

## **PLANNING COMMITTEE**

**Monday, 29th March, 2021**

Present:-

Councillor Callan (Chair)

Councillors D Collins  
Barr  
Bingham  
Brady  
Catt  
Caulfield  
Davenport

Councillors T Gilby  
Miles  
Simmons  
Borrell  
G Falconer  
Mann

\*Matters dealt with under the Delegation Scheme

### **55 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Marriott.

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

No declarations of interest were received.

### **57 MINUTES OF PLANNING COMMITTEE**

**RESOLVED -**

That the Minutes of the meeting of the Planning Committee held on 8<sup>th</sup> March, 2021 be signed by the Chair as a true record.

### **58 APPLICATIONS FOR PLANNING PERMISSION - PLANS DETERMINED BY THE COMMITTEE**

\*The Committee considered the under-mentioned applications in light of reports by the Group Leader, Development Management and resolved as follows:-

**CHE/20/00733/OUT - OUTLINE APPLICATION FOR UP TO 7 DWELLINGS WITH ALL MATTERS RESERVED, LAND TO SOUTH OF SEAGRAVE DRIVE, HASLAND, CHESTERFIELD FOR TAYLOR TRUSTEES**

In accordance with Minute No. 299 (2001/2002) Stuart Wrigley (objector), Linda Billington (objector) and Councillor Stuart Brittain (ward member) addressed the meeting.

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

1. Development of housing on the open fields to the west of the listed Manor House and associated barns will erode the remaining element of the original rural setting of these listed buildings and result in harm to their setting and significance. This harm is considered to be 'less than substantial harm'. As such the proposal is contrary to policy CLP21 of the Adopted Chesterfield Local Plan 2018-35 and Part 16 of the NPPF. The harm in this case is not considered to be outweighed by public benefits arising from this development.

**CHE/20/00526/FUL - TO RETAIN STEEL CONTAINERS ON LAND AT THE SIDE OF THE CANAL FOR STORAGE ON A PERMANENT BASIS ON LAND ADJACENT TO, TAPTON LOCK VISITORS CENTRE, LOCKOFORD LANE, CHESTERFIELD, S41 7JB**

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

1. The containers hereby permitted shall be removed and the land restored to its former condition on or before 29<sup>th</sup> March 2031.

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).

- Revised application form, received 10th Feb 2021
- Proposed planting scheme - dated 4th December 2021, uploaded 10/02/21

3. The containers to be retained shall be dark green in colour for the lifetime of the development.
4. Within the first available planting season following the siting of the second container previously approved, planting shall be implemented in accordance with the approved planting scheme. The planting shall be retained for the lifetime of the development.
5. 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 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.
6. The containers shall be securely anchored into the ground through the lifetime of the consent.

59 **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/20/00270/FUL	Stand alone storage unit extension (revised plans received 29.08.2020 showing amended location and design of storage unit and 16.10.2020) at Zachrome Works Sheffield Road Sheepbridge S41 8NH for Zachrome
CHE/20/00292/FUL	Two storey rear extension at 27 Barn Close Newbold Derbyshire S41 8BD for Mr Ian Fletcher
CHE/20/00752/FUL	External alterations to existing KFC Drive-Thru including new feature metal cladding, signage and bin store enclosure (revised drawings provided 03/03/21) at Markham Vale Services, KFC

	Enterprise Way Duckmanton S44 5FD for QFM Group
CHE/20/00753/ADV	4 internally illuminated white 'KFC' letters, 1 new internally illuminated colonels sign at KFC Enterprise Way Duckmanton Derbyshire for QFM Group
CHE/20/00755/FUL	Conversion and extension of garage into habitable annexe to main dwelling. Revised drawings received 09.02.2021 at 31 Devonshire Avenue East Hasland S41 0AE for Mr Michael Bond
CHE/20/00786/MA	Material amendment to CHE/18/00461/FUL to change the appearance of the previously approved canopy to match the existing building elevation (Revised plans received 23.02.2021) at Hasland Playhouse 50 Storforth Lane Chesterfield S41 0PW for Mr Andrew Aldred
CHE/20/00812/FUL	Two storey side extension. Revised drawings received 22.01.2021. Revised drawings received 03.02.2021 at 18 Errington Road Chesterfield S40 3EP for Mrs Lisa Ann Share
CHE/20/00835/FUL	Proposed first floor extension a Headland House 10 Headland Close Brimington Derbyshire S43 1QU for Mrs Chen Fenghua
CHE/20/00839/FUL	Single storey side extension at 16 Seymour Lane Woodthorpe Derbyshire S43 3DA for Mr Michael Swinden
CHE/20/00858/FUL	Removal of existing conservatory and erection of a single storey side extension at 27 Whittington Hill Old Whittington Derbyshire S41 9HJ for Mr and Mrs Rutherford
CHE/20/00863/FUL	Single storey rear extension with raised patio, widening of existing driveway with new dropped kerb in front of new extended driveway at 16 Abbeyhill Close Holme Hall Chesterfield S42 7JL

for Mr and Mrs Kaushik

- CHE/21/00001/FUL Proposed garage conversion and raising roof of garage 300mm at 6 Lancelot Close Walton Derbyshire S40 3ET for Mr Marples
- CHE/21/00002/FUL Single storey extension at 4 Mardale Court Mardale Close Newbold Derbyshire S41 8JX for Mr David Farrar
- CHE/21/00010/FUL Removal of rear conservatory and erection of replacement single storey extension and alterations to front porch and windows including removal of existing front dormer and construction of new gable at 5 Quarry Lane Chesterfield S40 3AS for Mr Lewis Spencer
- CHE/21/00021/FUL Resubmission of CHE/20/00559/FUL - Two storey side extension, porch to the front of the property and rear dormer to the existing loft conversion at 50 Highfield Lane Newbold Derbyshire S41 8AY for Miss Jade Quinn
- CHE/21/00027/FUL Ground floor single-storey rear extension at 103 Peveril Road Newbold S41 8SG for Mr and Mrs Kurt and Nicole Callewaert
- CHE/21/00028/FUL Demolition of existing conservatory and erection of a single storey rear extension at 3 Fuller Drive Chesterfield S41 0UG for Susan Brierley
- CHE/21/00085/CA Ash - Fell excessive shade, amenity (not protected) at The Fold 4 Somersall Willows Chesterfield S40 3SR for Mr Peter Watmore
- CHE/21/00107/TPO T6 - Horse chestnut crown reduction by 4m in height and 1-5 m reduction to the sides. Crown lift by 5m from highway. T7 - Crown thin by 25% and crown lift by 5m from highway at 21 Newbridge Lane Brimington Derbyshire S43 1LX for Mr Severino Risorto

- CHE/21/00129/TPO T1 Oak crown raise over highway to 5.2. T2 Sycamore crown raise to 5m removing epicormic growth. T3 Sycamore crown raise to 5m removing epicormic growth. T4 Sycamore crown raise to 5m remove epicormic growth. T5 Oak crown raise over conservatory. T6 Sycamore crown raise to 5m removing epicormic. T7 Sycamore crown raise to 5 M removing epicormic. T8 sycamore raise to 5m reducing epicormic. T9 Sycamore crown raise to 5m removing epicormic at 75 Highland Road New Whittington Derbyshire S43 2EZ for Mr Keith Herrington
- CHE/21/00144/CA The tree is identified as "Acer Platanoides" (Crison King), a vigorous deciduous tree with deep reddish purple leaves - the eventual height and width being 100 ft x 75 ft. The intention is to fell and remove this tree because of excessive shading and low amenity value and replace it in a suitable position with a smaller mature friendly alternative that does not cause light loss to adjoining property owners.
- The tree in question was planted by previous owners approx 10 years ago. It is still a young tree but already 30 ft high, so will totally swamp the small space it is growing in. Although because of its age it is no affecting the wall adjoining the properties it is likely, given its potential size, to do so in future. Owing to the dense, almost black foliage, the tree also dominates the surrounding gardens, blocking out the light to the detriment of air space at 63 Rutland Road Chesterfield S40 1ND for Mrs Catherine Clinton
- CHE/21/00145/CA Conservation area - Remove new growth from felled Ash tree stump located in G9. x1 Ash in the north-west corner of the garden - The reduction of one limb growing over the neighbouring property back to suitable replacement branch at Ashton Lodge 28 Abercrombie Street Chesterfield S41 7LW for Mr Andrew Bird

CHE/21/00148/TPO

Proposed work detail: T24 Walnut - Crown lift over footpath by 3m and the reduction of branches growing over the main highway pruning back to the kerb edge and suitable replacement branches. T26 - Maple - Remove one lower branch growing towards the neighbouring property. T27 Sycamore - Crown clean to remove dead wood. G7 - x1 Ash - Crown clean to remove dead wood, the reduction of branches growing over Abercrombie Street in line with the centre of the highway to rebalance the crown and pruning back to suitable replacement branches. x1 Sycamore (next to access) - Removal of 3 lower branches to re-balance lower crown and clear telephone wire. G8 x1 Ash - Clear street lighting by 1m and remove first lower limb growing over Abercrombie Street to clear highway. G9 x1 Lime - Crown clean and crown lift to 1st major fork on the main stem. x1 Sycamore - crown clean, the reduction of one limb which forks into 2 branches growing over Sheffield Road by 2m in line with the main outer crown pruning back to suitable replacement branches, crown lift to first major fork on the main stem. x1 Beech - Prune away from the property to give a clearance of 3m from the structure and the reduction of one lateral leader growing towards the property back to the upper stone works on the chimney and pruning back to suitable replacement branches, crown clean. x1 Ash - Prune away from the property to give a 3m clearance from the structure pruning back to suitable replacement branches and crown clean at Ashton Lodge 28 Abercrombie Street Chesterfield S41 7LW for Mr Andrew Bird

CHE/21/00151/TPO

Oak T1 : Crown lift to 5.2m. Removal of 1 limb and 1 secondary branch, 2m back from both houses. Crown clean remove deadwood. T2 Sycamore: crown lift to 5.2 m, clear telephone wires and remove all ivy and deadwood. T3 Sycamore: crown lift to 5.2m at The Oaks 534

Chatsworth Road Chesterfield S40 3AY for Mr Rockie White

CHE/21/00158/CA

To remove one conifer tree from the front left-hand side (from the road) of front garden as shown on drawing. The conifer is approximately 15 feet tall and is part of a collection of perennial plants in a flower bed. This is to allow the widening of drive to enable vehicles to turn around on the driveway. At the moment any vehicle has to reverse back down the drive onto Somersall Lane into often very busy traffic at 15 Somersall Lane Somersall Derbyshire S40 3LA for Mr David Goodwin

CHE/21/00169/TPO

T1 - Lime re-pollard. T2 - Lime re-pollard. T3 - Lime re-pollard at 22 Netherleigh Road Ashgate Chesterfield S40 3QJ for Mr Dent

(b) Refusal

CHE/20/00507/FUL

Two storey side, rear and front extension and render whole house (change in description agreed 02/09/20) Revised drawings received 09.09.2020. Revised drawings received 14.09.2020. Revised drawings received 30.10.2020 at 255 Walton Back Lane Walton Derbyshire S42 7AA for Mr Andrew Turner

CHE/20/00584/DOC

Conditions 2) External materials used on 2 house types. 10A) Written investigation archaeological evaluation. 18) Noise - assessment report in relation to CHE/16/00229/OUT at Bank Close House Hasland Road Hasland Derbyshire S41 0RZ for Vital Balance Ltd

CHE/20/00732/REM

Approval of reserved matters for CHE/16/00229/OUT - Development of 14 residential units with new access road at Bank Close House Residential Home Hasland Road Hasland Derbyshire S41 0RZ for Vital Balance Ltd



- CHE/20/00756/DOC Discharge of condition 8 (drainage) of CHE/16/00222/FUL - Refurbishment and extension of the existing Bank Close House with provision for new vehicular access off Hasland Road at Bank Close House Residential Home Hasland Road Hasland Derbyshire S41 0RZ for Vital Balance Ltd
- CHE/20/00764/DOC Discharge of planning conditions 7(Reptile Survey), 12, 14 and 15 (Surface water drainage) and 22 (Dimensions/elevations) of CHE/16/00229/OUT Development of 14 no. residential units with new access road at land adjacent to Bank Close House Residential Home Hasland Road Hasland Derbyshire S41 0RZ for Vital Balance Ltd
- CHE/20/00832/DOC Discharge of condition number 2 (Tree protection plan) 3 (Site access statement) 4,5,6 and 7 (general arrangement) 8 (soft landscape proposals) and 10 (biodiversity enhancement scheme) in relation to planning application number CHE/19/00159/REM at land to the west of Bevan Drive Inkersall Derbyshire for Wildgoose Homes
- CHE/20/00844/PNC Change of use of vacant hair salon to 2 bedroomed residential property at 25 High Street Brimington Derbyshire S43 1HH for Mr Richard Martin
- CHE/21/00017/RET Retention of gate and fencing at 232 Old Road Chesterfield S40 3QN for Mr S Calton
- CHE/21/00121/TPO 17 Poplar Trees in a row along the roadside - reduce height to 5 metres. Reduce lateral branches back to two metres. Trees are overhanging Whittington Road. There is another line of poplar trees which are in the same row. These also have TPO's but have already been reduced some years ago at Handleywood Lodge Sheffield Road Stonegravels Chesterfield S43 2PW for Mr Jay Logan

(c) Partial Discharge of Conditions

CHE/20/00800/DOC Discharge of conditions 3 (soakaway), 5 (storage and parking) and 7 (tree root protection) in relation to planning application CHE/17/00804/FUL at Poppy Barn 23 Bridle Road Woodthorpe Derbyshire S43 3BY

(d) Discharge of Planning Condition

CHE/20/00825/DOC Discharge of planning condition 13 (hard and soft landscaping) of CHE/19/00593/FUL - Erection of 4 semi-detached 2/3 bedroomed dwellings with associated car parking and external works served from widened access drive at land to the side and rear of 102 Highfield Lane Newbold Derbyshire for JJK Project Services Ltd

CHE/21/00096/DOC Discharge of condition 3 (cycle storage) of CHE/20/00539/COU - Change of use from Class A1 to Class A1/A3 at land at Ravenside Retail Park Markham Road Chesterfield for LS Chesterfield Ltd

(e) Prior notification approval not required

CHE/21/00056/TPD Proposed rear extension at 7 Orchards Way Walton Derbyshire S40 3DA for Mr Bradbury

CHE/21/00059/TPD Demolish existing conservatory and kitchen extension and replace with single storey rear extension at 10 Tennyson Avenue Chesterfield S40 4SW for Mr Craig Martin

CHE/21/00064/TPD Single storey brick and tiled extension to match existing house. To be within permitted height of 3m eaves and 4m overall. Projecting to rear 6m from existing house and 8m wide. Predominantly solid brick walls to east and west elevations, bifold doors and supporting brick pillars to north elevation. Roof part tiled with glass lantern within at 271 Ashgate Road Chesterfield Derbyshire S40 4DB for Mr Frederick Robinson

CHE/21/00083/TPD Proposed rear extension at 45 Miriam Avenue

## Somersall Derbyshire S40 3NF for Mr Harris

CHE/21/00084/AGR Prior notification application for extension to existing agricultural building for a general purpose farm store (for fodder, hay/straw) at Ryecroft Farm Unnamed Road from Station Road to Ryecroft Farm Chesterfield S43 1LR for Mr Simon Parker

(f) Split decision with conditions

CHE/21/00076/TPO T1 - Beech Tree (Fagus Sylvatica) - Thin, Crown Clean, T2 - Beech Tree (Fagus Sylvatica) - Thin, Crown Clean, T3 - Beech Tree (Fagus Sylvatica) - Thin, Crown Clean, T4 - Beech Tree (Fagus Sylvatica) - Thin, Crown Clean, T5 - Beech Tree (Fagus Sylvatica) - Thin, Crown Clean, T6 - Beech Tree (Fagus Sylvatica) - Remove Tree - Bad pruning wounds, allow smaller trees to the side to develop, T7 - Beech Tree (Fagus Sylvatica) - Thin, Crown Clean - reduce branches growing over the road by 1-2m, T8 - Beech Tree (Fagus Sylvatica) - Thin, Crown Clean - reduce branches growing over the road by 1-2m at 1 Park Hall Gardens Walton S42 7NQ for Anne Edgar

## 60 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/21/00107/TPO Consent is granted to the pruning of two Horsechestnut trees reference T6 and T7 on the Order map for Mr Risorto of 21 Newbridge Lane, Brimington.

CHE/21/00129/TPO Consent is granted to the pruning of 9 trees consisting of 7 Sycamores and 2 Oaks within A2 on the Order map for Mark Whatley Tree Services on behalf of 75 Highland Road, New

Whittington.

- CHE/21/00148/TPO Consent is granted to the pruning of 10 trees reference T24 Walnut, T26 Maple, T27 Sycamore, 1 Ash and 1 Sycamore within G7, 1 Ash within G8 and 1 Ash, 1 Sycamore, 1 Beech and 1 Lime within G9 on the Order Map and which are situated in the grounds of 28 Abercrombie Street.
- CHE/21/00151/TPO Consent is granted to the pruning of 3 trees reference T1 Oak and T2 and T3 Sycamore on the Order map for Mr Rockie White at 354 Chatsworth Road.
- CHE/21/00121/TPO Consent is granted to the pruning of 19 Poplar trees reference G1 on the Order map for Mr Jonathan Ross on behalf of Handley Wood Lodge, Whittington Road, New Whittington.
- CHE/21/00169/TPO Consent is granted to the pruning of 3 Lime trees reference G1 on the Order map for Mark Whatley Tree Services on behalf of 22 Netherleigh Road.
- CHE/21/00167/TPO Consent is granted to the pruning of two Lime trees reference T23 and T24 on the Order map for Mr Metham of The Limes, 161 Walton Back Lane, Somersall.

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

- CHE/21/00085/CA - The felling of one Ash tree at 4 Somersall Willows, Somersall. Agreement to the felling of one Ash tree. Although it is considered that the tree is not causing excessive shading, the felling of the tree will have no adverse effect on the amenity value and character of the conservation area due to its location in the rear garden of the property and

other more prominent trees in the area.

The tree is within the Somersall Conservation Area and the applicant wishes to fell the tree due to excessive shading and lack of amenity value.

CHE/21/00144/CA - The felling of one Maple tree in the rear garden of 63 Rutland Road, Chesterfield.

Agreement to the felling of one Maple tree. The felling of the tree will have no adverse effect on the amenity value and character of the conservation area.

The tree is within the Town Centre Conservation Area and the applicant wishes to fell the tree due to its size in the small rear garden and plant a more suitable species.

CHE/21/00158/CA - The felling of one Conifer tree in the front garden of 15 Somersall Lane, Somersall.

Agreement to the felling of one Conifer tree. The felling of the tree will have no adverse effect on the amenity value and character of the conservation area.

The tree is within the Somersall Conservation Area and the applicant wishes to fell the tree to widen the drive.

CHE/21/00145/CA The pruning of one Ash tree in the rear garden of 28 Abercrombie Street.

Agreement to the pruning of one tree. The pruning of the Ash tree will have no adverse effect on the amenity value and character of the conservation area.

The tree is within the Abercrombie St Conservation Area and the applicant wishes to prune the tree to remove

one branch overhanging the  
neighbouring property.

**61 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.

**62 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.