



Please ask for Amanda Clayton  
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The Chair and Members of Planning  
Committee

11 February 2022

Dear Councillor,

Please attend a meeting of the PLANNING COMMITTEE to be held on MONDAY, 21 FEBRUARY 2022 at 1.00 pm in the Council Chamber, Town Hall, Rose Hill, Chesterfield S40 1LP, the agenda for which is set out below.

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)

Planning Committee

31<sup>st</sup> January, 2022

4. Applications for Planning Permission - Plans Determined by the Committee (Pages 37 - 98)
5. Applications for Planning Permission - Plans Determined by the Development Management and Conservation Manager (P140D) (Pages 99 - 108)
6. Applications to Fell or Prune Trees (P620D) (Pages 109 - 112)

7. Appeals Report (P000) (Pages 113 - 116)
8. Enforcement Report (P410) (Pages 117 - 120)

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, 31st January, 2022**

Present:-

Councillor Simmons (Vice-Chair in the Chair)

Councillors Barr  
Bingham  
Brady  
Davenport

Councillors T Gilby  
Miles  
G Falconer

\*Matters dealt with under the Delegation Scheme

### **75 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Borrell, Callan, Catt, Caulfield, D Collins, Marriott and Mann.

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

No declarations of interest were received.

### **77 MINUTES OF PLANNING COMMITTEE**

**RESOLVED -**

That the Minutes of the meeting of the Planning Committee held on 6 December, 2021 be signed by the Chair as a true record.

### **78 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/21/00524/FUL - CONVERSION OF EXISTING BUSINESS UNIT TO DOMESTIC DWELLING (C3 use) (REVISED PLANS RECEIVED

26.09.2021) AT BUSINESS HOUSE, 1 CALOW LANE, HASLAND, S41 0AL FOR MS VERA SWINCOE

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

- A. 1. The development hereby permitted must 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).

Proposed Plans and Elevations, drawing number 3570/01C (dated 08.11.21)

3. No construction or demolition works, movement of construction traffic, or construction deliveries to and from the premises, shall occur other than between 0800 and 1700 hours weekdays, and 0800 and 1300 hours on Saturdays, and at no time on Sundays or Public Holidays. The term "work" will also apply to the operation of plant, machinery and equipment.
4. Details of the proposed boundary brick wall to the Calow Lane frontage as detailed on application drawing Proposed Ground floor, drawing number 3570/01C (dated 08.11.21) shall be submitted to the local planning authority for consideration. The detail agreed in writing by the local planning authority shall be constructed on site and which shall have been completed prior to the occupation of the dwelling hereby approved and which shall thereafter be retained.
5. Details for the treatment of all parts on the site not covered by buildings shall be submitted to the Local Planning Authority for consideration. The site shall thereafter be landscaped in accordance with the details which receive formal written consent by the Local Planning Authority 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.

- 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.

6. 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.

7. Details of secure parking for 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 occupation of the hereby approved development and shall thereafter be maintained throughout the life of the development free from any impediment to their designated use.

8. Within 2 months of the commencement of the development hereby approved a scheme for biodiversity and ecological enhancement measures shall be submitted to the Local Planning Authority for written approval. The approved biodiversity and ecological enhancement measures shall be installed/integrated into the development/planted on site within 2 months of the date written approval is granted.

The biodiversity and ecological enhancement measures shall thereafter be retained and maintained throughout the life of the development.

9. The dwelling hereby approved shall not 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.

10. Notwithstanding the details as shown on approved plan drawing number 3570/01C (dated 08.11.21), prior to the development hereby permitted being occupied/brought into use the two first floor windows to the north west (rear) elevation 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. Once installed the glazing shall be retained as such thereafter.

B. That a CIL liability notice be served for £11,873.61 as detailed in section 5.11 of the officer's report.

CHE/21/00657/FUL - PROPOSAL: TWO STOREY SIDE AND REAR EXTENSIONS AND PORCH TO FRONT ELEVATION. (REVISED DRAWINGS RECEIVED 02.12.2021 AND 21.12.21) AT 12 ST DAVIDS RISE, WALTON, CHESTERFIELD FOR C AND S ROBINSON.

In accordance with Minute No. 299 (2001/2002) Mrs Claire Robinson (applicant) addressed the meeting.

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

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby approved shall only be carried out in full accordance with the approved plans:

Site Location Plan

Block Plan (submitted 21/12/21)

Proposed and Existing Elevations and Floor plans (drawing no. 68/21/Y17-01G, as submitted 21/12/21), with the exception of any approved non-material amendment.

3. 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.

4. 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 new gates or other barriers on the existing or new access.

5. Prior to commencement of the development hereby permitted, 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 net measurable gain shall be implemented, retained and maintained thereafter in accordance with the scheme and programme so approved.

6. Obscure glazing to a Pilkington Scale level 4 shall be utilised on the proposed ground floor window on the western side elevation of the gym, as shown on drawing no.68/21/Y17-01G. The window installed shall be retained with the agreed obscurely glazing thereafter unless otherwise agreed in writing by the Local Planning Authority.

7. 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 made available prior to occupation of the side extension and 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.

8. 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.

9. Notwithstanding the provision of the Town and Country Planning (General Permitted) Development Order 1995 (as amended) there shall be no additional windows erected or installed at or in the dwelling hereby approved without the prior written agreement of the Local Planning Authority.

CHE/21/00631/FUL - PROPOSED REPLACEMENT 20M STREET POLE AND ASSOCIATED WORKS - TELEFONICA (47650)  
TELECOMMUNICATIONS MAST, CANAL WHARF, CHESTERFIELD,  
S41 7NA FOR CORNERSTONE

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).

Proposed Site Plan, drawing number 201 Revision A (received 24.11.2021)

Proposed Site Elevation, drawing number 301 Revision A (received 24.11.2021)

3. a) Prior to the commencement of development a Coal Mining Risk Assessment shall be submitted to the Local Planning Authority for consideration and written approval. The Coal Mining Risk Assessment shall appropriately detail the risks posed to the development and conclude whether intrusive site investigations are required and any remediation and/or mitigation measures to ensure the safety and stability of the site.
- b) If the approved Coal Mining Risk Assessment requires intrusive site investigations and/or any remediation and/or mitigation measures a scheme of investigations shall be carried out on site to establish the risks posed to the development and any remediation works and/or mitigation measures to address land instability arising from coal mining legacy. The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance
- c) If intrusive site investigations and/or any remediation and/or mitigation measures are required a document/report of the findings of the



investigations and mitigation/remediation undertaken shall be submitted to the Local Planning Authority for written approval prior to the installation of the mast. The document/report shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity and shall include a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development.

CHE/21/00166/REM1 - VARIATION OF CONDITION 2 (APPROVED DRAWINGS) OF CHE/18/00859/FUL (CONVERSION OF FORMER CHURCH IN TO FOUR DWELLINGS AND CONSTRUCTION OF EIGHT NEW SEMI-DETACHED HOUSES) IN ORDER TO INCREASE THE PROPOSED DORMER WINDOWS TO A SUFFICIENT SIZE TO ALLOW EMERGENCY EGRESS WINDOWS TO BE INSTALLED IN ORDER TO MEET THE REQUIREMENTS OF THE CURRENT BUILDING REGULATIONS AT ST JOSEPHS RC CHURCH, CHESTERFIELD ROAD, STAVELEY, CHESTERFIELD FOR MR RAFIQ KHAN

That the officer recommendation be upheld and the application be approved subject to the following conditions as updated from the original permission to align with the approved REM1, NMA and DOC applications noted in the officer's report:-

1. 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. The amended plan hereby approved for the enlargement of the dormer windows to the Church conversion is in relation to the dormer window enlargement only and does not permit any other amendments shown on plan 19.015 PL \_01 Rev A proposed plans and elevations (Church conversion).

Original Submission (superseded plans struck through)

01258/18 2126 - EXISTING ROOF PLAN

01258/18 2125 - EXISTING UPPER GF WINDOWS

01258/18 2125 - EXISTING SECTIONS

01258/18 2124 - EXISTING CELLAR PLAN

01258/18 2123 - EXISTING GROUND FLOOR PLAN

01258/18 2122 - EXISTING ELEVATIONS

18-1433 A(00)-01 LOCATION PLAN

S9203 - TOPOGRAPHICAL SITE SURVEY

07-0057-001 PL1 - VEHICLE TRACKING 1

07-0057-002 PL1 - VEHICLE TRACKING 2  
 18-1433 A(10)-210 REV B - PROPOSED FLOOR PLANS AND  
 ELEVATIONS OF SEMI-DETACHED PROPERTIES  
 18-1433 A(10)-110 REV B - PROPOSED GF PLAN  
 18-1433 A(10)-111 REV B - PROPOSED FF AND ROOF PLAN  
 18-1433 A(10)-131 REV B - PROPOSED NORTH AND EAST  
 ELEVATIONS  
 18-1433 A(10)-133 REV B - PROPOSED SOUTH AND WEST  
 ELEVATIONS  
 18-1433 A(20)-101 REV B - PROPOSED SECTIONS A-A, B-B AND C-C  
 (CHURCH)  
 18-1433 A(90)-01 REV A - PROPOSED BIN STORE DETAILS  
 18-1433 A(90)-05 REV C - PROPOSED SITE LAYOUT PLAN  
 18-1433 A(90)-21 REV B - PROPOSED SECTIONS A-A, B-B AND C-C  
 (SITE)  
 18-1433 A(90)-31 REV B - PROPOSED C/FIELD ROAD STREETSCENE  
 Design & Access Statement  
 Drainage Strategy Report  
 Coal Mining Risk Assessment  
 Site Investigation Report  
 Ecological Appraisal  
 Residential Noise Survey

Revised by CHE/19/00505/REM1 and CHE/19/00561/NMA  
 19.012 PL\_02 Rev B - Proposed Plans and Elevations  
 19.012 PL\_01 - Proposed Site Plan  
 19.012 PL\_03A - Proposed Landscaping Site Plan  
 19.012 PL\_04A - Proposed Site Sections (Sheet 1 of 2)  
 19.012 PL\_05 - Proposed Site Sections (Sheet 2 of 2)  
 19.012 PL\_06A Construction Site Management Plan  
 19.015 PL\_01 - Proposed Plans and Elevations (Church Conversion  
 excluding the dormer windows)

And through this application 19.015 PL \_01 Rev A proposed plans and elevations (Church conversion in relation to the dormer window enlargement only)

2. The site shall be developed with separate systems of drainage for foul and surface water on and off site.
3. The proposed means of disposal of surface water drainage shall be as agreed by the Local Planning Authority: 'Water Attenuation calculations'

dated 21.08.2019, CCTV Drain Surveys Ltd dated 11.06.2019 and the Foul and surface water drainage layout 07-0057-101 P3 dated 24.06.2019.

Specified by Yorkshire Water as:

- 1) The proposed separate systems of drainage on site with combined off-site
- 2) The proposed amount of domestic foul water to be discharged to the public foul/combined sewer
- 3) The proposed amount of curtilage surface water to be discharged to the 225 mm public foul/combined sewer (at a restricted rate of 3.5 (three point five) litres/seconds submitted on drawing 07-0057-101 (revision P3) dated 24.06.2019 prepared by G30 Consulting.

All as agreed under CHE/19/00392/DOC.

4. A. Development shall only be undertaken on site in accordance with the conclusions of the Site Investigation Report by Haigh Huddleson and Associates.

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

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

5. Throughout the entire construction phase, the construction management facilities detail on drawing no. PL\_06A entitled Construction Site Management Plan shall be provided and maintained available for use as agreed under the provisions of application CHE/19/00392/DOC.

6. The premises, the subject of the application, shall not be occupied / taken into use until the site access / exit has been modified in accordance with the revised and approved application drawings to be provided with

exit visibility sightlines (as shown) to the nearside carriageway channel in each direction and all areas in advance of the sightlines being over controlled land/ existing highway and maintained clear of any obstructions greater than 1.0m in height (600mm in the case of vegetation) relative to the same channel level.

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

8. Prior to the occupation of each respective dwelling, the ecological enhancement measures detailed on drawing no. 19.012-PL\_03A entitled Landscaping Site Plan (as agreed under the provisions of app. CHE/19/00392/DOC) shall be implemented in full and thereafter maintained in perpetuity.

9. Prior to the occupation of each respective dwelling, the hard landscaping proposals detailed on drawing no. 19.012-PL\_03A entitled Landscaping Site Plan (as agreed under the provisions of app. CHE/19/00392/DOC) shall be implemented in full and thereafter maintained in perpetuity.

10. Within 28 days of the date of this permission 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.

11. 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.

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

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

14. Within 28 days of the date of this permission 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 where possible throughout the remaining construction of the development.

15. The development hereby approved shall be undertaken in accordance with the agreed finished materials schedule detailed below:

Lindum Cottage Red Multi  
Marley Anthracite Concrete Tile  
K Rend Silicone TC in Linen

16. Development of the 8 no. new build dwellings shall be undertaken in accordance with the levels as approved on drawing no. 19.012-PL\_04A, 19.012-PL\_05 and 07-0057-102 P1 (as agreed under the provisions of app. CHE/19/00392/DOC). Within 28 days of the date of this permission, 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.

17. 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.

18. Development shall be undertaken in accordance with the mitigation measures as set out in the Residential Noise Survey by Nova Acoustics dated 26/11/2018 and no dwelling shall be occupied until all measures have been implemented.

19. The car parking spaces to be provided (in accordance with drawing no. Proposed Site Plan - 19.012 PL\_01 and Proposed Plans and Elevations - 19.012 PL\_02 Rev B) shall be kept available for the parking of motor vehicles at all times. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (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 property without the grant of further specific planning permission from the Local Planning Authority.

20. Notwithstanding the provision of the Town and Country Planning (General Permitted) Development Order 2015 (as amended) there shall be no extensions, outbuildings or garages constructed (other than garden sheds or greenhouses of a volume less than 10 cubic metre) or additional windows erected or installed at or in the dwelling hereby approved without the prior written agreement of the Local Planning Authority.

**79     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/21/00262/RET	Retrospective consent for change of use of car park to rear to outside drinking area including raised covered area, provision of outside toilets by converting garage and erection of 8 beach style huts at The Spotted Frog, 41 - 43 Chatsworth Road, Chesterfield S40 2AH for Mr Trevor Marples
CHE/21/00281/REM	Variation of condition 2 of CHE/20/00159/FUL - revised site layout and relocation of bin and cycle stores and access to kitchen - Revised drawing received 28/05/2021 AND 27/07/2021 at land at Former 59 St Augustines Road, Birdholme S40 2SA for Crown Care XIV Ltd
CHE/21/00358/FUL	Single storey rear extension with basement at 61B Calow Lane, Hasland S41 0AX for Mr Lee Raspin
CHE/21/00388/LBC	Affixing a Civic Society blue commemorative plaque at Winding Wheel, 13 Holywell Street, Chesterfield S41 7SA for Chesterfield Civic Society
CHE/21/00389/LBC	Affixing Civic Society blue commemorative plaque to building at Pomegranate Theatre, Corporation Street, Chesterfield S41 7TX for Chesterfield Civic Society
CHE/21/00393/LBC	Listed Building consent for re-pointing of south and west elevations at 16 Church Street North, Old Whittington S41 9QW for Ms Naomi Redhouse
CHE/21/00397/COU	Change of use from retail (Use Class E) to hot food take-away for desserts (sui generis) at 12A Saltergate, Chesterfield S40 1UT for Mr Ashish Jawa
CHE/21/00565/FUL	Change of use of retail (use class E) into restaurant and takeaway (Sui Generis) including installation of extraction flue system to rear (revised drawings received 22.11.2021) at 40

	Knivesmithgate, Chesterfield S40 1RQ for Mr N Gunapanedu
CHE/21/00566/ADV	Externally illuminated front fascia sign and externally illuminated hanging sign (revised drawing received 22.11.2021) at 40 Knivesmithgate, Chesterfield S40 1RQ for Mr N Gunapanedu
CHE/21/00571/ADV	Installation of internally illuminated and non-illuminated fascia signs, non-illuminated wall mounted and replacement panel to existing totem sign at Ravenside Retail Park, Unit 2, Park Road, Chesterfield S40 1TB for Currys
CHE/21/00593/FUL	Raising of roof by 600mm and removal of hip to create rooms in roof at 105 Storforth Lane, Chesterfield S41 0PZ for Mr Anthony Watson
CHE/21/00599/FUL	Proposed additions to existing base station installation at rooftop at Chesterfield Telephone Exchange (additional drawings received on 01/10/21) at BT Cellnet Telephone Exchange, Saltergate, Chesterfield S40 1UH for Cellnex UK Ltd
CHE/21/00636/FUL	Hip to gable conversion and rear dormer loft conversion at 24 Ling Road, Walton S40 3HS for Mr and Mrs Fisher
CHE/21/00641/FUL	Rear extension and garage conversion - resubmission of CHE/20/00629/FUL - Revised drawing received 12.11.2021 and 22.11.2021 at 24 Dukes Drive, Newbold, Chesterfield S41 8QG for Ms D Mathews
CHE/21/00653/FUL	Removal of extension to west elevation, relocation of external staircase to west elevation. Two new windows to East elevation at ground floor. New second storey to east and west side of building creating three new bedrooms for commercial letting. Creation of additional car parking spaces



	west side of building at Harleys, Market Street, Staveley S43 3UT for Mr Keith Bannister
CHE/21/00680/FUL	Hardstanding to provide 2 parking spaces at 16 Orchards Way, Walton S40 3BZ for Mrs Anne Brailsford
CHE/21/00692/FUL	Two storey side extension and single storey rear and front extension to form annex accommodation for dependent relative and carer (revised plans received 01.12.2021) at Highways, 18 Matlock Road, Chesterfield S40 3JQ for Mr Vince Moore
CHE/21/00709/FUL	Erection of single storey outbuilding for garage and storage purposes to the rear at 210 Ashgate Road, Chesterfield S40 4AL for Mr Benito Risorto
CHE/21/00713/FUL	Single storey side extension to form annexe for dependent relative at Lorient, 6 Thornfield Avenue, Chesterfield S40 3LG for Mr Shaun Coe
CHE/21/00714/FUL	Addition of additional storey to existing dwelling at 22 St Margarets Drive, Chesterfield S40 4SX for Mr and Mrs Luzano
CHE/21/00719/FUL	Single story rear extension at 560 Chatsworth Road, Chesterfield S40 3JS for Mr Daniel Grainger
CHE/21/00721/ADV	Totem display (amended description to remove the flags from the proposal 28.10.2021) at Development Land Opposite Hazlehurst Avenue, Sheffield Road, Stonegravels, Chesterfield for Saint-Gobain Building Distribution
CHE/21/00723/FUL	Loft conversion with rear dormer and single storey rear extension including the demolition of a garden room at 519 Chatsworth Road, Chesterfield S40 3AU for Ms N Greatorex
CHE/21/00724/FUL	Installation of rear dormer window to create 2 additional bedrooms with en-suite at first floor

	level and front extension to existing garage at 12 Lichfield Road, Walton S40 3EZ for Mrs Angela Reeves
CHE/21/00729/FUL	Demolition of existing conservatory and erection of a larger replacement conservatory with tiled roof at 6 Woodnook Way, Holme Hall, Chesterfield S42 7PZ for Mr Bradshaw
CHE/21/00733/TPO	Request for permission to have copper beech tree at the front garden of the above address felled having had a specialist arboricultural report at 1 Oakfield Avenue, Chesterfield S40 3LE for Mr Ian Hooper
CHE/21/00749/SOL	Installation of solar panels - Additional information provided 06/12/21 at Royal Court, Basil Close, Chesterfield S41 7SL for AECOM
CHE/21/00758/FUL	Demolition of existing outbuildings and erection of a single storey side extension at 8 Aviemore Close, New Whittington S43 2AY for Mr and Mrs Vardy
CHE/21/00772/FUL	New floodlights for existing external tennis court at Chesterfield Lawn Tennis Club, Hawksley Avenue, Chesterfield S40 4TW for Chesterfield Lawn Tennis Club
CHE/21/00773/TPO	Works to trees at Chesterfield Lawn Tennis Club, Hawksley Avenue, Chesterfield S40 4TW for Chesterfield Lawn Tennis Club
CHE/21/00796/TPO	T4 - 50 percent crown reduction in height and spread to sycamore Tree at bottom of garden to increase light and improve drainage to occupied and neighbouring gardens + reduce level of overhang to Child Play Area on neighbouring garden at 32 Hillside Drive, Walton S40 2DB for Mr Richard Hawsworth
CHE/21/00799/TPO	Crown clean and lift to 3.5 metres of sycamore T6,

	crown lift by 3.5 metres, removal of 2 lower branches, crown thin by 20% and crown clean to remove dead and dying branches of T7 (oak) at Land Behind 49 and 51 Pomegranate Road, Newbold S41 7BL for Mr Alistair Fraser and Mr John Cook
CHE/21/00819/TPO	Oak (T4) Sever Ivy, clear crown of dead diseased and dangerous branches, shorten Laterals going towards house. T3(ash) Clear Crown of dead diseased and dangerous branches, shorten laterals going towards house, crown lift at 5 Sandstone Avenue, Walton S42 7NS for Mr Frank Ormes
CHE/21/00827/TPO	Crown lift of approx 4/5 metres of the 2 silver birch, 2 ash and 1 maple (G1) and sycamore (T4) and tip back of the beech (G1) and (G2) at 55 Moorland View Road, Walton S40 3DD for Mr and Mrs Dawson
CHE/21/00829/RET	Resubmission of CHE/21/00017/RET to retain gate and fence at 232 Old Road, Chesterfield S40 3QN for Mr Shane Calton
CHE/21/00853/TPO	T1 - Ash - fell and prune x2 Horsechestnut and x1 Sycamore at 8 Green Glen, Chesterfield S40 3SH for Kate Ogilby
CHE/21/00854/TPO	Ash tree - re-pollard at 40 Bentham Road, Chesterfield S40 4EZ for Mr Stephen Ibbotson
CHE/21/00867/TPO	Recommended tree works for T1 Oak. Crown thin by 20% to allow more light to filter through the crown. An all-round crown reduction by 1m to remove any new growth with a 2 -2.5m metre reduction to the south-east side of the tree (over the garden of 12 Harvest Way) as shown on the attached photograph to re-shape and balance the tree. A crown lift to a maximum of 5.2 metres when measured from the base of the tree to remove any secondary branches that have started

	to weep downwards. (No branches over 20cm in diameter to be removed) at 12 Harvest Way, Holme Hall, Chesterfield S42 7JX for Mr Darrell Adcock
CHE/21/00882/TPO	T11 Ash. Crown reduction back to previous cuts. at 12 Fieldhead Way, Newbold S41 8BE for Mr John Pope
CHE/21/00895/TPO	Removal of one Beech tree within G2 of TPO 13 at Lifestyle Village, High Street, Old Whittington for Julie Renshaw-Smith
CHE/21/00896/TPO	Removal of one ornamental apple within G1 of TPO 105 at 770 Chatsworth Road, Chesterfield S40 3PN for Simon Worles.
CHE/21/00897/TPO	Beech tree. Crown lift to a maximum of 4 metres on the owner's side to improve vehicular access. Clear phone line of branches. Crown thin by 20%, to improve light at ground level. Crown clean and deadwood at White Gates, 770 Chatsworth Road Chesterfield S40 3PN for Oxon Tree Care
CHE/21/00907/TPO	ASH - Remove all dead wood crossing rubbing branches, cut back to existing cuts leaving well balanced crown. Crown thin 30 percent due to position of tree in relation to the property at 29 Foxbrook Drive, Walton S40 3JR for Westside Landscapes.
CHE/21/00051/FUL	Removal of existing fence to the northern boundary and replacement with a 1.8m high fence and erection of two metres of 1.8m high fence to the southern boundary adjacent to the public highway at West Garth, 27 Church Street North, Old Whittington S41 9QN for Mrs Fleurdeliza Wisternoff
CHE/21/00469/FUL	Erection of a boundary fence between 9 and 9A Station Road at 9 Station Road, Barrow Hill S43 2PG for Ms Gemma Roe.

CHE/21/00617/FUL	Two storey side extension -revised drawings received 08/12/21 at 36 Flintson Avenue, New Whittington, S43 2DS for Mrs Laura Newbould-Jones.
CHE/21/00640/FUL	Single storey front extension to create entrance hallway (revised drawing received 22.11.2021) at 77 Miriam Avenue, Somersall S40 3NF for Mr G and Mrs J Wilson.
CHE/21/00744/FUL	Demolition of conservatory, single storey extension for games room and external covered seating area at 2 Worksop Road, Mastin Moor S43 3BN for Mr and Mrs P Sawyer.
CHE/21/00750/FUL	Alterations, rear and side extension and loft conversion with rear and side dormer to existing bungalow (revised drawing received 08.12.2021) at 20 Somersall Lane, Somersall S40 3LA for Curtis Hughes.
CHE/21/00764/FUL	Erection of a single storey annexe for dependent relative (description clarified 09/11/21) at 83 Station Lane, Old Whittington, Chesterfield S41 9NR for Mrs Lisa Oldfield.
CHE/21/00779/FUL	Single storey extension at 6 Craglands Grove, Holme Hall, Chesterfield S40 4XT for Mr Elliot Smith.
CHE/21/00795/LBC	Removal of mortar and repointing all four sides of the building along with masonry work including removal of the parapet cappings and rebedding. Remove, replace and repoint the brickwork in two sections identified in the attached photographs. Removal of render around the guttering at the rear Entrance at The Old Rectory 408 Chatsworth Road, Chesterfield S40 3BQ for Mrs Rebecca Bidwell
CHE/21/00813/REM	Variation of conditions 2 and 7 to change the

windows and add a porch at Plover Hill Farm, Wetlands Lane, Brimington S43 1QG for Mr Lee Jenkins.

CHE/21/00830/FUL	Alterations to existing car park entrance with new entrance gates, security fencing and associated kerb alignments at Carrwood Court, Carrwood Road, Chesterfield Trading Estate, Chesterfield S41 9QB for Carrwood Holdings Ltd.
CHE/21/00833/FUL	To provide 1.5 metre wide canopy shelter to front and left hand side of pavilion and covered shelter over area to right hand side of pavilion at the bowling green at King George V Playing Field Inkersall Road, Staveley for Mr James Marriott.
CHE/21/00835/REM	Variation of condition 2 (approved plans) of CHE/17/00645/FUL (proposed Bodyshop, wash and valet buildings (additional information received 11.07.2018 regarding drainage, landscaping, lighting and biodiversity) for revised Wash and Valet building at Eastside Road for Pendragon PLC at development site at Eastside Park, Eastside Road, Chesterfield for Christopher Pendragon PLC.
CHE/21/00851/FUL	Re-submission of CHE/21/00540/FUL for single storey extension to previous extension, to allow conversion of existing living room into ground floor (accessible) bedroom. Additional off-road parking. at 7 Marchwood Close, Brockwell, Chesterfield S40 4DT for Mr Gianni Rea.
CHE/21/00876/LBC	Internal alterations at ground floor to remove a wc to remove 2 walls and insert 2 pairs of boxed in steel beams and to raise the floor level of the former wc at Crewe Cottage, Dark Lane, Brimington S43 1QQ for Mr and Mrs James Coleman

(b) Refusals

CHE/21/00449/FUL	Single storey rear extension at 34 Grangewood Road, Birdholme S40 2TE for Mrs Isobelle Davenport
CHE/21/00531/FUL	Erection of a detached garage at 1 Oakfield Avenue, Chesterfield S40 3LE for Mr Ian Hooper
CHE/21/00546/FUL	Drop Kerb and open up the access for the driveway at 142 Mansfield Road, Hasland, Chesterfield S41 0JQ for Mr James Toulson
CHE/21/00561/DOC	Discharge of condition 27 (bin collection) of CHE/15/00755/OUT (Outline application for residential development ) at Land To The West Of Bevan Drive, Inkersall for Wildgoose Construction Ltd
CHE/21/00616/FUL	First floor rear extension above existing kitchen and single storey rear extension and associated works at 49 Eyre Street East, Hasland S41 0PE for Gemma Bannister
CHE/21/00689/FUL	Two storey front and rear extensions and raising of existing roof height for loft conversion to bedrooms at 26 Westwood Lane, Brimington S43 1PA for Mr Simon Binns
CHE/21/00715/FUL	Two storey extension to rear of property at 33 Peterdale Road, Brimington S43 1JA for Mrs Waltham
CHE/21/00718/TPO	T1 - Dismantle and remove to fence level at 96 Boythorpe Road, Boythorpe S40 2LR for Tim Pettitt
CHE/21/00730/DOC	Discharge of condition 14 (signage scheme) of 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 Unit 218, Sheffield Road, Stonegravels,

Chesterfield S41 7JN for Derbyshire County Council, Chesterfield Borough Council

CHE/21/00771/REM	Variation of conditions 2 (approved plans), 5 (tree protection), 6 (hard and soft landscaping) and 17 (landscaping and biodiversity) of CHE/20/00305/FUL - (Erection of new residential dwellings at the sites off Whitecotes Lane and Harehill Road with associated access, parking and open space) to allow removal of trees for the construction of a sub-station to Whitecotes Lane, generally around the site, and for a Yorkshire Water access road in the south western corner off Harehill Road at land South of Walton Hospital, Harehill Road, Grangewood for Vistry Partnerships
CHE/21/00790/DOC	Discharge of condition 3 (materials) of CHE/21/00202/FUL -Two storey side extension at 10 Endowood Road, Somersall S40 3LX for Mr Andrew Bostock
CHE/21/00821/TPO	2.5 metre reduction to two sycamores to the rear of 107 High Street at 107 High Street, Old Whittington S41 9LB for Mrs Dorothy Levick
CHE/21/00840/DOC	Discharge of planning conditions 7 (northern boundary treatment), 8 (landscaping, levels, hard and soft surface treatments and boundary treatments) of planning application CHE/20/00869/REM at land to the north of Northmoor View, Brimington for Vistry (Yorkshire)
CHE/21/00595/FUL	Proposed single storey extension to rear of shop and additional parking to front of the site (revised drawing received 02/11/21) at 3 St Augustines Drive, Birdholme, Chesterfield S40 2RU for Mr Shanmuganathan.
CHE/21/00792/FUL	Two storey rear extension and associated internal and external alterations at 32 Walton Crescent Boythorpe S40 2PJ for Mr and Mrs Cauldwell.



CHE/21/00809/FUL	Pair of semi-detached houses at 132 High Street Old Whittington S41 9LE for Michael Ellis-Thompson.
CHE/21/00849/CLU	Garden room at 59 Cranleigh Road, Woodthorpe Chesterfield S43 3BH for Batterham.
(c) Discharge of Planning Condition	
CHE/21/00465/DOC	Discharge of planning conditions 5 (amenity space) and 6 (materials) of CHE/20/00249/ FUL - Alterations and extension to existing restaurant and change of use to provide 4 first floor flats. REVISED DRAWINGS received on 13/09/2021 at Chef De Canton, 135 Derby Road, Birdholme, Chesterfield S40 2ER for Mr Bobby Singh
CHE/21/00482/DOC	Discharge of planning condition 4 (details of retaining wall) of CHE/20/00879/FUL - Two storey detached domestic dwelling at 8 High Street, New Whittington S43 2DX for Catherfield Developments Ltd
CHE/21/00584/DOC	Discharge of conditions 2 (materials), 13 (lighting) and 14 (cycle parking) of CHE/19/00116/REM - (Approval of reserved matters for layout, scale, appearance and landscaping of the office building pursuant to (CHE/18/00626/REM 1 for a mixed use development including hotel, multi-storey car park, office accommodation and apartments together with ground floor retail and leisure uses) at Chesterfield Waterside Development, Brimington Road, Tapton for Chesterfield Waterside Ltd.
CHE/21/00606/DOC	Discharge of conditions 16 (soft landscaping and external lighting) and 34 (street lighting strategy) 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 Sam Buswell

CHE/21/00620/DOC	Discharge of planning condition 4 (materials) of CHE/21/00229/FUL - Second storey rear extension over existing single storey extension and front single storey porch extension at 10 Neale Bank, Brimington, Chesterfield S43 1BB for Mr Simon Wright
CHE/21/00656/DOC	Discharge of conditions 5 (site storage/compound details) 7 (surface water drainage), 8 (separate foul/surface drainage systems), 9 (biodiversity net gain) 10 (hard and soft landscaping), 11 (soft landscaping) and 12 (water efficiency) of CHE/20/00879/FUL at 8 High Street, New Whittington S43 2DX for Mr Matt Catherall
CHE/21/00751/DOC	Discharge of planning conditions 15 (external lighting scheme) and 22 (Drill Hall archway) of CHE/19/00385/FUL - Erection of 72 bed care home with associated private amenity space and parking facilities, including change of use from "sui generis" car park at Goldwell Rooms Car Park, Ashgate Road, Chesterfield for Ashgate Road Developments Ltd
CHE/21/00766/DOC	Discharge of planning condition 25 (materials) of CHE/15/00116/OUT - Outline planning application for the development of up to 146 residential dwellings with approval of access from Dunston Road at land off Dunston Road, Chesterfield for Strata
CHE/21/00850/DOC	Discharge of planning condition 26 (Open space management plan) of CHE/20/00305/FUL - Erection of new residential dwellings at the sites off Whitecotes Lane and Harehill Road with associated access, parking and open space at Land South Of Walton Hospital, Harehill Road, Grangewood for Vistry Partnership
CHE/21/00898/DOC	Discharge of condition 14 (signage for delivery

	drivers) of planning consent 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 S41 7JN for Morgan Sindall Construction and Infrastructure Ltd
CHE/20/00656/DOC	Discharge of planning condition 14 (speed mitigation) of CHE/13/00675 - Redevelopment of land for employment uses (use Classes B1, B2 and B8) at land accessed from Farndale Road Staveley for Tawnywood Ltd
CHE/21/00199/DOC	Discharge of planning conditions 3 (materials), 5 (soft landscaping), 6 (hard landscaping) of CHE/18/00473/FUL - Single storey pharmacy extension and internal alterations to existing reception area of main surgery at Avenue House Surgery, 109 Saltergate, Chesterfield S40 1LE for Blair Gratton Architects
CHE/21/00699/DOC	Discharge of conditions 3,4,5 and 6 (ground report and site investigation), 7 (materials storage), 12 (landscaping) and 20 (materials) of CHE/21/00519/REM1 - to amend the approved plans to include a Juliet balcony and utility room extension to the side at The Lilacs, Glasshouse Farm, Glasshouse Lane, New Whittington S43 2DQ for Mr Lee Barlow.
CHE/21/00817/DOC	Discharge condition 4 of planning application reference CHE/20/00767/FUL - Single storey rear and side extension and rear patio/terrace at 9 Westbourne Grove, Ashgate, Chesterfield S40 3QD for Mr and Mrs Markham.
CHE/21/00919/DOC	Discharge of condition 5 of CHE/18/00473/FUL and CHE/20/00431/FUL at Avenue House Surgery, 109 Saltergate, Chesterfield S40 1LE

For Blair Gratton Architects Ltd.

(d) Partial Discharge  
of Conditions

CHE/21/00251/DOC	Discharge of planning conditions 3 (contract re pharmacy devpt), 4 (Tree Protection) and 5 (Landscaping) of CHE/20/00431/FUL - Extension and alterations to provide 3 consulting rooms to new pharmacy at 109 Saltergate, Chesterfield S40 1LE for Blair Gratton Architects
CHE/21/00436/DOC	Discharge of conditions 4 (land levels), 5 (materials), 7 (drainage), 8 (mining remedial works), 9 (ecological appraisal), 10 (layout of site), 11 (accesses), 12 (parking provision) and 13 (bin storage) of CHE/17/00252/OUT - Pair of 2 bedroom semi-detached houses at land adj 20 Harehill Road, Grangewood S40 2JA for JJK Project Services
CHE/21/00690/DOC	Discharge of planning conditions 7 (Coal Mining Report), 8 (Archaeological investigation), 9 (Badger Survey), 10 and 12 (Biodiversity Strategy) and 11 (Employment and Skills Strategy) of CHE/18/00532/OUT - Outline Application for residential development (of up to 150 dwellings) and associated access works at land to the north of Northmoor View, Brimington for Vistry (Yorkshire) Ltd
CHE/21/00035/DOC	Discharge condition numbers 3 (drainage), 5 (desk top study), 8 (lighting strategy), 9 (enhancement measures), 10 (Natural England licence), 11 (tree protection), 14 (landscaping), 16 and 17 (site storage), 18 (bin storage) and 19 (electric charging points) of CHE/18/00764/FUL - Redevelopment of a previously developed site for 2 no. 'self-build' dwellings and garages at Oldfield Farm, Wetlands Lane, Brimington S43 1QG for Mr and Mrs Walters.

- CHE/21/00528/DOC Discharge of planning conditions 11 (Travel plan and environ plan) 12 (Cycle store) 15 (Block plan indicating Hedgehog Highway measures) 16 (soft landscaping) 18 (hard landscaping) of CHE/20/00159/FUL - Erection of a 64 bed, 2 storey, residential care home for the elderly with roof space ancillary accommodation and associated external works at land at 59 St Augustines Road, Birdholme S40 2SA for Crown Care XIV Ltd.
- CHE/21/00720/DOC Discharge of outstanding planning conditions 4 (drainage), 6 (remediation scheme), 9 (vehicular access on southern part of site), 10 (construction management plan), 12 (biodiversity), 16 (Employment and Training scheme) and 19 (boundary treatment to Harehill Road) of CHE/20/00078/FUL - Demolition of existing public house and residential development of 12 two-bedroom dormer bungalows at The Trumpeter Harehill Road, Grangewood S40 2NG for Erica Developments Ltd.
- CHE/21/00818/DOC Discharge of conditions 10, 11, 13, 14, 16 and 17 of CHE/21/00430/FUL (change of use of Dunston Hall from C3 to Sui Generis use permitting the building to be operated as a Holiday Let and wedding venue, including conversion of the existing garage building to create an internal space suitable for conducting wedding ceremonies, and the creation of a car parking area) at Dunston Hall, Dunston Road, Chesterfield S41 9RL for Mr David Harrison.
- (e) CLUD granted
- CHE/21/00467/CLU Certificate of lawful use of land outlined in red as part of the domestic garden associated with 6 Netherfield Road. At 6 Netherfield Road, Somersall, Chesterfield S40 3LS for Mr and Mrs Wood

CHE/21/00861/CLU Application for a certificate of lawful development creation of car park space to front of dwelling.  
At 3 Handley Road, New Whittington, Chesterfield S43 2DU for Olivia Elliott.

(f) CLOPUD granted

CHE/21/00644/CLO Single storey rear extension at 18 Moorland View Road, Walton S40 3DE for Mr J Vargas

CHE/21/00873/CLO Hip to gable and dormer to create loft conversion at 9 Heathfield Avenue, Chesterfield S40 4AJ for Mr and Mrs Kane.

(g) Unconditional permission

CHE/21/00701/CA T1, T2, T3, T4 - Hornbeam - Young/Semi mature. Overreaching, reducing light to properties, invasive root system causing damage to pathways and close to drains. Works to trees at 1 Portland Close, Chesterfield S41 7NX for Oakbrook Services Ltd

CHE/21/00702/CA Works to trees at 10 Portland Close, Chesterfield S41 7NX for Oakbrook Services Ltd

(h) Split Decision with Conditions

CHE/21/00755/TPO One large Oak Tree crown lift by 5m/crown thin up to 25%. Clear branches away from buildings to reasonable growth points lift 5m over highway one oak tree all work carried out to BS3998 at 19 Grove Farm Close, Brimington S43 1QA for Mr Tony Irons

CHE/21/00794/TPO Tree 22 behind 51 Foxbrook Drive, crown lift to first major limbs, crown thin by 25 percent, removal of dead damaged or crossing branches within crown, removal of ivy and small branches sprouting from the trunk below main branches, reduction of side branches on lower limbs on south and east side of tree at 49 Foxbrook Drive

## Walton S40 3JR for Ms Sandra Neep

- CHE/21/00823/TPO T14 and T15 Crown thin the trees due to size and safety, let more light into garden, and control of size, remove over hanging branches at 92 Highland Road, New Whittington S43 2EZ for Mr Joe Cuddy
- CHE/21/00855/TPO Fell T1 - Ash, crown clean and removal of basal growth of T2 (group of 3 lime trees), remove diseased limb identified by DCC and removal of multiple dead branches of T3 - Beech, shorten limbs extending over highway to reduce weight and risk of failure of T4 - Pine and remove all self-set saplings likely to encroach onto the highway of TG5 at land between 107 and 113 High Street, Old Whittington for Mrs Susan Smith

## (i) Conditional Consent for Non-Material Amendment

- CHE/21/00777/NMA Non-material amendment to CHE/20/00653/REM (Redevelopment of land for employment uses (Use Classes B1, B2 and B8) to change the proportions of all three blocks and consequential alterations to site layout to accommodate adopted drainage to eastern site boundary and adjustment to drainage strategy to better suit revised infrastructure drainage at land accessed from Farndale Road, Staveley for Devonshire Property (B2D) Limited
- CHE/21/00881/NMA Non-material amendment to CHE/19/00157/FUL (Erection of a mixed-use retail/ leisure development comprising of a main leisure/retail/ bar and restaurant (use classes A1, A2, A3, A4 & A5), business centre and associated offices/office facilities (use classes B1, D1, D2 with access, and car parking/servicing, landscaping, and provision of a new public walkway along the southern boundary) to allow 3 additional slot type windows to the west end of the south elevation of Unit A at Former Derbyshire Fire and Rescue Station,

Sheffield Road, Whittington Moor S41 8LF for Tim Turner

(j) Prior Approval not required

CHE/21/00803/CLO	Construction of single storey rear extension infill, replace garage door with bay window and internal alterations at 12 Melrose Close, Chesterfield S40 1JA for Mrs L Bond.
CHE/21/00834/CLO	Loft conversion and side dormer at 72 The Green, Hasland S41 0JU for Mr and Mrs Griffin
CHE/21/00872/TPD	Ground floor extension to the rear elevation at 5 Grove Gardens, Brimington S43 1QS for Mr Richard Ward
CHE/21/00906/TPD	Single Storey Rear Extension at 37 Glenfield Crescent, Newbold S41 8SF for Mrs Pamela Hutton.

(k) Withdrawn

CHE/21/00811/TPO	Felling to near ground level by sections if needed of trees T1 T2 TG3 TG4 T5 T6 T7 TG8 at Ryecroft Farm, Unnamed Road from Station Road to Ryecroft Farm, Chesterfield S43 1LR for Mr Simon Parker
CHE/21/00140/NMA	Non-material amendment to CHE/20/00159/FUL (erection of a 64 bed, 2 storey, residential care home for the elderly with roof space, ancillary accommodation and associated external works) for substitution of approved drawings allow relocation of retaining wall closer to the building, move access door closer to vehicle service point at the front and relocate bike store at land at 59 St Augustines Road, Birdholme S40 2SA for Crown Care XIV Ltd.



## 80 **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/21/00827/TPO	Consent is granted to the pruning of one Sycamore tree reference T4 and trees within G1 on the Order map for Mr & Mrs Dawson at land to the rear of 55 Moorland View Road, Walton.
CHE/21/00819/TPO	Consent is granted to the pruning of one Ash tree reference T3 and one Oak reference T4 on the Order map at 5 Sandstone Avenue, Walton.
CHE/21/00796/TPO	Consent is granted to the crown reduction of one Sycamore tree reference T4 on the Order map for Mr Hawksworth of 32 Hillside Drive, Walton.
CHE/21/00854/TPO	Consent is granted to the pruning of one Ash tree reference T1 on the Order map for Ken Portas Tree Surgery on behalf of 40 Bentham Road, Chesterfield
CHE/21/00895/TPOEXP	Consent is granted to the removal of one windblown Beech tree within G2 on the Order map for The Lifestyle Village, High Street, Old Whittington, with a condition to plant one new Oak tree in the same location.
CHE/21/00896/TPOEXP	Consent is granted to the felling of one wind damaged Ornamental Crab Apple tree within G1 on the Order map for Oxon Tree Surgery at 770 Chatsworth Road, with a condition to plant one new Crab Apple tree or a Maple in the same location.

CHE/21/00853/TPO	<p>Consent is granted to the felling of one Ash tree and the pruning of 2 Horsechestnut trees and one Sycamore tree within A1 on the Order map for Ken Portas Tree Surgery on behalf of 8 Ash Glen, Brampton, Chesterfield, with a condition to plant one replacement tree.</p> <p>Consent is also granted to the crown lifting and crown thinning of one Horsechestnut and one Sycamore. Also, the crown reduction of one Horsechestnut.</p>
CHE/21/00867/TPO	<p>Consent is granted to the pruning of one Oak tree reference T1 on the Order map for Acme Arb Ltd. The tree is located adjacent to 12 Harvest Close, Holmehall. Consent is also granted to crown thin the tree by 20% and crown lift</p>
CHE/21/00882/TPO	<p>Consent is granted to the pruning of one Ash tree reference T11 on the Order map for John Pope of 12 Fieldhead Way, Newbold.</p>
CHE/21/00897/TPO	<p>Consent is granted to the pruning of one Beech tree to the frontage of 770 Chatsworth Road reference T60 on the Order map for Oxon Tree Care.</p>
CHE/21/00799/TPO	<p>Consent is granted to the pruning of T6 Sycamore and T7 Oak on the Order map for Mr Alistair Fraser of 51 Pomegranate Road.</p> <p>Consent is also granted to crown lift, clean and thin one Oak tree.</p>
CHE/21/00907/TPO	<p>Consent is granted to the pruning of one Ash tree reference T18 on the Order map at 29 Foxbrook Drive, Walton for Westside Landscapes</p>
CHE/21/00794/TPO	<p>Consent is refused to the pruning of one Oak</p>

tree reference T22 on the Order map for Ms Neep at 49 Foxbrook Drive, Walton.

However, consent is granted to crown lift the tree.

CHE/21/00821/TPO

Consent is refused to the pruning of two Sycamore trees within A1 on the Order map to the rear of 107 High Street, Old Whittington.

However, consent is granted to a crown clean to remove dead wood.

CHE/21/00755/TPO

Consent is refused to the felling or/and the pruning of one Oak tree reference T1 on the Order map for Mr Irons at 19 Grove Farm Close.

However, consent is granted to the pruning of the tree to raise the crown.

CHE/21/00855/TPO

Consent is refused to the felling of one Ash tree with alleged Ash Dieback and the pruning of one Beech, one Pine and three Lime trees within A1 on the Order map on land between 107 and 113 High Street, Old Whittington.

However, Consent is granted to the crown reduction of one Ash tree and to remove one diseased branch on the Beech tree, the light reduction of branch growing over the highway of one Pine and the crown cleaning of 3 Limes

CHE/21/00823/TPO

Consent is refused to the pruning of two Oak trees reference T14 & T15 on the Order map for Mr Cuddy of 92 Highland Road, New Whittington.

However, consent is granted to crown thin the trees.

**81     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.

**82     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.

# Agenda Item 4

COMMITTEE/SUB	Planning Committee
DATE OF MEETING	21 <sup>st</sup> February 2022
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 21 FEBRUARY, 2022**

<b>ITEM 1</b>	<b><u>CHE/21/00567/REM - APPROVAL OF RESERVED MATTERS OF CHE/19/00131/OUT - RESIDENTIAL DEVELOPMENT OF 400 DWELLINGS, PUBLIC OPEN SPACE AND ASSOCIATED INFRASTRUCTURE ON LAND TO THE WEST OF INKERSALL ROAD, STAVELEY, CHESTERFIELD FOR BARRATT HOMES.</u></b>
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**ITEM 1**

**Approval of reserved matters of CHE/19/00131/OUT - residential development of 400 dwellings, public open space and associated infrastructure on land to the west of Inkersall Road, Staveley for Barratt Homes.**

Local Plan: H36 allocated for 400 homes Policy CLP3

Ward: Middlecroft and Poolsbrook

Plot No: 2/3037 - 5774

Committee Date: 21<sup>st</sup> February 2022

**CONSULTATIONS**

Environment Agency	No comment to make
The Coal Authority	Comment made see report below
Sport England	The planned open space is informal, there are no proposals for delivering sports facilities on site. The proposed development is required to provide a CIL contribution. Active design is encouraged including walking and cycling routes.
Cycle Campaign	There needs to be a cycle and pedestrian connection to the Trans Pennine Trail. Further comment on amended plans – pleased to see the links to the TPT, a plan showing the cycle infrastructure is needed. Connections need to meet LTN1/20. The southern link does not appear user friendly. The refuge on Inkersall Road needs to be of appropriate cycle width.
Trans Pennine Trail	The development needs to connect into the TPT within links designed to a minimum of LTN1/20 standards. It is questioned why the links to the Trail are not going to be provided by the developer?  Further comment: The latest revised Framework Plan details improved connections from the development for walkers and cyclists to the Trans Pennine Trail. These changes are welcomed and dramatically improve the sustainable transport offer of the site.
Highways England	No objection
Highway Authority	Comments made see report below

CBC Design Services	We have no comments to make
Lead Local Flood Authority	Comments made see report below
Derbyshire Constabulary – designing out crime	Comments made see report below
Yorkshire Water	Comment made see report below
DCC Policy	The housing is unlikely to meet M4(3) standards. The homes are unlikely to meet lifetime homes standards. Details of the links to the TPT are required along with a delivery plan. The Landscape Management Plan also indicates that an approved contractor will be responsible for removing litter and other debris. The document however does not address dog waste and this also need to be taken into account with the installation, maintaining and emptying dog bins in relevant locations within the development.
DCC Countryside services	Countryside Service has always been clear that it does not accept any responsibility for funding or delivering links to the cycle network from the development. My last correspondence informed that CBC would require the applicant to provide a scheme for effective connections, deliver and fund it. Further comments: The design plans from the applicant are a welcome step forward but they omit dimensions and specifications which would enable Countryside Service to make a reasonable assessment against. Furthermore, the two links will need to be constructed on DCC land and we are yet to be approached by the applicant on their proposals to secure access to this land and maintain it.
CBC Conservation	The proposed layout provides a significant buffer zone between the development site and the setting of the grade II listed Inkersall Farmhouse. On that basis no objections.
Derbyshire Wildlife Trust	Comments made – see report below
CBC Housing delivery Manager	The overall amount of units seem to give an adequate split. It equates to a blended average of 7%. In this location there is a need for 2 and 4 bed properties and 2 bed flats. Concern regarding unit size which in some cases do not meet the nationally described space standards.

CBC Housing	The proposed bedroom numbers and range of affordable housing is considered acceptable. Confirmation of the affordable tenures to be provided. One area of concern is the size of the proposed affordable housing when compared to DCLG's space standards.
CBC Economic Development	The EDU is supportive of the application. Recommended that a local labour/ supply chain condition is imposed.
CBC Urban Design Officer	Comments made see report below
CBC Forward Planning	Need to consider cycle priority routes, links to the TPT, street trees, biodiversity net gain. Confirmation of the typologies required taking into account biodiversity and accessibility. Some of the unit sizes are below DCLG standards. Details needed in regard to climate change. Policy CLP17 requires the provision of new multifunctional and well connected (on foot and by bicycle), good quality public open space on the site. 25% of the units should be to M4(2) standard.
CBC Tree Officer	Comment made see report below
DCC Tree Officer	Comment made see report below
CBC Leisure Services	The landscaping proposals are acceptable through woodland planting, well-designed public open spaces, suds creation and improvement of the ditch habitats using native shrub mixes along with tree and hedgerow species. The proposals show various habitats and provide structural diversity across the site for wildlife. Natural play is included. The landscaping proposals, appear well designed, with appropriate native and ornamental species selected.
CBC Environmental Health	The land contamination assessment has found no issues on the site. The noise assessment indicates that sections of the site will require mitigation measures, I agree with this. Dwellings should be fitted with EV charging infrastructure as part of the build phase. Hours of work on the site to be restricted as follows: Mon to Fri: 08:00 – 18:00, Sat: 08:00 – 13:00, Sun/BH No working.
NHS – Clinical Commissioning Group	No further comment

Representations	3 received which are summarised in section 6 of the report.
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## 2.0 **THE SITE**

2.1 The application site is a triangular shaped parcel of land located to the east of the TPT in Staveley which forms the western boundary of the site with Inkersall Road running along the east of the site and Inkersall Green Road to the south. The site ends at its northern tip with the TPT crosses Inkersall Road. The site is currently green field land with a central corridor forming a water course which crosses the site in a diagonal east west.

2.2 There is a Grade II listed farmhouse located to the far south and a cluster of cottages to the south-east. Poolsbrook Country Park is to the east and Poolsbrook Caravan Park.



(Google image)



(red edge site plan)

## 3.0 **SITE HISTORY**

3.1 CHE/19/00131/OUT 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 - Conditional Permission 28.08.2020

## 4.0 **THE PROPOSAL**

4.1 Reserved matters planning permission is sought for the erection of 400 dwellings and associated infrastructure following the grant of outline planning permission in 2020. Significant negotiation has been undertaken with the developer to improve the layout of the development including work to improve accessibility throughout the site, connectivity with the TPT, street hierarchy and design, provision of street trees, provision of green spaces and the creation of a sense of place.

4.2 The development is accessed from Inkersall Road to the north of the site and an access to the south from Inkersall Green Road.





- 4.3 The site has a hierarchy of streets with green edges to the periphery of the site and the main street being more dominant, tree lined and with defined pedestrian cycle and vehicle routes. The water course running through the centre of the site is retained and to be enhanced as open space with planting.



- 4.4 To the southern end of the site the land inclines to the south eastern corner where there is an existing pylon. A large swath of this area is to become open space with additional planting.



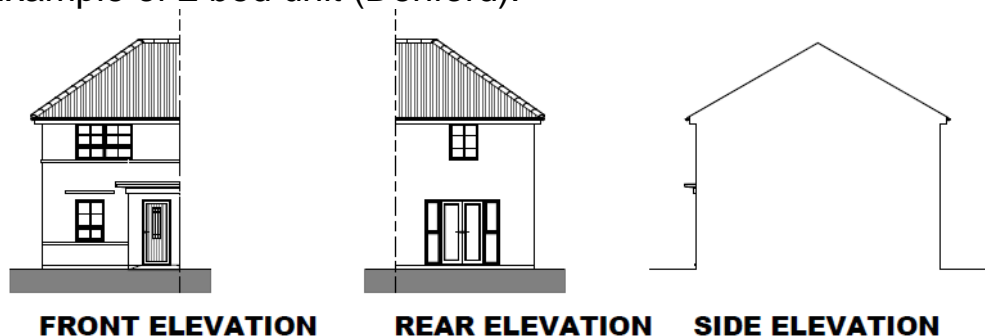
- 4.5 There are two local areas of play on the site and one larger equipped area for play. The whole site is interspersed with areas of new planting and public open space.

4.3 Throughout the application process significant negotiation with the developer has been undertaken to improve the design of the house types across the development. The following house types and the number of these are proposed as follows:

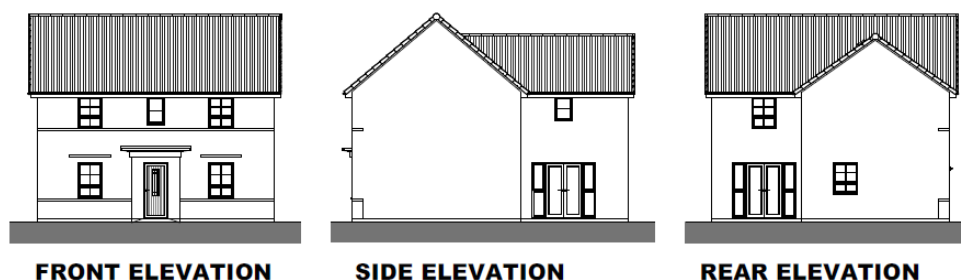
4.4 Barratts range:  
Kenley – 2 bed attached unit x 21  
Denford – 2 bed attached unit x 4  
Moresby – 3 bed attached or detached unit x 18  
Maidstone – 3 bed attached unit x 16  
Ellerton – 3 bed attached unit x 14  
Denby – 3 bed detached unit x 6  
Lutterworth – 3 bed detached cranked unit x 3  
Kingsville – 3 bed attached unit x 26  
Kingsley – 4 bed detached unit x 6  
Kennford – 4 bed detached unit x 10  
Hemsworth – 4 bed detached unit x 6  
Brentford 3 bed attached unit x 8 and Haversham 3 / 4 bed attached unit x 20  
Hale – 3 bed detached unit x 14  
Radleigh – 4 bed detached unit x 10  
Alfreton – 3 bed detached unit x 16  
Lamberton – 4 bed detached unit x 8

= 206

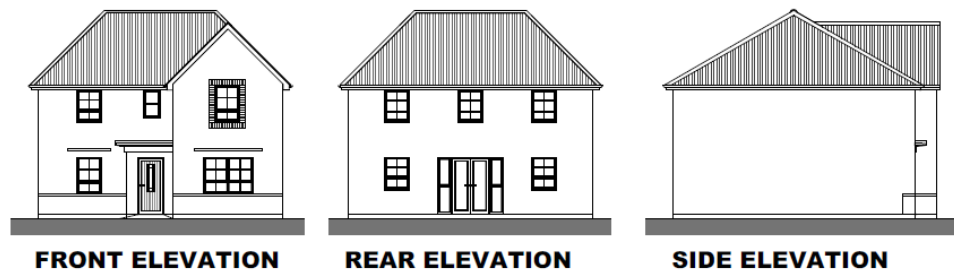
Example of 2 bed unit (Denford):



Example of 4 bed unit (Alfreton):



Example of 4 bed unit (Lamberton):



4.5

David Wilson Homes range:

P204 Wilford – 2 bed attached unit x 13

P382 Archford – 3 bed semi unit x 13

P341 E7 and D7 Hadley – 3 bed detached or attached unit x 22

H349 Abbeydale - 3 bed detached unit x 10

H403 Ingleby – 4 bed detached unit x 16

T332 Greenwood – 2.5 storey 3 bed semi unit x 18

T321 E7 Cannington – 3 bed, 3 storey semi unit x 4

H457 Ashington – 4 bed detached and cranked unit x 3

H442 Kirkdale – 4 bed detached unit x 12

H429 Meriden – 4 bed detached unit x 16

H456 Avondale – 4 bed detached unit x 3

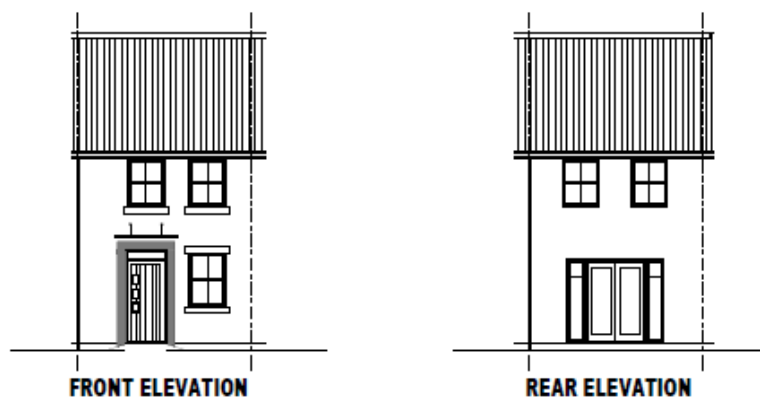
H469 Holden - 4 bed detached unit x 19

H421 Winston – 4 bed detached unit x 7

H588 Henley – 4 bed detached unit x 10

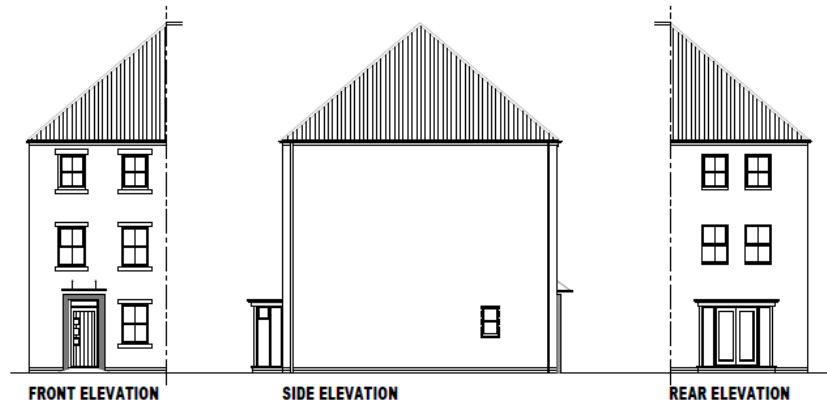
= 166

Example of 2 bed unit (Wilford):





Example of 3 bed, 3 storey unit (Cannington):



Example of 4 bed unit (Holden):



4.6

Affordable house types:

Type 38 and 39 – 1 bed flat x 2

Type 65 – 4 bed attached unit x 3

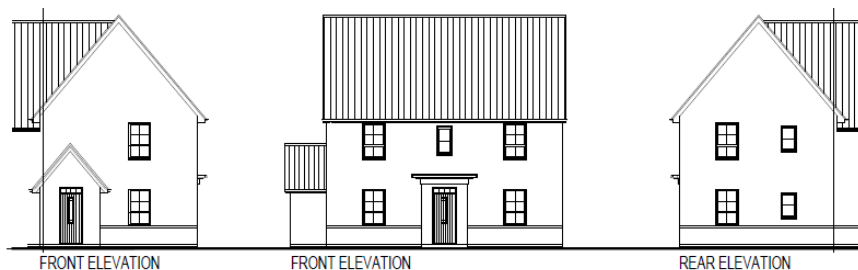
Type 67 – 2 bed attached unit x 14

Type 69 – 3 bed attached unit x 9

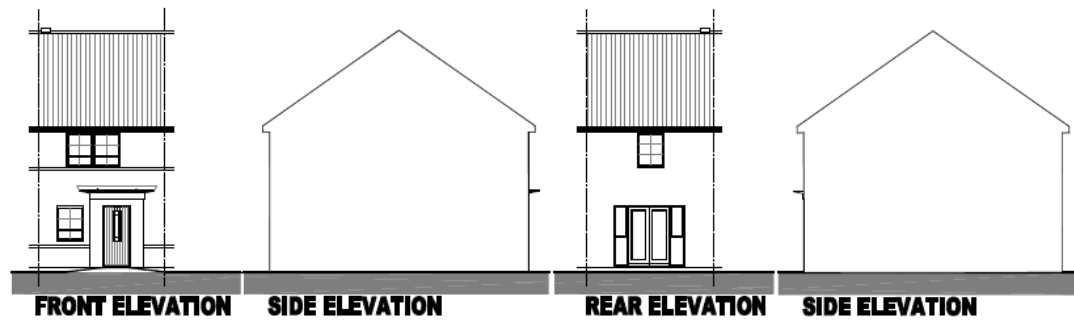
= 28

Overall total = 400

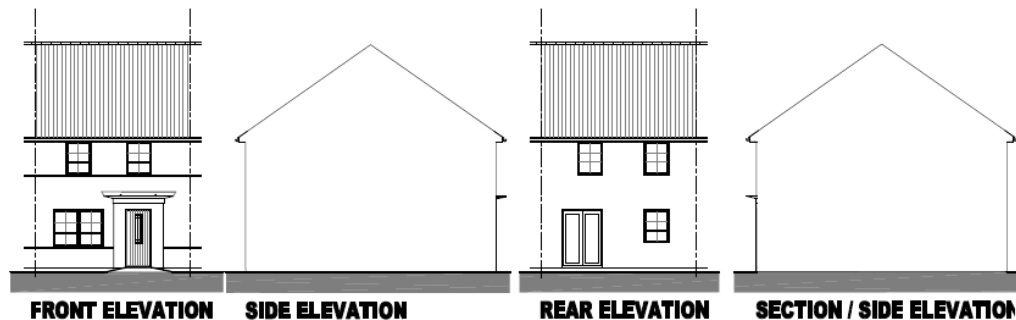
Example image of affordable 1 bed flat unit:



Example of 2 bed affordable unit:



Example of 4 bed affordable unit:



## 5.0 **CONSIDERATIONS**

### 5.1 **Planning Policy**

- 5.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that, 'applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise'. The relevant Development Plan for the area comprises of the Chesterfield Borough Local Plan 2018 – 2035.

### 5.2 **Chesterfield Borough Local Plan 2018 – 2035**

CLP1 Spatial Strategy (Strategic Policy)  
 CLP2 Principles for Location of Development (Strategic Policy)  
 CLP3 Flexibility in Delivery of Housing (Strategic Policy)  
 CLP4 Range of Housing  
 CLP11 Infrastructure Delivery  
 CLP13 Managing the Water Cycle  
 CLP14 A Healthy Environment  
 CLP15 Green Infrastructure  
 CLP16 Biodiversity, Geodiversity and the Ecological Network  
 CLP17 Open Space, Play Provision, Sports Facilities and Allotments  
 CLP20 Design

CLP21 Historic Environment  
CLP22 Influencing the Demand for Travel

### **5.3 Other Relevant Policy and Documents**

- National Planning Policy Framework (NPPF)
- Successful Places' Residential Design Guide

### **5.4 Key Issues**

- Principle of development
- Heritage impacts
- Design and appearance of the proposal;
- Impact on residential amenity;
- Highways safety
- Biodiversity, enhancement and Trees
- Ground conditions
- Drainage
- Developer Contributions and CIL liability

### **5.5 Principle of Development**

- 5.5.1 The principle of the development in this case is established by both the outline planning permission (CHE/19/00131/OUT) for which this application considers the reserved matters (appearance, landscaping, layout and scale), and the allocation of the land for 400 dwellings as established by Policy CLP3, under housing allocation H36. Policy CLP3 states that: "Planning permission will be granted for residential development on the sites allocated on the Policies Map and as set out in Table 4, provided they accord with other relevant policies of the Local Plan."
- 5.5.2 Access to the site was considered at the outline stage with one access onto Inkersall Green Road and one onto Inkersall Road as shown above. That outline permission considered all matters of principle. It is therefore worthwhile noting at this stage the pertinent planning conditions and obligations of that permission.
- 5.5.3 Planning obligations secured via the S106 agreement:
- Affordable housing at 7%, including a detailed scheme for phasing and details of tenure etc of the affordable units.
  - Healthcare contribution £480 per dwelling

- Contributions towards: Travel plan monitoring, Bus stop enhancement, junction modification (A619 at Troughbrook), links to the TPT, speed limit investigation.
- Management company for the landscaping of the site and any unadopted drainage infrastructure.

#### 5.5.4

Conditions secured under the outline permission:

Phasing programme – condition 6

Detailed design for new access points, links with the TPT and works to footway on Inkersall Road north of the site – condition 8

Improvement works for signalling Inkersall/Green Roads junction – condition 10

Crossing facility Inkersall Road – condition 11.

Review of street lighting – condition 12.

Means to prevent discharge of surface water to highway – condition 14.

Future management and maintenance of streets – condition 16.

Design of surface water drainage for the site - condition 20.

Surface water hierarchy – condition 21.

Contamination investigation/remediation – condition 22.

Coal – site investigations – condition 23.

Coal – findings, remedial works – condition 24.

Construction environmental management plan – condition 26.

Landscape and ecological management plan – condition 27.

Lighting strategy – condition 28.

Landscaping of the site and 5 year maintenance – condition 29.

Tree protection plan and Arboricultural method statement - condition 30.

Management of public landscaped areas – condition 31.

Archaeological written scheme of investigation – condition 32.

Scheme to promote local supply chain, employment and training – condition 33.

Residential charging point for each dwelling – condition 34.

Construction work times – condition 35.

Materials – condition 36.

Land levels and floor levels of dwellings with cross sections – condition 37.

Noise mitigation measures to be submitted – condition 38.

#### 5.5.5

Connectivity:

Whilst the site is allocated for 400 dwellings under policy CLP3, it is acknowledged that policies CLP1 and 2 require development to be sustainably located so that there is easy walking and cycling access to services and facilities. In this regard the proposed links into Staveley via the TPT are crucial to the sustainability of this site. It has been noted by

Sport England that active design is necessary to encourage walking and cycling. The Cycle Campaign and the TPT have both noted the need to link into the TPT. In this regard there has been considerable dialogue with DCC and the developer to ensure the location of the links to be provided are acceptable and will be delivered through the contribution to DCC as set out in the S106. The revised location of the links is considered to be achievable within the commuted sum and works appropriately linking the site via Calver Crescent and Haddon Place.



5.5.6 The comments of the cycle campaign and the TPT are noted and it has been established that the design of the links will need to be to LTN1/20 national standards for multiuser links with a surfacing anticipated to match that of the TPT. Due to the commuted sum to DCC it will be for DCC to implement the links where it is outside of the red edged area and for DCC to maintain these. On this basis it is considered that the links are appropriate and meet the requirements of policies CLP1 and 2.

5.5.7 Affordable housing:  
The S106 secures the affordable housing for the site which is noted to be at 7% provision. The site is split north and south by the central green corridor with the southern part of the site being developed by Barratt's and the northern by David Wilson Homes. The split of affordable and open market has been set out across these two areas of the site.

5.5.8 Under the Barratt area of the site the proposal is for:  
2 x 1 bed units  
14 x 2 bed units

3 x 3 bed units

3 x 4 bed units which totals = 22 units.

The open market units = 206 resulting in 228 across the southern part of the site. The 22 affordable units proposed results in 9.64% of the units being affordable.

5.5.9 Under the David Wilson area of the site the proposal is for:

6 x 3 bed units.

The open market units = 166 resulting in 172 across the northern part of the site. The 6 affordable units proposed results in 3.48% of the units being affordable.

5.5.10 This results in over the 7% to the southern part and less than 7% to the northern part. Overall, the provision across the site is 7% (28 units) which meets the requirements of the S106 agreement.

5.5.11 M4(2) compliance:

Policy CLP4 requires that: On sites totalling 10 or more dwellings (including phases of those sites) 25% of dwellings should be built to building regulations standard M4(2) (where a site includes affordable housing this should normally be proportionately split between tenures).

5.5.12 In this case the developer has stated that as the Outline permission did not require the M4(2) provision it is inappropriate for this to be required at this Reserved Matters stage. They have however provided a detail of the house types which may be feasible for M4(2) compliance but for which a full assessment has not yet been made. On this basis it is considered reasonable that a condition be imposed to secure consideration of the developers best endeavours in the aim of achieving 25% of the units as M4(2) compliant and that further details are submitted for detailed consideration.

5.5.13 On this basis it is considered that the requirements of policy CLP4 have been met as far as possible within the constraints of the outline permission.

5.5.14 Climate change:

In regard to climate change Policy CLP20 requires that: Major development should, as far as is feasible and financially viable minimise CO2 emissions during construction and occupation, and also maximise both the use of and the generation of renewable energy. Planning applications for major new development should be accompanied by a

statement (as part of or in addition to a design and access statement) which sets out how the development would do this in terms of:

- i. following the steps in the energy hierarchy by seeking to use less energy, source energy efficiently, and make use of renewable energy before efficiently using fossil fuels from clean technologies;
- ii. optimising the efficient use of natural resources;
- iii. reducing emissions through orientation and design.

5.5.15 To address this issue the applicant's agent has submitted a supporting statement which is summarised:

*The developer is a Gold Leaf member of the UK Green Building Council as well as being the only major house builder to be a founder member and we take our responsibility to safeguard the environment extremely seriously. Barratt operates a comprehensive corporate environmental policy which covers house design, construction, water usage, material sourcing, pollution prevention and the use of SUDS.*

*The implementation of this corporate policy combined with the other features including landscaping, ecology and biodiversity will have a significant contribution towards delivering a sustainable development within Chesterfield. Our policy for reducing waste and increasing efficient use of materials mirrors the waste management hierarchy of reduce, re-use, recycle and results in significantly reduced amounts of waste produced on site, as well as excellent diversion from landfill rates.*

*Our new homes are designed with energy efficiency as a key design consideration. Good levels of insulation, airtightness through quality construction on site, high efficiency heating systems, energy-efficient appliances and reduced water usage help occupiers keep bills to a minimum, whilst at the same time respecting the environment by reducing CO2 emissions through a fabric approach.*

*The energy efficiency of new homes should now be solely driven through Approved Document Part L and current Government and industry thinking therefore strongly encourages a 'fabric first' approach, whereby CO2 emission reductions are achieved through the building fabric, before using Low & Zero Carbon technologies.*

*The fabric first approach has a number of clear benefits notably that they are apparent for the full lifespan of the building, ensuring the aim of reducing CO2 emissions is upheld. In comparison to renewable technologies, there is no maintenance or change in occupiers behaviour required, and it avoids the concern whether the technologies are actually being used.*

*Our proposed development would be constructed to the Approved Document Part L of the Building Regulations as a minimum, using a fabric*

*approach, which ensures that the statutory requirements for carbon reduction in new build homes are achieved:*

- Higher levels of insulation*
- Higher performance windows and doors*
- Reduced air infiltration rates*
- Enhanced thermal bridging performance*
- Maximisation of passive solar and metabolic gains*
- 100% Energy efficient lighting*
- Energy efficient appliances*
- Energy efficient space and water heating systems*
- Waste Water Heat Recovery Systems*
- Hi-therm Lintels*

*Part G of the Building Regulations requires water consumption in the home to be limited to 125 Litres per person per day, we are now targeting below 105 Litres per person per day.*

*A Site Waste Management Plan (SWMP) is in place and we prevent pollution and reduce waste on our developments. Our policy for reducing waste and increasing efficient use of materials mirrors the waste management hierarchy of reduce, re-use, recycle and results in significantly reduced amounts of waste produced on site, as well as excellent diversion from landfill rates. All of our developments are scored against the criteria of Building for a Healthy Life.*

5.5.16 Whilst it is disappointing that the scheme does not include options for using renewable energy, nevertheless the comments made are noted and are considered to meet at a basic level the requirements of the outline permission and policy CLP20.

5.5.17 Conclusion:  
In terms of the principle of the development this is established through the outline permission. It is considered that the parameters of the outline permission have been met. It is therefore necessary to consider the detail of the scheme now proposed.

## **5.6 Heritage impacts**

5.6.1 The application site is within the setting of the Grade II listed Inkersall Farmhouse which is located on the south of the site on the opposite side of Inkersall Green Road. The listing description states this as being: Early C19. Ashlar; 2 storeys; 3 sash windows with rusticated heads; central stone pilaster doorcase with open pediment and semi-circular radial fanlight; stone eaves cornice; hipped slate roof.



- 5.6.2 Policy CLP21 states in regard to Heritage assets: In assessing the impact of a proposed development on the significance of a designated heritage asset, the council will give great weight to the conservation of designated heritage assets and their setting and seek to enhance them wherever possible. Paragraphs 202 of the NPPF 2021 states: Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 5.6.3 As initially assessed on the outline application the application will lead to a loss of green fields which establish part of the setting of the listed building. However, as noted by the Council's Conservation officer, as there is a substantial buffer between the listed building and the build development it is considered that any harm to setting is at the lower end of less than substantial harm and this is therefore easily outweighed by the public benefits arising from the development of 400 homes in line with paragraph 202 of the NPPF 2021.
- 5.6.4 It is acknowledged that the outline permission secures appropriate consideration of any below ground archaeology through condition 32, and therefore no further consideration of this is required at this stage.

## **5.7 Design and Appearance of the Proposal**

- 5.7.1 Local Plan policy CLP20 states in part; all development should identify and respond positively to the character of the site and surroundings and respect the local distinctiveness of its context 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.
- 5.7.2 Layout:  
The Urban Design Officer commented on the application and the comments are briefly summarised:  
*More consideration of site entrances, at least one public square needed. Strengthen nodal points. Details of levels and retaining structures. Tree lined streets. Consideration of building heights. Coherent boundary treatments. Query tree belt on Inkersall/Green junction. Priority cycle routes. Consideration of use of Art contribution. Details of the bridge required.*

- 5.7.3 Condition 4 of the outline permission required the submission of a detailed development framework for the site to inform the Reserved Matters. Considerable discussion has taken place through seeking the discharge of this condition. Further discussion and changes to the layout have been undertaken through the consideration of this application to address the concerns of the Urban Design Officer. The scheme now proposed is considered to have resolved the issues raised resulting in a scheme which has a suitable street hierarchy, pattern of house types, sense of place and which will create a welcoming environment for future residents. It is noted that limited information has been submitted with this application in terms of levels, however the outline permission requires the submission of detailed level information through condition 37. It is considered necessary to ensure details of any retaining features associated with level changes are submitted for consideration through a further planning condition.
- 5.7.4 The initial scheme submitted house types that were not considered to be an appropriate design response to the site. Through negotiation the house types have been altered to a more contemporary design and with more consistency of approach between the two halves of the development whilst each preserved its own appropriate character areas.
- 5.7.5 In terms of boundary treatments a detailed plan has been submitted showing the proposed boundary treatments. In strategic locations dry stone walling or mortared stone walling is proposed to provide a focal point. Screen walls are intended to match the brick of the associated dwelling. In general terms the use of close boarded fencing to rear gardens, screen walls and railings to public areas with knee rails to define the public and private spaces is acceptable.
- 5.7.6 The facing materials of the units is considered by condition 36 of the outline permission. However, this application contains details regarding the materials selection which is based on 6 brick types and 2 contrasting bricks and 3 roof tiles. There will be a grey brick with contrasting blue brick detail, a variety of mixed red/brown brick with contrasting blue brick detail, a mixed buff brick with contrasting blue or buff brick detail and a variety of red brick with contrasting buff brick detailing, which is considered to be appropriate to the context of the site. More detailed consideration of where these bricks are used throughout the site will be required when seeking the discharge of the outline condition.
- 5.7.7 The roofing tiles are considered generally appropriate being a mix of grey, brown and red. However, the red is considered to be too great a

contrast and therefore the discharge of the materials condition is likely to be for the brown and grey roof tiles only. It is intended that the roof and ridge tile colours will match. All rainwater goods are noted to be Black, Barratt Homes wall mounted meter boxes are to be white, David Wilson Homes wall mounted meter boxes are to be black, Ground gas meter boxes are to be brown. There will be a mix of white, grey and black windows, doors, soffits and fascia. For the submission of the detailed materials selection consideration should be given to darker tones for doors and garage doors.

5.7.8 In terms of hard surfacing the materials schedule details that all roadways, footways and driveways to be black tarmac, with exception those shown as block paving. Tarmac driveways will incorporate a block paved demarcation. All pathways and patio areas to be grey concrete paving slabs (450mm x 450mm). This approach is considered to be acceptable.

5.7.9 On the basis of the submitted details the design and appearance of the scheme is considered to be acceptable in accordance with policy CLP20 of the Adopted local plan.

## **5.8 Impact on Residential Amenity**

5.8.1 Concern has been raised that the development will result in noise and nuisance to existing residents particularly where the signalised junction is proposed and that no assessment of this has been undertaken.

5.8.2 Policy CLP14 requires that: All developments will be required to have an acceptable impact on the amenity of users and adjoining occupiers, taking into account noise and disturbance, dust, odour, air quality, traffic, outlook, overlooking, shading (daylight and sunlight and glare and other environmental impacts).

5.8.3 Under the outline permission it was clear that a signalised junction to Inkersall Road and Inkersall Green Road would be required to make the proposal acceptable in highway safety terms, this is an established element of the approved development. However, it is acknowledged that this may have some impact on existing residents in the properties close to the junction. Having discussed the matter with the Council's Environmental Health Officer it appears that noise impacts from such installations would be under the remit of the Highway Authority in designing the scheme and the residents may be eligible for consideration under the Noise Insulation Regulations 1975 (as amended 1988), there

is also a guide to calculating road traffic noise. It is therefore considered that at this stage of the application process the provision of the highway works cannot be reconsidered as the impacts of this have already been found to be acceptable.

5.8.4

In line with the outline permission the applicant has submitted a noise assessment to determine the impacts and any mitigation measures for the proposed dwellings. The conclusions of this report are summarised:

*Noise assessment dated July 2021 ref: 25739-04-NA-01 Rev A:*

*The principal sources of noise affecting the site will be local road traffic, coupled with any contributions from the neighbouring commercial area to the northeast, the Springwell Community College and its Artificial Grass Pitch (AGP) to the west, and the electricity pylon in the south eastern corner of the site.*

*The planning layout indicates the majority of dwellings will face the road, with gardens used for amenity purposes located behind the dwellings and thereby experiencing additional distance attenuation as well as screening from the dwellings themselves. In this scenario, outdoor noise levels will satisfy the BS8233 criterion of 55 dB, as shown on the daytime LAeq 16hour site noise contour drawing 25739\_04\_120\_01 in Appendix F.*

*For those garden areas with an unscreened angle of view to the roads, drawing 25739\_04\_120\_02 in Appendix F shows that acoustic fencing of up to 3.2m in height will be required in order to enable the outdoor criterion to be met.*

*However, as part of the application, a 20mph reduction to the speed limit along Inkersall Road is proposed; from 60mph to 40mph. Baseline Annual Average Weekday Traffic (AAWT) flows and % heavy goods vehicles for Inkersall Road have been obtained from the schemes traffic engineers (Eddisons), and this information has been used to calculate future noise contributions from Inkersall Road with the speed reduction in place.*

*For the future year scenario with reduced traffic speeds along Inkersall Road, the acoustic fencing required to enable the outdoor criterion to be met will reduce to maximum height of 2.2m.*

*Glazing requirements will ensure appropriate mitigation for the dwellings. Background ventilation in the form of window mounted trickle vents, or through-wall ventilators acoustically attenuated must be provided in accordance with the Building Regulations.*

*Assessment indicates that without mitigation, internal noise criteria are exceeded at the proposed site. However, with the implementation of the recommended mitigation strategy, sound levels within habitable rooms can be attenuated to achieve the requisite criteria, and Condition 38 of the planning permission will be fully satisfied.*

- 5.8.5 The Councils Environmental Health team has considered the document and the proposed scheme and have advised that: *The noise assessment indicates that sections of the site will require mitigation measures, I agree with this.* Therefore, subject to a condition for the development to be completed in accordance with the recommendations of the report the noise impacts of the scheme are considered to be appropriate in accordance with Policy CLP14 of the Adopted local plan.
- 5.8.6 The Environmental Health comments regarding construction hours and EV charging is dealt with under the conditions of the outline permission. This application considers the location of EV charging points throughout the site including where there is remote from property parking spaces. It is considered that the charging points specified are acceptable. This meets the air quality requirement of policy CLP14.
- 5.8.7 The comments of the Council's Housing and Forward Planning teams in terms of the reduced space standards of the proposed dwellings is noted. The developer has advised that despite the reduced standard there is agreement in place for the units to be taken on by a Registered Social Landlord. As the Council has not adopted the National Space Standards and has not secured this through the outline permission, although disappointing, this is not a necessary requirement of the scheme and would not warrant refusal of permission.
- 5.8.8 The Derbyshire Constabulary Designing Out Crime Officer has commented on the case: *I note that pedestrian/cycle connections onto the Trans Pennine Trail are yet to be drawn up, but the aspect for these transition points will be important to bring about safe, well viewed movement in and out of the site here. I would strongly recommend extending the adopted lighting scheme to illuminate the immediate area within the site, through the link also if possible. There are a handful of parking spaces which are positioned on the opposite side of garden fencing or wall to the associated plot, which can lead to apprehension and unplanned front of plot parking. Along the Inkersall Road edge of the site, parallel to semi private frontages hedge planting will take time to mature and provide an effective separation. It would be prudent to reinforce this hedge line with a stock fence to allow the hedge to thicken without lines of desire developing through it.*

*Further comment on the amended scheme – connections to TPT Both should have at least 2 metres of mown buffer edge on both sides for*

*straight sections, with the landscaping of path 1 also keeping sight lines open along the route.*

- 5.8.9 The concerns of the Designing Out Crime Officer are acknowledged and have in the main been addressed by the amended scheme to ensure off plot parking is to frontages and in view of properties. There are a few occasions where the parking spaces are to the rear of the plot where further consideration of the boundary treatments is required. A condition will be imposed to ensure this is revisited to secure natural surveillance and permitted development rights for works to these boundaries removed. Side windows to plots provide natural surveillance to open spaces and parking areas across the site. The comments regarding lighting and safety of the TPT links can be considered through the agreed design of the links to the TPT through the outline permission and by consideration through the submission of a lighting scheme also required by the outline conditions. It is therefore considered that in terms of designing out crime the scheme is acceptable.
- 5.8.10 The concerns raised in terms of the impacts of the electricity pylon are noted, however this is covered by other legislation which has led to the layout avoiding homes near this existing structure.
- 5.8.11 Within the site layout it is considered that amenity impacts between properties are acceptable. There is no need to restrict permitted development rights beyond the boundary treatments mentioned above. In terms of the amenity impacts the scheme is considered to be acceptable in accordance with Policy CLP14 of the Adopted local plan.

## **5.9 Highway Safety**

- 5.9.1 Policy CLP22 requires that: Development proposals will not be permitted where they would have an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. In terms of parking the policy goes on to note that; The level of vehicle and cycle parking provision appropriate to any individual proposal will take into account the circumstances of the particular scheme, including in particular:
- i. The size of any dwellings proposed.
  - ii. The type, mix and use of the development.
  - iii. The proximity of facilities such as schools, shops or employment
  - iv. The availability of and capacity for safe on-street and public car parking in the area.

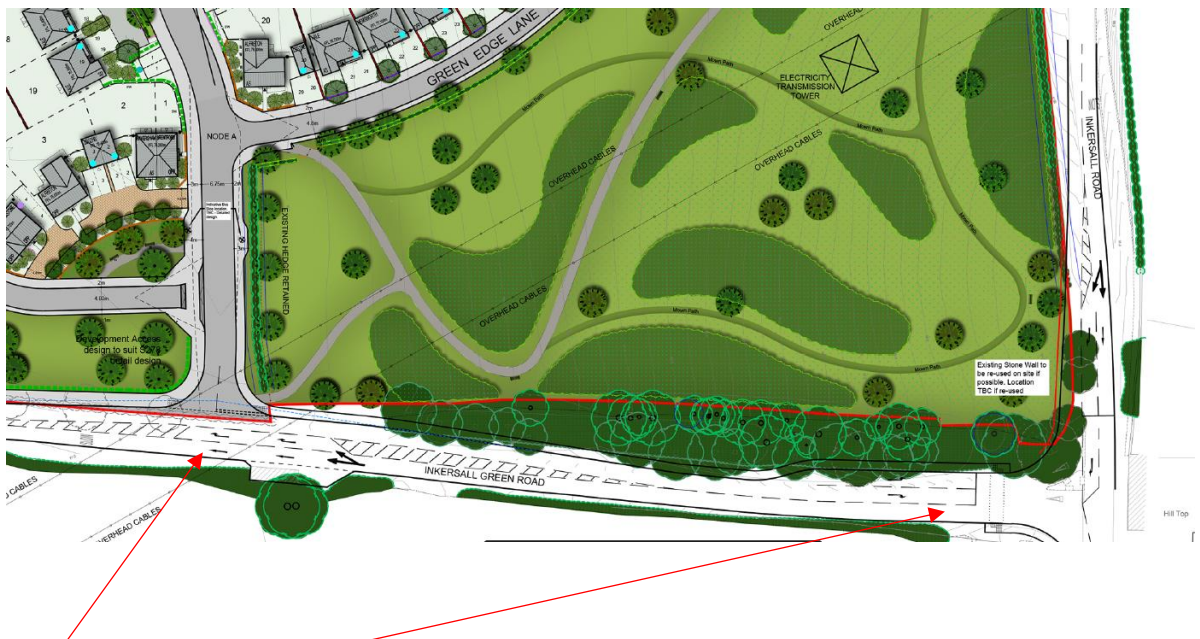
- v. Proximity to and availability of public transport and other sustainable transport options.
- vi. The likelihood that any existing on-street parking problems in terms of highway safety, congestion, pedestrian and cyclist accessibility and amenity will be made worse.
- vii. Local car ownership levels.

5.9.2 The proposal provides at least two spaces per dwelling, with larger houses having more space to park. This is considered to be acceptable. the development will result in changes to both Inkersall Road and Inkersall Green Road and at the junction:

As existing Inkersall Green Road:



As proposed Inkersall Green Road:



Widening of Inkersall Green Road and creation of central turning lane.



Creation of crossing point to the Country Park on Inkersall Road:



Proposed access Inkersall Road:      As existing Inkersall Road:



5.9.3 The Highway Authority have not provided final comments on the scheme but have made comment on the original submission. The comments below are those of the highway authority (*in italics*) with how each issue has been addressed noted below each point:

5.9.4 *Tracking:*



*It has been noted that the layout has been tracked using an 11m long refuse vehicle. The developer needs to confirm that they have consulted with Chesterfield Borough Council (CBC) and that CBC have agreed that is the appropriate size of vehicle for evaluating the site layout.*

*Within the site there are numerous locations where the full width of the road has been used by these vehicles. Therefore, details of forward visibility splays are required at internal junctions and around bends to enable a proper assessment to be made. The existing tracking suggests that there are significant and sometimes excessive overhang and vehicle mounting on footways at numerous locations. This needs to be address by the developer, amendments made and tracking revised to suit.*

Vehicle tracking of an 11.6m long vehicle has now been provided on plan ENG-101-VSTR Rev A.

#### 5.9.5 Section 38 requirements:

*1) The HA will not consider adopting vertical traffic calming measures. Speed control should be designed into the layout of the estate roads to avoid this.*

*2) The developer should clearly indicate on the drawings, the width of carriageways/footways and shared use paths.*

The shared routes for pedestrians and cycles are show n to be 3m wide and are largely separated from the roadway by a planted verge.

*3) The developer should clearly indicate on plans, how cyclists will get on and off the shared cycleways.*

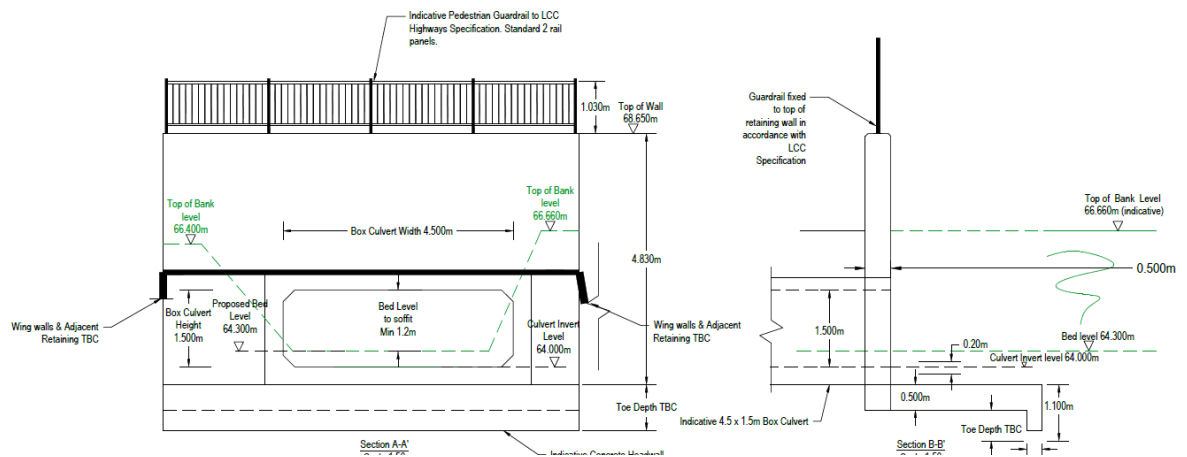
The cycle routes are now largely continuous and where they veer from the site the route is clear.

*4) Details of future maintenance proposals for SUDS and open spaces will be required.*

This is covered by the S106 agreement for the outline permission.

*5) Can the developer please provide details of the proposals for the culverted stream under the estate roads?*

Details of this have been provided, please refer to the drainage section of the report below:



6) *What investigations have been undertaken to determine the risk of flooding from the stream? Has the Lead Local Flood Authority been consulted about this application?*

These matters are covered by the conditions of the outline permission. Drainage matters are considered below.

7) *There are numerous locations where exit visibility and junction intervisibility conflicts with the layout. The layout must be revised to ensure that they comply with visibility standards and the splays redrawn to demonstrate compliance with standards.*

The layout has been altered and it appears that visibility is appropriate.

8) *Exit visibility for individual driveways would appear to be below the minimum 17m for some plots i.e. 284/365/33/363 etc, this is particularly important in the critical direction. Exit visibility splays should not be taken over neighbouring third-party land. The developer should demonstrate compliance with exit visibility standards for any affected plots.*

The scheme has been amended and this issues appears to have been resolved.

9) *Not all private drives appear to have been provided with bin dwell areas, suitable locations should be provided and included on the plans to demonstrate that bins do not obstruct footways on refuse collection day. Some that have been provided, do not appear to be of a sufficient size to accommodate all the properties accessed from the drive.*

A condition will be imposed to secure the appropriate bin dwell areas are provided.

*10) I have been unable to find details of highway drainage proposals for the site, the principle of how this is intended to be achieved should be provided at this stage.*

This is covered by the conditions on the outline permission.

*11) The developer should be aware that street trees and verges will command a commuted sum, as will visitor parking spaces.*

*12) Parking should be provided based on 2 spaces for 2/3 bed properties and 3 spaces for 4/4+ bed properties, can the developer confirm that their parking provision complies with this requirement and that any garages included within this provision meet the Councils required standards for such provision?*

The minimum standard size for garages needs to be 6m x 3m for a single garage and 6m x 6m for a double garage. The single garages proposed are 2.5m wide and 5.18m in length which is below the required standard. The double garages are 5.18m x 5.13m which is below the minimum standard. As the dwellings have sufficient parking without the garages it is not considered that the reduced dimensions in this case are a cause for concern. However, in case the developer wishes to address the matter in more detail a condition requiring the final details of the garaging to be agreed will be imposed.

#### 5.9.6

##### *Section 278:*

*Should the Local Planning Authority deem it appropriate to approve the application, the developer will still be required to submit a detailed scheme for the approval of the Local Planning Authority and enter into a 1980 Highway Act s278 Agreement with the Highway Authority in order to comply with the requirements of planning consent.*

*An independent Stage 1 & 2 safety audit will be required for all the s278 works to be undertaken.*

*Stage 1 must be submitted prior to planning approval. Stage 2 must be submitted prior to detail design approval.*

*I note that the applicant has not complied with clause 8 of the outline planning consent i.e. the developer is required to provide details of the proposed mitigation works to footways onto Inkersall Road, that is, where pedestrian access points are to be established. The original application proposed a single pedestrian point of access point from the site with a pedestrian island. The reserved matters application increase then number of pedestrian access point to four.*

*The southernmost pedestrian access point near the junction of Inkersall Green Road is not acceptable because of its proximity to the traffic*

*signals and hence we would recommend that the path from this point be removed altogether or be diverted onto Inkersall Green Road to exit near the traffic signal crossing point.*

*The remaining three pedestrian access points provide insufficient mitigation works to assist pedestrians to cross the road to the footways located on the opposite side of Inkersall Road.*

*Mitigation measures should clearly show all measures that are necessary to assist pedestrians to cross this road safely including, but not exclusively limited to, the provision of appropriate hard standing, dropped kerbs, tactile paving and verge crossings at all points where pedestrians are expected to cross Inkersall Road. These mitigation works need to be included with the extent of s278 works.*

The number of access points onto Inkersall Road has been reduced to where the crossing facility is provided, thereby addressing this issue.

#### **5.9.7**      *Speed limit investigation*

*The Highway Authority cannot support the proposed changes to the speed limit as set out on drawing ADC260/DR/010 P01 as it is not consistent with national guidance for setting Local Speed Limits. As part of a s106 agreement, the Highway Authority have agreed to investigate a change to the speed limit and will follow the national guidance in this respect.*

*Subject to the Local Highway Authority giving approval to the reserved matters application, the developer will need to contact the Highway Authority to initiate the investigation and legal processes. Further information and advice will be provided at a later date.*

It is understood that the contribution secured under the S106 of the outline permission to begin this process has been passed to the Highway Authority.

#### **5.9.8**      *Traffic Signals:*

*Awaiting a response from Traffic Signals team.*

#### **5.9.9**      *Bus services:*

*At the present time, the bus services only run southbound along Inkersall Road, providing a one-way loop serving Staveley – Duckmanton – Poolsbrook -Staveley.*

*Given the scale of development, the Highway Authority would anticipate a significant recast of the local bus network such as, the possibility of running bus services in both directions through the site. The developer should therefore liaise with the Public Transport Unit with respect to any*

*adjustments that may be required to bus service routes and for the inclusion of bus stops within the main avenue through the site. The width of the carriageway along this route should be no less than 6.75m.*

*Bus stops must meet current Derbyshire County Council accessibility standards. Each location will be subject to consultation with stakeholders, but all sites will require bus kerbs, hard standings areas, electrical ducting as part of the s38 agreement. Electrical connections to shelters need to be factored into the Street Lighting Design.*

*Shelters and bus stop signs will be provided once bus routes have been established, from fund secured as part of the s106 agreed when outline permission was granted.*

The amended plan has a carriageway width of 6.75m as requested and bus stop locations are shown along the main route through the site.

5.9.10 Further comment received from the Highway Authority in regard to the signalised junction:

*Whilst the installation of traffic signals at the junction of Inkersall Road and Inkersall Green Road will require detailed design approval, the developer needs to understand that the Highway Authority will not give consent to the introduction of traffic signals on Inkersall Road if it remains subject to a national speed limit. The introduction of the speed limit reduction on Inkersall Road is required for safety reasons and hence, failure to secure a reduction in the speed limit will result in the Highway Authority not being in a position to approve or implement traffic signals at this junction. Should this occur, the applicant will be required to consider alternative mitigation at the junction to address the capacity issues created by the development, which will require a revision to any previous consent for junction improvements granted by the Planning Authority. In the meantime, the Highway Authority request the following amendments to the junction layout;*

- inclusion of 5m or taller primary signal poles on both arms of Inkersall Road,*
- provision of 4m advanced cycle stop lines on all arms of the junction with appropriate cycle detection to signal poles,*
- provision of antiskid surfacing,*
- the installation of a third pedestrian crossing facility across the northern arm of Inkersall Road to provide all round pedestrian facilities,*
- provision of a maintenance vehicle parking area,*

- *the secondary nearside signal for southbound traffic on Inkersall Road is in the wrong position and will lead to confusion for drivers turning right from Inkersall Green Road.*

*This needs to be relocated elsewhere within the junction so that it is only visible to traffic which shares the controlling primary signal.*

*The first three issues above were included within earlier drawing revisions but have been removed in later revisions and from within the reserved matters application. Can an explanation be provided for their removal?*

*The developer must ensure that MOVA loop distances and dimensions are indicated on plans submitted at the detail design stage.*

*The Highway Authority still has concerns about the private access from Hill Top which exits into the centre of the junction and has no form of control. The developer will recall that this concern was raised previously with Croft and the currently plans provide no explanation as to how the developer intends to deal with this issue. For information, the Highways Authority does not normally signalise private accesses and hence the developer needs to provide a satisfactory solution prior to submitting detail design plans for approval.*

*Can the developer please forward electronic versions of the Linsig files to the Highway Authority so that these can be inspected and fully audited?*

It is noted that the design of the highway and the signalised junction is subject to consideration under the outline permission in terms of funding, the design of the junction will be subject to detailed negotiation with the highway authority and is controlled by the Highway Authority through separate agreement. It is therefore considered that the detailed design of the road layout outside of the application site does not need to be agreed at this time.

- 5.9.11 Access to the site and the necessary mitigation and highway changes were considered at the outline stage and are largely within the adopted highway rather than the application site which means that these matters do not have to be resolved as part of this application. The highway design within the application site is considered to have addressed the concerns raised by the Highway Authority. Unfortunately, no further comment has been received from the Highway Authority to confirm they are now satisfied with the changes. Ultimately, if the highway authority is not satisfied with the layout they will not adopt the scheme which is likely to result in the scheme being amended. It is not considered reasonable to withhold determination of the scheme indefinitely awaiting a response from the Highway Authority when the concerns raised appear to have

been satisfactorily addressed. Therefore, the scheme is considered to be acceptable in terms of policy CLP22 of the Adopted local plan.

- 5.9.12 It is also important to note that the phasing of the scheme as proposed in this application includes consideration of the need to change the speed limit on Inkersall Road through negotiation with the highway authority prior to the signalised junction being installed. This restricts the number of units that can be built and occupied before the junction improvements are made. This is in line with the outline permission.

## **5.10 Biodiversity, Enhancement and Trees**

- 5.10.1 Policy CLP16 requires that; The council will expect development proposals to:

- protect, enhance and contribute to the management of the borough's ecological network of habitats, protected and priority species and sites of international, national and local importance (statutory and non-statutory), including sites that meet the criteria for selection as a local wildlife site or priority habitat; and
- avoid or minimise adverse impacts on biodiversity and geodiversity; and
- provide a net measurable gain in biodiversity.

- 5.10.2 Derbyshire Wildlife Trust has considered the application and commented: *We previously commented that the outline layout retained key features of ecological value, however changes to the layout now submitted will result in greater adverse impacts to such features and overall site biodiversity, namely:*

- *the severance of the central green/blue corridor by a road,*
- *the removal of a significant length of hedgerow to the south of the central corridor, which was previously proposed to be retained, and*
- *the increased severance of a hedgerow to the north of the central corridor.*

*We query the justification for these changes and encourage a layout closer to that initially proposed which safeguarded these features. Where losses are proposed to be compensated for through new planting i.e. the loss of the hedgerow, these should be set out in a quantifiable manner. We previously recognised the potential for enhancement through woodland planting, well-designed POS, SuDS creation and potential improvement of the ditch habitats. The landscape proposals do have a large focus on native species, which is welcomed. We note the different types of grassland, which will create various habitats and provide*

*structural diversity across the site for wildlife, providing they are managed appropriately. We also note the large variety of tree species, including many native species, along with native hedgerows and shrub mixes. The landscaping in and around the SuDS areas appear well designed, with wetland grass mixes and appropriate tree species chosen.*

*We noted the recommendations made in 5.2 of the Ecological Report and these do largely appear to have been factored into the scheme design, with the exception of the layout changes detailed above.*

*Additional information requested:*

*In terms of net biodiversity loss/gain, a metric was not requested at the outline stage for this application, as this was not standard practice in 2019. However, we advise that there should be some form of quantifiable measure of habitat losses and gains provided by the applicant to enable the LPA to assess the scheme against local and national policy. In its simplest form, this should comprise a table of habitats to be lost and created (m/ha).*

*Proposed works to the central stream corridor should be clarified. Are there any opportunities to open up and enhance the channel? What will the width of the buffer be along the stream (measured from the bank top)?*

*Advice in Section 5.3 of the Ecological Report should be considered.*

*If the information is not yet available, a condition should be attached to the reserved matters securing a sensitive lighting plan to protect the on-site and off-site green spaces and green corridors.*

*Details should be provided as to how the adjacent Ireland Local Wildlife Site to the east of the application area will be protected from impacts, including changes to water levels, increases in sediment and pollution events.*

*We assume that the CEMP and LEMP (including bat boxes, bird boxes, hedgehog gaps etc) will be provided at a later date to discharge the relevant conditions.*

- 5.10.3 It is clear from the outline permission that ecological matters considered at the outline stage were not required to provide a net gain on site and no off-site provision was secured at that time. The scheme now submitted does not therefore include a biodiversity metric to secure on site net gain as this was not a matter secured at the outline stage and cannot now be reconsidered at this reserved matters stage. However, the detail of the ecological impacts and biodiversity enhancements can be considered within the scope of the outline permission.
- 5.10.4 It is noted that concerns are raised regarding the provision of a route through the entire site which cuts across part of the central green corridor. The supporting design statement notes that; *the design of the layout*



*integrates with its surroundings by extending the existing highway network into the scheme. Two new points of access from Inkersall Green Road and Inkersall Road provide a north to south connection, with the main primary avenue running centrally through the site. 3m pedestrian and cycle paths are provided throughout the development and extend to the trail on the western boundary. To the east, footpaths and cycle paths are provided ensuring full permeability of the site.* The need for the continuous route of the highway through the site was confirmed in the highway comments of the outline application and was requested by the Urban Design Officer. Whilst this may lead to some adverse consequences in terms of loss of features on site this minor imposition into the central corridor will ensure connectivity and the ability to provide a bus route through the site, which is considered beneficial overall.

- 5.10.5 The concerns raised regarding lighting are covered by the outline permission which requires a lighting scheme to be submitted. Habitat impacts would be considered when the lighting scheme is submitted in dialogue with DWT.
- 5.10.6 The developer has set out in a statement their approach to ecology and biodiversity. The statement sets out that: *The retention and utilisation of existing landscape features is a key factor in shaping the development proposals. The existing hedgerows have determined the locations for boundaries and key green spaces. New habitats will be created through the provision of semipermanent wetland attenuation features, as well as through structural tree and hedgerow planting. Through our proposals, we will seek to contribute to biodiversity with an emphasis on improving ecological networks and linkages through a scheme of habitat creation. Barratt David Wilson have now partnered with Europe's largest conservation charity, the RSPB, to ensure a best practice approach to landscape management, ecology and biodiversity.* *In terms of Ecological Enhancements on site we are providing a number of Bat Boxes and Bird Nest Boxes, along with Hedgehog friendly fencing to create hedgehog routes through the site. Log Piles and Beetle Banks are also proposed. Full details are provided on the submitted FPCR Ecological Enhancement Plans.* These details are shown on the submitted ecological enhancement plans which can be conditioned to ensure compliance with the suggested measures.
- 5.10.7 The amended layout has a detailed landscaping scheme for the central corridor of the site. As can be seen from the images below much of the existing planting within the central corridor is to be retained, where the



- 5.10.11 The comments in regard to open space typologies are noted, whilst an open space typology plan has been submitted it is considered that the proposed landscaping of the site which is intended to maximise ecological enhancement is overall an appropriate response to the development of the site. The play areas proposed are considered to be acceptable and provide satisfactory equipment for play. The additional areas of informal play scattered within the open spaces in the form of log trim trails are welcomed.
- 5.10.10 Policy CLP16 goes on to note that: Development proposals resulting in the loss or deterioration (including fragmentation) of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) will be refused, unless there are wholly exceptional reasons and the need for, and public benefits of, the development in that location demonstrably outweigh the loss or harm, and a suitable compensation/off-setting strategy has been secured with planning conditions or obligations.
- 5.10.11 The Council's Tree Officer has commented on the proposals:  
*DCC TPO woodland on the Inkersall Green Road. The green gap in the centre of the site is cut through by a road and by utilities. An Arboricultural impact assessment is required to assess the impact of these works and those adjacent to the TPT. Hedgerow to the south of the central corridor is to be removed. No details of tree protection have yet been provided (condition 30 of outline). A tree protection plan and arboricultural method statement is required re: TPT and central corridor prior to determination. In general the landscaping proposals are acceptable. Also included in the landscaping proposals are different types of grassland and hedgerows, which will create various habitats and provide structural diversity across the site for wildlife. The landscaping proposals, therefore, appear well designed, with appropriate native and ornamental species selected.*
- 5.10.12 Further comment on revised scheme:  
*Revised site layout drawings H8427/P1021E REV E, H8427/P1022E REV E & H8427/P102E REV E have been submitted. The revised drawings clarify on the legend that the Water Mains/ Surface Sewer/ Foul Sewer & Easements shown on previous submitted drawing is existing services and not proposed.*  
*It is agreed that the Tree Protection Plans (TPP) and an Arboricultural Method Statement (AMS) can be submitted to the Council prior to commencement of development, as per condition 30, however, to consider and determine the proposed site layout in relation to the existing trees, an Arboricultural Impact Assessment is required to allow the local*

*authority to assess the impacts of the development site layout proposals on the existing tree population. The AIA will also assist in determining what tree protection measures are required for the TPP and AMS.*

*A decision on the application and site layout should therefore be deferred until an assessment (AIA) of the impacts the site layout will have on the existing trees is provided.*

5.10.13 The County Tree Officer has also commented:

*To the southwest of the site lies a woodland protected by Derbyshire TPO 42 (woodland number 22). The applicant has responded to the Chesterfield Tree Officer that trees within the TPO will be felled as a result of the development, however, there is no information regarding the reasons for this in respect of the individual trees, and the loss of amenity that would result from the removal of the trees.*

*The Chesterfield Tree Officer has commented upon the lack of 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); this being despite such information being a condition placed within the outline Planning Permission.*

*Therefore, the County Council Tree Officer supports the Chesterfield Tree Officer's comments of 4/11/2021 with regard to tree protection and asks for the applicant to provide the information already requested by Chesterfield Borough Council's Tree Officer.*

5.10.14 In terms of the central corridor and the route through this to be provided, as set out above this was established as part of the outline permission and is an accepted element of the proposed development. in terms of the layout proposed and the extent of green space achieved, the submitted Design Statement notes: *The design of the layout integrates with its surroundings by extending the existing highway network into the scheme. Two new points of access from Inkersall Green Road and Inkersall Road provide a north to south connection, with the main primary avenue running centrally through the site. 3m pedestrian and cycle paths are provided throughout the development and extend to the trail on the western boundary. To the east, footpaths and cycle paths are provided ensuring full permeability of the site. Due to the proximity of the existing high voltage power lines, the approved Framework Plan deviates from the originally approved Masterplan; increasing the setback from Inkersall Green Road and standoff from those power lines. The detailed scheme results in a greener, more attractive and welcoming arrival into the development from the south.*

5.10.15 As set out by the Tree Officers of the Borough and County Councils there are protected trees relating to the site which are located at the far southwestern corner of the site as demonstrated:

5.10.16 The outline permission considered the impact on trees and as a result condition 30 requires:

5.10.15 The Arboricultural Impact Assessment submitted as part of this application albeit late in the application process, shows the trees to be retained and removed as part of the development. Table 2 sets out which are to be removed and retained:

	Trees to be Retained	Total	Trees to be Removed in full or part	Total
Category U - Unsuitable	T28, G4, G9	3	T6, T8, T16	3
Category A (High Quality / Value)				
Category B (Moderate Quality / Value)	T5, T7, T10, T13, T19, T22, T23, T25, T26, T27, G2, G8	12	G3	1
Category C (Low Quality / Value)	T2, T3, T4, T9, T11, T12, T14, T15, T17, T18, T24, T29, T30, G1, G6, G10, H3,	17	T1, T20, T21, G5, G7, H1, H2, H4, H5, H6	10

- 5.10.16 Trees T6, T8 and T16 are U category trees located within the protected woodland belt.  
Trees G3 are located on the banks of the TPT. (The location of the links has altered so this will need to be updated)  
And trees T1 (access), T20 and T21 within the developed area of the site, G5 (far end of the watercourse adjacent to the TPT), G7 (within the developed area of the site), H1 (close to the access), H2 (within the developed area of the site) H4, H5 and H6 (located to the eastern edge of the site).
- 5.10.17 From this and the comments above it appears that the concern regarding the loss of trees relates to those within the TPO woodland to the south west of the site. It would appear that there is minimal need to remove these trees based on the needs of the development as there is a buffer gap between these trees and the built development. However, it also appears these are category U trees. As more work is required in terms of the consideration of the tree removal it is considered that a further condition should be added at this stage of the process for a detailed and updated Arboricultural Impact Assessment to be submitted prior to the commencement of development.

## 5.11 **Ground conditions**

- 5.11.1 Policy CLP14 requires that; Proposals for development on land that is, or is suspected of being, contaminated or unstable will only be permitted if mitigation and/or remediation are feasible to make the land fit for the proposed use.
- 5.11.2 Conditions relating to former coal mining activity in regard to ground conditions were imposed on the outline permission. The Coal Authority have considered the detail of the proposed development and the information submitted to address ground conditions:  
*We require a layout plan which shows: The 'as found' location of the mine entry and its calculated no build zone and the location of the surface mining highwalls present on site.*
- 5.11.3 Further comment - *Additional information re: supplementary shallow mining investigation, which confirms that the opencast highwall was located in four of the trial trenches carried out and will run through plot 137. Foundation design for that plot is required. In relation to the in entry based on the zone of influence, the factor of safety zone identified extends across what appears to be an access road and further commentary on this would be appreciated. Of further concern is the*



*potential risks posed to public safety by the untreated mine entry within the copse area, which is likely to be related to deep coal seams. Although the difficulties of investigation are noted this feature falls within the application site (red line boundary) and if within the accessible green space for the development is likely to be subject to additional and intensive activity from occupants of the new dwellings. Further commentary on this is required.*

*The submission is now supported by a letter, ref 5201-G-L003, dated 17th January 2022 and prepared by Dr B Rice-Burchall on behalf of iD GeoEnvironmental Limited. This letter provides additional information in response to our last comments to the LPA. It is confirmed that the trees within the copse are covered by a TPO and works to try and locate the mine entry are therefore not practicable. We appreciate clarification of this issue. The letter submitted also states that the identified safety zone for mine entry 442372-008, which extends across the access.*

*The road will be installed with geogrid to provide a stiffened road construction to minimise the effect on the road should shaft settlement occur. It is also noted in the letter that main services will be moved from the road footprint to minimise any disruption to site services should settlement occur.*

*In order to address our concerns in respect of public safety Dr Rice-Burchall states that it is intended to securely fence the calculated 'zone of influence' of the mine entry within the wooded copse with 2m high palisade fencing with warning signage erected to exclude members of the public from this area.*

*We are pleased to see that consideration has been given to the potential risks posed by the recorded mine entry and that mitigation measures are now proposed. We would expect the geogrid recommended for the access road to be installed as part of the construction works for this element of the development. In respect of the 2m high fencing proposed around the zone of influence for the mine entry we would expect this to be installed on site prior to the first occupation of the development.*

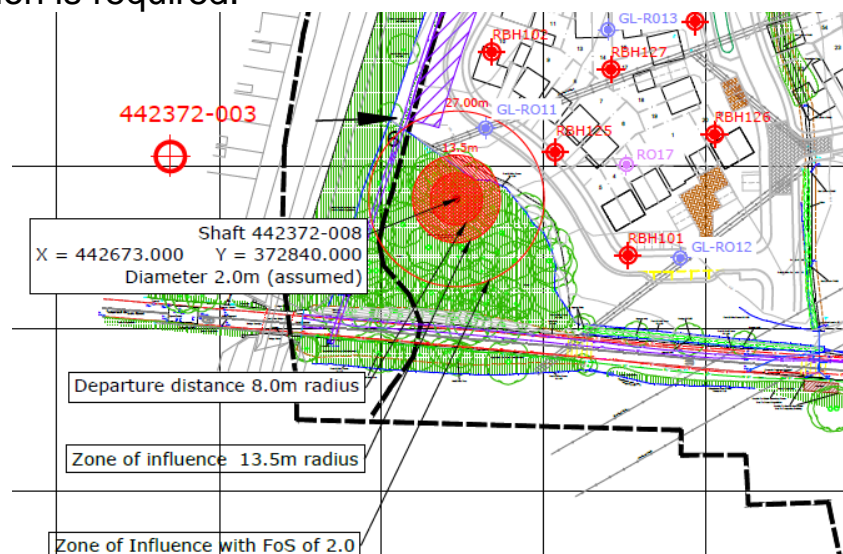
*The fence should be retained in situ thereafter to prevent unauthorised access to this area. You may consider it prudent to impose planning conditions in respect of the above.*

*On the basis of the information now submitted, and the professional opinion of the letters author set out therein, the Planning Team at the Coal Authority withdraws its previous objections to this application. We would however, expect the mitigation measures proposed, in respect of the recommended geogrid and secure fencing, to be installed on site in a timely manner. Please note that any comments that the Coal Authority may have made in a Planning context are without prejudice to the outcomes of any Permit application.*

*It should be noted that where SUDs are proposed as part of the development scheme consideration will need to be given to the implications of this in relation to the stability and public safety risks posed by coal mining legacy. The developer should seek their own advice from a technically competent person to ensure that a proper assessment has been made of the potential interaction between hydrology, the proposed drainage system and ground stability, including the implications this may have for any mine workings which may be present beneath the site.*

*It should be noted that wherever coal resources or coal mine features exist at shallow depth or at the surface, there is the potential for mine gases to exist. These risks should always be considered by the LPA. The Planning & Development team at the Coal Authority, in its role of statutory consultee in the planning process, only Protecting the public and the environment in mining areas comments on gas issues if our data indicates that gas emissions have been recorded on the site. However, the absence of such a comment should not be interpreted to imply that there are no gas risks present. Whether or not specific emissions have been noted by the Coal Authority, local planning authorities should seek their own technical advice on the gas hazards that may exist, and appropriate measures to be implemented, from technically competent personnel.*

- 5.11.4 It is clear from the comments of the Coal Authority that Shaft 442372-008 is located within the protected woodland to the south-west of the application site. as it is within the area of the protected trees the works required to ensure the safety of this cannot take place. It is therefore necessary to fence off this area from the public for which a planning condition is required.

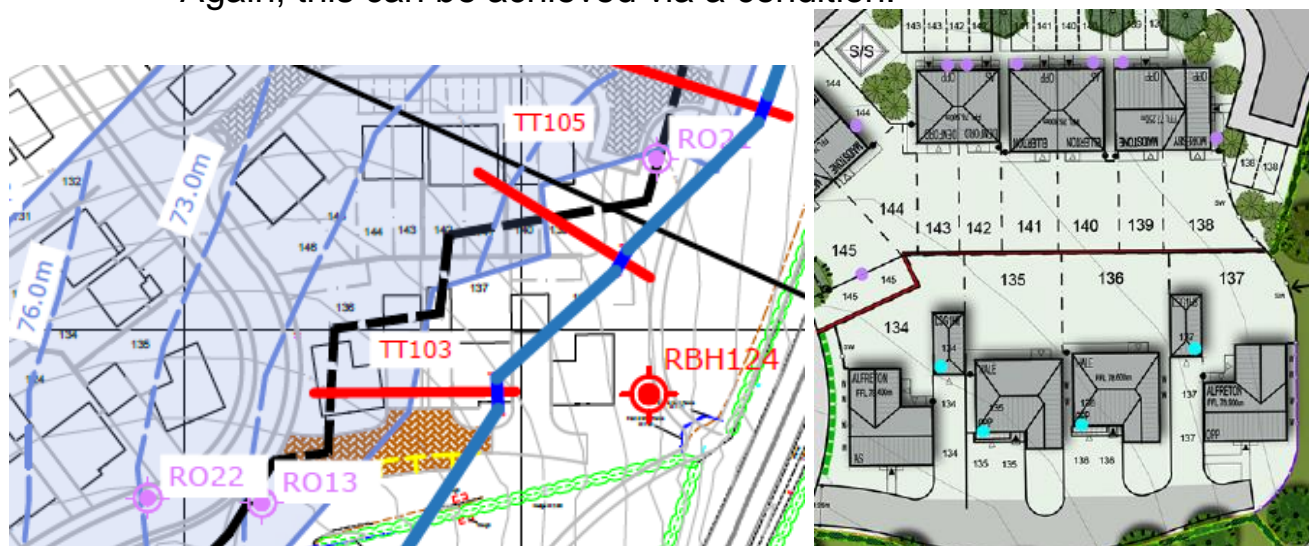


- 5.11.5 It is also apparent that the zone of influence relating to this shaft increases risk at the point of the roadway in this area of the site and that



works will be required to ensure safety in this area. Again this detail needs to be secured via a further condition.

- 5.11.6 It is also apparent that the opencast highwall will impact on plot 137 and that foundation design for that specific plot needs further consideration. Again, this can be achieved via a condition.



- 5.11.7 In regard to potential mine gas and other contaminants, this is covered by condition 22 of the outline permission.
- 5.11.8 in terms of ground conditions the proposal, subject to additional conditions, is considered to be acceptable and meets the requirements of Policy CLP14 of the Adopted local plan.

## 5.12 Drainage

- 5.12.1 Policy CLP13 requires that; The council will require flood risk to be managed for all development commensurate with the scale and impact of the proposed development so that developments are made safe for their lifetime without increasing flood risk elsewhere. Sustainable Drainage Systems (SuDS) and clear arrangements for their ongoing maintenance over the lifetime of the development should be incorporated into all major 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. Development proposals will be expected to demonstrate that water is available to support the development proposed and that they will meet the optional Building Regulation water efficiency standard of 110 litres per occupier per day.

- 5.12.2 Whilst the submission includes information that the developer seeks to achieve in excess of the water efficiency required by the policy, nevertheless it is important to impose a condition to secure this.
- 5.12.3 The outline permission imposed conditions in relation to the drainage of the site and the proposal includes swale features to reduce surface water run off and hold water in times of excess rainfall. This is considered to be an acceptable approach subject to the details being submitted under the existing planning conditions.
- 5.12.4 The Lead Local Flood Authority have commented on the application as follows:  
*We are unable to provide an informed comment until the applicant has provided further information:  
The applicant has not addressed the concerns raised in our response to the pre-application enquiry dated 14/12/2020 (attached). Clarification is required regarding how the watercourse in the south-west of the site will be incorporated into the layout. The Planning Layout drawing H8427/P1021e Rev B appears to show some culverted sections of the watercourse that crosses the centre of the site from west to east. Clarification is also required of these proposals.*
- Amongst the new documents provided, there does not appear to be information to address the concerns raised in my response dated 7 October 2021 regarding how the existing watercourse in the south-west of the site is to be incorporated and safeguarded within the proposed layout.*
- 5.12.5 Further comments - *Thank you for forwarding information to the Lead Local Flood Authority (LLFA) on 7 February 2022 in relating to our concerns regarding the watercourse that runs south to north within the development.*  
*The applicant proposes a mix of culverts and swales, with what appear to be significant culverted sections.*  
*We do have concerns regarding these proposals, which would be subject to a Land Drainage Consent application:*
  - *As LLFA we have a no-culverting policy for reasons of maintenance and ecology. While culverting is essential in some circumstances, it should be a last resort and the applicant would be required to demonstrate why culverting is both necessary and the only reasonable practicable alternative.*
  - *Who would be the riparian owner(s) of the watercourse, responsible for its ongoing maintenance?*

- *The flood risk from the watercourse would need to be assessed. What is the catchment? Does the watercourse ever flood in its existing condition and how would the proposals affect flood risk?*
- *Would the open swale sections indicated alongside the road receive any runoff from the road? If so, how would pollutants be managed?*
- *The existing open watercourse and the riparian zone are likely to be providing various ecological benefits, for example wildlife habitats and corridor and protection of the watercourse from pollution. The potential implications of the loss of the ecological benefits should be considered.*
- *How would the diverted watercourse interact with the surface water drainage system for the site?*

*The LLFA would prefer the watercourse to remain open as much as possible and, therefore, would ask that the above is considered before setting the layout. Whilst the LLFA recognises that Land Drainage Consent and Planning Consent are parts of two separate legislation we do not want to be in a position where planning consent is granted for something that would not usually get Land Drainage Consent, therefore holding up development.*

5.12.6 It is clear that the LLFA have some remaining concerns in terms of the design of the watercourse and the culverting proposed. However, it is also acknowledged that land drainage consent will be needed for the works which is separate to the planning process. Ultimately if land drainage consent cannot be given for a scheme approved under planning then the developer would have to amend the approved scheme through the planning process. It is noted in this case that the works required relate to the central water course the detail of which can be amended without needing to change the location of plots. The routing of the main access road through the site was established under the outline permission as has been noted above. It is therefore considered that in order to adequately address the concerns raised by the LLFA and those that have been raised in relation to biodiversity as mentioned above that notwithstanding the submitted details a condition is imposed to secure detailed design of the central water course and culvert prior to the commencement of development to ensure these works are suitable for both planning, ecological impacts and land drainage consent. Management for any unadopted drainage works is controlled under the S106 and would come under the management company responsibility if not adopted.

5.12.7 Yorkshire Water have commented on the scheme:  
*Yorkshire Water objects to the approval of this Reserved Matters application. Prior to determination, the landscaping proposals should*

*account for the public sewerage infrastructure crossing the site to ensure that said infrastructure is protected from tree root infestation.*

*1) The landscaping details submitted on drawing H8427/P102e (revision B) dated 23/07/2021 that has been prepared by Barrat David Wilson Homes are unacceptable.*

*The following points should be addressed:*

*a) the submitted drawing appears to show numerous trees proposed to be planted within the easement distances provided to the line of public sewer crossing the site; and*

*b) trees should not be planted within 5 metres of any public sewer crossing the site.*

5.12.8 Further comments on the amended scheme:

*Yorkshire Water has no objection to the approval of this Reserved Matters application.*

*The submitted landscaping proposals detailed on drawing GL1575 13A, Revision A, dated 15/12/2021 are acceptable. We are satisfied that no trees will be planted within the stand-off distances of the public foul and surface water sewers, which cross the site. a footnote is recommended and is set out in the Informatives within the recommendation.*

5.12.9 There is no need to impose further conditions as a result of these comments. On the basis of the additional conditions required as set out in response to the comments of the LLFA it is considered that the proposal meets the requirements of policy CLP13 of the Adopted local plan.

**5.13 Development Contributions and CIL Liability.**

5.13.1 The proposed development is liable for the Community Infrastructure Levy (CIL), subject to any exemptions that may be applied for. The site is located part within the low (£20) CIL charging zone and part within the medium (£50) CIL charging Zone as set out in the Council's Charging Schedule ([Community Infrastructure Levy \(CIL\) \(chesterfield.gov.uk\)](https://www.chesterfield.gov.uk)). The CIL charge has not been calculated to date due to awaiting submission of the CIL form from the applicant's agent.

5.13.2 All matters regarding any commuted sums or other off site matters were agreed at the outline permission stage.

**6.0 REPRESENTATIONS**

6.1 Three comments have been received and are summarised below:

6.2 Our home overlooks the fields and green belt where the construction is being proposed and we are very concerned about the nature conservation issues that will be affected by this area being built up. This area is very close to the Trans Pennine trail and there are a multitude of different birds and wildlife that we fear will be affected and driven away by it. This is usually a very peaceful and tranquil area that is bound to be disrupted.

We also believe that the visual effect on the area will be detrimental to the many visitors to the area from the Poolsbrook Caravan Park and Poolsbrook Pond Nature Reserve, who walk or cycle down the Trans Pennine trail. There is also the issue of the electricity pylons that run through the fields and we wonder if the electro magnetic field that is omitted from them has been taken into consideration when planning these dwellings.

There are concerns about the water table and flooding that may occur during increasingly rainier weather which would cause disruption. There are also highway safety issues that are a concern, because the main Staveley road that would be the main access to the new area is a busy road and there have been many serious accidents on it over the last few year, which will only get more busy and thus at risk of more accidents.

6.3 It is blatantly obvious the infrastructure in the area could not possibly cope with the count of dwellings on the planning application. An 400 homes of the type on the plans could result in a possible 800 plus extra vehicles moving on an already stretched road system. Any alterations will only make congestion worse.

An extra 1500 people would require doctors, dentists, schools all existing facilities nearby are stretched to the limit and cannot cope with the extra people.

This is in a green belt area where all the added pollution from construction of dwellings would destroy the existing habitat of wild animals and birds that live on the site.

There are some rare species on there that would be displaced and lost for good. If you look over the site in the evening there are bats. In the brook there are stone loach and heron and Kingfishers feed there.

There is a serious drainage issue on site as it is very low lying, in wet weather the site is stood in water. If water is put into the main drain system instead of being allowed to drain naturally it could end up running into Poolsbrook Country Park. Surely there are brownfield sites available (Old Staveley Works) that have better access and would cause less destruction than the green belt site Barratt's are trying to destroy.

6.4

I and other respondents have highlighted the loss of countryside, wildlife habitat, good farmland, using green instead of brownfield land. The increase in congestion, pollution and noise from the extra 800 vehicles on the development and the extra load on medical and educational facilities. We have no explanation of the Council's wrong decision to grant the proposal. The reserved matters appear to be aimed more at making sure the new residents and the development are up to standard as it should be, but no consideration have been made beyond the boundary of the development. There are no reports or analysis of the impact of the development on the people most effected the local residents.

The noise survey states that road noise reducing systems will have to be used in areas of development close to Inkersall Road. Why has the survey not included existing noise and future increase in noise generated from the proposed alterations to the junction of Inkersall /Green Roads. The residents of Inkersall Farm Cottages, from the noise readings are already exposed to road noise over the stated limits so making a traffic-controlled junction where cars will be standing will increase noise and pollution. Readings of noise should be taken now and estimates made for the post alterations to avoid future legal claims. Setting up temporary traffic lights would indicate any problems within a few days.

The speed limit on Inkersall junction is to be 40mph, why has the council's 30mph been ignored. The 30mph has been requested many times due to this being an accident black spot. Speed cameras would be the only way to police the speed. Lower speeds would lead to more noise and pollution.

The construction appears to be for 6 years which is a long time to live next to a building site. The first phase indicates that construction of the development will start at the same time as the junction alterations. The junction works should be done first to ensure it is appropriate. The Council indicated that the Inkersall junction improvements would be in conjunction with improvements to the Troughbrook junction at the other end of Inkersall Green Road to ensure traffic flow – when is this work planned?

The Inkersall/Green Road junction alteration has vehicle flow diagrams but neglects the impact on residents of Inkersall. How will the traffic lights work with the existing accesses? No. 3 already has difficulty in safely pulling out into the fast traffic with poor visibility.

The junction proposes traffic lights and pedestrian crossings, which will be in direct view from the Cottages resulting in light and noise nuisance. How will this be avoided?

6.5 ***The comments raised are addressed in the report above and largely relate to the principle of the development which is established by the outline permission.***

## 7.0 **HUMAN RIGHTS ACT 1998**

7.1 Under the Human Rights Act 1998, which came into force on 2<sup>nd</sup> 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.

## 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 2019 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 objectors/supporter will be notified of the Committee date and invited to speak, and this report informing them of

the application considerations and recommendation /conclusion is available on the website.

## **9.0 CONCLUSION**

- 9.1 The principle of the development is established by the outline permission. Whilst there remain some outstanding matters to fully resolve these can be adequately addressed via condition. The scheme as amended following negotiation is considered to be within the limits of the outline permission and its associated conditions and S106 obligations and meets the requirements of Adopted local plan policies. On this basis the proposal is recommended for approval subject to conditions.

## **10.0 RECOMMENDATION**

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

### **Conditions**

1. The development to which this permission relates shall be commenced not later than the expiration of two years from the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To comply with the requirements of Section 91(1) of the Town and Country Planning Act 1990 (as amended).

2. The development hereby approved shall only be carried out in full accordance with the approved plans (listed below) with the exception of any condition requirements within this decision or approved non material amendment. All external dimensions and elevational treatments shall be as shown on the approved plan/s (listed below):

Site location plan ADC2600/DR/050 Rev P01 received 28.07.2021

Development framework plan INK-DFMP-E Rev B received 03.02.2022 (In relation to the links to the TPT only)

Phasing plan H8427/13 Rev D received 26.01.2022

Cycle Provision layout (excluding links to the TPT) H8427/CYCR Rev A received 20.01.2022

Planning Layout – composite (coloured) H8427/P102 e Rev E received 22.12.2021 (excluding links to TPT)

House type Abbeydale: H349-H7 received 17.12.2021



House type Alfreton: BAFT 00CD received 17.12.2021  
 House type Archford: P382-EH7 received 17.12.2021  
 House type Ashington: H457 -H7 received 17.12.2021  
 House type Avondale: H456-X7 received 17.12.2021  
 House type Brentford and Haversham: 2016/BH/P/02  
 House type Cannington: T321 EH7 received 17.12.2021  
 House type Denby: BDBY 00HD received 17.12.2021  
 House type Denford: BDNF 00HE received 17.12.2021  
 House type Ellerton: BLLE 00HE received 17.12.2021  
 House type Greenwood: T322 E-7 received 17.12.2021  
 House type Hadley: P341-E-7 and D-7 received 17.12.2021  
 House type Hale: BHAL 00HD received 17.12.2021  
 House type Haversham: BHVR 00HE received 17.12.2021  
 House type Hemsworth: BHSW 00HD received 17.12.2021  
 House type Henley: H588 -7 received 17.12.2021  
 House type Holden: H469 – H7 received 17.12.2021  
 House type Ingleby: H403 -F7 received 17.12.2021  
 House type Kenley BKNL 00CI and 00HE received 17.12.2021  
 House type Kennford: BKNR 00HD received 17.12.2021  
 House type Kingsley BKEY 00HD received 17.12.2021  
 House type Kingsville BKIS 00CE received 17.12.2021  
 House type Kirkdale H442 – H7 received 17.12.2021  
 House type Lamberton: BLBM 00HD received 17.12.2021  
 House type Lutterworth: BLUT 00CD received 17.12.2021  
 House type Maidstone: BMAI 00HE and 00CE received 17.12.2021  
 House type Meriden: H429 – H7 received 17.12.2021  
 House type Moresby: BMMS 00CE and 00CD received 17.12.2021  
 House type Radleigh: BRAD 00HD received 17.12.2021  
 House type: 38 and 39 2010/38-39/C/01 received 17.12.2021  
 House type: B65F 00CI and 00CE received 17.12.2021  
 House type: B67F 00CI and 00HE received 17.12.2021  
 House type: B69F 00HE received 17.12.2021  
 House type: SH69-EG7 and SH69-I-7 received 17.12.2021  
 House type Wilford: P204-EG7 and P204-I-7 received 17.12.2021  
 House type Winstone: H421.H7 received 17.12.2021  
 Boundary Treatment Layout H8427/22 received 17.12.2021  
 Dwarf natural stone wall (mortared) plan 2016/DET/239 received 17.12.2021  
 Dwarf dry natural stone wall 2016/DET/238 received 17.12.2021  
 Estate railings 201/DET/250 received 28.07.2021  
 Timber knee rail 2010/DET/216 received 28.07.2021  
 Close boarded fence 2010/DET/207 received 28.07.2021  
 Green infrastructure landscape plans GL1575 04A, 05A, 06A, 07A, 08A, 09A, 10A, 11A, 12A, 13A received 17.12.2021

Ecological enhancement plan North and south received 17.12.2021  
Hedgehog Highway guidance DB-SD11-004

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

3. Prior to works commencing on the construction of the highway within the site, details of the geomembrane to be provided within the zone of influence shall be submitted to and agreed in writing by the Local Planning Authority. Works shall be completed in accordance with the agreed details.

Reason: To ensure site safety in addressing former coal mining activity in accordance with policy CLP14 of the Adopted local plan.

4. Prior to first occupation details of the fencing to be located in association with the TPO woodland to prevent public access shall be submitted to and agreed in writing by the Local Planning Authority. Works shall be completed in accordance with the agreed details.

Reason: To ensure site safety in addressing former coal mining activity in accordance with policy CLP14 of the Adopted local plan.

5. Prior to works commencing on phase PH2 details of the foundation design of plot 137 and any adjacent plots as deemed necessary to address the below ground conditions from the opencast highwall, shall be submitted to and agreed in writing by the Local Planning Authority. Works shall be completed in accordance with the agreed details.

Reason: To ensure site safety in addressing former coal mining activity in accordance with policy CLP14 of the Adopted local plan.

6. The development hereby approved shall be completed in accordance with the recommendations of the Noise assessment dated July 2021 ref: 25739-04-NA-01 Rev A.

Reason: To ensure potential noise nuisance is mitigated for the future occupants of the dwellings in accordance with Policy CLP14 of the Adopted local plan.

7. Prior to the commencement of development details shall be submitted to demonstrate the best endeavours to provide 25% of homes to M4(2) building

regulations standard. Compliant units shall be completed in accordance with the agreed details.

Reason: To try to secure M4(2) compliant units on site in accordance with policy CLP4 of the Adopted local plan.

8. Notwithstanding the details on Boundary Treatment Layout H8427/22 received 17.12.2021, details of all retaining features and boundaries including sections and facing materials across the development shall be submitted to and agreed in writing by the Local Planning Authority before the commencement of in each phase. Works shall be completed in accordance with the agreed details.

Reason: To ensure an appropriate finished scheme in terms of visual amenity in accordance with policy CLP20 of the Adopted local plan.

9. Notwithstanding plan H8427/22 (boundary treatments) and prior to work commencing on each of these plots, the rear boundary detail to plots 1, 106, 145, 173, 212 and 213 shall be submitted to and agreed in writing by the Local Planning Authority. The agreed boundary treatment shall be installed prior to occupation of the specified units.

Reason: To ensure an appropriate finished scheme in terms of visual amenity in accordance with policy CLP20 of the Adopted local plan.

10. 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 change to the height or detail of the rear boundaries to plots 1, 106, 145, 173, 212 and 213 from that agreed under condition 9 above without the prior written permission of the Local Planning Authority.

Reason: To ensure an appropriate finished scheme in terms of visual amenity in accordance with policy CLP20 of the Adopted local plan.

11. Prior to works commencing within each agreed phase details of the bin dwell areas to be provided at the end of each private drive immediately adjacent to the publicly adopted highway shall be submitted to and agreed in writing by the Local Planning Authority. Works shall be completed in accordance with the agreed details.

Reason: to ensure space is made available for bin collection in accordance with policy CLP22 of the Adopted local plan.

12. Prior to the first garage being constructed details of the garage units shall be submitted to and agreed in writing by the Local Planning Authority. The garages shall be completed in accordance with the agreed details.

Reason: To allow the developer opportunity to provide garages which meet the requirements of the Residential SPD in accordance with policy CLP22 of the Adopted local plan.

13. Works shall be completed in accordance with the Ecological enhancement plan North and south received 17.12.2021 and the Hedgehog Highway guidance DB-SD11-004.

Reason: To ensure appropriate ecological enhancement in accordance with Policy CLP16 of the Adopted local plan.

14. Prior to construction work commencing on the pumping station details of the structure/s shall be submitted to and agreed in writing by the Local Planning Authority. Works shall be completed in accordance with the agreed details.

Reason: To ensure the details are appropriate in terms of visual amenity in accordance with policy CLP20 of the Adopted local plan.

15. Notwithstanding any details to be agreed regarding tree protection the proposed landscaping of the site shall be in accordance with the Green infrastructure landscape plans GL1575 04A, 05A, 06A, 07A, 08A, 09A, 10A, 11A, 12A, 13A received 17.12.2021.

Reason: To ensure appropriate landscaping of the site in accordance with Policies CLP16 and 20 of the Adopted local plan.

16. Prior to the commencement of development in line with condition 30 of CHE/19/00131/OUT and notwithstanding the Green infrastructure landscape plans GL1575 04A, 05A, 06A, 07A, 08A, 09A, 10A, 11A, 12A, 13A received 17.12.2021 a detailed Arboricultural Impact Assessment shall be submitted to and agreed in writing by the Local Planning Authority. Works shall be completed in accordance with the agreed details.

Reason: To ensure appropriate landscaping of the site in accordance with Policies CLP16 and 20 of the Adopted local plan

17. 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.

Reason: To protect the water environment in accordance with policy CLP13 of the of the adopted Chesterfield Borough Local Plan and to accord with paragraph 149 of the National Planning Policy Framework.

18. Notwithstanding the Culvert details shown on plan 043 Rev P1 and 044 Rev P1, details of proposed works to the central stream corridor, including taking into account the design details of the highway route through the site, along with an assessment of any impacts from this on water courses and habitats within and beyond the boundaries of the site, and any mitigation measures required, shall be submitted to and agreed in writing by the Local Planning Authority. Works shall be completed in accordance with the agreed details.

Reason: To ensure appropriate drainage details are suitable for land drainage consent approval and to ensure any ecological impacts are fully assessed in accordance with policies CLP13 and 16 of the Adopted local plan.

### **Informative Notes**

1. The Local Planning Authority have during and prior to the consideration of this application engaged in a positive and proactive dialogue with the applicant with regard to the layout and design of the scheme in order to achieve a positive outcome for the application.
2. 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.
3. When you carry out the work, you must not intentionally kill, injure or take a bat, or intentionally or recklessly damage, destroy or block access to any structure or place that a bat uses for shelter. These would be offences under the Wildlife and Countryside Act 1981, the Habitats Regulations 1994 and the Countryside and Rights of Way Act 2000. Planning consent for a development does not provide a defence against prosecution under European and UK wildlife protection legislation.
4. If the developer is looking to have new sewers included in a sewer adoption agreement with Yorkshire Water (under Section 104 of the Water Industry Act

1991), they should contact our Developer Services Team (telephone 0345 120 84 82, email: [technical.sewerage@yorkshirewater.co.uk](mailto:technical.sewerage@yorkshirewater.co.uk)) at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with the WRc publication 'Sewers for Adoption - a design and construction guide for developers' 6<sup>th</sup> Edition as supplemented by Yorkshire Water's requirements.

5. The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity at the surface or shallow depth. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of new development taking place.

It is recommended that information outlining how former mining activities may affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), is submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

[www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries](http://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries)

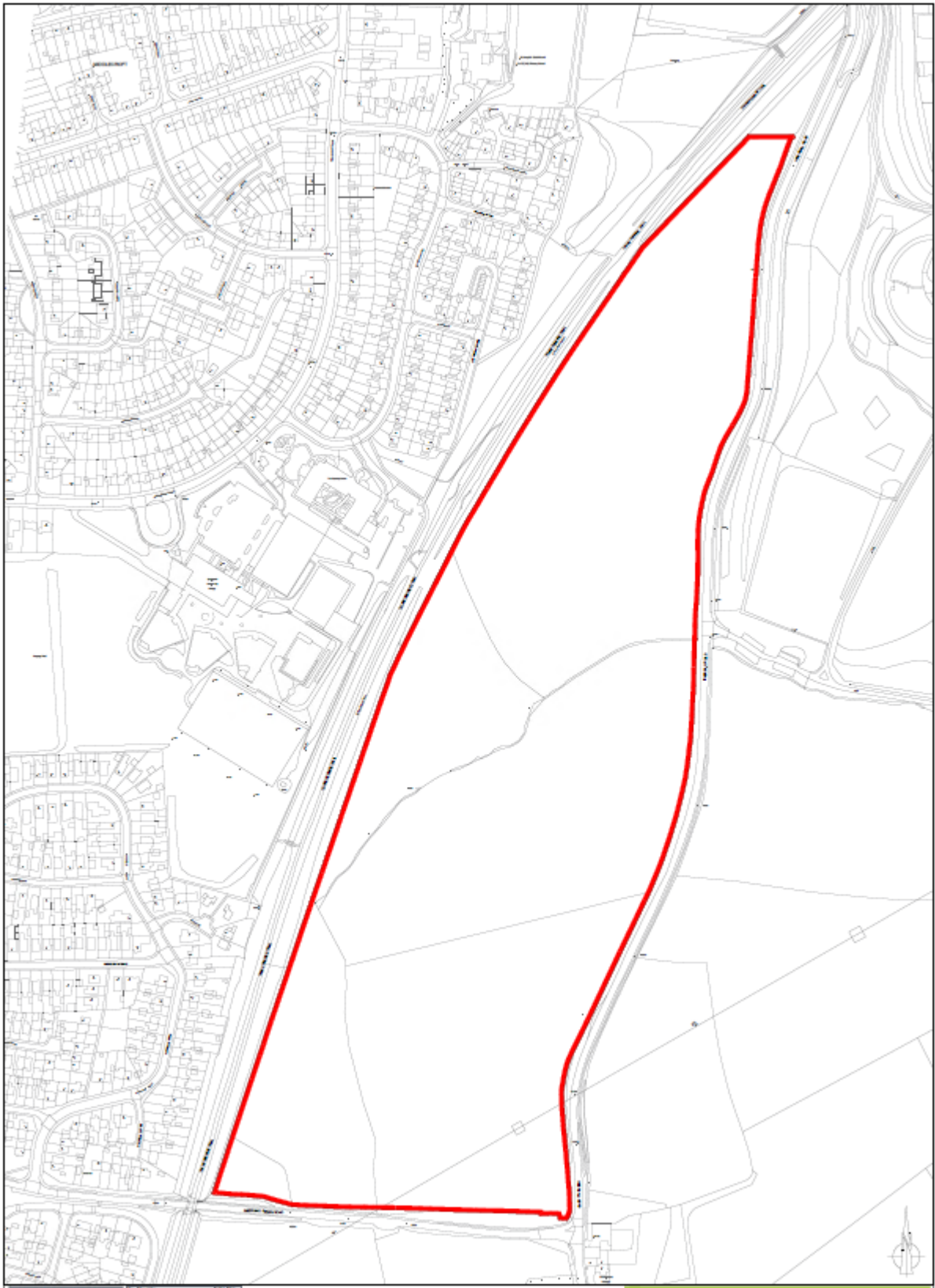
Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent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

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is available on the Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

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<b>COMMITTEE/SUB</b>	Planning Committee
<b>DATE OF MEETING</b>	21 <sup>st</sup> February 2022
<b>TITLE</b>	DELEGATION
<b>PUBLICITY</b>	For Publication
<b>CONTENTS</b>	<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>
<b>RECOMMENDATIONS</b>	Not applicable
<b>LIST OF BACKGROUND PAPERS</b>	Relevant applications

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

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

<b>Code No FileNo</b>	<b>Ward</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision Date</b>
CHE/19/00775/FUL	Moor	Erection of coffee shop drive-thru restuarant and associated works At Arnold Clark Motorstore Meltham Lane Chesterfield S41 7LG  For Arnold Clark Automobiles Ltd	CP	27/01/2022
CHE/21/00143/OUT	Barrow Hill And New Whittington	Outline permission for residential development of two dwellings At Rear Of 66 South Street North New Whittington S43 2AB  For Rawsons Residential Renovations Ltd	REF	02/02/2022
CHE/21/00190/FUL	Middlecroft And Poolsbrook	Erection of four 2 bedroomed bungalows At Former 9 and 9A Wensley Way Staveley For Chesterfield Borough Council	CP	28/01/2022
CHE/21/00287/FUL	St Helens	Demolition of existing single storey extension and replacement with larger single storey rear extension. (description amended 17/05/21 and 09/06/21 At 37 Wharf Lane Chesterfield Derbyshire S41 7NE  For Mr Michael Hill	REF	24/01/2022

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/21/00331/REM	Linacre	Approval of all Reserved Matters for 7 dwellings (following approval of outline planning permission CHE/19/00043/OUT) At Moorlea Ashgate Road Chesterfield S42 7JE For Bestwick Estates Limited	CP	01/02/2022
CHE/21/00495/FUL	Old Whittington	Factory extension At Power Systems Ltd Carrwood Road Chesterfield Trading Estate Chesterfield S41 9QB For Power Systems Services Ltd	CP	21/01/2022
CHE/21/00553/FUL	Hollingwood And Inkersall	Construction of a new bridge crossing the River Doe Lea and construction of a greenway linking to former Markham colliery site from land east of the river  At Site Of Former Markham Guaging Station Markham Vale Markham Lane Duckmanton For Derbyshire County Council	CP	31/01/2022
CHE/21/00588/FUL	Dunston	Installation of concrete batching plant to support existing manufacturing facility (revised information received 16.12.2021) At Sheepbridge Works, Units 3 and 4 Sheepbridge Lane Sheepbridge Chesterfield S41 9RX For Green Piling Limited	CP	26/01/2022
CHE/21/00604/RET	Linacre	Erection of a single pole for a short wave antenna At 6 Boulton Close Holme Hall Chesterfield S40 4XJ For Mr John Daramy	REF	21/01/2022

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/21/00629/FUL	Hasland	Erection of a steel clad storage building and siting of 2 shipping containers  At 22 The Green Hasland S41 0LJ  For Talking Balloons Ltd	CP	04/02/2022
CHE/21/00633/FUL	Dunston	Erection of a two bedroom detached dwelling - Revised drawings received At 41 Cobnar Drive Newbold Chesterfield S41 8DB  For Mr John Ford	CP	09/02/2022
CHE/21/00700/FUL	Hollingwood And Inkersall	Proposed new engineer store, bailer room and wall to canopy At Smurfit Kappa Land At M1 Commerce Park Markham Lane Duckmanton S44 5HS  For Smurfit Kappa	CP	10/02/2022
CHE/21/00738/FUL	Walton	Single storey front extension At 11 Edwin Avenue Walton S40 3JD  For Mr Brian Harding	CP	20/01/2022
CHE/21/00740/FUL	Loundsley Green	Extension over existing garage and two storey side extension At 4 Glencoe Way Loundsley Green Chesterfield S40 4PN  For Ms Jessica Taylor	CP	20/01/2022

<b>Code No FileNo</b>	<b>Ward</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision Date</b>
CHE/21/00741/FUL	Hasland	Single story side extension (Revised drawings received 21.12.2021) At 18 Branksome Chine Avenue Hasland Chesterfield S41 0PX  For Mr Stephen Rodd	CP	26/01/2022
CHE/21/00753/FUL	Hollingwood And Inkersall	First floor side and rear extension (Revised Drawing Received 08.12.2021) At 12 Pear Tree Close Hollingwood Chesterfield S43 2LU  For Mr and Mrs Tracey Payne	CP	21/01/2022
CHE/21/00761/OUT	Middlecroft And Poolsbrook	Outline planning for up to 3 eco single storey dwellings (amended description 22/11/21) At The Dumbles Inkersall Green Road Inkersall S43 3HA  For Mrs Blankley	REF	26/01/2022
CHE/21/00782/FUL	St Leonards	Siting of a portacabin (revised plan received 28.01.2022 showing amended location of portacabin) At Sports Ground Whitebank Close Hasland  For Bowmen Of Chesterfield	CP	10/02/2022
CHE/21/00797/COU	Moor	Change of use from offices to beauty salon At 187A Sheffield Road Stonegravels Chesterfield S41 7JQ  For Miss Sandra Attenborough	CP	02/02/2022



Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/21/00798/REM	Hollingwood And Inkersall	Reserved matters for the erection of a detached house At Four Poplars Rectory Road Duckmanton S44 5JS  For Mrs M Wheelwright	REF	07/02/2022
CHE/21/00816/FUL	Brockwell	Demolition of existing garage and erection of two storey side extension and single storey rear extension At 2 Beechdale Close Brockwell Chesterfield S40 4EQ For Mr and Mrs Bower	CP	26/01/2022
CHE/21/00856/FUL	West	proposed rear and side extension At 16 Miriam Avenue Somersall S40 3NF  For Mr Bell and Ms Arthurs	CP	02/02/2022
CHE/21/00885/FUL	St Leonards	Removal of existing signage, external ATM and night safe and making good where removals affect the building.  At 2 Stephenson Place Chesterfield S40 1XP For The NatWest Group plc	CP	10/02/2022
CHE/21/00890/CLO	Barrow Hill And New Whittington	Single storey side extension  at 24 Handley Road New Whittington Chesterfield S43 2EE For Mrs Emma Alderton	GR	26/01/2022

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/21/00893/FUL	Linacre	Re-submission of CHE/21/00305/FUL for erection of a single storey extension with mono pitched roof to front of property. At 48 Brushfield Road Holme Hall Chesterfield S40 4XE For Mr. and Mrs. Jackie Weston	CP	01/02/2022
CHE/21/00900/TEL	Middlecroft And Poolsbrook	5G telecommunications installation including 20m high street pole, wrap around cabinet, commscape bowler cabinet, ac transmission cabinet and equipment cabinet At Site Adj. St Columba's Church Inkersall Green Road Inkersall S43 3SE  For CK Hutchison Networks (UK) Ltd	REF	01/02/2022
CHE/21/00908/FUL	Linacre	Two storey rear extension and, single storey side extension - re-submission of CHE/21/00350/FUL At 8 Easedale Close Holme Hall Chesterfield S40 4XP For Mr Martyn Watkin	CP	09/02/2022
CHE/21/00909/FUL	West	Erection of a detached garage - resubmission of CHE/21/00531/FUL At 1 Oakfield Avenue Chesterfield S40 3LE  For Mr Ian Hooper	REF	04/02/2022
CHE/21/00916/CLO	St Leonards	Constructing a single storey ear extension to provide a larger kitchen area. At 186 Hady Lane Hady Chesterfield S41 0DE For Mr Ian Reddish	GR	02/02/2022

<b>Code No FileNo</b>	<b>Ward</b>	<b>Proposal</b>	<b>Decision</b>	<b>Decision Date</b>
CHE/21/00927/CLO	Brimington South	Single story side extension At 331 Manor Road Brimington S43 1NU  For Mr and Mrs Pemberton	GR	09/02/2022
CHE/21/00934/TPO	West	T35 Pine - Prune back to suitable replacement branches to clear the adjacent streetlight. At 303 Ashgate Road Chesterfield S40 4DB For Derbyshire County Council	CP	27/01/2022
CHE/22/00017/NMA	Brockwell	Non material amendment to CHE/17/00530/FUL to change the roof design and remove stone quoin detailing to entrance door of approved extension to lounge and porch at front of property At 196 Ashgate Road Chesterfield S40 4AL For Mr M Lees	CPNMAZ	07/02/2022
CHE/22/00042/FUL	Rother	Creation of vehicular access and drive way At 29 Rockley Close Grangewood S40 2NW For Mr Andrew White	WDN	03/02/2022
CHE/22/00050/TPO	Dunston	Removal of one storm damaged branch off of T18 Sycamore At 134A St Johns Road Newbold S41 8TW  For Arnison Equipment Maintenance Ltd T/A NM Services	CP	26/01/2022

Code No FileNo	Ward	Proposal	Decision	Decision Date
CHE/22/00063/TPO	Brimington South	<p>T1 Sycamore Fell to near ground level, by sections if necessary, T2 Sycamore Fell to near ground level, by sections if necessary, TG3 3 Sycamore Remove Major deadwood, raise crown over highway where necessary. Monitor for further signs of decline. TG4 3 Sycamore Remove Major deadwood, raise crown over highway where necessary. Monitor for further signs of decline. T5 Ash Fell to ground level. T6 Ash Remove Major deadwood, raise crown over highway where necessary. Monitor for further signs of decline. T7 Ash Remove Major deadwood, raise crown over highway where necessary. Monitor for further signs of decline. TG8 5 Ash Fell 4 trees to near ground level, reduce 1 tree to 1metre above the woodpecker hole and leave as a habitat.</p> <p>At Ryecroft Farm            Unnamed Road From Station Road            To Ryecroft Farm            Chesterfield            S43 1LR</p> <p>For Mr Simon Parker</p>	CP	01/02/2022
CHE/22/00070/TPO	Brockwell	<p>Horse Chestnut (Tree T2)            recommendation to fell tree due to significant decay by arborist.            Replacement tree would be planted on site.</p> <p>At Chesterfield Lawn Tennis Club            Hawksley Avenue            Chesterfield            S40 4TW</p> <p>For Chesterfield Lawn Tennis Club</p>	CP	04/02/2022

<b>COMMITTEE/SUB</b>	Planning Committee
<b>DATE OF MEETING</b>	21 <sup>st</sup> February 2022
<b>TITLE</b>	DELEGATION
<b>PUBLICITY</b>	For Publication
<b>CONTENTS</b>	Items approved by the Development Management and Conservation Manager under the following Delegation references:-  Felling and Pruning of Trees P100D, P120D, P130D
<b>RECOMMENDATIONS</b>	Not applicable
<b>LIST OF BACKGROUND PAPERS</b>	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**

<b><u>CODE NO</u></b>	<b><u>DESCRIPTION OF PROPOSAL</u></b>	<b><u>TERMS OF DECISION</u></b>
CHE/22/00050/TPOEXP  TPO 4901.34  25/01/22	The pruning of one Sycamore tree reference T18 on the Order map for Mr Miller of 134a St Johns Road, Newbold.	Consent is granted to remove one storm damaged branch pruning back to the main stem.
CHE/21/00934/TPO  TPO 4901.173  27/01/22	The pruning of one Pine tree reference T35 on the Order map for Derbyshire County Council and located to the frontage of 303 Ashgate Road, Ashgate.	Consent is granted to lightly prune branches growing around the street light head and splay pruning back to suitable replacement branches.
CHE/21/00063/TPO  TPO 4901.48  01/02/22	<p>The felling of 5 Ash trees within A1 leaving one as a standing habitat for woodpeckers and 2 Sycamore trees reference T1 &amp; T2 on the Order Map.</p> <p>Also, the pruning of 6 Sycamore trees within G1 and 2 Ash trees within G3 on the Order map for Underwood Tree Care at the gateway entrance to the derelict Brookside Farm off Chesterfield Road, north of the exit of Brimington Crematorium.</p>	<p>Consent is granted to the felling of 5 Sycamore trees which are in decline due to Ash dieback and Inonotus fungal brackets on the main stem. Consent is also granted to the felling of 2 Sycamore trees which have slowly died back leaving poor canopy cover due to water logging of the field from an unknown water source on Chesterfield Road.</p> <p>Consent is also granted to the crown lifting over the highway of 6 Sycamore trees and 2</p>

		Ash trees and the removal of dead wood. The trees are also to be monitored for any further dieback of the crown.
CHE/22/00070/TPO  TPO 4901.179  04/02/22	The felling of one Horsechestnut tree reference T2 on the Order map at the Chesterfield Lawn Tennis Club. After the removal of Ivy covering the tree, decay was found on the main stem.	Consent is granted to the felling of one Horsechestnut which has decay in the main stem with a condition to plant one Lime tree in the same location as a replacement.



## **APPEALS REPORT**

**MEETING:** PLANNING COMMITTEE

**DATE:** 21<sup>st</sup> February 2022

**REPORT BY:** DEVELOPMENT MANAGEMENT AND  
CONSERVATION MANAGER

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### **FOR PUBLICATION**

#### **BACKGROUND PAPERS FOR PUBLIC REPORTS**

<b><u>TITLE</u></b>	<b><u>LOCATION</u></b>
Non exempt papers on files referred to in report	Development Management Section Planning Service Town Hall Chesterfield

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#### **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>
2/3905	Walton ward	Mr J Lyne	CHE/21/00079/OUT Dwelling to rear of 92 Foljambe Avenue Refusal	Planning Committee	19/8/21	Written Reps	
2/1675	West ward	Dr C J Martin	CHE/21/00527/TPO – Felling of Lime T1 at 2 Somersall Lane Refusal	Officer delegation	20/9/21	Written Reps (fast track)	
2/69	St Leonards ward	Mr F Casey	CHE/21/00314/PA Prior Approval for Raising roof to create an additional storey at 35 Spital Lane	Officer delegation	29/9/21	Written Reps	
2/2441	Brimington North ward	Mr Browett	CHE/21/00421/PA Prior Approval for an additional storey at 45 Rother Avenue	Officer delegation	27/10/21	Written Reps	
2/5885	Hasland ward	Mr J Toulson	CHE/21/00546/FUL driveway at 142 Mansfield Road Refusal	Officer delegation	25/1/22	Written Reps	
2/1698	Middlecroft and Poolsbrook ward	Mrs Sheila Blankley	CHE/21/00761/OUT 3 eco single storey dwellings at The Dumbles, Inkersall Green Road Refusal	Officer delegation	09/02/22	Written Reps	

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# FOR PUBLICATION Agenda Item 8

## ENFORCEMENT REPORT

**MEETING:** PLANNING COMMITTEE

**DATE:** 21<sup>ST</sup> FEBRUARY 2022

**REPORT BY:** HEAD OF REGULATORY LAW  
DEVELOPMENT MANAGEMENT & CONSERVATION MANAGER

**WARD:** As listed in the report

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### **FOR PUBLICATION**

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

### **BACKGROUND PAPERS**

LOCATION: LEGAL SERVICES

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#### **1.0 PURPOSE OF REPORT**

1.1 For non-exempt information about current formal enforcement progress.

#### **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 Enforcement team.

#### **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  
HEAD OF REGULATORY LAW

PAUL STANIFORTH  
DEVELOPMENT MANAGEMENT  
& CONSERVATION MANAGER

Further information on this report from Gerard Rogers, Regulatory Law  
Tel 01246 936471 or email [gerard.rogers@chesterfield.gov.uk](mailto:gerard.rogers@chesterfield.gov.uk)

Enforcements currently Authorised: 6

## ENFORCEMENT REPORT

11 February 2022

Address		Authorised days from	Breach	CHE/	Issued days to issue	Effective days to (-) /from	Comply days to (-) /from	Notes	update last update	Ward
<b>Breach of Condition Notice</b>			Total currently Authorised: 1 Authorised to Issue Average: 540 days							
York Street	2	23/09/19 872	balcony, canopy and french door	17/00800/FUL	16/03/21 540	16/03/21 332	16/04/21 301	Issued. One month to submit details. Then 6 months after approval to carry out works. Not complied. Prosecute - awaiting instructions.	<input type="checkbox"/> 18/03/21	Ha
<b>Enforcement Notice</b>			Total currently Authorised: 3 Authorised to Issue Average: 31 days							
Markham Road	Markham House	18/02/08 5,107	storage of commercial vehicles		20/03/08 31	18/04/08 5047	20/10/08 4862	Complied by 2009. Unauthorised use has started again. Prosecute - awaiting instructions.	<input type="checkbox"/> 14/11/19	HI
Pottery Lane West	10	06/01/20 767	two unauthorised metal structures.		06/02/20 31	15/10/20 484	12/11/20 456	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 dismissed. Prosecute. Instructed. In court 07/04/22 (court changed date).	<input checked="" type="checkbox"/> 20/01/22	Mo

Details at 11 February 2022

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
York Street	2	09/10/17 <i>1,586</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 served - see separate entry.	<input type="checkbox"/> <i>19/12/18</i>	Ha

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## Section 215 Amenity Notice

Total currently Authorised: 2 Authorised to Issue Average: days

Highfield Road	80	05/10/20 <i>494</i>	Removal of debris and waste					Update report 15/02/21. Working with occupier and representative with view to progress without formal action.	<input type="checkbox"/> <i>15/02/21</i>	SH
Tapton Terrace	26	05/10/20 <i>494</i>	removal of Heras fencing and erection of new boundary fence, removal of vans, debris and waste					Update report 15/02/21. Progressing without formal action.	<input type="checkbox"/> <i>15/02/21</i>	SL

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