

PLANNING COMMITTEE

Monday, 19th April, 2021

Present:-

Councillor Callan (Chair)

Councillors	D Collins	Councillors	Miles
	Barr		Simmons
	Bingham		Marriott
	Catt		Borrell
	Caulfield		G Falconer
	Davenport		Mann
	T Gilby		

*Matters dealt with under the Delegation Scheme

63 APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Brady.

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

Councillors Caulfield, Marriott and Simmons declared interests in agenda item 4 (CHE/21/00114/COU - Change of use from public house (sui generis use) to retail shop/supermarket now (use class EA) at Devonshire Hotel, 17 Occupation Road, Newbold, Chesterfield) having previously made comments or formal representations on the application.

Councillor Mann declared an interest in agenda item 6 (CHE/20/00432/FUL - construction of a solar photovoltaic farm with battery storage and other associated infrastructure, including inverters, security cameras, fencing, access tracks and landscaping on land adjacent to Inkersall Road, Staveley, Chesterfield for Inkersall Solar Farm Ltd) due to his position as leader of Staveley Town Council.

65 MINUTES OF PLANNING COMMITTEE

RESOLVED -

That the Minutes of the meeting of the Planning Committee held on 29th March, 2021 be signed by the Chair as a true record.

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

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

CHE/20/00432/FUL - CONSTRUCTION OF A SOLAR PHOTOVOLTAIC FARM WITH BATTERY STORAGE AND OTHER ASSOCIATED INFRASTRUCTURE, INCLUDING INVERTERS, SECURITY CAMERAS, FENCING, ACCESS TRACKS AND LANDSCAPING ON LAND ADJACENT TO INKERSALL ROAD, STAVELEY, CHESTERFIELD FOR INKERSALL SOLAR FARM LTD.

Councillor Mann had declared an interest in the following item and left the meeting at this point.

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

In accordance with Minute No. 299 (2001/2002) James Hartley-Bond (applicant) addressed the meeting.

1. The planning permission is granted for a period of 40 years from the commencement of the solar farm development. Not less than 12 months from the expiry of the 40 years or on cessation of electricity generation on site (whichever is sooner) details of the removal of the array and associated equipment; the restoration of the land to agricultural use; and the phasing of works shall be submitted to the Local Planning Authority for consideration / approval. Not less than 6 months from the expiry of the 40 years or on cessation of electricity on site (whichever is sooner) all development hereby permitted shall be removed and the land restored to agricultural land in accordance with the approved scheme.

2. Prior to the commencement of the development hereby approved, full details of the final locations, design and materials to be used for the site infrastructure, such as; the panel arrays, battery cabins, inverters, control room, substations, power conversion system, HVAC unit, cabins, containers, CCTV cameras and fencing shall be submitted to and

approved in writing by the local planning authority. Subsequently the development shall be carried out in accordance with the approved details and be retained as such for the life of the development.

3. No development shall take place on site (including site preparation works) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. 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.

4. 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 should combine both the ecology and landscape disciplines and include the following:

- a) Description and evaluation of features to be managed, including full details of habitats to be restored and created upon completion of works.

- 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 five-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 roosting features, nesting features and habitat piles (include specifications/installation guidance/numbers)

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 shall be implemented in accordance with the approved details.

5. Within 3 months of commencement of the development, full details of a soft landscaping scheme for the site 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, which are agreed in writing by the local planning authority shall be carried out in accordance with the implementation programme.

6. 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.

7. The development shall be carried out in accordance with the submitted Flood Risk Assessment and Drainage Strategy v2.1 and the Technical Memo dated 10/2/21 by Kata Consulting Ltd and the mitigation measures they detail.

8. No development shall take place (including site preparation works) until full details, cross sections and calculations of the filter trenches and ditches and their outfalls to local watercourses have been submitted to and approved in writing by the local planning authority. The approved details shall be implemented in full in accordance with the approved details and shall be maintained as such for the life of the development.

9. A verification report carried out by a qualified drainage engineer shall be submitted to and approved by the Local Planning Authority prior to the site being brought into use. This shall demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management arrangements for surface water attenuation devices/areas, flow restriction devices and outfalls.

10. Development shall not take place on the eastern parcel of the site until a Written Scheme of Investigation for archaeological work has been submitted to and approved by the local planning authority in writing. The scheme shall include:

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. No development shall take place other than in accordance with the agreed archaeological Written Scheme of Investigation.

11. No development shall take place until a Construction Method Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- a. the parking of vehicles of site operatives and visitors;
- b. transportation of materials to the site;
- c. loading and unloading of plant and materials;
- d. storage of plant and materials used in constructing the development;
- e. the erection and maintenance of security fencing including and decorative displays and facilities for public viewing, where appropriate;
- f. any wheel washing facilities required;
- g. measures to control the emission of dust and dirt during construction and
- h. a scheme for recycling/disposing of any waste resulting from demolition and construction works.

12. The development shall be carried out in accordance with the plan(s) accompanying the application as modified by the revised plans deposited by e mail on 24th March 2021 (LCS007-PLE-01 Rev 08 Indicative Site Layout Plan External; LCS007-DZ-01 Rev 04 Development Zoning Plan and D34.19-06-Rev I Landscape and Biodiversity Scheme).

Councillor Mann returned to the meeting.

CHE/20/00420/FUL - RECONSTRUCTION OF THE CHESTERFIELD CANAL BETWEEN ECKINGTON ROAD AND HAGUE LANE INCLUDING LIFTING LEVEL OF EXISTING EARTH EMBANKMENT, INSTALLATION OF AQUEDUCT OVER RIVER DOE LEA CONSTRUCTION OF TWO VEHICULAR ACCESS BRIDGES, TWO PEDESTRIAN /CYCLE BRIDGES, A NEW LOCK AND ASSOCIATED INFRASTRUCTURE AT ECKINGTON ROAD TO HAGUE LANE, STAVELEY, CHESTERFIELD FOR CHESTERFIELD CANAL TRUST LTD.

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

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby approved shall only be carried out in full accordance with the approved plans (listed below) with the exception of any approved non-material amendment. All external dimensions and elevational treatments shall be as shown on the approved plan/s (listed below).
 - 9213-42-DCC-PL-100-B Site Location Plan
 - 9213-42-DCC-PL-101-1-A General Arrangement
 - 9213-42-DCC-PL-101-2 General Arrangement
 - 9213-42-DCC-PL-101-3 General Arrangement
 - 9213-42-DCC-PL-101-4 General Arrangement
 - 9213-42-DCC-PL-101-5-A General Arrangement
 - 9213-42-DCC-PL-102-1-A Field & Surface Water Drainage
 - 9213-42-DCC-PL-102-2 Field & Surface Water Drainage
 - 9213-42-DCC-PL-102-3 Field & Surface Water Drainage
 - 9213-42-DCC-PL-102-4 Field & Surface Water Drainage
 - 9213-42-DCC-PL-102-5-A Field & Surface Water Drainage
 - 9213-42-DCC-PL-103-1 Cross Sections
 - 9213-42-DCC-PL-103-2 Cross Sections
 - 9213-42-DCC-PL-103-3 Cross Sections
 - 9213-42-DCC-PL-103-4 Cross Sections
 - 9213-42-DCC-PL-103-5 Cross Sections
 - 9213-42-DCC-PL-104-1-A Footpath, Bridleway and Trail Networks
 - 9213-42-DCC-PL-104-2 Footpath, Bridleway and Trail Networks
 - 9213-42-DCC-PL-104-3 Footpath, Bridleway and Trail Networks
 - 9213-42-DCC-PL-104-4 Footpath, Bridleway and Trail Networks

- 9213-42-DCC-PL-104-5-A Footpath, Bridleway and Trail Networks
- 9213-42-DCC-PL-200-1-B Mineral Rail Bridge (13b) and new canal lock (5b and 5c) General Arrangement
- 9213-42-DCC-PL-201-1 Trans-Pennine Trail Bridge 13c
- 9213-42-DCC-PL-202-1 Bellhouse Bridge 14
- 9213-42-DCC-PL-203-1 Doe Lea Aqueduct Bridge 14a
- 9213-42-DCC-PL-204-1 Packsaddle Bridge 15
- 9213-42-DCC-PL-205-1 Red Bridge 16

3. Development shall not commence in those areas identified as being at risk of instability until intrusive site investigations have been carried out 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.

4. Where the findings of the intrusive site investigations (required by condition 3 above) identify that coal mining legacy on the site poses a risk to surface stability, development shall not 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.

5. Development shall not commence on any particular phase or area of the site until a site investigation/phase 2 report for that phase or area of the site has 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.

The site investigation/Phase 2 report shall document the ground conditions of the site and establish the full extent, depth and cross-section, nature and composition of any contamination. Chemical analysis, identified as being appropriate by the phase 1 desktop study, shall be carried out in accordance with current guidance using UKAS accredited methods and all technical data shall be submitted to the Local Planning Authority.

A detailed scheme of remedial works shall be submitted if the investigation reveals the presence of contamination and the scheme shall include a Remediation Method Statement and Risk Assessment Strategy to avoid any risk arising when the site is developed.

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.

The restored canal hereby approved shall not be brought into use until a written Validation Report confirming that all remedial works have been completed and validated in accordance with the agreed Remediation Method Statement has been submitted to and approved in writing by the Local Planning Authority.

6. No development shall take place on any particular phase or area of the site (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority for that particular phase or area of the site. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of “biodiversity protection zones”, to include all designated sites (pLWS, LWS, LNR).
- 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.

7. 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 on any particular phase or area of the site. The LEMP should combine both the ecology and landscape disciplines and include the following:

- a) Description and evaluation of features to be managed, including full details of habitats to be restored and created upon completion of works.
- 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 five-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 roosting features, nesting features and habitat piles (include specifications/installation guidance/numbers).

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 shall be implemented in accordance with the approved details.

8. Within 3 months of commencement of the development on any particular phase or area of the site, details of a soft landscaping scheme for that phase or part of the site 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, which are agreed in writing by the local planning authority shall be carried out in accordance with the implementation programme.

9. 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.

10. Within 3 months of commencement of the development on any particular phase or area of the site, details of a hard landscaping scheme for that phase or part of the site shall be submitted to the Local Planning Authority for consideration. Hard landscaping includes proposed finished land levels or contours, means of enclosure and minor structures such as furniture, refuse or other storage units, signs and lighting. The details agreed in writing by the local planning authority shall be carried out as approved as part of the approved development.

11. The development shall be carried out in accordance with the submitted Flood Risk Assessment (ref February 2020 / CKJ -JBAU-XX-00-RP-HM-0001-S1-P02-Chesterfield_Canal_FRA / JBA Consulting) and the following mitigation measures it details.

The Aqueduct soffit levels shall be set at a minimum of 53.85m AOD and such mitigation measures shall be fully implemented prior to an operational use of the canal within the application site and which shall

subsequently be retained and maintained thereafter for the life of the development.

12. The development hereby permitted shall not be commenced until such time as a scheme to ensure a detailed design for the compensatory flood storage has been submitted to, and approved in writing by, the local planning authority. The agreed scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

13. No construction works in the relevant area(s) of the site shall commence until measures to protect the public sewerage infrastructure that is laid within the site boundary have been implemented in full accordance with details that have been submitted to and approved by the Local Planning Authority. The details shall include but not be exclusive to the means of ensuring that access to the sewers and associated Waste Water Treatment Works for the purposes of repair and maintenance by the statutory undertaker shall be retained at all times. If the required stand - off or protection measures are to be achieved via diversion or closure of any 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.

14. Within 3 months of commencement of the development a management and maintenance plan of the Canal within the application site shall be submitted to the Local Planning authority for consideration. The details agreed in writing by the local planning authority shall be implemented as approved as part of the approved development.

15. A verification report carried out by a qualified drainage engineer shall be submitted to and approved by the Local Planning Authority prior to the restored canal being brought into use. This shall demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

16 Development shall not take place on any particular phase or area of the site until a Written Scheme of Investigation for archaeological work

has been submitted to and approved by the local planning authority in writing. The scheme shall include:

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.

No development shall take place other than in accordance with the agreed archaeological Written Scheme of Investigation.

17. Prior to the installation of any new bridge in the scheme, full details and specifications shall be submitted to the Local Planning Authority for consideration. These details shall include materials of construction, including any salvaged materials. Only those details, or any amendments to those details as may be required, which receive the written approval of the Local Planning Authority shall be constructed on site and retained thereafter unless otherwise approved in writing by the Local Planning Authority.

18. Details of the new TPT bridge (13c) required under condition 16 above shall include the specification to conform with British Horse Society guidelines.

19. No development shall take place on any particular phase or area of the site until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period on any particular phase or area of the site. The Statement shall provide for:

- a. the parking of vehicles of site operatives and visitors;
- b. transportation of materials to the site;
- c. loading and unloading of plant and materials;
- d. storage of plant and materials used in constructing the development;
- e. the erection and maintenance of security fencing including and decorative displays and facilities for public viewing, where appropriate;
- f. any wheel washing facilities required;
- g. measures to control the emission of dust and dirt during construction and
- h. a scheme for recycling/disposing of any waste resulting from demolition and construction works.

CHE/21/00079/OUT - PROPOSAL: ERECTION OF A SINGLE DWELLING WITH ACCESS OFF ERRINGTON ROAD ON LAND TO THE REAR OF 92 FOLJAMBE AVENUE, WALTON, CHESTERFIELD

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

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

1. Insufficient information has been provided to properly assess any potential risk posed by unrecorded coal mining legacy at the development site and therefore the proposed development does not accord with the requirements of the paragraph 178 of the National Planning Policy Framework and the provisions of policy CLP14 of the Chesterfield Borough Local Plan 2018-2035.
2. The erection of a two storey dwelling on the application site would significantly erode this established pattern of development in the area on Foljambe Avenue. The limited size and shape of the application site, in combination with half of the site frontage overlapping the front boundary

of no. 29 Errington Road, would render the proposal a cramped and incongruous form of development to the detriment of the character and appearance of the area. Accordingly, this application is considered to conflict with the design objectives of Policy CLP20 of the Chesterfield Borough Local Plan and the advice contained within the Council's SPD 'Successful Places' (2013) and the NPPF, in particular Chapter 12.

3. The siting of a proposed dwelling close to the eastern boundary with Errington Road would lead to an unacceptable impact on the residential amenity of no. 29 Errington Road through loss of sunlight and a massing effect. In addition, a two storey dwelling on the narrow site would result in a significant massing and overshadowing effect on the rear garden of no. 90 Foljambe Avenue and a loss of privacy to adjoining properties no's 90, 92 and 94 Foljambe Avenue through the first floor window arrangement. Accordingly, the proposal is contrary to the requirements of Policies CLP14 and CLP20 of the Core Strategy (2013) and the advice contained within the Council's 'Successful Places' SPD (2013) and the National Planning Policy Framework (2019).

4. The approach to the site from Errington Road would be at an unconventional angle across the footpath that surrounds the cul-de-sac and close to the end of a footpath that links Errington Road with Foljambe Avenue. The Local Planning Authority considers that this results in unacceptable risks to pedestrian safety which is exacerbated as the site is too constrained to provide space within the site to exit in a forward gear. As there is no turning facility provided at the end of Errington Road a vehicle leaving the property will have to complete an excessively long reversing manoeuvre into either Gilbert Avenue or the site. This is considered inappropriate bearing in mind the relatively high level of pedestrian activity in the vicinity owing to the location of a public footpath between nos. 92 and 94 Foljambe Avenue. Accordingly, the proposal is considered contrary to the requirements of Policy CLP20 of the Chesterfield Borough Local Plan to the detriment of pedestrian and highway safety.

CHE/20/00658/OUT - PROPOSAL: OUTLINE APPLICATION FOR A SINGLE STOREY BUNGALOW TO INCLUDE RESERVED MATTERS FOR ACCESS. (DESCRIPTION AND DRAWINGS AMENDED 03/03/21) ON LAND AT 3 AND 5 CORDWELL AVENUE, NEWBOLD, CHESTERFIELD

That the officer recommendation be upheld and 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.

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.

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.

Land Stability/Coal Mining Legacy

4. Prior to the submission of the reserved matters intrusive site investigations shall be carried out on site to establish the risks posed to the development by past coal mining activity (shallow coal working/mine entry/opencast workings);

5. The reserved matters application shall include:

- The submission of a report of findings arising from the intrusive site investigations;
- The submission of a layout plan which identifies the location of the mine entry, if found present within the site, together with the calculated zones of influence of the mine entry to define a suitable 'no-build' exclusion zone;
- The submission of a scheme of remedial works / mitigation measures for the shallow coal workings and mine entry if found present within the site for approval.

6. Prior to the commencement of development the scheme of remedial works/mitigation measures outlined in condition 5 shall be undertaken in full.

Land contamination

7. 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. 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. Part d. shall be submitted to the Council and approved in writing by the Local Planning Authority prior to the occupation of the development.

8. If any part of the site is to be raised or filled using materials brought from outside the application site, the developer must provide documentary evidence that all such materials are free from levels of contamination that would be in excess of appropriate standards. In the event that no such evidence is available, the materials must be subjected to adequate chemical testing to demonstrate that the materials are suitable for their intended final use. All documentary evidence and/or sampling

methodology and testing results shall be submitted to and agreed in writing by the Local Planning Authority prior to any material being brought onto site. No such materials shall be imported without prior approval.

Hours of construction

9. 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.

Highways – details of site storage/compound

10. Prior to the commencement of operations on site (excluding demolition/site clearance), space shall be provided within the site curtilage for storage of plant and materials, site accommodation, loading and unloading of goods vehicles, parking and manoeuvring of site operatives and visitors vehicles and maintained throughout the contract period in accordance with the approved designs free from any impediment to its designated use.

Highways – submission of visibility splays

11. The reserved matters submission shall include detail showing the new vehicular access to Cordwell Avenue provided with 2.4m x 47m visibility splays in either direction, all as agreed in writing with the Local Planning Authority, the area in advance of the sightlines being maintained throughout the life of the development clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to adjoining nearside carriageway channel level.

Highways – no gates or barriers

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or in any Statutory Instrument revoking or re-enacting that Order with or without modification) there shall be no gates or other barriers on the existing or new access.

Highways – gradient of access

13. The reserved matters submission shall provide a drawing which demonstrates an access driveway to Cordwell Avenue that shall be no steeper than 1:20 for the first 5m from the nearside highway boundary and 1:12 thereafter. This drawing shall show the levels in comparison to the surrounding gardens and what materials are proposed. The proposed works for the light column to the front of the access shall also be included in these drawings.

Highways – parking provision provided prior to occupation

14. The reserved matters submission shall include parking provision for the existing dwelling (2 spaces). The premises, the subject of the application shall not be taken into use until space has been provided, laid out and constructed in accordance with the application drawings for the parking (and turning) of residents and visitors vehicles and thereafter maintained throughout the life of the development free from any impediment to its designated use

Electric charging provision

15. A residential charging point shall be provided for the proposed 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.

Biodiversity enhancement

16. 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 a detailed biodiversity net gain plan for the development (or any phase of that development) and the creation of suitable habitat which enhances the ecological interest of the site with a maintenance plan, in line with guidance within Paragraph 175d of the NPPF. This shall include a comparison to the existing baseline situation on site and potential removal of mature hedgerows and trees.

(This shall include the planting of native shrubs and trees such as rowan, bird cherry, birch, guelder rose, dogwood, hazel, goat willow, alder buckthorn or fruit trees such as apple and pear (all of these are beneficial for wildlife).

Drainage

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

Drainage

18. 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 maximum rate of 3.5 litres per second.

Drainage

19. The reserved matters submission shall provide a drawing should show the 'site surveyed position' of the public surface water sewer. The drawing should show the required stand-off distance of 3.5 (three point five) metres is required at each side of the sewer centre-lines - or agreed diversion route. A developer may, where it is reasonable to do so, require a sewerage undertaker to alter or remove a pipe where it is necessary to enable that person to carry out a proposed improvement of land. This provision is contained in section 185 of the Water Industry Act 1991 that also requires the developer to pay the full cost of carrying out the necessary works.

Drainage

20. No individual dwelling approved as part of the reserved matters of the development shall be occupied until the requirement for water

consumption (110 litres use per person per day) in Part G of the Building Regulations has been complied with for that dwelling.

Lighting

21. All lighting used on site shall be designed so as to control glare and overspill onto nearby residential properties.

CHE/21/00114/COU - PROPOSAL: CHANGE OF USE FROM PUBLIC HOUSE (SUI GENERIS USE) TO RETAIL SHOP/SUPERMARKET NOW (USE CLASS EA) AT DEVONSHIRE HOTEL, 17 OCCUPATION ROAD, NEWBOLD, CHESTERFIELD

Councillors Caulfield, Marriott and Simmons had declared interests in the following item and left the meeting at this point.

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

- A. 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby approved shall only be carried out in full accordance with the approved plans (listed below) with the exception of any approved non-material amendment.
 - Location Plan
 - Existing and Proposed Plans
3. 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 designated use throughout the construction period.
4. The permission hereby granted does not extend to the use of the courtyard area to the rear of the premises for customer parking provision or for delivery vehicles attending the property. Details of a signage scheme referring to the lack of on site parking facilities for customers and delivery vehicles shall be submitted to the local planning authority for

consideration. The signage scheme shall also refer to parking restrictions on the side access track. The scheme agreed in writing shall be implemented on site in advance of the first opening of the retail outlet and which shall be retained and maintained as such thereafter.

5. Details of parking for 3 bicycles on site shall be submitted to the local planning authority for consideration. The details agreed in writing shall be implemented on site prior to the opening of the business and shall thereafter be maintained throughout the life of the development free from any impediment to their designated use.

6. 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.

7. Within 2 months of the completion of the development hereby approved, the proposed biodiversity measures (2 bird boxes) shall be implemented on site. These measures shall be retained and maintained thereafter in accordance with the scheme so approved.

8. Notwithstanding the provisions of the Town and Country Planning (Uses Classes) Order 1987, and The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting these Orders with or without modifications) , the premises shall be used as a convenience store only and for no other purpose, including any other activity within the same class of the schedule to that Order.

B. That a CIL Liability notice be served for £12,395 as detailed in section 5.10 of the officer's report.

Councillors Caulfield, Marriott and Simmons returned to the meeting.

CHE/20/00356/FUL - RESIDENTIAL DEVELOPMENT OF 2 THREE BEDROOM DORMER BUNGALOWS. REVISED DRAWINGS RECEIVED 21.09.2020. REVISED DRAWINGS RECEIVED 22.01.2021 AT 62 BELLHOUSE LANE, STAVELEY S43 3UA FOR M D STAPLETON (DEVELOPMENTS) LTD

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

Standard time frame

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

Approved plans and documents

2. The development hereby approved shall only be carried out in full accordance with the approved plans and documents (listed below) with the exception of any approved no- material amendment. All external dimensions and elevational treatments shall be as shown on the approved plan/s (listed below).

- Site Location Plan, drawing number 19-20 1 (dated 01.06.2020)
- Site Plan as Proposed, drawing number 19-20 3 Revision B (dated 22.01.2021)
- Dwelling One Plans, Elevation & Section as Proposed, drawing number 19-20 4 Revision A (dated 22.01.2021)
- Dwelling Two Plans, Elevation & Section as Proposed, drawing number 19-20 5 Revision A (dated 22.01.2021)
- Design and Access Statement produced by A&D Architecture, dated 02.06.2020, reference 19-20
- Heritage Statement produced by Simon Johnson, dated March 2021, reference MCA 12-11-01/04
- Coal Mining Risk Assessment produced by Terry Lee Associates Structure Engineering Consultants, dated 15th August 2020, reference TLA/2815
- Preliminary Ecological Appraisal, produced by JJH Consulting, dated October 2020

Pre-commencement - intrusive site investigations

3. Development shall not commence until a scheme of intrusive site investigations which is adequate to properly assess the ground conditions

and the potential risks posed to the development by past shallow coal mining activity has been submitted to the Local Planning Authority for written approval. The submission shall include a report of findings arising from the intrusive site investigations and a scheme of proposed remedial works/mitigation measures required to ensure the stability of the site. Only those remedial works/mitigation measures which receive the written approval of the Local Planning Authority shall be implemented on site

Pre-commencement - remediation

4. Where the findings of the intrusive site investigations (required by condition 3 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.

Pre-commencement – archaeology

5. a) No development shall take place 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

- a. The programme and methodology of site investigation and recording
- b. The programme for post investigation assessment
- c. Provision to be made for analysis of the site investigation and recording
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
- e. Provision to be made for archive deposition of the analysis and records of the site investigation

- f. 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) The development shall not be occupied until the site investigation and post investigation assessment 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.

Pre-commencement – Land contamination

6. a) Prior to work commencing on site, the application site shall be subjected to a detailed scheme for the investigation and recording of contamination and a report has been submitted to and approved in writing by the Local Planning Authority;
- b) Prior to works commencing on site, detailed proposals in line with current best practice for the removal, containment or otherwise rendering harmless such contamination (the 'Contamination Proposals') shall be submitted to and approved in writing by the Local Planning Authority;
- c) For each part of the development, 'Contamination Proposals' relevant to that part shall be carried out either before or during such development as appropriate;
- d) If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the 'Contamination Proposals' then the revised 'Contamination Proposals' shall be submitted to and approved in writing by the Local Planning Authority;
- e) If during development work site contaminants are found in areas previously expected to be clean then their remediation shall be carried out in line with the agreed 'Contamination Proposals';

f) Prior to the commencement of any construction works in any area that has been subject to remediation, a verification report shall be submitted to and approved in writing by the Local Planning Authority.

Highways – Site Storage/Compound

7. At the commencement of operations on site (excluding demolition/ site clearance), space shall be provided within the site curtilage for storage of plant and materials, site accommodation, loading and unloading of goods vehicles, parking and manoeuvring of site operatives and visitors vehicles, laid out and constructed in accordance with detailed designs to be submitted in advance to the Local Planning Authority for written approval and maintained throughout the contract period in accordance with the approved designs free from any impediment to its designated use.

Hours of construction

8. No construction or demolition works, movement of construction traffic, or deliveries to and from the premises, shall occur other than between 0800 and 1800 hours weekdays, and 0800 and 1300 hours on Saturdays, and at no time on Sundays or Public Holidays. The term 'construction work' shall include mobile and fixed plant/machinery, (e.g. generators) radios and the delivery of construction materials.

Drainage - surface water

9. 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.

Drainage – separate foul and surface

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

Approval of Materials

11. Precise specifications or samples of all materials to be used in the construction of the external surfaces of the proposed development shall be submitted to and approved in writing by the Local Planning Authority before any work to any external surface is carried out. The development shall thereafter be constructed in accordance with the approved details.

Biodiversity

12. A scheme (including a programme of implementation and maintenance) to demonstrate a net measurable gain in biodiversity through the development, shall have been submitted to and approved in writing by the Local Planning Authority. The measures shall include the retention of existing boundary hedgerows and trees to the eastern boundary and for the retention where possible of existing shrubs/plants to the northern boundary and for the re-location of existing ornamental trees where possible.

The net measurable gain shall be implemented, retained and maintained thereafter in accordance with the scheme and programme so approved.

Landscaping

13. 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 including species and planting density. The plan shall include indications of all existing trees, hedgerows and other vegetation on the land to be retained and detail measures for the protection of retained vegetation during the course of development;

- b) proposed hardstanding surfacing materials and boundary treatments
- c) a schedule detailing sizes and numbers of all proposed trees/plants
- d) sufficient specification to ensure successful establishment and survival of new planting.

Retention of soft landscaping

14. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

Water efficiency

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

Parking provision

16. The premises, the subject of the application, shall not be occupied until space has been provided within the application site in accordance with the approved application drawings for the parking and manoeuvring of residents vehicles, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.

Electric charging

17. 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.

Pd rights removal for walls, gates and enclosures

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or in any Statutory Instrument revoking or re-enacting that Order with or without modification) no fences, gates, walls or other means of enclosure shall be erected within the curtilage of any dwelling without the prior written approval of the Local Planning Authority upon an application submitted to it.

Obscure glazing

19. a) Prior to the development hereby permitted being occupied/ brought into use the windows listed below shall be installed with obscure glazing and with no opening part being less than 1.7 metres above the floor level immediately below the centre of the opening part. The obscure glazing shall be obscured to a minimum of Pilkington - Privacy Level 3 or an equivalent product.

- Dwelling One first floor en-suite bathroom in the south elevation
- Dwelling Two first floor en-suite bathroom in the south elevation
- Dwelling Two first floor bedroom windows and landing window in the north elevation

b) Once installed the glazing shall be retained as such thereafter.
Reason - To safeguard the privacy and amenities of the occupiers of adjoining properties in accordance with CLP14 and CLP20 of the of the adopted Chesterfield Borough Local Plan

*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

21/00188/DEXFP	Two storey front, side extension and single storey rear extension at 8 Selby Close Walton Chesterfield S40 3HA
21/00194/DEXFP	Single storey rear extension at 133 Cordwell Avenue Newbold Chesterfield Derbyshire S41 8BN
20/06108/DEXFP	Single storey side extension at 22A Brookside Bar Chesterfield Derbyshire S40 3PJ
20/06145/DEXFP	Single storey rear sun lounge extension at 31 Redbrook Avenue Hasland Chesterfield Derbyshire S41 0RL
21/00219/DEXFP	Loft conversion at 25 Turner Drive Inkersall Chesterfield Derbyshire S43 3HD
20/05611/DEXFP	New internal openings on the ground and first floor to create one dwelling at 28 - 29 Reservoir Terrace Brockwell Chesterfield Derbyshire S40 4HA
21/00404/DEXPI	Replace conservatory roof with Guardian solid roof system at 27 Foxbrook Drive Walton Chesterfield Derbyshire S40 3JR
21/00477/DEXFP	Porch built to front of property at 83 Smithfield Avenue Hasland Chesterfield Derbyshire S41 0PS
20/06008/DEXFP	First floor extension at Headland House 10 Headland Close Brimington Chesterfield Derbyshire S43 1QU
20/06236/DEXFP	Garage conversion at 11 Horse Chestnut Close Chesterfield Derbyshire S40 2FL
21/00632/DEXFP	Single storey rear extension at 82 Highfield Road

	Newbold Chesterfield Derbyshire S41 7HB
20/06109/DEXFP	Side and rear extension at 106 Spital Lane Spital Chesterfield Derbyshire S41 0HN
21/00474/DEXFP	Internal wall removal and creation Of new toilet/cloakroom at 20 Netherfield Road Somersall Chesterfield Derbyshire S40 3LS
21/00028/DEXFP	Single storey extension at 6 Lancelot Close Walton Chesterfield Derbyshire S40 3ET
21/00791/DCC	Level access shower room and concrete ramp installation at 1 Cedar Street Hollingwood Chesterfield Derbyshire S43 2LR
21/00769/DEXFP	Single storey rear extension at 45 Miriam Avenue Somersall Chesterfield Derbyshire S40 3NF
20/06195/DCC	Lobby alteration of upvc panelling concrete and dowell to the existing floor slab, new entrance door, internal door widening and external metal modular ramping at 16 Tansley Way Inkersall Chesterfield Derbyshire S43 3DT
21/00568/DEXFP	Single Storey Living Room, Utility Room and WC Extension at 7 Orchards Way Walton Chesterfield Derbyshire S40 3DA
21/00535/DEXFP	Internal alterations to create new toilet and breakfast area at 16 Blackdown Avenue Loundsley Green Chesterfield Derbyshire S40 4QQ
21/00805/DEXFP	Removal of wall at ground floor, patio doors in existing opening and new door at 1A Oakfield Avenue Chesterfield Derbyshire S40 3LE
20/05384/DEXFP	Single storey kitchen extension at 180 Somersall Lane Somersall Chesterfield Derbyshire S40 3NA
21/00336/DEXFP	Single storey rear extension at 46 Amber Crescent Walton Chesterfield Derbyshire S40 3DH

21/00493/DEXFP	Internal alterations and new windows at 140 Newbridge Lane Old Whittington Chesterfield Derbyshire S41 9JA
21/00896/DEXFP	Single storey rear extension at 15 Windmill Way Brimington Chesterfield Derbyshire S43 1GR
21/00331/DEXFP	Single storey rear extension at 37 Danby Avenue Old Whittington Chesterfield Derbyshire S41 9NH
21/00836/OTHFP	Conversion of existing domestic integral garage into small hair salon at 7 Kirkdale Close Chesterfield Derbyshire S40 2UX
21/00772/DEXFP	Single storey side extension at 34 South Crescent Duckmanton Chesterfield Derbyshire S44 5EH
21/01117/DEXFP	Single storey rear extension at 30 Oadby Drive Hasland Chesterfield Derbyshire S41 0YF
21/00537/DEXFP	Loft conversion at 67 Ashgate Avenue Ashgate Chesterfield Derbyshire S40 1JD
21/00901/DEXFP	Single storey rear extension at 39 Holme Park Avenue Upper Newbold Chesterfield Derbyshire S41 8XB
21/00900/DOMFP	Internal alterations- removal of load bearing wall between kitchen and dining room, bricking up French doors and replacing with window and moving French doors to kitchen area at 27A Somersby Avenue Walton Chesterfield Derbyshire S42 7LY
21/00974/DEXFP	Loft conversion at 11 Amber Crescent Walton Chesterfield Derbyshire S40 3DH
21/01417/DEXFP	Single storey side extension, garage conversion and new detached garage at 12 Seagrave Drive Hasland Chesterfield Derbyshire S41 0YE

21/00068/DEXFP	Single storey extension at 51 Ashgate Road Chesterfield Derbyshire S40 4AG
21/01418/DEXFP	Loft conversion at 185 Ashgate Road Chesterfield Derbyshire S40 4AP
21/00529/DEXFP	Two storey side extension and single storey rear extension, to create sitting room. Living kitchen and bedroom over at 8 Wayside Court Brimington Chesterfield Derbyshire S43 1BS
21/01511/DEXFP	Single storey extension at 4 Mardale Court Mardale Close Newbold Chesterfield Derbyshire
20/01455/DCC	Extension to form secure lobby and office at Brockwell Junior School Purbeck Avenue Brockwell Chesterfield S40 4NP
21/01216/DEXFP	Bungalow conversion with dormers and new entrance porch at 21 Springfield Avenue Chesterfield Derbyshire S40 1DJ
21/01312/DEXFP	Front, side and rear extension at 587 Newbold Road Newbold Chesterfield Derbyshire S41 8AA
21/01276/DEXFP	Proposed extension at 9 High Street New Whittington Chesterfield Derbyshire S43 2DX
21/01342/DEXFP	Proposed rear extension at 35 St Philips Drive Hasland Chesterfield Derbyshire S41 0RG
21/01233/DEXFP	Single storey rear extension at 20 Brookside Bar Chesterfield Derbyshire S40 3PJ
21/01570/DEXFP	Single storey rear extension and side extension at 155 Somersall Lane Somersall Chesterfield Derbyshire S40 3LZ
20/03743/DEXFP	Two storey side extension at 25 Craggon Drive New Whittington Chesterfield Derbyshire S43 2QA

21/01693/DEXFP	New dormer window to first floor at 176 Somersall Lane Somersall Chesterfield Derbyshire S40 3NA
20/03384/DEXFP	Single storey rear extension at 18 Booker Close Inkersall Chesterfield S43 3WA
20/04750/OTHFP	Separation of existing commercial premises into two tenanted units at Spital Mills Spital Lane Spital Chesterfield Derbyshire S41 0EX
21/01536/DEXFP	Proposed two storey side extension at 10 Endowood Road Somersall Chesterfield Derbyshire S40 3LX
21/00714/DEXFP	Conversion of existing outhouse to form open plan kitchen/dining room at 61 Ulverston Road Newbold Chesterfield Derbyshire S41 8ED
21/00997/DEXPI	Replace conservatory roof with Guardian solid roof system. Additional work to remove separating elements between conservatory and dwelling-house at 10 Wheathill Close Holme Hall Chesterfield Derbyshire S42 7JZ
21/01819/DEXFP	Single storey rear extension at 33 Elliott Drive Inkersall Chesterfield Derbyshire S43 3DZ
21/01566/DEXFP	Single storey rear extension at 18 Highfield Avenue Newbold Chesterfield Derbyshire S41 7AX
21/01870/DEXFP	Single storey rear extension at 4 Juniper Close Hollingwood Chesterfield Derbyshire S43 2HX
21/01519/DEXFP	Single storey extension and interior alterations at 19 South Lodge Court Ashgate Chesterfield Derbyshire S40 3QG
21/00569/DEXFP	Single storey dining room, utility room and WC Extension at 60 Hilltop Road Old Whittington Chesterfield Derbyshire S41 9NF

21/02078/DEXFP	Single storey rear extension at 3 Fuller Drive Chesterfield Derbyshire S41 0UG
19/00669/DOMFP	Construction of 10 new dwellings at former Heaton Court Meynell Close Chesterfield S40 3BL
21/00736/DEXPI	Dormer roof to existing loft conversion and front porch at 50 Highfield Lane Newbold Chesterfield Derbyshire S41 8AY

68 **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/19/00725/FUL	External alterations to existing building including external cladding and alteration to fenestration, level access, installation of fire escape and erection of a smoking shelter at C C S Media Ltd New Birdholme House Derby Road Birdholme Derbyshire S40 2EX for CCS Media
CHE/20/00526/FUL	To continue to have our steel container on land at the side of canal for storage on a permanent basis. Revised information received 03/02/21 at Tapton Lock Visitors Centre Lockoford Lane Chesterfield S41 7JB for Mr Dale Smith
CHE/20/00622/FUL	Extension to industrial unit to provide additional storage - additional information received 22nd and 23rd February 2021 at Bildan House Broombank Road Chesterfield Trading Estate Chesterfield S41 9QJ for Oxdale Products Limited
CHE/20/00698/FUL	Two storey extension to front of dwelling, single

- storey rear extension and porch to front of property (revised plans received 15.03.2021) at 2 Matlock Road Chesterfield S40 3JQ for Mr Paul Gosney
- CHE/20/00807/FUL Two storey side extension. Revised drawing received 11.01.2021 and 29.01.2021 at 764 Chatsworth Road Chesterfield S40 3PN for Mr Jason Bolland
- CHE/20/00867/FUL Demolition of existing conservatory and erection of a single storey rear extension at 91 Newbold Back Lane Chesterfield S40 4HH for Miss Lynn Duesbury
- CHE/20/00881/REM Variation of condition 2 (approved plans) of CHE/19/00149/FUL (Refurbishment of existing unit and proposed new warehouse) at Denka UK Ltd Broombank Road Chesterfield Trading Estate Chesterfield S41 9QJ for Denka UK Ltd
- CHE/21/00013/FUL Single storey rear extension. Revised drawing received 19 3 2021 at 38 Spire Heights Chesterfield S40 4BF for Mr Danny Connor
- CHE/21/00031/FUL Single storey side and rear extension, and improvements to front elevation. Revised drawings received 04.03.2021 at 20 Aspley Close Chesterfield S40 4HG for Mr Stuart Woodhouse
- CHE/21/00032/FUL Single storey rear extension at 556 Chatsworth Road Chesterfield S40 3AY for Mr and Mrs Thompson
- CHE/21/00041/FUL Raising of the existing roof and creation of first floor extension at 114 Newbridge Lane Old Whittington Derbyshire S41 9JF for Mr A May
- CHE/21/00046/FUL Front porch extension at 66 Netherfield Road Somersall Derbyshire S40 3LS for Gomer John Kees

- CHE/21/00054/TPO T11 - Beech, reveal street light. Duty of Care. T12 Ash- Crown lift to 3 metres all round. Duty of Care. T29-T28 - Beech, Crown lift over footpath to 3 metres. Duty of Care. T48 Silver Birch - This is in Wild School Area and is in decline and needs removing as it is not safe. Duty of Care. T90-T109 - Remove major deadwood over 40mm from Lime and Pine trees on main entrance drove. Duty of Care. T112 Scotts Pine - Crown lift over footpath to 3 metres. Duty of Care. T110-T111 Sycamore - crown lift 3 metres over footpath and 5.2 metres over carriageway. Duty of Care at Ashgate Croft School Ashgate Road Chesterfield S40 4BN for Mr Carl Briddock
- CHE/21/00062/FUL Erection of a garden room/office/shed at the bottom of the garden at 44 Westbrook Drive Chesterfield S40 3PQ for Mr Phil Hawthorn
- CHE/21/00066/FUL Strip out all existing timber frame sash and casement windows to the main building and install like for like replacement with double glazed slimline units at Sutton Court Lodge 2 Chesterfield Road Brimington S43 1AD for Mr Edward Hayward
- CHE/21/00067/LBC Listed Building Consent to strip out all existing timber frame sash and casement windows to the main building and install like for like replacement with double glazed slimline units at Sutton Court Lodge 2 Chesterfield Road Brimington S43 1AD for Emh Group
- CHE/21/00068/FUL Single storey replacement garage (revised plans received 06.04.2021) at 12 Enfield Road Newbold Derbyshire S41 7HP for Mr John Gleadhall
- CHE/21/00073/ADV Installation and refurbishment of signs - 1 x pictorial sign to be refurbished and new lighting added, 3 x amenity signs, 1 x fascia externally illuminated, 2 x illuminated lanterns, 5 x 30w warm white flood lights at Barrel Inn 249 Chatsworth

Road Chesterfield S40 2BL for EI Group plc

- CHE/21/00192/TPO Sycamore Tree - the branches are now over hanging the property quite dangerously and over neighbouring properties, causing damage. Crown lift of 50% and a crown thin of 50%. I would like to carry out a crown lift to allow more light into my and neighbours gardens. It is particularly necessary to lift the lower branches which are overhanging gardens and properties at 159 Old Hall Road Chesterfield S40 1HG for Miss Tracey Hume
- CHE/21/00211/TPO Crown thinning for T1, to allow more light and less foliage onto property. Trees adjacent appear to have already had this process. T2 has a forked trunk and rogue branches which are causing concern for damage to fence and overhang. Crown reduction for this tree to change shape, this will also provide less foliage which has damaged to the grounds of (plot 26) No 53 Pomegranate Road at 53 Pomegranate Road Newbold Derbyshire S41 7BL for Mr Leigh Pickering
- CHE/21/00212/TPO Coppice the trees which are now over hanging my property and to remove all those within 1m of the boundary line. I will also plant a minimum of 25 Hawthorn Bushes along the bank at 44 Marine Drive Chesterfield S41 0FG for Mr Ian Jenkins
- CHE/21/00219/TPO G4 - Elm/2 Sycamores - Fell - Leaning over highway/poor specimens. G4 - Elm - Crown Lift over highway. T86 - Hawthorn - Remove Ivy. All trees over highway to deadwood at St Peter and St Paul School Hady Hill Hady Derbyshire S41 0EF for St Peter and St Pauls School
- CHE/21/00245/TPO Crown reduction back to the previous height of Lombardy poplars on the boundary and permission to maintain the previous height on a 3 to 4 year cycle to be reviewed in 10-12 years' time at rear of 27 Pomegranate Road Newbold

Derbyshire S41 7BL for Mrs Kate Sheldon

(b) Refusals

CHE/20/00846/FUL Raising roof height to accommodate room in roof space at 1 Fallowfield Road New Whittington Derbyshire S43 2DP for Mr Nick Rice

CHE/21/00016/FUL Two storey rear extension. Revised drawings received 16.02.2021 at 3 Grove Cottages Bobbin Mill Lane Chesterfield S40 3DP for Dr. Emma Cantrill

(c) Discharge of planning condition

CHE/21/00086/DOC Discharge of conditions 15 (Employment and Training scheme), 20 (materials) and 25 (finished floor levels) of planning application CHE/20/00695/FUL - New warehouse unit with trade counter, staff facilities, external materials yard, surface car parking for staff and customers, new vehicular entrances onto highway and the provision of a substation with associated works at development land opposite Hazlehurst Avenue Sheffield Road Stonegravels Chesterfield for Derbys CC and C/field BC and Saint-Gobain Building Ltd

CHE/21/00109/DOC Discharge of planning condition 3 (surface water drainage) of CHE/17/00798/FUL and CHE/17/00799/LBC - Change of use from Office (B1) to Residential - 30 apartments over 3 floors (C3) and internal alterations to Listed Building at Knightsbridge Court, Ground Floor Office 6 West Bars Chesterfield S40 1BA for ARC Capital

CHE/21/00204/DOC Discharge of condition 3 of planning permission CHE/20/00552/FUL at Dunston Hole Farm Unnamed Road Accessing Dunston Hall and Hole Farm Chesterfield S41 9RL for Mrs Ceri Heppenstall

(d) Partial discharge of conditions

CHE/20/00840/DOC Discharge of conditions 4 (materials), 7 (owl/kestrel box), 8 (hard and soft landscaping) and 9 (site investigation) of CHE/19/00149/FUL - Refurbishment of existing unit and proposed new warehouse at Denka UK Ltd Broombank Road Chesterfield Trading Estate Chesterfield S41 9QJ for Denka UK Ltd

(e) Finally disposed of

CHE/18/00373/ADV Installation of 3 fascia signs at 39 Chatsworth Road Chesterfield S40 2AH for Cardtronics UK Ltd, trading as Cashzone

(f) Unconditional permission

CHE/20/00623/RET Retrospective Listed Building Consent for removal of 4 existing damaged and rotten windows to front and 2 to the side and replace with in-keeping traditional wooden cottage windows with traditional iron fittings at 39 Newbold Village Newbold Road Newbold Derbyshire S41 8RJ for Ms Lucy Banks

CHE/21/00060/NMA Non-material amendment to CHE/20/00250/FUL (Erection of a freestanding two storey restaurant with drive-thru (A3/A5), car parking, landscaping and associated works. Installation of 2No. COD (Customer Order Display) with associated canopies) to make minor alterations to the elevations including - omitting the spandrel panels above the booth windows, changing the frames to black, ceramic (opaque) glazing to replace the aluminium panel between the floors and reduction in door height to 2100mm on Elevation D, (additional information provided 12/02/21) at former A G D Car Park West Bars Chesterfield Derbyshire for McDonald's Restaurant Ltd

CHE/21/00244/CA T1 Maple - Reduce by 1/3. T2 Birch - Reduce

height by 4m. T3 Birch - Reduce height by 4m.
 T4 Birch - Reduce height by 4m. T5 Birch -
 Reduce height by 4m at Church of Annunciation
 Spencer Street Chesterfield S40 4SD for Church
 of The Annunciation

(g) Prior approval not required

CHE/21/00110/TPD Ground Floor rear single storey extension to form vestibule at 4A Allsops Place Chesterfield S41 8SN for Sian Emerson

CHE/21/00157/TPD Demolition of outbuilding and erection of single storey extension to the rear of dwelling at 97 Calow Lane Hasland Derbyshire S41 0BA for Mr John Liggett

(h) Application returned to applicant

CHE/21/00154/DOC Discharge of planning condition 8 of CHE/19/00290/FUL - Conversion of existing buildings to 4 two bedroom dwellings - 2 ground floor bed apartments and 2 two bed duplexes at Jubilee Works Middlecroft Road Staveley Derbyshire S43 3FJ for Mr P M Blower

(i) Withdrawn

CHE/20/00615/FUL Construction of four dwellings on land adjacent to 98 Grangewood Road (revised site location plan received 16/10/20). Revised drawings received 19.11.2020. Revised drawings received 27.11.2020. Revised drawings received 04.12.2020 at land adj. 98 Grangewood Road Birdholme Derbyshire S40 2TA for Mr Eric Green

CHE/21/00071/TPD Single storey rear extension at 82 Highfield Road Newbold Derbyshire S41 7HB for Mr Jacob Albon

*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/21/00054/TPO Consent is granted to the felling of one Silver Birch tree reference T48 and the pruning of 33 trees reference T21, 28 Beech, T12, T24 and T25 Ash, T19, T20, T22 and T23 Hornbeam, T29 Birch, T92 Holly, T94, T96, T100, T102, T104, T106, T108 Yew, T90, T93, T95, T97, T98, T99, T101, T105, T109 Lime, T91, T103, T107, T112 Pine and T110 and T111 Sycamore on the Order Map for Landscape Services Ltd on behalf of Ashgate Croft School, Ashgate, with a condition to plant one new Oak tree as a replacement in the same location.
- CHE/21/00219/TPO Consent is granted to the felling of 3 trees within G4 consisting of 1 Elm and 2 Sycamore trees which are in poor condition and leaning towards the highway. Also the pruning of various species of trees within G1, G3 and G4 and individual trees reference T86 to T220 on the Order map which are situated in the grounds of St Peter St Paul School and within falling distance of Hady Hill and the school driveway for Ken Portas Landscapes and Tree Surgery.
- The duty to plant replacement trees has been dispensed with on this occasion due to other trees along the highway and no loss of amenity.
- CHE/21/00239/TPO Consent is granted to the pruning of 7 trees reference T1 Tree of Heaven and T2 and T5-T9 Lime on the Order Map for Mrs Lynn at Hunters Walk, Chesterfield.

CHE/21/00212/TPO	Consent is granted to the felling of trees within W1 and within 1 metre of the boundary fence line and the coppicing of a group of small Sycamore trees to the west of 44 Marine Drive for Mr Jenkins of 44 Marine Drive.
CHE/21/00245/TPO	Consent is granted to the pruning of 88 Lombardy Poplar trees reference G1 on the Order map to the rear of 23 to 45 Pomegranate Road for Mrs Sheldon of 27 Pomegranate Road.
CHE/21/00192/TPO	Consent is refused to the pruning of one Sycamore tree reference T1 on the Order map for Miss Hume of 159 Old Hall Road, Brampton.
CHE/21/00211/TPO	Consent is granted to the pruning of one Oak tree reference T8 and one Maple tree within G3 on the Order map for Mr Pickering of 53 Pomegranate Road, Newbold.

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

CHE/21/00244/CA	The crown reduction of 4 Birch and 1 Maple tree to the rear of the Church of the annunciation, Spencer Street, Chesterfield for Mark Whatley Tree Services	Agreement to the pruning of 5 trees. The pruning of the trees will have no adverse effect on the amenity value of the area.
		The trees are within the Spencer Street Conservation Area and the applicant wishes to reduce the trees height as they are growing too big for their location.

70 **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.

71 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.