshire For Chesterfield Waterside Ltd | 12/05/2020 |

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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 | 1 June 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/20/00174/TPO TPO 4901.265 16/04/20 | The felling of one Damson tree and the pruning of 14 trees within W1 on the order map for Mr David Turner of 14b Spital Lane, Spital. The Damson tree is part of a large group of trees and is leaning towards the property and is insignificant within the group. The trees are located on a steep banking and some require re-pollarding to retain public safety and other require normal maintenance works to retain their size and shape in the garden setting. | Consent is granted to the felling of one Damson tree. The duty to replant has been dispensed with on this occasion due to other trees in the garden and no lose of Amenity. Consent is also granted to re-pollard 3 Sycamore trees and crown lift and crown thin the remaining 11 trees. |
| CHE/20/00258/TPOEXP TPO 4901.132 20/04/20 | The felling of one Robinia tree which is split down the main stem and located next to the public footpath reference T30 on the Order map for The Environmental Partnership at the former car park of Walton Hospital, Whitecotes Lane. | Consent is granted to the felling of the tree with a condition to replant with another Robinia this planting season October 2020 in the same location that is reasonably possible. |
| CHE/20/00259/TPO TPO 4901.32 | The pruning of two Oak trees reference T3 & T4 on the Order map for Dronfield Tree Services on behalf of Starfish | Consent is granted to crown clean two Oak trees by removing dead wood, damaged branches and stubs left from poor pruning |

| | | |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|
| 27/04/20 | Group at the former Brockwell Court development site off Cheedale Avenue. The trees were pruned in contravention of a Tree Preservation Order and the works are to rectify the poor pruning cuts left on the trees. | works pruning back to suitable replacement branches or the main stem. |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|

APPEALS REPORT

MEETING: PLANNING COMMITTEE

DATE: 1 JUNE 2020

REPORT BY: DEVELOPMENT MANAGEMENT AND
CONSERVATION MANAGER

FOR PUBLICATION

BACKGROUND PAPERS FOR PUBLIC REPORTS

TITLE

LOCATION

Non exempt papers on files
referred to in report

Development Management
Section
Planning Service
Town Hall
Chesterfield

1.0 PURPOSE OF REPORT

- 1.1 To inform Members regarding the current status of
appeals being dealt with by the Council.

PAUL STANIFORTH
DEVELOPMENT MANAGEMENT AND CONSERVATION
MANAGER

These are reported to Planning Committee for information only.
Anyone requiring further information on any of the matters
contained in this report should contact Paul Staniforth on 01246
345781.

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APPEALS

| <u>FILE NO.</u> | <u>WARD</u> | <u>APPELLANT</u> | <u>CASE</u> | <u>MEMBER OFFICER</u> | <u>DATE REC</u> | <u>TYPE AND DATE</u> | <u>DECISION AND DATE</u> |
|-----------------|------------------------------|--------------------------------|------------------------------------------------------------------------------------------------|-------------------------------------------|-----------------|----------------------|--------------------------|
| 2/208 | Old Whittington ward | Nikki Cooper | CHE/19/00389/COU – Change of Use from B8 warehouse to D2 gym at unit 18 Broombank Park Refusal | Officer delegation | 28/01/20 | Written Reps (HAS) | |
| 2/5549 | Hasland ward | Rock Paper Scissors | CHE/19/00744/FUL – Extension to rear 10 The Green. Refusal | Officer Delegation | 10/02/20 | Written Reps (CAS) | |
| 2/4071 | Moor ward | Mr D Revitt | Unauthorised building to rear of 10 Pottery Lane West. Enforcement Notice (Grounds b) and c) | Planning Committee | 25/2/20 | Written Reps | |
| 2/4077 | Hollingwood & Inkersall ward | Katie Buxton | 4 Ringwood Meadows Tree Replacement Notice | Officer Delegation | 2/3/20 | Written Reps | |
| 2/1272 | St Leonards ward | McDonalds | CHE/19/00199/FUL – new restaurant on land at West Bars roundabout Refusal | Planning Committee against officer advice | 20/3/20 | Written Reps | |
| 2/5337 | Woodthorpe & Lowgates ward | Chatsworth Settlement Trustees | CHE/17/00469/OUT | Planning Committee against officer advice | 14/4/20 | Public Inquiry | |

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FOR PUBLICATION Agenda Item 9

ENFORCEMENT REPORT

MEETING: PLANNING COMMITTEE

DATE: 1ST JUNE 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

Enforcements currently Authorised: 5

ENFORCEMENT REPORT

21 May 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 | | | Total currently Authorised: 1 Authorised to Issue Average: days | | | | | | | |
| York Street | 2 | 23/09/19 241 | balcony, canopy and french door | 17/00800/FUL | | | | Instructed. About to be issued. | <input type="checkbox"/> 03/12/19 | Ha |
| Enforcement Notice | | | Total currently Authorised: 4 Authorised to Issue Average: 281 days | | | | | | | |
| Markham Road | Markham House | 18/02/08 4,476 | storage of commercial vehicles | | 20/03/08 31 | 18/04/08 4416 | 20/10/08 4231 | Complied by 2009. Unauthorised use has started again. Prosecute - awaiting instructions. | <input type="checkbox"/> 14/11/19 | HI |
| Pottery Lane West | 10 | 06/01/20 136 | two unauthorised metal structures. | | 06/02/20 31 | | | Initially action against one structure approved 12/11/19, then second structure installed and further report on both structures approved 06/01/20. Issued. Appeal. | <input checked="" type="checkbox"/> 04/03/20 | Mo |

| 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 |
|------------------|----|--------------------------------|----------------------------------------|--------------|--------------------------------|---------------------------------------|------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|------|
| Tapton View Road | 47 | 24/04/17 <i>1,123</i> | unauthorised extension | 16/00648 | 14/06/19 <i>781</i> | 22/07/19 <i>304</i> | 22/01/20 <i>120</i> | Application dismissed on appeal. Application for changes to extension CHE/17/00827/FUL approved, but unauthorised extension not removed. Issued, requiring demolition of unauthorised part. Not complied, but builder now contracted. CV-19. | <input type="checkbox"/> 26/02/20 | SH |
| York Street | 2 | 09/10/17 <i>955</i> | 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 type="checkbox"/> 19/12/18 | Ha |

| Address | Authorised days from | Breach | CHE/ | Issued days to issue | Effective days to (-) /from | Comply days to (-) /from | Notes | update last update | Ward |
|---------|-------------------------|--------|------|-------------------------|--------------------------------|-----------------------------|-------|-----------------------|------|
|---------|-------------------------|--------|------|-------------------------|--------------------------------|-----------------------------|-------|-----------------------|------|

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

SJP - single justice procedure: prosecutions dealt with by the Magistrates Court on paper without a hearing in open court
CV-19 - coronavirus implications for enforcement or compliance