

**PLANNING COMMITTEE**

**Monday, 18th July, 2022**

Present:-

Councillor Callan (Chair)

Councillors Barr  
Brady  
Caulfield

Councillors T Gilby  
Simmons  
Borrell

\*Matters dealt with under the Delegation Scheme

**27 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Bingham, Catt, Davenport, G Falconer, Marriot and Miles.

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

No declarations of interest were received.

**29 MINUTES OF PLANNING COMMITTEE**

**RESOLVED -**

That the Minutes of the meeting of the Planning Committee held on 27 June, 2022 be signed by the Chair as a true record.

**30 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/22/00194/FUL - CHANGE OF USE OF EXISTING BUILDING TO CREATE 42 RESIDENTIAL APARTMENTS (USE CLASS C3) AND ASSOCIATED EXTERNAL ALTERATIONS AT BURLINGTON HOUSE,

BURLINGTON STREET, CHESTERFIELD FOR G.A.P.E EQUITY LIMITED.

**\*RESOLVED –**

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

A.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby approved shall only be carried out in full accordance with the approved plans (listed below) with the exception of any approved non-material amendment and condition requirements listed below. All external dimensions and elevational treatments shall be as shown on the approved plan/s (listed below).

Proposed rear and side elevations, site and block plan 1068 008 Rev M received 13.06.2022

Proposed front and side elevations, site and block plan 1068 007 Rev I received 13.06.2022

Proposed ground floor and site layout plan 1068 003 Rev C received 23.06.2022

Proposed roof plan 1068 011 received 21.03.2022

Location plan 1068 012 Rev B received 07.04.2022

3. 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.
4. Within 28 days of the commencement of development, a Biodiversity Enhancement Plan (including a programme of implementation and maintenance) shall be submitted to and approved in writing by the Local Planning Authority. The enhancement plan shall be implemented, retained and maintained thereafter in accordance with the scheme and programme so approved. Photographs of the measures in situ shall be submitted to the LPA to validate the provision prior to final occupation.
5. Prior to the commencement of development, the lift from the ground to the first and second floors shall be installed and be fully operational prior

to first occupation of the first or second floor accommodation hereby approved.

6. Prior to first occupation details of:

1. A communal door specification and entry schedule to an agreed third party certified security level, including audio/visual verification.
2. CCTV provision for the lobby and communal areas of the building
3. Cycle storage numbers and specification
4. Post box specification to an agreed third party certified security standard (ideally the Door and Hardware Federation Technical spec TS00,

Shall be submitted to and agreed in writing by the Local Planning Authority. The details shall be fully installed prior to first occupation and maintained thereafter.

7. Prior to first occupation a detailed tenure and property management and maintenance plan shall be submitted to and agreed in writing by the Local Planning Authority. The property shall be managed in accordance with the agreed details.

8. Notwithstanding the submitted materials plan, details including samples of all facing materials; including windows, doors, entrance feature, balcony finishes and brise soleil; along with details of junctions with existing features of the building and junctions between materials, shall be submitted to and agreed in writing by the Local Planning Authority prior to being installed on the building. Work shall be completed in accordance with the agreed details prior to the first occupation of any apartment to the first, second or first floor of the building.

9. Prior to the commencement of development, a sustainability statement shall be submitted to and agreed in writing by the Local Planning Authority detailing; demonstration (without pre-registration) compliance with the June 2022 building regulations in terms of building fabric and heating systems, along with a statement on how emissions will be reduced through the construction process. Works shall be completed in accordance with the agreed statement.

10. No development shall commence until a Highway Construction Management Statement / Plan has been submitted to and approved in writing by the Local Planning Authority. The statement / plan shall include details specifically relating to:

- a. parking for vehicles of site personnel, operatives and visitors

- b. site accommodation
- c. storage of plant and materials
- d. routes for construction traffic to and from the site and measures to ensure adherence to the approved routing plan for vehicles under the applicants / developer's control
- e. provision of roadside boundary hoarding behind any visibility zones
- f. any proposed temporary traffic management.
- g. measures to minimise mud and dust arising from the site works, including wheel washing.

Only the approved details shall be implemented, which shall be maintained throughout the construction period.

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

12. Following completion of at least 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.

13. Prior to the development hereby permitted being occupied/brought into use glazed screens located between the balconies shall be installed with obscure glazing which 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.

14. No construction or demolition works, movement of construction traffic, or deliveries to and from the premises, shall occur other than between 0800 and 1800 hours weekdays, and 0800 and 1300 hours on Saturdays, and at no time on Sundays or Public Holidays.

15. Prior to first occupation of either the first or second floor of the premises a scheme for the provision of the outdoor amenity space to the roof top area shall be submitted to and agreed in writing by the Local Planning Authority, the approved scheme for the outdoor amenity space shall be made available for use prior to first occupation and retained for use in perpetuity.

B. That a CIL liability notice be served for £156,202, as per section 5.14 of the officer's report.

CHE/22/00195/FUL - ERECTION OF THIRD STOREY TO CREATE 13 NO. RESIDENTIAL APARTMENTS (USE CLASS C3) AT BURLINGTON HOUSE, BURLINGTON STREET, CHESTERFIELD FOR G.A.P.E EQUITY LIMITED.

**\*RESOLVED –**

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

A.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby approved shall only be carried out in full accordance with the approved plans (listed below) with the exception of any approved non-material amendment and condition requirements listed below. All external dimensions and elevational treatments shall be as shown on the approved plan/s (listed below).

Proposed rear and side elevations, site and block plan 1068 008 Rev M received 13.06.2022

Proposed front and side elevations, site and block plan 1068 007 Rev I received 13.06.2022

Proposed third floor plan 1068 006 Rev F received 13.06.2022  
Proposed roof plan 1068 011 received 21.03.2022  
Proposed ground floor and site layout plan 1068 003 Rev C received  
23.06.2022  
Location plan 1068 012 Rev B received 07.04.2022

3. 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.

4. Within 28 days of the commencement of development, a Biodiversity Enhancement Plan (including a programme of implementation and maintenance) shall be submitted to and approved in writing by the Local Planning Authority. The enhancement plan shall be implemented, retained and maintained thereafter in accordance with the scheme and programme so approved. Photographs of the measures in situ shall be submitted to the LPA to validate the provision prior to final occupation.

5. Prior to first occupation details of:

1. A communal door specification and entry schedule to an agreed third party certified security level, including audio/visual verification.
2. CCTV provision for the lobby and communal areas of the building
3. Cycle storage numbers and specification
4. Post box specification to an agreed third party certified security standard (ideally the Door and Hardware Federation Technical spec TS00,

shall be submitted to and agreed in writing by the Local Planning Authority. The details shall be fully installed prior to first occupation and maintained thereafter.

6. Prior to first occupation a detailed tenure and property management and maintenance plan shall be submitted to and agreed in writing by the Local Planning Authority. The property shall be managed in accordance with the agreed details.

7. Notwithstanding the submitted materials plan, details including samples of all facing materials; including windows, doors, balcony finishes and details of junctions with existing features of the building and junctions between materials, shall be submitted to and agreed in writing by the Local Planning Authority. Work shall be completed in accordance with the

agreed details prior to the first occupation of any apartment to the first, second or first floor of the building.

8. Prior to the commencement of development, a sustainability statement shall be submitted to and agreed in writing by the Local Planning Authority detailing; demonstration (without pre-registration) compliance with the June 2022 building regulations in terms of building fabric and heating systems, along with a statement on how emissions will be reduced through the construction process. Works shall be completed in accordance with the agreed statement.

9. No development shall commence until a Highway Construction Management Statement / Plan has been submitted to and approved in writing by the Local Planning Authority. The statement / plan shall include details specifically relating to:

- a. parking for vehicles of site personnel, operatives and visitors
- b. site accommodation
- c. storage of plant and materials
- d. routes for construction traffic to and from the site and measures to ensure adherence to the approved routing plan for vehicles under the applicants / developers control
- e. provision of roadside boundary hoarding behind any visibility zones
- f. any proposed temporary traffic management.
- g. measures to minimise mud and dust arising from the site works, including wheel washing.

Only the approved details shall be implemented, which shall be maintained throughout the construction period.

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

11. Prior to the development hereby permitted being occupied/brought into use glazed screens located between the balconies shall be installed with obscure glazing which 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.

12. No construction or demolition works, movement of construction traffic, or deliveries to and from the premises, shall occur other than

between 0800 and 1800 hours weekdays, and 0800 and 1300 hours on Saturdays, and at no time on Sundays or Public Holidays.

B. That a CIL liability notice be served for £48,077, as per section 5.14 of the officer's report.

CHE/21/00609/FUL - RESIDENTIAL DEVELOPMENT OF 26 DWELLINGS, NEW ACCESS, PARKING AND ASSOCIATED LANDSCAPING (REVISED PLANS RECEIVED 13.06.2022) AT LAND TO THE WEST OF SWADDALE AVENUE, TAPTON FOR MYPAD2020

**\*RESOLVED –**

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

A.

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

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

- Proposed site layout 21015-70-001\_P13 received 30.06.22
- Swept Path analysis 600357-HEX-00-00-DR-TP-0104 P02 received 13.06.22
- House types:
  - B2.3 A 21015-020-004\_P2 received 20.04.22
  - B2.3 B 21015-020-013 received 20.04.22
  - H2.4 A 21015-020-002\_P2 received 20.04.22
  - H2.4 B 21015-020-007 received 20.04.22
  - H2.4 C 21015-020-008 received 20.04.22
  - H3.5 A 21015-020-003\_P2 received 20.04.22
  - H3.5 B and H3.5 C 21015-020-010 received 20.04.22
  - H3.5 C and H3.5 D 21015-020-009 received 20.04.22
  - H3.5 E 21015-020-011 received 20.04.22
  - H3.5 F 21015-020-01 received 20.04.22



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

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

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

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

c) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological Written Scheme of Investigation approved under condition (a) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

4. Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority. Specific issues to be dealt with in the TPP and AMS:

a) Location and installation of services/ utilities/ drainage.

b) Details of construction within the RPA or that may impact on the retained trees.

c) a full specification for the installation of boundary treatment works within the designated root protection areas.

d) a full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them.

- e) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.
- f) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
- g) a specification for scaffolding and ground protection within tree protection zones.
- h) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.
- i) details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires
- j) Methods to improve the rooting environment for retained and proposed trees and landscaping, due to the use of heavy machinery around the retained trees and the compaction to the rooting environment that this may have caused.

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

5. Prior to completion or first occupation of the development hereby approved, whichever is the sooner; details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:

- a) a scaled plan showing vegetation to be retained and trees and plants to be planted:
- b) proposed hardstanding and boundary treatments that shall be suitable for hedgehog routes (with existing residents boundaries retained and enhanced)
- c) a schedule detailing sizes and numbers of all proposed trees/plants
- d) Sufficient specification to ensure successful establishment and survival of new planting.

Any new tree(s) that die(s), are/is removed, become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Replacement planting shall be in

accordance with the approved details (unless the Local Planning Authority gives its written consent to any variation).

6. 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 Biodiversity Net Gain Feasibility Assessment report to meet the habitat gains set out in the Biodiversity metric calculation and landscaping of the site agreed under condition 5 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.

7. Throughout the period of development vehicle wheel cleaning facilities shall be provided and retained within the site. All construction vehicles shall have their wheels cleaned before leaving the site in order to prevent the deposition of mud and other extraneous material on the public highway.

8. No development shall take place until full construction details of the residential estate road and footways including layout (generally in

accordance with approved application drawings), levels, gradients, surfacing and means of surface water drainage, have been submitted to and approved in writing by the Local Planning Authority. The development shall, thereafter be constructed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

9. The carriageway and footways agreed under condition 8 above, shall be constructed up to and including base course surfacing to ensure that each dwelling has a properly consolidated and surfaced carriageway and footway, between the dwelling and the existing highway prior to occupation. Until final surfacing is completed, the footway base course shall be provided in a manner to avoid any upstands to gullies, covers, kerbs 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.

10. Prior to the commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of water from the drives/accesses/shared drives onto the proposed adopted highway. The approved scheme shall be undertaken and completed prior to the first use of the access and retained as such thereafter.

11. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and maintenance company has been established as appropriate.

12. No dwelling shall be occupied until access has been formed to the new estate street, unless otherwise agreed in writing by the Local Planning Authority, provided with 2m x 25m visibility sightlines, the areas in advance maintained free from any objects exceeding 1m in height (600mm if vegetation) relative to the adjacent carriageway channel level.

13. No dwelling shall be occupied until space has been laid out within the site in accordance with the approved application drawings for parking and manoeuvring of residents/ visitors/ service and delivery vehicles, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.

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

15. The proposed driveways shall be no steeper than 1:12 and shall be constructed of a solid bound material.

16. 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.

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

18. Prior to any demolition, construction or contaminated land remediation works commence in connection with each identified phase, a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by, the Local Planning Authority detailing the provisions to be made for the monitoring and control of:

a) Operating hours: No demolition, construction or contaminated land remediation activities, movement of traffic, or deliveries to and from the premises, shall occur other

Monday to Friday: 08:00 – 18:00

Saturday: 08:00 – 13:00

Sundays and bank Holidays - No working

b) Noise and vibration: To demonstrate compliance with the guidance in British Standard BS5228 Noise and vibration control on construction and open sites; including the proposed measurement methodology, the location of monitoring locations and noise-sensitive premises, the

maximum permitted facade noise levels. No piling, blasting, dynamic compaction or use of vibrating rollers shall occur without the written approval of the Local Planning Authority;

c) Dust/Particulate emissions: To include the prevention of dust/particulates being blown off-site. At such times as the prevention of dust/particulate nuisance by the agreed means is not possible, the movement of vehicles, soils or dusty materials must temporarily cease until such time as weather conditions improve;

d) Waste: To include suitable and sufficient provisions for the collection, storage and disposal of waste materials. No unwanted materials shall be disposed of on site by burning without the prior written approval of the Local Planning Authority;

e) Lighting: To include a site plan showing the proposed types, locations and heights of the lamps, vertical illuminance levels (Lux) to the facades of agreed light-sensitive premises and operating times.

All works shall be fully implemented in accordance with the approved CEMP. The CEMP shall be reviewed at least at the start of each phase of the development or where there are changes to relevant legislation or where changes are made to the agreed CEMP.

19. The development shall be constructed in line with the sustainability statement dated 15th July 2022.

20. The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed.

21. There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to:

i) the means of discharging to the public sewer network at a rate not to exceed 3.5 litres per second

22. No building or other obstruction including landscape features shall be located over or within 3 metres either side of the centre line of the public sewer i.e. a protected strip width of 6 metres, that crosses the site. Furthermore, no construction works in the relevant area(s) of the site shall commence until measures to protect the public sewerage infrastructure that is laid within the site boundary have been implemented in full

accordance with details that have been submitted to and approved by the Local Planning Authority. The details shall include but not be exclusive to the means of ensuring that access to the pipe for the purposes of repair and maintenance by the statutory undertaker shall be retained at all times. If the required stand-off or protection measures are to be achieved via diversion or closure of the sewer, the developer shall submit evidence to the Local Planning Authority that the diversion or closure has been agreed with the relevant statutory undertaker and that, prior to construction in the affected area, the approved works have been undertaken.

23. Prior to the commencement of development a detailed methodology for site clearance shall be submitted to and agreed in writing by the Local Planning Authority. The agreed methodology shall be followed through all site clearance works.

24. Prior any external lighting installation a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority to ensure that wildlife implications are fully taken into account (including the need for reduced or no lighting in the more sensitive locations and directions; specifically, towards the railway line). The agreed lighting scheme shall be fully installed in accordance with the approved scheme prior to last occupation.

25. Prior to works commencing above slab level a scheme for the incorporation of bat and bird boxes within the development shall be submitted to and agreed in writing by the Local Planning Authority. Such a scheme shall provide precise details of the number, range and location of boxes. The boxes shall be fully installed and maintained thereafter in accordance with the agreed scheme.

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

27. 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.

28. Prior to works commencing beyond the entrance access works, a scheme detailing all proposed finished floor and land levels shall be submitted to and approved in writing by the Local Planning Authority prior to any importation of earth to site or excavation works commencing. The development shall be carried out in accordance with the approved scheme unless the Local Planning Authority gives its written consent to any variation.

29. 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. Drawings Hexa Consulting (21/12/2021). Drainage Layout Sheet 1, 600357-HEX-XXZZ-DR-C-9201, Revision P02 and Hexa Consulting (21/12/2021). Drainage Layout Sheet 2, 600357-HEX-XX-ZZ-DR-C-9202, Revision P02; and letters Wojnowska, A. 2022. Letter to Jo Crawshaw-Moore, 600357/AW, 27 June and Wojnowska, A. 2022. Letter to Jo Crawshaw-Moore, 600357/AW, 6 July; 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.

30. Prior to commencement of the development, the applicant shall submit for approval to the LPA details indicating how additional surface



water run-off from the site will be avoided during the construction phase. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved system shall be operating to the satisfaction of the LPA, before the commencement of any works, which would lead to increased surface water run-off from site during the construction phase.

31. Prior to the first occupation of the development, a verification report carried out by a 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).

32. Prior to the commencement of development a statement setting out how emissions will be reduced through the construction process shall be submitted to and agreed in writing by the Local Planning Authority. Works shall be completed in accordance with the agreed details.

33. A residential charging point shall be provided for each new dwelling with an IP65 rated domestic 13amp socket, directly wired to the consumer unit with 32 amp cable to an appropriate RCD. The socket shall be located where it can later be changed to a 32amp EVCP. Alternative provision to this specification must be approved in writing, by the local planning authority. The electric vehicle charging points shall be provided in accordance with the stated criteria prior to occupation and shall be maintained for the life of the approved development.

B. That a CIL liability notice be served for £128,592, as per section 5.13 of the officer's report.

CHE/22/00139/FUL - ALTERATIONS TO EXISTING BUNGALOW TO INCLUDE REAR DORMER AND SINGLE STOREY REAR EXTENSION (REVISED PANS RECEIVED 21/04/2022 AND 06/06/2022) (DESCRIPTION OF DEVELOPMENT UPDATED 22/04/2022 AND 10/06/2022) AT 26 WESTWOOD LANE, BRIMINGTON, CHESTERFIELD, S43 1PA FOR MR S BINNS.

**\*RESOLVED –**

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

2. The development hereby permitted 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):

- Site location and layout plan, Drawing no. 008, A2, dated May 2022
- Proposed elevations, Drawing no. 007, 1:100 @ A3, dated May 2022
- Proposed roof plan, Drawing no. 006, 1: 50 @ A3, dated May 2022
- Proposed ground floor plan, Drawing no. 004, 1:50 @ A3, dated May 2022
- Proposed first floor plan, Drawing no. 005, 1:50 @ A3, dated May 2022

3. Within 2 months of the development hereby permitted commencing, a scheme (including a programme of implementation and maintenance) to demonstrate a net measurable gain in biodiversity through the development, shall be 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.

31 **APPLICATIONS FOR PLANNING PERMISSION - PLANS DETERMINED BY THE DEVELOPMENT MANAGEMENT AND CONSERVATION MANAGER (P140D)**

\*The Development Management and Conservation Manager submitted a report detailing that, pursuant to the authority delegated to him, he had determined the under-mentioned applications subject to the necessary conditions:-

(a) Approvals

- |                  |  |
|------------------|--|
| CHE/21/00824/FUL | Second storey rear extension to create flat above shop and new shopfront on side elevation - Revised drawings received 21/03/2022 and 25/05/2022 at 396 Chatsworth Road, Chesterfield, Derbyshire S40 3BQ for Mr Amardeep Sandhu |
| CHE/21/00875/FUL | Demolition of existing storage tank. Tank to be  |

- rebuilt towards the side of the existing car park. Alterations to existing car park entrance at Bodycote H I P Ltd, Carlisle Close, Sheepbridge S41 9ED for Harris Partnership
- CHE/22/00104/FUL Proposed access ramp and off road car parking at St Francis Community Centre, Hunloke Avenue, Boythorpe, Chesterfield, Derbyshire S40 2PD for Mr Tim Rourke
- CHE/22/00133/FUL Removal of bay window, and construction of new single and two storey rear extension at 28 Cromwell Road, Chesterfield S40 4TH for Mr and Mrs Matt Barnett
- CHE/22/00178/FUL Change of use from restaurant/nightclub (Use Class Sui Generis) to Office (Use Class E g(i)) and external alterations at Burlington House Burlington Street, Chesterfield S40 1RX for G.A.P.E Equity Limited
- CHE/22/00198/FUL Two storey side extension, single storey rear extension and raised decking area at 263 St Johns Road, Newbold, Chesterfield S41 8PE for Mr Jonathan Tinkler
- CHE/22/00217/FUL Single storey extension to the front of the property at 9 Brincliffe Close, Walton S40 3DU for Mr Alex Henderson
- CHE/22/00237/FUL Single storey rear extension at 118 Newbold Road, Newbold, Chesterfield S41 7BG for Mrs Mary Loftus
- CHE/22/00257/FUL Replacement of the existing external through the wall ATM with new model at HSBC Bank, Market Place, Chesterfield S40 1TN for HSBC UK Bank plc
- CHE/22/00258/ADV Replacement of existing external ATM signage with new at HSBC Bank, Market Place, Chesterfield S40 1TN for HSBC UK Bank plc

- CHE/22/00307/ADV 4 internally illuminated fascia at Holme Hall Shopping Centre, Co-Operative, Wardgate Way, Holme Hall, Chesterfield S40 4SL for Mark Allen
- CHE/22/00369/TPO A sycamore tree situated in our garden, which has a TPO in a conservation area, as discussed previously with tree officer. I would like it crown lifted to allow traffic to flow and clear street lighting, remove any dead wood from it, to keep it healthy at 15 Church Street North, Old Whittington, Chesterfield S41 9QN for Mrs Claire Shaw
- CHE/22/00400/TPO Crown lift the tree to clear the highway at 18 Booker Close, Inkersall S43 3WA for Mr Simon Collins
- (b) Refusals
- CHE/20/00701/FUL Change of use of barn to residential use for dependent relative at 317 Brimington Road, Tupton S41 0TE for Mr Barry Graves
- CHE/22/00005/FUL Single storey side extension/garage at 17 Bellhouse Lane, Staveley, Chesterfield S43 3UA For Mr Neil Rush
- CHE/22/00209/DOC Discharge of condition 23 (Site investigation) of 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 at Land to West Of Inkersall Road, Staveley for Barratt Homes
- CHE/22/00294/DOC Discharge condition 16 in relation to CHE/21/00887/FUL at Chesterfield and North Derbyshire Royal Hospital, Chesterfield Road, Calow S44 5BL for Derbyshire Healthcare NHS Foundation Trust C/o WSP

- CHE/22/00310/DOC Discharge of conditions 7 (northern boundary treatment) and 8 (landscaping, levels, hard and soft surface treatments & boundary treatments) relating to application CHE/20/00869/REM - Approval of reserved matters for 150 dwellings. Resubmission of CHE/21/00840/DOC at Land to The North Of Northmoor View, Brimington, Chesterfield for Vistry (Yorkshire)
- CHE/22/00356/TPO 1x large sycamore tree to be removed and stump grind- roots are damaging flags to a fire escape. 4x small fruit trees to be removed as they are leaning towards the property at 1 Eyre Gardens, Highfield Road, Newbold S41 7EL for The Guinness Partnership
- CHE/22/00423/DOC Discharge of condition 12 (bat survey) of application CHE/20/00078/FUL at The Trumpeter, Harehill Road, Grangewood S40 2NG for Erica Developments Ltd
- (c) Discharge of Planning Condition
- CHE/22/00215/DOC Discharge of planning conditions Made Ground Removal and Validation Testing at Land South of Walton Hospital, Harehill Road, Grangewood for Vistry Partnership
- CHE/22/00403/DOC Discharge of condition 23 (capping verification report) of CHE/18/00432/FUL- Erection of ten Dwellings at Trinity Court, Newbold Road, Newbold S41 7PS for Mr Simon Hanson
- CHE/22/00445/DOC Discharge of conditions 9, 13, and 15 of application CHE/19/00239/FUL at Former Brockwell Court, Brockwell Lane, Brockwell, Chesterfield S40 4PJ for Philip Guest
- CHE/22/00452/DOC Discharge of condition 4 (brick materials)) of CHE/21/00795/LBC at The Old Rectory, 408 Chatsworth Road, Chesterfield S40 3BQ for Mr Paul Day

## (d) Partial Discharge of Conditions

- CHE/22/00189/DOC Discharge of conditions: 3 (site investigation) ,5 (materials) and 6 (surface water drainage) of CHE/20/00760/FUL - Conversion and extension of existing garage to form new dwelling at Land Adj 72 Walton Road, Walton S40 3BY for Mr Adam Bowler
- CHE/22/00204/DOC Discharge of conditions: 4 (biodiversity), 6 (desk top study), 9 (site investigation), 10 (certificate of site safety) and 13 (materials) of CHE/21/00748/FUL - Demolition of the existing bungalow, re-build retaining wall to southern boundary and erection of a new detached dwelling (description amended to remove condition 5 on 28/04/22) at 15 Chapel Lane West, Chesterfield S40 3BG for Mr David Knight

## (e) CLUD granted

- CHE/21/00910/CLU Siting of shipping containers, storage of metal bars, cutting of steel/metal bars at 52 Shaw Street, Whittington Moor, Chesterfield S41 9AY for Mr Darrell Rynott

## (f) CLOPUD granted

- CHE/22/00308/CLO Extension of existing hardstanding driveway on the front of our property at 57 Glasshouse Lane, New Whittington S43 2DQ for Miss Katie Scott
- CHE/22/00332/CLO Loft conversion to create new bedroom with rear dormer at 45 York Street, Hasland, Chesterfield S41 0PN for Mr Jack Heath

## (g) Conditional consent for non-material amendment

- CHE/22/00419/NMA Non-material amendment to CHE/18/00805/REM (Reserved Matters submission for the erection of 200 dwellings and associated landscaping) to

amend the elevations of plots 248 (Solent) and 211 (Hamble) to allow for render at Land to The West Of Dunston Lane, Newbold for William Davis Limited

CHE/22/00449/NMA Non-material amendment to application CHE/21/00438/FUL- to provide an extension of ambulance lobby and addition of an external door on the north elevation of the building from the original planning consent at Chesterfield and North Derbyshire Royal Hospital, Chesterfield Road, Calow S44 5BL for Conrad Canadine

(h) Other Council no objection with comments

CHE/22/00278/CPO Development/recommencement of operation of a dry recyclates storage/bulking facility and associated infrastructure at Units 11A and 11B Sheepbridge Works, Sheepbridge Lane, Sheepbridge S41 9RX for Veolia ES (UK) Ltd

CHE/22/00395/CPO Consultation from DCC - Demolition of existing Nursery building, associated canopy and outbuildings and installation of a new modular Nursery building, and link via a covered walkway, extension of informal soft play area at Brampton Primary School, School Board Lane, Chesterfield S40 1DD for David Massingham

(i) Withdrawn

CHE/22/00212/FUL Change of use of land to holiday lodge site with 15 lodges (Amended details submitted 24.05.2022) at Mayfields, Hady Lane, Hady, Chesterfield S41 0DE for Mr J Cash

## 32 **APPLICATIONS TO FELL OR PRUNE TREES (P620D)**

\*The Development Management and Conservation Manager submitted a report detailing 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/22/00400/TPO | Consent is granted to the pruning of one Lime tree within G1 on the Order map to the rear of 18 Booker Close.   |
| CHE/22/00369/TPO | Consent is granted to the pruning of one Sycamore tree reference T1 on the Order map at 15 Church Street North Old Whittington.   |
| CHE/22/00356/TPO | Consent is refused to the felling of one Maple within G1 which is allegedly lifting paving slabs and the removal of 4 Fruit trees believed to be ornamental purple plum within G2 on the Order map at Eyre Gardens, Newbold Road. |

### 33 **APPEALS REPORT (P000)**

The Development Management and Conservation Manager submitted a report on the current position in respect of appeals which had been received.

**\*RESOLVED -**

That the report be noted.

### 34 **ENFORCEMENT REPORT (P410)**

The Head of Regulatory Law and Monitoring Officer 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.

### 35 **PLANNING COMMITTEE SITE VISITS**



The Development Management and Conservation Manager submitted a report for members to consider the reintroduction of Planning Committee site visits.

**\*RESOLVED –**

That the site visits be recommenced with immediate effect, in accordance with the protocol attached at Appendix A of the officer's report.

**36 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.

**37 UNAUTHORISED DEVELOPMENT AT 10 POTTERY LANE WEST, CHESTERFIELD**

The Development Management and Conservation Manager submitted a report to inform members of the unauthorised use of land in the rear garden area of the residential dwelling at 10 Pottery Lane West, Chesterfield and requested authority to take enforcement action.

**\*RESOLVED –**

That authority be granted for the issue of an enforcement notice concerning the unauthorised use of the rear garden of the property at 10 Pottery Lane West for storage of vehicles, requiring the removal of stored vehicles (single decker bus, 2 No Landrovers, vehicle stored on roof of bus and trailer stored on top of structural retaining blocks) within 28 days.