

**PLANNING COMMITTEE****Monday, 20th February, 2023**

Present:-

Councillor Callan (Chair)

Councillors Bingham  
Brady  
BrittainCouncillors Catt  
Caulfield  
Marriott

The following site visit took place immediately before the meeting and was attended by the following Members:

**CHE/21/00879/FUL** – Residential development of 15 dwellings with access, landscaping and associated works on development land west of Loundsley Green Road, Loundsley Green for Strata.

Councillors Brady, Brittain, Callan, Caulfield and Marriott.

Councillors Bingham and Catt were unable to attend on site and received relevant site information by other means as a reasonable adjustment.

\*Matters dealt with under the Delegation Scheme

**106 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Barr, Borrell, Davenport, G Falconer, T Gilby and Mann.

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

No declarations of interest were received.

**108 MINUTES OF PLANNING COMMITTEE****RESOLVED -**

That the Minutes of the meeting of the Planning Committee held on 30 January, 2023 be signed by the Chair as a true record.

**109 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/21/00879/FUL - RESIDENTIAL DEVELOPMENT OF 15 DWELLINGS WITH ACCESS, LANDSCAPING AND ASSOCIATED WORKS ON DEVELOPMENT LAND WEST OF LOUNDSLEY GREEN ROAD, LOUNDSLEY GREEN FOR STRATA

In accordance with Minute No. 299 (2001/2002) Mrs Claire Linley (Head of Planning, Strata Homes) addressed the meeting and with Mr Martin Monahan (Strata Homes) answered questions from members.

**\*RESOLVED –**

A. That the officer recommendation be upheld and the application be approved subject to completion of a Section 106 agreement relating to:

- A commuted sum of £21,000 to CBC with 10% contingency, to be paid on commencement for upgrade of footpath to the east of the site.
- Payment of an affordable housing contribution of £397,471 in lieu of onsite provision to be paid prior to first occupation, with a clause allowing for an increase in the contribution dependent upon achieved sales values.
- A commuted sum Biodiversity net gain of 3.17 habitat units at £20,000 per unit to CBC = £63,400 to be spent within the Borough and paid prior to first occupation.

And subject to the following conditions and that a CIL liability notice be issued as per section 5.13 of the officer's report:-

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 or conditional requirement below. All external dimensions and elevational treatments shall be as shown on the approved plan/s (listed below).

- Location plan: Dwg: 21-CL6-SEGD-CHL-01 Rev: A Received 06.12.2021

- Site layout: 21-CL6-SEGD-CHL-01 Rev H 23.11.2022

- House Type Naples: TA-(21)-501 received 29.11.2021

- House Type Valencia: TA-(21)-502 received 29.11.2021

- Landscaping plan: P21-2648.001 Rev E received

- Off site drainage connections 0461 Rev P2 received 25.01.2023

- Off site drainage connections 0460 Rev P3 received 25.01.2023

- Materials plan: plan no. 21-CL6-SEGD-MBSP-01 Rev B received 29.06.2022

- Close Boarded Fencing 1.8m High Dwg: SD10.EX.17 Received 29.11.2021

- Boundary plan SD10.EX.24 Rev A acoustic fence received 29.06.2022

- Knee rail SD10.EX.22 Rev S received 29.06.2022

- Fence detail Destination 18 EX.17 received 29.06.2022

- Street scene Rev A received 29.06.2022

3. Works shall be completed on site in full accord with the submitted construction management and mitigation plan and the production management plan no. BM00108-PMP Rev A.

4. Within 2 months of the commencement of development details of all the highway works (including; finished levels, gradients and surfacing) shall be submitted to and approved in writing by the Local Planning Authority. Works shall be completed in accordance with the agreed details.

5. The carriageways and footways shall be constructed in accordance with the details approved plans, up to and including binder course surfacing, to ensure that each dwelling, prior to occupation, has a properly consolidated and surfaced carriageway and footway between the dwelling and the existing/proposed public highway. Until final surfacing is completed, the footway binder course shall be provided in a manner to avoid any upstands to gullies, covers or other such obstructions within or abutting the footway. The carriageways, footways and footpaths in front of each dwelling shall be completed with final surface course within twelve months (or three months in the case of a shared surface road) from the occupation of such dwelling, unless otherwise agreed in writing by the Local Planning Authority.

6. The dwellings, the subject of the application, shall not be occupied until the site has been provided with suitable turning arrangements to enable service and delivery vehicles to turn, all as may be agreed in writing with the Local Planning Authority in writing. In the case where interim turning arrangements are constructed these must remain available until any permanent turning head is available, in accordance with the approved designs.

7. No dwelling shall be occupied until space has been provided within the site curtilage / plot for the parking and manoeuvring of residents and visitors' vehicles associated with that dwelling, all to be laid out, constructed and approved in writing by the Local Planning Authority. The facilities shall be retained throughout the life of the development free from any impediment to their designated use.

8. 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)

- a) no means of enclosure (other than those hereby permitted) shall be erected within the curtilage of any dwelling where it is in line with or forward of the principal elevation of that dwelling, and
- b) no outbuildings or extensions shall be erected to the side or rear of plots 1, 11, 12, 13, 14 and 15; without the prior written approval of the Local Planning Authority upon an application submitted to it.

9. The development shall be completed in full accordance with the sustainability statement dated November 2021, including the provision of solar PV and EV charging to each dwelling hereby approved.

10. Prior to the installation of services and lighting fixtures, a detailed lighting strategy shall be submitted to and approved in writing by the LPA to safeguard bats and other nocturnal wildlife. The woodland edge habitats shall be protected from lightspill, as far as practicable. The Strategy should provide details of the chosen luminaires, their locations and any mitigating features such as dimmers, PIR sensors and timers. A lux contour plan will be required to demonstrate acceptable levels of lightspill to sensitive ecological zones/features. Guidelines can be found in Guidance Note 08/18 - Bats and Artificial Lighting in the UK (BCT and ILP, 2018). Such approved measures will be implemented in full.

11. The development shall be constructed and completed in full accordance with the submitted ecology report and enhancements

- bat boxes to Plots 1 and 15.

- swift boxes to all remaining plots.

- gaps 130 mm x 130 mm in garden fencing to maintain connectivity for hedgehogs.

12. Prior to the commencement of the development tree protection measures shall be installed on site in strict accordance with the submitted Arboricultural Method Statement dated November 2021 and under the supervision of a suitably qualified tree specialist. Such measures shall be retained in place throughout construction works. The development shall be completed in full accordance with the AMS.

13. The soft landscaping of the site shall be completed in full accordance with plan P21-2648.001 Rev E, all completed prior to final occupation of the development.

14. A Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The LEMP shall cover all retained and created habitats, as identified in the agreed Ecological Impact Assessment by Whitcher Wildlife Ltd dated 18.05.2022, to meet the habitat gains set out in the Biodiversity metric calculation and landscaping of the site agreed under condition 13 above.

The content of the LEMP shall include the following;

- a) Description and evaluation of features to be managed;
- b) Ecological trends and constraints on site that might influence management;
- c) Aims and objectives of management;
- d) Appropriate management options for achieving aims and objectives;
- e) Prescriptions for management actions;
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a thirty-year period);
- g) Details of the body or organization responsible for implementation of the plan;
- h) Ongoing monitoring and remedial measures,
- i) Details of the company to be set up to manage the any private highways areas and the landscaped areas of the site in perpetuity.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term (30 Years +) implementation of the plan will be secured by the developer

with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan shall be implemented in accordance with the approved details.

15. In line with the proposed street scene sections a scheme detailing all proposed finished floor and land levels, with street scene and sections provided across the site frontage and within the site, shall be submitted to and approved in writing by the Local Planning Authority prior to development platforms being completed. The development shall be carried out in accordance with the approved scheme.

16. The pedestrian link to the adjacent public right of way shall be installed on site and be available for use prior to the completion of the development.

17. All external materials and hard surfacing shall be in line with the details on plan no. 21-CL6-SEGD-MBSP-01 Rev B.

18. The development shall be completed in accordance with the recommendations of the noise impact assessment dated 30.05.2022 by ENS Ltd.

19. a) Boundary treatments shall be in accordance with the details on plan no. 21-CL6-SEGD-CHL-01 Rev G.

b) In line with the above plan and prior to their installation, details including materials, of all retaining boundary walls shall be submitted to and agreed in writing by the Local Planning Authority. Works shall be completed in accordance with the agreed details.

20. Construction work shall only be carried out between the hours of 8:00 am to 6:00 pm Monday to Friday and 8:00 am to 2:00 pm on a Saturday. Staff shall be allowed access only onto site Monday to Friday from 7.30am. 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.

21. No development above ground shall commence until; Any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is safe and stable for the development proposed. The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

22. Prior to the occupation of the development or it being taken in beneficial use, 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 shall be submitted to the Local Planning Authority for approval in writing. This document 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.

23. 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.

24. The site shall be developed with separate systems of drainage for foul and surface water on and off site. In addition, the peak pumped foul water discharge shall not exceed 4.75 litres per second.

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

26. No development shall take place until a detailed design and associated management and maintenance plan of the surface water drainage for the site, in accordance with the principles outlined within:

a. The Site Specific Flood Risk Assessment Dated November 2021, Doc Ref: P21025- SsFRA\_A Loundsley Green Strata “including any subsequent amendments or updates to those documents as approved by the Flood Risk Management Team”

b. And DEFRA’s Non-statutory technical standards for sustainable drainage systems (March 2015), have been submitted to and approved in writing by the Local Planning Authority.

27. The site shall be developed in accordance with the ‘RSK Geosciences’ document titled: Surface Water Management Plan (Ref: 302498-R01(01)) received 30<sup>th</sup> August 2022.

28. The above surface water attenuation should not be brought into use until such a time as it is fully designed and constructed in line with a scheme to be submitted to and approved in writing by the Local Planning Authority.

29. Prior to the first occupation of the development, a verification report carried out by qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls).

30. The development shall be completed in line with the submitted Employment and Training Scheme received 14.04.2022.

31. Following completion of 50% of the dwellings and secondly at the stage of the final completion of the remaining 50% of the dwellings, a post construction Accessible Housing Certification Table containing the full details of the following matters shall be submitted to and approved in writing by the Local Planning Authority;

- Which and how many dwellings within the development have satisfied M4 (2)\* accessible and adaptable dwellings standards

- Which and how many dwellings within the development have satisfied M4 (3)\* wheelchair adaptable dwellings standards

- Which and how many dwellings within the development have satisfied M4 (3)\* wheelchair accessible dwellings standard.

(\*contained within Part M Volume 1 (Approved Document) of The Building Regulations 2010, or any such Approved Document or Regulations for the time being in force, including any modification, extension or re-enactment of the same and including all instruments, orders, regulations and directions for the time being made, issued or given under the Approved Document or Regulations (or deriving validity from the same.))

The accessible dwellings shall be provided in accordance with the agreed details and shall be retained as provided for thereafter.

32. a) Works on site shall be undertaken in accordance with the recommendations of the following reports:

- Phase 2 Geo Environmental Assessment (Ref: NTE2269)

- Coal Mining and Geotechnical Appraisal (Ref: 4158/2 Date: November 2021)

- Earthworks Specification (Ref: 4158/4 Date: December 2021)

- Specification for the Treatment of Shallow Workings & Mine Entries (Ref: 4158/3 Date: December 2021)

Including any additional chemical and gas testing for on-site material or for material for movement and deposition off site along with the formulation of appropriate remediation based on the findings of the recommended assessments.

b) If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the above reports then the revised remediation shall be submitted to and approved in writing by the Local Planning Authority;

c) Prior to the commencement of any construction works in any area that has been subject to remediation, a verification report shall

be submitted to and approved in writing by the Local Planning Authority.

B. That a CIL liability notice be issued for £176,452 as per section 5.13 of the officer's report.

110 **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/21/00252/FUL	Erection of one 4 bedroomed house at Land Adj 20 Rushen Mount, Birdholme S40 2JU for Mr Andrew Parsons
CHE/22/00370/OUT	Outline application for the erection of a dwelling with reserved matters for access and layout at 30 Holland Road, Old Whittington, Chesterfield S41 9HF for Mr J Cocker
CHE/22/00386/FUL	Side extension to provide annexe accommodation for dependent relative at 222 Handley Road, New Whittington, Chesterfield S43 2ER for Mr Alan Clarke
CHE/22/00491/REM	Approval of all reserved matters for Plot 6 (in connection with outline permission CHE/15/00291/REM1 for CBC and outline permission: 15/00479/OL for NEDDC) for the erection of 4 no. Class B2/B8 units with office space and associated works at Land At Enterprise Way, Enterprise Way, Duckmanton, Chesterfield S44 5FD for HBD.

- CHE/22/00582/FUL Canopy extension to existing service yard at Rillatech Ltd, Prospect Park, Dunston Way, Chesterfield S41 9RD for Rillatech Ltd / Dalziel Ltd
- CHE/22/00653/FUL Demolition of existing single storey side extension, erection of 2 storey side extension and internal alterations. Reduction to the land level at a section of the frontage and installation of retaining walls with guard rails, to allow for car parking at Delgan 5 Coniston Road, Newbold, Chesterfield S41 8JE for Mr Sekhon Manvesh
- CHE/22/00674/FUL Demolition of existing garage and car port, and erection of a single storey side extension at 46 Orchard View Road, Loundsley Green, Chesterfield S40 4BU for Mr and Mrs Foster
- CHE/22/00704/FUL Proposed first floor bedroom over side garage at 36A Houldsworth Drive, Hady S41 0BS for Mr A Nicholas
- CHE/22/00711/FUL Single storey rear extension with cladding at 19 Mayfield Road, Chesterfield S40 3AJ for Mrs Kaye Wallis
- CHE/22/00744/FUL Demolition of existing conservatory and erection of a single storey rear extension, alterations to front elevation to include new gable with window and new render to walls at 538 Chatsworth Road Chesterfield S40 3AY for Mr and Mrs Foster
- CHE/22/00756/FUL Two storey rear extension (revised drawings received 28.12.2022) at 25 Selhurst Road, Newbold, Chesterfield S41 7HR for Cutler and Green
- CHE/22/00770/FUL Demolition of existing conservatory boot room and replacement with new brick built boot room matching the style of the previous orangery extension at Hady House, 75 Hady Hill, Hady,

Chesterfield S41 0EE for Mr C Fletcher

- CHE/22/00771/LBC Listed building consent for demolition of existing conservatory boot room and replacement with new brick built boot room matching the style of the previous orangery extension at Hady House, 75 Hady Hill, Hady, Chesterfield S41 0EE for Mr C Fletcher
- CHE/22/00777/FUL Installation of external wall insulation and application of its rendering at 39 Handley Road, New Whittington S43 2DU for Mr Alain Augère
- CHE/22/00781/FUL Removal of uneven steps. Installation of new stairs, wall and handrailing and replacement of brick paved drive with concrete at 177 Keswick Drive, Newbold, Chesterfield S41 8HQ for Mr Ian Leverton
- CHE/22/00790/ADV Erection of 1 x 9m totem pole sign, 1 x height restriction bar, 1 x menu board and 5 x freestanding menu and directional signage associated with drive-thru coffee shop/restaurant at Arnold Clark Motorstore, Meltham Lane, Chesterfield S41 7LG for 1 Oak
- CHE/22/00792/FUL First floor extension above existing dining room and study and demolition of existing garage and conservatory and erection of single storey side/rear extension at 8 Lake View Avenue, Walton, Chesterfield S40 3DR for Mrs Hannah Harison-Denby
- CHE/22/00798/FUL Erection of two single storey outbuildings at 35 Oakfield Avenue, Chesterfield S40 3LE for Mr Robert Bradshaw
- CHE/22/00802/PA Conversion of existing office building to a single, 4- bedroom dwelling (Class C3) at Existing Offices Dunston Hole Farm, Unnamed Road accessing Dunston Hall and Hole Farm, Chesterfield

S41 9RL for Mr and Mrs K. Heppenstall

CHE/22/00805/ADV	One free roadside sign to Farndale Road, 3 totem signs at the service yard entrances and 6 building mounted fascia signs (one on each unit) at Land accessed from Farndale Road, Staveley, Chesterfield for Devonshire Property (B2D) Limited
CHE/22/00809/FUL	Alterations to existing office building, including partial demolition (part-retrospective) at Dunston Hole Farm, Unnamed Road Accessing Dunston Hall and Hole Farm, Chesterfield S41 9RL for Mr and Mrs K. Heppenstall
CHE/22/00818/FUL	Single storey front and side extensions at 61 Mansfield Road, Hasland, Chesterfield S41 0JE for Victoria Sweetmore
CHE/22/00827/FUL	Demolition of garage and erection of a single storey front and side extension with internal alterations. Alterations to front entrance canopy at 64 Peak View Road, Brockwell, Chesterfield S40 4NN for Mr and Mrs John Hill
CHE/22/00839/FUL	First floor extension over existing garage at 18 Challands Way, Hasland S41 0ER for Mr & Mrs Day
CHE/23/00038/TPO	Oak situated on fence between garden and vegetable plot/field crown cleaning due to damaged branches falling near property at 33 Coupland Close, Old Whittington S41 9TB for Mrs June Macdonald
(b) Refusals	
CHE/22/00715/FUL	Pitched roof over existing rear extension and replacement of boundary hedge with a wooden panel and concrete plinth fence at 126 Broomfield Avenue, Hasland, Chesterfield S41

OND for  
Mr James Bentley

- CHE/22/00785/REM Variation of condition 4 (opening hours) of application CHE/21/00042/COU - To extend permissible hours for licensing activities to from 10am-2:30am daily at 10 Station Road, Whittington Moor, Chesterfield S41 9AQ for Mason's Bar Ltd
- CHE/22/00826/PA Application for prior approval for a change of use of offices into two flats at Crush, 31 West Bars, Chesterfield S40 1AG for James Steer
- (c) Discharge of Planning Condition
- CHE/22/00297/DOC Discharge of conditions relating to CHE/17/00645/FUL (Office Code No. CHE/21/00835/REM1) in relation to conditions 4 (Pendragon Chesterfield Site Set Up Plan wk1\_2), 9 (Pendragon Chesterfield Site Set Up Plan wk2-7) and 14 (Kingfisher- Employment and training plan at Development Site at Eastside Park, Eastside Road, Chesterfield for Pendragon PLC
- CHE/22/00306/DOC Discharge of Conditions 4 (Construction management), 9 (Space for parking/loading etc) and 14 (Employment and Training Plan) relating to application CHE/21/00598/REM1 at Development Site at Eastside Park, Eastside Road, Chesterfield for Pendragon PLC
- CHE/22/00406/DOC Discharge of condition 4 (Tree Protection) of CHE/22/00142/FUL - A new purpose built link corridor through existing courtyard, Infill of existing undercroft, replacement of 9 windows and one new window at Chesterfield and North Derbyshire Royal Hospital, Chesterfield Road, Calow S44 5BL for The Manser Practice

- CHE/22/00608/DOC Discharge of condition 8 (Surface Water Drainage) of CHE/20/00432/FUL - Construction of a solar photovoltaic farm, with battery storage and other associated infrastructure, including inverters, security cameras, fencing, access tracks and landscaping at Land to West of Inkersall Road, Staveley, Chesterfield for Inkersall Solar Farm Limited
- CHE/22/00713/DOC Discharge of condition 4 (Pile Foundation Detail and Design) of application CHE/20/00790/FUL - First floor side extension above existing garage and rear two storey extension at 31 Storrs Road, Chesterfield S40 3QA for Mr and Mrs Pogson
- CHE/22/00736/DOC Discharge of conditions 3 (materials) and 4 (biodiversity) of CHE/22/00344/FUL - replacement of existing porch roof to a hip roof and erection of canopies over the windows to the left and right of the porch at 3 Branton Close, Boythorpe, Chesterfield S40 2NL for Mr Wills Brady
- CHE/22/00753/DOC Discharge of condition 4 (biodiversity measures) of CHE/22/00288/FUL - First floor extension to the side elevation at 17 Southfield Avenue, Hasland, Chesterfield S41 0LX for Mr Ashley Thompson
- CHE/22/00816/DOC Discharge of conditions 8 (Soft landscaping scheme) and 9 (Hard landscaping works) of application CHE/17/00798/FUL - Change of use from Office (B1) to Residential - 30 apartments over 3 floors (C3) and internal alterations to Listed Building at Knightsbridge Court, West Bars, Chesterfield S40 1BA for ARC Capital
- CHE/23/00008/DOC Discharge of condition 4 (Declaration of site safety) of application CHE/20/00760/FUL - Conversion and extension of existing garage to form new dwelling at The Bungalow, 2A Delves Close, Walton S40 2BU for Mr Adam Bowler

CHE/23/00012/DOC Compliance with condition 25 (Submission of method statement for Network Rail approval) of CHE/20/00496/FUL- Demolition of 7 buildings and erection of 12 new units use B2/B8 use with ancillary offices, associated car parking and external vehicular areas/landscaping at Land Off Station Road, Old Whittington, Chesterfield S41 9AW for MSAndrew Butler Castings Ltd

CHE/23/00028/DOC Discharge of condition 3 (biodiversity) of application CHE/22/00601/FUL at McDonalds Restaurants Ltd, Markham Vale Services, Enterprise Way, Duckmanton S44 5HB for InstaVolt LTD

(d) Partial Discharge of Conditions

CHE/22/00396/DOC Discharge of condition 6 (car parking scheme) and 7 (residential electric car charging points), 8 (cycle store) and 9 (bin store) of application CHE/21/00371/FUL - Conversion of existing dwelling into 1 one bed flat and 1 two bed flat at 109 Chesterfield Road, Staveley S43 3QJ for Mr. J McGuinness

CHE/22/00693/DOC Discharge of conditions 3 (Materials), 8 (Disposal of foul and surface water drainage), 10 (Details of surface water drainage works), 11(Landscaping treatment) and 12 (Ecological measures) of application CHE/19/00322/FUL- Demolition of car-port and erection of dwelling at Land Adj 63 Station Road, Brimington, Chesterfield S43 1JU for Ms Andrea Collins

CHE/22/00724/DOC Discharge of conditions 4 (Car Parking Management Plan) and 10 (Construction methodology to minimise effects on bats) of application CHE/21/00602/FUL- Demolition of existing restaurant (Use class E) and erection of a drive thru restaurant (Suis Generis), circulation road and associated works at Burger King, Brimington Road North, Chesterfield S41 9BE

for E G Group

(e) Planning permission required

CHE/23/00023/AGR Application to determine whether prior approval is required for the erection of an agricultural building at St John's Farm, Bridle Road, Woodthorpe, Chesterfield S43 3BY for Mr Mick Hobson

(f) Prior approval not required

CHE/22/00836/TPD Prior approval for a proposed larger home extension at Trevilla, 73 Hady Hill, Hady, Chesterfield S41 0EE for Mrs Lorraine Fletcher

CHE/22/00848/TPD Single storey rear extension at 24 Hazel Drive, Walton S40 3EN for Mr Philip Allen

(g) Unconditional permission

CHE/23/00046/CA Flowering Cherry (T1) - crown thinning 20%, crown reduction: height approx 15m, spread approx 8m. To reinstate reasonable light levels and prevent damage at 95A High Street, Old Whittington S41 9LB for Mr Robert Oles

(h) Other Council no objection with comments

CHE/23/00037/CPO The Proposed Development will facilitate the requirement to meet new obligations for phosphorous removal from wastewater, specifically to achieve compliance with the Water Industry National Environment Programme (WINEP) driver of 0.25mg/l total annual average phosphorous content. Along with associated permitted development the proposed development will comprise the following four kiosks. - Motor Control kiosk - Ferric sulphate dosing kiosk - Ferric sulphate dosing kiosk - Sodium hydroxide dosing kiosk at Whittington Sewage Works, Station Lane, Old Whittington

## S41 9EY for Yorkshire Water Services LTD

## (i) Prior Approval

CHE/22/00806/TEL Telecommunications installation - 15.0m Phase 8 Monopole C/W wrapround cabinet at base and associated ancillary works at Verge Between Hillside Drive and Worksop Road, Mastin Moor, Chesterfield S43 3AE for CK Hutchison Networks (UK) Ltd

## (j) CLOPUD Granted

CHE/22/00807/CLO Certificate of Lawfulness for the proposed use of the building for ancillary booking, admin and IT office functions associated with an app-based private taxi/minicab/private hire service; with no private hire vehicle parking or visiting members of the public at Tapton Park Innovation Centre, Brimington Road, Tapton, Chesterfield S41 0TZ for Bolt Services UK Limited

## 111 **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:-

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

CHE/23/00046/CA Agreement to the pruning of one Cherry tree to The pruning of one Cherry tree in the grounds of 95a High Street, Old Whittington crown reduce to leave a 15 metres high tree with a crown spread of 8 metres to previous reduction points. The pruning of the tree will have no adverse effect on the character and amenity of the area.

The trees are within the Old Whittington Conservation Area and the applicant wishes to prune the tree because it is close to the neighbouring property and lamp stand.

**112 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.

**113 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.

**114 LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF PUBLIC**

**\*RESOLVED –**

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

**115 94 CHESTER STREET, CHESTERFIELD**

The Development Management and Conservation Manager submitted a report to inform members of a breach of planning legislation at 94 Chester Street, Chesterfield.

**\*RESOLVED –**

That authority be granted for the issue of an enforcement notice, in relation to the unauthorised development and requiring its removal from the property. The notice should specify a compliance period of 28 days.