

## PLANNING COMMITTEE

Monday, 12th December, 2022

Present:-

Councillor Callan (Chair)

Councillors Borrell  
Brady  
Brittain

Councillors D Collins  
Marriott  
Miles

The following site visits took place immediately before the meeting and were attended by the following Members:

**CHE/21/00554/OUT** – Outline planning application for erection of warehouse units (class B2/B8) up to 68,000 SQ. M gross, with ancillary office accommodation; Construction of new access road; Provision of service yards and internal vehicle circulation and parking areas; Pump house and sprinkler tank, gate houses and perimeter fencing; Associated drainage works, site levelling and landscaping; And realignment of existing public right of way. (Additional drainage information received 18.11.2021) at land of Northeast to Markham Vale and employment site and M1 and the Southwest of B6419 for MVNE LLP and Devonshire Property (M Vale) Limited.

Councillors Borrell, Brittain, Callan and Marriott.

**CHE/22/00619/REM1** – Variation of condition 2 (external dimensions and elevational treatments) of application CHE/19/00083/FUL – Conversion of existing pub (6-one bed flats), new 3 storey building to front (6-one bed flats) two new single storey blocks arranged parallel to the East and West site boundaries (2-one bed flats) and 1.5 storey blocks to North of site (2-one bed flats). Alterations to be made to the conversion of the pub with a small first floor extension of the rear allowing for on site communal meeting facilities and site officer for supported living at All Inn, Lowgates, Staveley, Chesterfield for Rockie White.

Councillors Borrell, Brittain, Callan and Marriott.

**CHE/22/00335/FUL** – Change of use of existing public house to form four flats (revised drawings received and description amended 19.10.2022, revised drawings received 21.10.2022) at Devonshire Hotel, 17 Occupation Road, Newbold, Chesterfield, for Mr Amrik Virk.

Councillors Borrell, Brady, Brittain, Callan and Marriott.

**CHE/22/00554/FUL** – Single storey side and single storey rear extension, render on the front elevation and canopy roof on the front elevation at 51 Somersby Avenue, Walton, Chesterfield for Mr Charles Staton.

Councillors Borrell, Brady, Brittain, Callan and Marriott.

**CHE/22/00109/OUT** – Outline application for the demolition of existing office premises and erection of residential dwellings, with all matters reserved except access at Manor Offices, Old Road, Chesterfield for CSC Computer Sciences LTD.

Councillors Borrell, Brady, Brittain, Callan and Marriott.

Councillors Miles was unable to attend on site and received relevant site information by other means as a reasonable adjustment.

\*Matters dealt with under the Delegation Scheme

## 78 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Barr, Bingham, Catt, Caulfield, Davenport, Gilby, Falconer and Mann.

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

Agenda Item 6 - CHE/22/00619/REM1 – Variation of condition 2 (external dimensions and elevational treatments) of application CHE/19/00083/FUL – Conversion of existing pub (6-one bed flats), new 3 storey building to front (6-one bed flats) two new single storey blocks arranged parallel to the East and West site boundaries (2-one bed flats) and 1.5 storey blocks to North of site (2-one bed flats). Alterations to be made to the conversion of the pub with a small first floor extension of the rear allowing for on site communal meeting facilities and site officer for supported living at All Inn, Lowgates, Staveley, Chesterfield for Rockie White.

Councillor Brady declared an interest in this application as he was related to the applicant.

80 **MINUTES OF PLANNING COMMITTEE**

**RESOLVED -**

That the Minutes of the meeting of the Planning Committee held on 31 October, 2022 be signed by the Chair as a true record.

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

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

CHE/20/00700/OUT - OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT OF UP TO 650 DWELLINGS, A RESIDENTIAL CARE FACILITY WITH EXTRA CARE, A LOCAL CENTRE (INCLUDING LOCAL RETAIL, HEALTH FACILITIES, LEISURE FACILITIES, OTHER LOCAL FACILITIES AND SERVICES, OFFICES), OPEN SPACE, COMMUNITY GARDEN EXTENSION, COMMUNITY BUILDING, PARKING AND ASSOCIATED INFRASTRUCTURE AND EARTHWORKS. (AMENDED INDICATIVE PLANS, DESIGN AND ACCESS STATEMENT, FLOOD RISK ASSESSMENT AND ACCESS PLANS RECEIVED 21.07.2021)  
LAND SOUTH OF WORKSOP ROAD, MASTIN MOOR FOR DEVONSHIRE PROPERTY (MM) LTD

In accordance with Minute No. 299 (2001/2002) Mr David Peck (Agent) addressed the meeting.

**\*RESOLVED –**

That the officer recommendation be upheld and the application be approved subject to an agreement under S106 of the Town and Country Planning Act 1990 to secure the following requirements:-

- £247,260 – CCG for the expansion/alteration of Royal Primary Care and Barlborough Medical Practice
- Affordable housing at 5% with a 90:10 split on rent and shared ownership
- On site management of open space, attenuation features and play areas
- £60,000 contribution for cycle connections for route between the development and Markham Vale
- Bolsover Road contribution of £7,500 contribution to investigate speed limit changes
- £80,000 contribution for revisions to traffic lights at Norbriggs
- £1,500 contribution per year until the development is complete for Travel Plan monitoring
- £200,000 contribution for bus stops.

## Time Limits

1. The development for which permission is hereby granted shall not begin before detailed plans for the relevant part/phase of the development showing the layout, scale, external appearance and landscaping and the remaining access details beyond the 4 key entry points at Worksop Road, Bolsover Road and Woodthorpe Road already approved (hereinafter called "the reserved matters") have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details for each corresponding phase.
2. Applications for approval of all the reserved matters shall be made to the local planning authority not later than 10 years from the date of this permission and the first such application, relating to one of the phases, shall be made within 3 years of the date of this permission.
3. The development hereby approved shall be begun either before the expiration of 5 years from the date of this permission or before the

expiration of 2 years from the date of approval of the last of the reserved matters whichever is the later.

4. This planning permission shall relate to the following plans unless otherwise required by a condition of this permission or unless otherwise agreed with the local planning authority: Location Plan M5328-003 D05 dated 22.04.16 received 12.10.21; Access Plans (the 4 key entry points referenced in condition 1 above as demonstrated on plan no's. 276927-00 Rev 01; SK-200, SK-100, SK-101, SK-102 received 12.10.2021), Indicative Masterplan P20181-00-001-100 Rev 02 dated 06.08.20 received 12.10.2021.

#### Phasing:

5. The first reserved matters submission required by condition 1 shall include a phasing scheme for the whole of the outline permission site area.
6. The first reserved matters submission required by condition 1 shall include a programme for the delivery of the Local Centre and supporting facilities no later than the first occupation of the third phase of operational/physical development.
7. The first reserved matters submission required by condition 1 shall include an overarching delivery strategy including broad locations for 25% of units within the whole of the outline development to be constructed to the optional requirement for Adaptable and Accessible dwellings in Part M4(2) of the Building Regulations.
8. The phasing scheme required by condition 5 shall include details of the proposed sequence of development across the whole site, including strategic drainage and SuDS infrastructure, green infrastructure, cycle routes and footpaths, the extent and location of individual development phases and the associated access arrangements and timescales for implementation of the off-site highway improvements.
9. The development shall be carried out in accordance with the details approved by conditions 5, 6, 7 and 8 or any subsequent amended details submitted to and approved in writing by the local planning authority in compliance with those conditions.

10. No development shall commence until the site wide phasing programme required by condition 5 has been approved in writing by the local planning authority. Thereafter each subsequent reserved matters application for any phase (or part thereof) shall be accompanied by an updated programme or statement of compliance for approval by the local planning authority. Thereafter the development shall be carried out in accordance with the phasing programme as approved and/or updated.

Design/Masterplan:

11. Prior to or no later than concurrent with the first reserved matters application, a Design Code/Framework shall be submitted to the local planning authority for approval in writing. The Design Code/Framework shall set out the overarching design approach for the whole site and set a site wide open space, green infrastructure and accessibility framework to inform any phased reserved matters proposals. The Design Code/Framework should be compatible with, and expand upon, the principles set in the Design and Access Statement (DAS) dated October 2020 no. P20181-00-001-GIL-0703-03 received 12.10.2020. All reserved matters applications shall accord with the approved site wide Design Code/Framework.
12. The submission of the reserved matters applications shall be broadly in accordance with the details shown in the Design and Access Statement (DAS) dated October 2020 no. P20181-00-001-GIL-0703-03 received 12.10.2020; and the Indicative Masterplan P20181-00-001-100 Rev 02 dated 06.08.20 received 12.10.2021.
13. Prior to or concurrent with the submission of the first reserved matters application for the 'layout' of any phase of the development hereby permitted, an Adaptable and Accessible Homes Scheme for that phase shall be submitted in writing to the local planning authority and shall include details of how the phase of development will accord with the overarching strategy for delivery of Adaptable and Accessible Homes approved under condition 5 identifying on a 'layout' plan the individual dwellings to be constructed to the M4(2) standard within that phase. The construction of any dwellings in a phase shall not commence until the Accessible and Adaptable Homes Scheme for that phase has been approved in writing by the local planning authority. Development for a phase shall be carried out in accordance with the associated approved Accessible and Adaptable Homes

Scheme and the accessible and adaptable homes shall be maintained as such thereafter.

#### Highways:

14. Before any other operational development is commenced within any phase (or sub-phase as may be agreed in writing by the local planning authority under the terms of conditions 5 and 10 above), detailed designs for any proposed temporary accesses for construction purposes and the approved new accesses with the A619 Worksop Road, B6419 Bolsover Road (including a new footway link and pedestrian refuge crossing points) and CIII Woodthorpe Road (including multi-user route link to Seymour Link Road) [whichever is needed to serve that particular phase], together with a programme for the implementation and completion of the works, shall be submitted to and approved in writing by the local planning authority. No part of the development within each phase (identified in accordance with conditions 5 and 10 above) shall be brought into use until the required highway improvement works have been constructed in accordance with the approved details.
15. The temporary accesses for construction purposes, the subject of condition 14 above, shall be retained in accordance with the approved scheme and development phase throughout the construction period, or such other period of time as may be approved in writing by the local planning authority, free from any impediment to its designated use.
16. No development shall take place within any phase (or subphase as may be approved in writing by the local planning authority under the terms of condition 5 and 10 above), including any works of demolition until a Construction Management Plan or Construction Method Statement has been submitted to and been approved in writing by the local planning authority. The approved plan/statement shall be adhered to throughout the construction period of that associated phase of development. The statement shall provide for:
  - parking of vehicles of site operatives and visitors;
  - routes for construction traffic;
  - hours of operation;
  - method of prevention of debris being carried onto highway;
  - pedestrian and cyclist protection;
  - proposed temporary traffic restrictions; and
  - arrangements for turning vehicles.

17. No development shall take place within any phase (or subphase as may be agreed in writing by the local planning authority under the terms of condition 5 and 10 above), until construction details of the residential estate roads and footways (including layout, levels, gradients, surfacing and means of surface water drainage) have been submitted to and approved in writing by the local planning authority.
18. The carriageways of the proposed estate roads shall be constructed in accordance with condition 17 above up to and including at least road base level, prior to the commencement of the erection of any dwelling intended to take access from that road. The carriageways and footways shall be constructed up to and including base 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 highway. 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 12 months (or 3 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.
19. Before any other operations are commenced within any phase (or sub-phase as may be approved in writing by the local planning authority under the terms of condition 5 and 10 above), (excluding creation of the proposed temporary accesses for construction purposes), all existing vehicular and pedestrian accesses to the public highway made redundant as a result of the development shall be permanently closed with a physical barrier and the existing vehicle crossovers reinstated as footway or verge in accordance with a scheme and programme first submitted to and approved in writing by the local planning authority.
20. Any dwelling and/or premises, the subject of the outline or reserved matters approval, shall not be occupied or brought into use until space has been provided within the site curtilage for the parking or loading and unloading/picking up and setting down passengers; manoeuvring of residents, visitors, staff, customers, service and delivery vehicles (including secure/covered cycle parking and also disabled parking spaces), located, designed, laid out and constructed in accordance with written details (including plans) submitted to and



approved in writing by the local planning authority. The approved details shall be maintained throughout the life of the development free from any impediment to its designated use.

21. Prior to the commencement of the development within any phase (or sub-phase as may be approved in writing by the local planning authority under the terms of condition 5 and 10 above), 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 development onto the highway. The approved scheme shall be undertaken and completed prior to the first use of the access and retained as such thereafter.
22. The approved Travel Plan dated 8<sup>th</sup> October 2020 and received 12.10.2020, shall be implemented in accordance with the timescales specified therein, to include those parts identified as being implemented prior to occupation and following occupation, unless alternative timescales are agreed in writing with the local planning authority. The approved Travel Plan shall be monitored and reviewed in accordance with the agreed Travel Plan targets.
23. No development shall be commenced within any phase (or sub-phase as may be approved in writing by the local planning authority under the terms of condition 5 and 10 above), 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 S38 of the Highways Act 1980 or a private management and maintenance company has been established.
24. As part of the reserved matters for any phase (or sub-phase as may be approved in writing by the local planning authority under the terms of condition 5 and 10 above), details shall be submitted showing the arrangements for storage of bins and collection of waste. Those details shall include for the provision of refuse bin stores within private land in close proximity to the street to avoid prolonged obstruction of the streets by refuse vehicles. The development shall be carried out in accordance with the agreed details prior to the first occupation or use of the dwelling or development to which they relate and shall be retained free from any impediment to their designated use thereafter.

## Flood Risk and Drainage

25. No individual dwelling approved as part of the reserved matters for any phase (or sub-phase as may be approved in writing by the local planning authority under the terms of condition 5 and 10 above) shall be occupied until the requirement for water consumption (110 litres use per person per day) in Part G of the Building Regulations has been complied with for that dwelling.
26. The site shall be developed with separate systems of drainage for foul and surface water on and off site.
27. No piped discharge of surface water within any phase (or sub-phase as may be agreed in writing by the local planning authority under the terms of conditions 5 and 10 above), 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.
28. Development shall not commence within any phase (or subphase as may be agreed in writing by the local planning authority under the terms of conditions 5 and 10 above), until a scheme to ensure that on-site and off-site foul and/or surface water sewerage, designed to serve the whole development, of adequate capacity to ensure proper disposal to the receiving public sewer network has been submitted to and approved in writing by the local planning authority. The approved scheme shall be fully implemented and subsequently maintained, in accordance with the timing and phasing arrangements embodied within the scheme and the number of properties to be constructed within that phase, or within any other period or number of properties as may subsequently be approved in writing by the local planning authority. Furthermore, occupation of the development shall not commence until the approved drainage works have been constructed in accordance with the approved plans.
29. No development shall take place until a detailed design and associated management and maintenance plan of surface water drainage for each phase of the development (or subphase as may be agreed in writing by the local planning authority under the terms of condition 5 and 10 above), in accordance with the principles outlined within:

- a. Flood Risk Assessment Land Off Worksop Road, Mastin Moor, Chesterfield, Chatsworth Settlement Trustees – FRA- 19412-17-31 R7 (October 2020 by Idom Merebrook Ltd);
  - b. Surface Water Drainage Strategy (as submitted under appeal ref: CHE17/00469/OUT Sheet 1 – Drawing No 200-002, Surface Water Drainage Strategy Sheet 2 – Drawing No 200-003, Surface Water Drainage Strategy Sheet 3– Drawing No 200-004; and c. DEFRA Non-statutory technical standards for sustainable drainage systems (March 2015), have been submitted to and approved in writing by the local planning authority. The approved drainage system shall be implemented in accordance with the approved detailed design prior to the use of the buildings commencing.
30. No reserved matters application to confirm the layout of any respective phase (or sub-phase as may be approved in writing by the local planning authority under the terms of condition 5 and 10 above), shall be approved until information confirming the viability and location of SuDS techniques as outlined within the Flood Risk Assessment has been provided to and approved in writing by the local planning authority.
31. All phases of development approved by this planning permission shall be designed and carried out in accordance with the principles contained within the Flood Risk Assessment Land Off Worksop Road, Mastin Moor, Chesterfield, Chatsworth Settlement Trustees – FRA- 19412-17-31 R7 (October 2020 by Idom Merebrook Ltd).

#### Land Condition and Contamination:

32. In respect of each individual phase of development (or subphase as may be agreed in writing by the local planning authority under the terms of condition 5 and 10 above), prior to the submission of reserved matters approval for each phase, a scheme of intrusive site investigations for the opencast high walls and shallow coal workings shall be submitted to the local planning authority for written approval. Thereafter those intrusive investigations shall be carried out as approved to inform any subsequent reserved matters application.

33. Concurrent with each reserved matter submission (including any phased development) in accordance with the provisions of condition 32 detailed above there shall be a report detailing the following: findings arising from the intrusive site investigations, including the results of any gas monitoring undertaken; the submission of a layout plan which identifies the opencast high walls and appropriate zones of influence for the recorded mine entries within the site, and the definition of suitable 'no-build' zones; - the submission of a scheme of treatment for the recorded mine entries for approval; and the submission of a scheme of remedial works for the shallow coal workings for approval. Only those remedial details that receive detailed written approval alongside any reserved matters consent, or separate approval under the provisions of this condition shall be implemented on site.
34. A. Development shall not commence within any phase (or sub-phase as may be agreed in writing by the local planning authority under the terms of condition 5 and 10 above), until details as specified in this condition have been submitted to the local planning authority for consideration and those details, or any amendments to those details as may be required, have received the written approval of the local planning authority.
- i. A desktop study/Phase 1 report documenting the previous land use history of the site.
  - ii. A site investigation/Phase 2 report where the previous use of the sit indicates contaminative use(s). The site investigation/Phase 2 report shall document the ground conditions of the site. The site investigation shall establish the full extent, depth and cross-section, nature and composition of the contamination. Ground gas, groundwater and chemical analysis, identified as being appropriate by the desktop study, shall be carried out in accordance with current guidance using UKAS accredited methods. All technical data must be submitted to the local planning authority.
  - iii. A detailed scheme of remedial works should the investigation reveal the presence of ground gas or other contamination. The scheme shall include a Remediation Method Statement and Risk Assessment Strategy to avoid any risk arising when the site is developed or occupied.

- B. If, during remediation works, any contamination is identified that has not been considered in the Remediation Method Statement, then additional remediation proposals for this material shall be submitted to the local planning authority for written approval. Any approved proposals shall thereafter form part of the Remediation Method Statement.
- C. The development hereby approved shall not be occupied until a written Validation Report (pursuant to A II and A III only) has been submitted to and approved in writing by the local planning authority. A Validation Report is required to confirm that all remedial works have been completed and validated in accordance with the agreed Remediation Method Statement.

#### Ecology and Biodiversity:

- 35. Prior to or no later than concurrent with the first reserved matters application submitted for the site, a scheme to deliver a measurable net gain in biodiversity shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved scheme.
- 36. No vegetation clearance works shall take place within any phase (or sub-phase as may be agreed in writing by the local planning authority under the terms of condition 5 and 10 above), between 1st March and 31st August inclusive, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period, and details of measures to protect the nesting bird interest on the site have first been submitted to and approved in writing by the local planning authority and then implemented as approved.
- 37. Prior to building works commencing above foundation level within any phase (or sub-phase as may be agreed in writing by the local planning authority under the terms of condition 5 and 10 above), a detailed lighting strategy shall be submitted to and approved in writing by the local planning authority to safeguard bats and other nocturnal wildlife. This should provide details of the chosen luminaires and any mitigating features such as dimmers, PIR sensors and timers. A lux contour plan shall be provided to demonstrate acceptable levels of light spill to any sensitive ecological zones/features. Guidelines can

be found in Guidance Note 08/18 - Bats and Artificial Lighting in the UK (BCT and ILP, 2018). The approved measures will be implemented in full.

38. Prior to development commencing on any phase or sub phase, a detailed badger survey shall be carried out for any recently excavated badger setts on the site or within 30m of the site boundary and the survey, along with any necessary mitigation measures, shall be submitted to and be approved in writing by the local planning authority. Development will be carried out in accordance with the approved mitigation measures.
39. No development shall take place (including demolition, ground works, vegetation clearance) within any phase (or sub-phase as may be approved in writing by the local planning authority under the terms of condition 5 and 10 above), until a Construction Environmental Management Plan – Biodiversity (CEMP - Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP - Biodiversity shall be informed by the existing ecological survey work and include the following:
  - a) risk assessment of potentially damaging construction activities;
  - b) identification of “biodiversity protection zones”;
  - c) practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
  - d) the location and timing of sensitive works to avoid harm to biodiversity features;
  - e) the times during construction when specialist ecologists need to be present on site to oversee works;
  - f) responsible persons and lines of communication;
  - g) the role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
  - h) use of protective fences, exclusion barriers and warning signs.

40. No works which include the creation of trenches or culverts or the presence of pipes shall commence within any phase (or sub-phase as may be agreed in writing by the local planning authority under the terms of condition 5 and 10 above), until measures to protect badgers from being trapped in open excavations and/or pipe and culverts are submitted to and approved in writing by the local planning authority. The measures may include the creation of sloping escape ramps (mammal ladders) for badgers (and other mammals potentially using the site), which may be achieved by edge profiling of trenches/excavations or by using planks placed into them at the end of each working day; and open pipework greater than 200mm outside diameter being blanked (capped) off at the end of each working day.
41. Prior to the commencement of the development within any phase (or sub-phase as may be agreed in writing by the local planning authority under the terms of condition 5 and 10 above), a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority. The LEMP will set out how the phase (or sub phase) will deliver the requirement for a net measurable gain in biodiversity (as set out in condition 35) and should combine both the ecology and landscape disciplines and 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 in perpetuity, with reviews);

- g) details of the body or organisation responsible for implementation of the plan;
- h) ongoing monitoring visits, targets and remedial measures when conservation aims and objectives of the LEMP are not being met;
- i) locations of bat boxes, bird boxes, hedgehog holes and habitat piles (including specifications/installation guidance/numbers).

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The approved plan will be implemented in accordance with the approved details.

#### Landscaping:

42. Concurrent with any reserved matters application concerning landscaping within any phase (or sub-phase as may be agreed in writing by the local planning authority under the terms of condition 5 and 10 above), 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:
- 1) a scaled plan showing all existing vegetation and landscape/habitat features to be retained and trees/plants to be planted and new habitats created;
  - 2) location, type and materials to be used for hard landscaping including specifications, where applicable for:



- a) permeable paving;
  - b) tree pit design;
  - c) underground modular systems;
  - d) sustainable urban drainage integration;
  - d) use within Tree Root Protection Areas (TRPAs);
- 3) a schedule detailing sizes and numbers/densities of all proposed trees/plants;
  - 4) specifications for operations associated with plant establishment and maintenance that are compliant with best practise; and
  - 5) types and dimensions of all boundary treatments.

There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees, hedgerows and habitats unless agreed in writing by the local planning authority. Unless required by a separate landscape management condition, all soft landscaping shall have a written 5-year maintenance programme following planting. Any new tree(s) that die(s), are/is removed or 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 5 years of planting shall be replaced. Unless further specific permission has been given by the local planning authority, replacement planting shall be in accordance with the approved details.

43. Prior to the commencement of the development within any phase (or sub-phase as may be agreed in writing by the local planning authority under the terms of condition 5 and 10 above), a scheme for the protection of the retained trees, hedgerows and habitats in accordance with BS 5837:2012, including a Tree Protection Plan(s) (TPP) and an arboricultural method statement (AMS) 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 or landscaping works within the RPA that may impact on the retained trees and habitats;
- c) a full specification for the installation of boundary treatment works;
- 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, hedgerows and habitats during both land clearance and construction phases and a plan indicating the alignment of the protective fencing;
- g) a specification for scaffolding and ground protection within protection zones;
- h) tree, hedgerow and habitat 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 as concrete mixing and use of fires;
- j) boundary treatments within the RPA;
- k) methods to improve the rooting environment for retained and proposed trees, hedgerow and landscaping. The development

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

44. Prior to the commencement of the development within any phase (or sub-phase as may be agreed in writing by the local planning authority under the terms of condition 5 and 10 above), details of all proposed Access Facilitation Pruning (see BS5837:2012 for definition) shall be submitted to and approved in writing by the local planning authority. The approved tree pruning works shall be carried out in accordance with BS3998:2010. The development thereafter shall be implemented in accordance with the approved details.
45. The landscaping details submitted to accompany any reserved matters application for any phase (or sub-phase as may be agreed in writing by the local planning authority under the terms of condition 5 and 10 above), shall be accompanied by details for the proposed means of permanent management and maintenance for all public areas (any areas not proposed to be contained within the curtilage of any individual properties/dwellings) at all times following completion of that phase or sub-phase of development, including timescales for implementation. The agreed details shall thereafter be implemented and maintained in a manner as approved in perpetuity.

#### Heritage and Archaeology:

46. a) No development shall take place within any phase (or sub-phase as may be agreed in writing by the local planning authority under the terms of conditions 5 and 10 above), until a Written Scheme of Investigation for archaeological work for that phase has been submitted to and approved by the local planning authority in writing, and until the fieldwork elements of the scheme for that phase are complete to the written satisfaction of the local planning authority. The Written Scheme of Investigation for each phase will comprise a detailed statement of methodology in line with Land at Mastin Moor, Derbyshire. Overarching Written Scheme of Investigation for Archaeological Programme (Wessex Archaeology Document Ref: 104084.01, August 2019), and will include on a phased basis:
  1. an assessment of significance and research questions;

2. the programme and methodology for archaeological evaluation, to take place before the consideration of reserved matters with details of layout for that phase;
  3. the programme and methodology for further archaeological work following evaluation, comprising preservation in situ or mitigation excavation as appropriate;
  4. the programme of post-investigation assessment;
  5. provision to be made for analysis of the site investigation and recording;
  6. provision to be made for publication and dissemination of the analysis and records of the site investigation;
  7. provision to be made for archive deposition of the analysis and records of the site investigation; and
  8. nomination of a competent person or person/organisation to undertake the works set out within the Written Scheme of Investigation.
- b) No development in any phase shall take place other than in accordance with the archaeological Written Scheme of Investigation approved for that phase under this condition part (a) and in accordance with Land at Mastin Moor, Derbyshire. Overarching Written Scheme of Investigation for Archaeological Programme (Wessex Archaeology Document Ref: 104084.01, September 2020).
- c) No phase of the development shall be occupied until the site investigation and post investigation assessment for that phase has been completed in accordance with the programme set out in the Written Scheme of Investigation approved for that phase under this condition part (a), and in accordance with Land at Mastin Moor, Derbyshire Overarching Written Scheme of Investigation for Archaeological Programme (Wessex Archaeology Document Ref: 104084.01, September 2020), and until the provision to be made for analysis, publication and

dissemination of results and archive deposition has been secured.

Other Conditions:

47. Prior to development commencing within any phase (or subphase as may be agreed in writing by the local planning authority under the terms of conditions 5 and 10 above), an Employment and Training Scheme shall be submitted to and be approved in writing by the local planning authority. The Scheme shall include a strategy to promote local supply chain, employment and training opportunities throughout the construction of the development and the scheme. Development shall be carried out in accordance with the approved scheme.
48. For each new dwelling provided with dedicated parking provision, a residential charging point shall be provided with an IP65 rated domestic 13amp socket, directly wired to the consumer unit with 32amp 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 first occupation and shall be retained and maintained as useable for the life of the development.
49. Construction work shall only be carried out on site between 0800 hours and 1800 hours Monday to Friday, 0900 hours to 1700 hours on a Saturday and no work on a Sunday or Public Holiday. The term "work" will also apply to the operation of plant, machinery and equipment.
50. Before construction works commence or ordering of external materials takes place within any phase (or sub-phase as may be agreed in writing by the local planning authority under the terms of condition 5 and 10 above), precise specifications or samples of the walling and roofing materials to be used shall be submitted to the local planning authority for consideration. Development shall be carried out in accordance with the approved details.
51. Prior to the commencement of the development within any phase (or sub-phase as may be agreed in writing by the local planning authority under the terms of condition 5 and 10 above), details of the existing

and proposed land levels and the proposed floor levels of the dwellings hereby approved shall be submitted to the local planning authority for consideration. The details submitted shall include sufficient cross sections to fully assess the relationship between the proposed levels and immediately adjacent land/dwellings. The dwelling shall be constructed at the levels approved under this condition unless otherwise agreed, in writing, by the local planning authority.

52. The submission of reserved matters applications shall be made in accordance with the recommendations of the Noise and Vibration Assessment by Waterman Infrastructure & Environment Ltd dated October 2020 and each phase (or sub-phase as may be agreed in writing by the local planning authority under the terms of condition 5 and 10 above), shall be accompanied by a statement or report of compliance for approval by the local planning authority. The agreed details shall thereafter be implemented and maintained in a manner as approved in perpetuity.

B. That a CIL liability notice be issued as per section 5.16 of The officer's report.

CHE/21/00554/OUT - OUTLINE PLANNING APPLICATION FOR ERECTION OF WAREHOUSE UNITS (CLASS B2/B8) UP TO 68,000 SQ. M GROSS, WITH ANCILLARY OFFICE ACCOMMODATION; CONSTRUCTION OF NEW ACCESS ROAD; PROVISION OF SERVICE YARDS AND INTERNAL VEHICLE CIRCULATION AND PARKING AREAS; ERECTION OF COVERED CYCLE PARKING AREAS, PUMP HOUSE AND SPRINKLER TANK, GATE HOUSES AND PERIMETER FENCING; ASSOCIATED DRAINAGE WORKS, SITE LEVELLING AND LANDSCAPING; AND REALIGNMENT OF EXISTING PUBLIC RIGHT OF WAY. (ADDITIONAL DRAINAGE INFORMATION RECEIVED 18.11.2021) AT LAND AT NORTH EAST TO MARKHAM VALE AND EMPLOYMENT SITE AND M1 AND THE SOUTH WEST OF B6419 FOR MVNE LLP AND DEVONSHIRE PROPERTY (M VALE) LIMITED.

In accordance with Minute No. 299 (2001/2002) Mr Carl Carnell (Objector) addressed the meeting.

In accordance with Minute No. 299 (2001/2002) Mr Chris Creighton (Agent) addressed the meeting.

**\*RESOLVED –**

That the officer recommendation be upheld and the application be approved subject to an agreement under S106 of the Town and Country Planning Act 1990 to secure the following requirements:-

- £20,000 contribution for the improvements of two bus stops along Seymour Link Road
  
- £5,075 contribution for travel plan monitoring
  
- £478,200 (based on a cost of £30,018.08 per habitat unit) contribution for off-site Biodiversity Net Gain, in regard to habitat creation and long-term management and monitoring in line with DWT's Biodiversity Design and Access Strategy for the land at Old Whittington dated November 2022.
  
- Employment and Skills Strategy with 10-year monitoring

And subject to the following conditions:

1. Application for approval of all reserved matters must be made not later than the expiration of three years from the date of this permission. The development hereby permitted must be begun not later than the expiration of two years from the final approval of the reserved matters, or in the case of approval of such matters on different dates, the date of the final approval of the last such matter to be approved.

2. An application for details of the following matters (hereafter referred to as the “reserved matters”) shall be submitted to and approved in writing by the Local Planning Authority before the commencement of any works:-

- the external appearance of the development;

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

3. 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).

- Site location plan 6170-078
- Tree Constraints plan Sheets 1 and 2 – LDH2217 Rev 1
- Viewpoint A sections 6170-097A
- Typical Sections plan LAP-20-P101 1003 Rev C
- Landscape proposals 1/ 2 and 2/2 LAP-20-P101 1001 Rev J, 1002 Rev J
- Site sections - 620 S1 Rev P02
- Site plan 6170-096
- Site cross sections 6170-082 A

#### Biodiversity:

4. There shall be no removal of hedgerows, trees, shrubs or brambles from the site between 1st March and 31st August inclusive, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period, and details of measures to protect the nesting bird interest on the site, have first been submitted to and approved in writing by the local planning authority and then implemented as approved.
5. Immediately prior to the commencement of development a detailed hibernation survey of all structures on site as recommended in the Ecological Impact Assessment prepared by BWB dated March



2022, shall be undertaken and submitted to and approved in writing by the LPA to address concerns relating to the possible use of these structures by bats. Works shall be commenced and completed in accordance with any mitigation or other recommendations arising from the survey.

6. Prior to building works commencing above foundation level, a detailed lighting strategy shall be submitted to and approved in writing by the LPA to safeguard bats and other nocturnal wildlife. This should provide details of the chosen luminaires and any mitigating features such as dimmers, PIR sensors and timers. A lux contour plan shall be provided to demonstrate acceptable levels of light spill to any 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.
7. A survey for any recently excavated badger setts on the site or within 30 metres of the site boundary together with an assessment of any other evidence for badger presence shall be undertaken prior to the immediate commencement of any groundworks on the site and submitted to the LPA for approval. Works shall be commenced and completed in accordance with any mitigation or other recommendations arising from the survey.
8. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.
  - a) Risk assessment of potentially damaging construction activities.
  - b) Identification of “biodiversity protection zones” including Hawke Brooke, hedgerows, trees and adjacent features.
  - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements for bats, badger, water vole, amphibians, aquatic invertebrates and other species at risk).

- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

9. A Landscape and Biodiversity Enhancement and Management Plan (LBEMP) shall be submitted to, and be approved in writing by, the LPA prior to the commencement of the development. The aim of the LBEMP is to provide details for the creation and management of habitats and enhancements in accordance with the MVNE Impacts Summary and BNGA Update prepared by ECUS 31st October 2022 and the accompanying Biodiversity Metric 3.1. The plan shall be suitable to provide to the management body responsible for the site and shall include the following: -
- a) A revised Biodiversity Metric 3.1 as necessary to take account of any changes resulting from design or other changes to the development
  - b) Description and location of features to be retained, created, enhanced and managed
  - c) A plan for the eradication of any invasive species
  - d) Aims and objectives of management.

- e) Appropriate management methods and practices to achieve aims and objectives.
  - f) Prescriptions for management actions.
  - g) Preparation of a work schedule (including a five-year work plan capable of being rolled forward in perpetuity).
  - h) Details of the body or organization responsible for implementation of the plan.
  - i) Ongoing monitoring and remedial measures including benchmarking of the site creation/enhancement areas against the DEFRA conditions sheets reportable to the authority at 2, 5, 10-, 15-, 20- and 30-years post creation.
  - j) Habitat enhancements for nesting birds to include 10 bird boxes positioned within the site on suitable trees or the exterior of buildings where conditions are suitable.
  - k) Roosting opportunities for bats to be provided in accordance with section 7.3 of the EIA prepared by BWB, March 2022.
  - l) Requirement for a statement of compliance upon completion of planting - and enhancement works.  
The on-site LBEMP shall also include details of the legal and funding mechanism(s) by which the 30-year implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The approved plan will be implemented in accordance with the approved details.
10. In line with the signed S106 agreement, a Biodiversity Enhancement Plan (BEP) shall be submitted to, and be approved in writing by, the LPA prior to the commencement of the development. The aim of the BEP is to enhance the biodiversity value of land off-site to ensure there is a measurable net gain of biodiversity in accordance with the MVNE Impacts Summary and BNGA Update prepared by ECUS 31st October 2022 and the accompanying MVNE Biodiversity Metric

3.1. It shall be suitable to provide to the management body responsible for the site and shall include the following: -

- a) Location of compensation site
- b) A revised Biodiversity Metric 3.1 as necessary to take account of any changes resulting from design or other changes to the development
- c) Detail of the habitats that will be created and/or enhanced including habitat creation methods and location/extent within the compensation site
- d) Details of enhancement measures targeted at farmland birds, bats and small heath butterfly (if different to above).
- e) A 30-year management plan for the compensation site including aims, objectives, prescriptions and actions together with a schedule of works for a five-year period that can be rolled forward throughout the 30-year management period.
- f) Ongoing monitoring and remedial measures including benchmarking of the site creation/enhancement areas against the DEFRA conditions sheets reportable to the authority at 2, 5, 10-, 15-, 20- and 30-years post creation.
- g) Monitoring of small heath butterfly and farmland birds at 2, 5 and 10 years.
- h) Details of the body or organization responsible for implementation of the plan.

The off-site BCP shall also include details of the legal and funding mechanism(s) (as agreed within the S106 agreement or equivalent mechanism) by which the 30-year implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The approved plan will be implemented in accordance with the approved details.

11. A Grassland Translocation Plan (GTP) shall be submitted to, and be approved in writing by, the LPA prior to the commencement of the

development. The aim of the GTP is to translocate areas of species rich grassland together with a colony of small heath butterfly and the plant grass vetchling to a suitable receptor area or areas either on-site or off-site in accordance with the MVNE Impacts Summary and BNGA Update prepared by ECUS 31st October 2022. It shall include the following: -

- a) Location of area to be translocated and receptor areas / sites
  - b) Detail of the method of translocation and subsequent 30-year management regime for the grassland
  - c) Details of costs and funding for translocation and management
  - d) Ongoing monitoring of grassland plant diversity, small heath butterfly and grass vetchling at 1, 2, 5, 10, 20 and 30 years.
  - e) Details of remedial measures if the translocation fails with respect of grassland plant diversity/community type, small heath or grass vetchling.
12. In line with conditions 9 and 10 above and landscape proposal plans 1/2 and 2/2 numbered LAP-20-P101 1001 and 1002, prior to the commencement of development a detailed scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority, the details of which shall include :-
- a) indications of all existing trees, hedgerows and other vegetation on the land;
  - b) all vegetation to be retained including details of the canopy spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
  - c) measures for the protection of retained vegetation during the course of development;
  - d) soil preparation, cultivation and improvement;
  - e) all plant species, planting sizes, planting densities, the number of each species to be planted and plant protection;

- f) tree pit design and underground modular systems;
  - g) grass seed mixes and sowing rates;
  - h) means of enclosure;
  - i) car park, footpath and cycle layouts;
  - j) hard surfacing materials;
  - k) minor artefacts and structures (e.g. cycle store, furniture, refuse and other storage units, signs, lighting etc);
  - l) retained historic landscape features and proposed restoration, where relevant.
13. There shall be no land clearance, demolition or construction activities on the site until all tree protection measures as stated in Chapter 4.0 of the revised Arboricultural Method Statement (AMS) reference MVN-BWB-ZZ-XX-RP-LE-0001\_AIA Rev 2 have been implemented with tree protective fencing installed to the specifications within the AIA Appendix 1 and locations as shown on drawing 'Tree Impact Plan' reference 775.002-ENZ-XX-XX-DR-AR-00-001 PL01 at Appendix 2 of the revised AIA.
14. A scheme detailing sections of existing and proposed finished land levels and contours including the attenuation basins, shall be submitted to and approved in writing by the Local Planning Authority prior to any works on site 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.
15. a) Prior to work commencing on site, the application site shall be subjected to a detailed scheme for the investigation and recording of contamination and a report has been submitted to and approved in writing by the Local Planning Authority;
- b) Prior to works commencing on site, detailed proposals in line with current best practice for the removal, containment or otherwise rendering harmless such contamination (the

'Contamination Proposals') shall be submitted to and approved in writing by the Local Planning Authority;

- c) For each part of the development, 'Contamination Proposals' relevant to that part shall be carried out either before or during such development as appropriate;
- d) If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the 'Contamination Proposals' then the revised 'Contamination Proposals' shall be submitted to and approved in writing by the Local Planning

Authority.

- e) If during development work site contaminants are found in areas previously expected to be clean then their remediation shall be carried out in line with the agreed 'Contamination Proposals';
- f) Prior to the commencement of any construction works in any area that has been subject to remediation, a verification report shall be submitted to and approved in writing by the Local Planning Authority.

Yorkshire Water:

- 16. No building or other obstruction including landscape features shall be located over or within 5 metres either side of the centre line of the public sewer i.e. a protected strip width of 10 metres, that crosses the site. If the required stand-off distance is 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.
- 17. 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 point of discharge to be agreed.

18. 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.

Climate:

19. As part of the reserved matters submission a detailed scheme/strategy shall be submitted setting out;
- a) measures to reduce carbon emissions through construction works and for the operation of the premises.
  - b) measures to slow the release of carbon from any trees to be felled on the site

Environment Agency:

20. The development shall be carried out in accordance with the submitted Flood Risk Assessment (ref. Jun 2021 / MVN-BWB-ZZ-XX-RP-YE-0002\_FRA) and the following mitigation measures it details:  
Development will be strictly limited to Flood Zone 1.  
These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements.  
The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Highways:

21. Prior to any works exceeding demolition and site clearance, a construction management plan or construction method statement shall be submitted to and be approved in writing by the Local Planning Authority. The approved plan/statement shall be adhered to throughout the construction period. The statement shall provide for:
- Parking of vehicles of site operatives and visitors
  - Routes for construction traffic, including abnormal loads/cranes etc



- Hours of operation
  - Method of prevention of debris being carried onto highway
  - Pedestrian and cyclist protection
  - Proposed temporary traffic restrictions
22. Throughout the period of construction, wheel washing facilities shall be provided within the site and used to prevent the deposition of mud and other extraneous materials on the public highway.
23. The premises, the subject of the application, shall not be occupied until space has been provided within the application site in accordance with the application drawing 6170-096 for the parking of cars and cycle and manoeuvring of visitors, staff, customers, service and delivery vehicles, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.
24. Unit A shown on plan - 6170-096 shall not be used for B2 use, unless a revised parking layout has been submitted to and agreed in writing by the Local Planning Authority detailing the on-site parking for the B2 use. The approved scheme shall be implemented in full on site and made available for use prior to any use under use class B2 taking place.
25. Before the commencement of any operations on site, a scheme for the disposal of highway surface water via a positive gravity-fed system, discharging to an outfall on public sewer, highway drain or watercourse, shall be submitted to and approved by the Local Planning Authority. Works shall be completed in accordance with the agreed details.
26. The premises, the subject of the application, shall not be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out proposals (including a timetable), to promote travel by sustainable modes which are acceptable to the Local Planning Authority and shall be implemented in accordance with the timetable set out therein, unless otherwise agreed in writing by the Local Planning Authority. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually, on each anniversary of the date of the planning consent, to the Local

Planning Authority for approval for a period of five years from first occupation of the development.

27. The maximum floorspace hereby approved is 68,000 sq. m gross. Before more than 35% of the approved floorspace (i.e. 23,800 sq. m gross across both buildings) may be brought into use for B2 purposes, and 65% of the approved floorspace (i.e. 44,200 sq. m gross across both buildings) may be brought into use for B8 purposes, the M1 Junction 29A Slip Roads shall be amended as per Drawing MVN-BWB-GEN-XX-DR-TR-204 and A6192 Erin Road/A6192 Markham Lane/Enterprise Way/Markham Road as per Drawing MVN-BWB-GEN-XX-DR-TR-205 (as submitted in the Transport and Infrastructure Planning B2 sensitivity test Rev P1, dated 18.06.2021) to address any traffic increase in accordance with a scheme to be first submitted to and approved in writing by the Local Planning Authority. Works shall be completed in accordance with the approved scheme prior to any additional floorspace above the 35% being brought into use under B2 use class and 65% being brought into use under B8 use class.
28. The reserved matters application for the development shall include details of secure and covered bicycle storage/parking facilities serving that development for visitors and staff prior to the occupation of the units hereby permitted and shall be permanently retained for purpose of bicycle parkin, all in accordance with the scheme approved in writing by the Local Planning Authority.

#### National Highways:

29. No part of the development shall commence until geotechnical information has been submitted to and approved in writing by the Local Planning Authority in consultation with National Highways to demonstrate that the proposed earthworks associated with the development will have no adverse effect on the structural integrity of the SRN.
30. No part of the development shall commence until details of the boundary treatment adjacent to the M1 motorway boundary have been submitted to and approved in writing by the Local Planning Authority in consultation with National Highways. The approved

boundary treatment shall therefore be constructed in accordance with the approved plans and maintained in perpetuity.

Lead Local Flood Authority:

31. 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. BWB. 07/07/2022. *Flood Risk Assessment*. Rev P05.
  - b. BWB. 07/2022. *Sustainable Drainage Statement*. Rev P02.
  - c. Including any subsequent amendments or updates to those documents as approved by the Flood Risk Management Team”
  - d. 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.
  
32. Flood plain storage compensation:

No development shall take place until a satisfactory scheme for compensatory flood storage has been submitted for the consideration and approval of the Local Planning Authority in consultation with the Lead Local Flood Authority. The applicant will need to demonstrate that there will be no loss of floodplain storage post development with any loss of floodplain storage to be compensated for on a volume by volume, level by level basis and in a suitable location. The approved scheme shall be implemented prior to the raising of land within the flood plain. In accordance with the principles outlined within:

  - a. BWB. 07/07/2022. *Flood Risk Assessment*. Rev P05. b. BWB. 29/04/2022. *Floodplain Compensation Analysis*. MVS-BWB-ZZ-XX-DR-YE-0004. Rev DRAFT. Including any subsequent amendments or updates to those documents as approved by the Flood Risk Management Team.

33. No development shall take place until a detailed assessment has been provided to and approved in writing by the Local Planning Authority, to demonstrate that the proposed destination for surface water accords with the drainage hierarchy as set out in paragraph 80 reference ID: 7-080-20150323 of the planning practice guidance.”
34. 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.
35. 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).
36. Prior to the first completed building being brought into use a scheme for provision of electric vehicle charging points for each unit shall be submitted to and agreed in writing by the Local Planning Authority. Works shall be completed in accordance with the agreed details prior to first occupation and the provision to remain available for use throughout the life of the development.
37. No 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.
38. Archaeology:

- 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 reporting 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 publication and dissemination of results and archive deposition has been secured.
39. Prior to either building being brought into use a detailed scheme for mitigating noise and nuisance from the site including managing the movement of vehicles on the site during night-time hours shall be submitted to and agreed in writing by the LPA. The scheme shall

operate in accordance with the agreed scheme until and unless otherwise agreed in writing by the LPA for example due to a change in operator at the site.

40. As part of the reserved matters application a sustainability statement shall be submitted detailing; consideration of climate change in design and construction, use of renewable technologies, a statement on how emissions will be reduced through the construction process, and an assessment of the opportunities to create or connect the development to an energy centre/heat network.
41. Prior to any tree removal taking place on site a scheme shall be submitted to and approved in writing by the Local Planning Authority to seek to reduce the speed of the carbon release. Works shall be completed in accordance with the agreed details.
42. Prior to either building being completed details showing how the cycle and pedestrian routes will link into existing pedestrian and cycle routes shall be submitted to and agreed in writing by the LPA, works shall be completed in accordance with the agreed details prior to first occupation.
43. In association with condition 42 above, the cycle link and diverted footpath route as shown on plan 6170-069 received 07.11.2022 shall be fully implemented on site and available for use prior to first occupation.

CHE/22/00109/OUT - OUTLINE APPLICATION FOR THE DEMOLITION OF EXISTING OFFICE PREMISES AND ERECTION OF RESIDENTIAL DWELLINGS, WITH ALL MATTERS RESERVED EXCEPT ACCESS AT MANOR OFFICES, OLD ROAD, CHESTERFIELD FOR CSC COMPUTER SCIENCES LTD.

In accordance with Minute No. 299 (2001/2002) Mrs Megan Braca (Agent) addressed the meeting.

**\*RESOLVED –**

That the officer recommendation be upheld and the application be approved subject to a S106 to secure:

- Affordable housing for floorspace beyond the vacant building credit
- CCG contribution of £27,840

And subject to the following conditions and that a CIL liability notice be issued as set out in section 5.12 of the officer's report:-

A

1. Application for approval of all reserved matters must be made not later than the expiration of three years from the date of this permission. The development hereby permitted must be begun not later than the expiration of two years from the final approval of the reserved matters, or in the case of approval of such matters on different dates, the date of the final approval of the last such matter to be approved.
2. An application for details of the following matters (hereafter referred to as the "reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before the commencement of any works:-
  - a) the scale of the development;
  - b) the layout of the development;
  - c) the external appearance of the development;
  - e) the landscaping of the site.

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

3. Prior to the commencement of the development hereby approved (including demolition and all preparatory work), an Arboricultural Impact Assessment (AIA) shall be submitted to assess the impacts the detailed design layout will have on the retained trees, 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) to be 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) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees.
- c) Details of construction within the RPA or that may impact on the retained trees.
- d) A full specification for the installation of boundary treatment works.
- e) 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.
- f) 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
- g) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
- h) A specification for scaffolding and ground protection within tree protection zones.
- i) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.
- j) 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



- k) Boundary treatments within the RPA and any facilitating felling/pruning.
- l) Methodology and detailed assessment of root pruning
- m) Methods to improve the rooting environment for retained and proposed trees and landscaping

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

- 4. No development shall commence until:
  - a) A scheme of intrusive site investigation has been carried out on site to establish the risks posed to the development by past coal mining activity, and;
  - b) 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 order to ensure that the site is made safe and stable for the development proposed. The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance,
- 5. Prior to the first occupation of the development a signed statement or declaration prepared by a suitably competent person confirming 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.
- 6. The access shall be formed (improved) with 6 metre radius kerbs, to give a minimum carriageway width of 5.5 metres and footway widths of 2m to Old Road in accordance with the application drawings, laid out, constructed and provided and visibility sightlines of 45m measured in each direction to the nearside edge of the carriageway, as measured from a point located centrally and 2.4m back into the access. The area within the sightlines shall thereafter be kept clear

of any object greater than 1m in height (0.6m in the case of vegetation) above the nearside carriageway channel level.

7. 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, persons or organisation 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 have 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.

8. The development shall be carried out in accordance with the details on the submitted SuDS Strategy 3316-SUDS dated December 2021 by Integra Consulting, unless otherwise agreed in writing with the Local Planning Authority.
9. 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. 'Land North of Old Road Chesterfield' Design and Access Statement, Issue 1, January 2022 including any subsequent amendments or updates to those documents as approved by the Flood Risk Management Team
  - b. 'Manor Offices Site, Old Road, Chesterfield S40 3QT Proposed Residential Development' SuDS Strategy, Ref: 3316-SUDS including any subsequent amendments or updates to those documents as approved by the Flood Risk Management Team
  - c. 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.
10. No development shall take place until a detailed assessment has been provided to and approved in writing by the Local Planning Authority, to demonstrate that the proposed destination for surface water accords with the drainage hierarchy as set out in paragraph 80 reference ID: 7-080-20150323 of the planning practice guidance.
11. 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.

12. 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).
13. No individual dwelling approved as part of the reserved matters for any phase (or sub-phase as may be approved in writing by the Local Planning Authority) of the development shall be occupied until the requirement for water consumption (110 litres use per person per day) in Part G of the Building Regulations has been complied with for that dwelling.
14. 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.
15. In line with the need to provide 25% of the units to M4(2) standard, 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.
16. No development shall start 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 applicant's / developer's control
  - e. provision of roadside boundary hoarding behind any visibility zones
  - f. any proposed temporary traffic management.
  - g. a scheme of wheel washing
17. A residential charging point shall be provided for each new dwelling with an IP65 rated domestic 13amp socket, directly wired to the consumer unit with 32 amp cable to an appropriate RCD. The socket shall be located where it can later be changed to a 32amp EVCP. Alternative provision to this specification must be approved in writing, by the local planning authority. The electric vehicle charging points shall be provided in accordance with the stated criteria prior to occupation and shall be maintained for the life of the approved development.
18. Vegetation clearance and the demolition of Building 2 shall only be undertaken outside of the main breeding bird season (March to August inclusive) or else be preceded by a nesting bird check by an ecologist, no more than 48 hours before the commencement of

works. If active nests are found, an exclusion zone (~5 m) shall be implemented around the nest until it has been confirmed by the ecologist that chicks have fledged and the nest is no longer in use.

19. The two sycamore trees on the eastern boundary located within G7 (Arboricultural Assessment, January 2022, The Tree and Woodland Company) shall be soft felled under the supervision of an ecologist to safeguard roosting bats. See Section 5.1.1 of the Preliminary Ecological Appraisal (Peak Ecology, 01/02/22) for details.
20. Measures to control the spread of invasive species, as set out in Section 5.2 of the Preliminary Ecological Appraisal (Peak Ecology, 01/02/22), shall be implemented in full.
21. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the LPA prior to the commencement of the development. The LEMP shall ensure that proposed landscaping will result in the predicted biodiversity gains calculated in the Biodiversity Net Gain Statement (Peak Ecology, 25/02/22). This shall include appropriate grassland, scrub and hedgerow mixes and management prescriptions to achieve the target habitats. The LEMP should combine both the ecology and landscape disciplines and 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 five-year period).
  - g) Details of the body or organization responsible for implementation of the plan.

- h) Ongoing monitoring visits, targets and remedial measures when conservation aims and objectives of the LEMP are not being met.
- i) Details of the enhancement measures detailed in Section 5.3 of the Preliminary Ecological Appraisal (Peak Ecology, 2022) and updated by the British Standard for Integral Nest Boxes (BS 42021:2022).

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 approved plan will be implemented in accordance with the approved details.

- 22. In association with condition 21 above, any reserved matters application shall be accompanied by a detailed biodiversity metric and associated biodiversity enhancement scheme to demonstrate the existing and proposed biodiversity on site showing a measurable net gain in habitat units on the site, as near to 10% net gain as possible.
- 23. Prior to the submission of any reserved matters application a further bat survey of Building 2 shall be carried out in accordance with the advice contained within the Preliminary Ecological Appraisal (Peak Ecology, 01/02/22) and submitted to the Local Planning Authority for agreement and should any bat species be found a scheme of necessary mitigation or building retention shall also be submitted and agreed by the Local Planning Authority and the information used to inform the reserved matters application.
- 24. 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. FGFB

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.

- 25. a) Prior to work commencing on site, the application site shall be subjected to a detailed scheme for the investigation and recording of contamination and a report has been submitted to and approved in writing by the Local Planning Authority;



- b) Prior to works commencing on site, detailed proposals in line with current best practice for the removal, containment or otherwise rendering harmless such contamination (the 'Contamination Proposals') shall be submitted to and approved in writing by the Local Planning Authority;
  - c) For each part of the development, 'Contamination Proposals' relevant to that part shall be carried out either before or during such development as appropriate;
  - d) If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the 'Contamination Proposals' then the revised 'Contamination Proposals' shall be submitted to and approved in writing by the Local Planning Authority;
  - e) If during development work site contaminants are found in areas previously expected to be clean then their remediation shall be carried out in line with the agreed 'Contamination Proposals';
  - f) Prior to the commencement of any construction works in any area that has been subject to remediation, a verification report shall be submitted to and approved in writing by the Local Planning Authority.
26. As part of the reserved matters application a sustainability statement shall be submitted detailing; consideration of climate change in design and construction, use of renewable technologies, a statement on how emissions will be reduced through the construction process, and an assessment of the opportunities to create or connect the development to an energy centre/heat network, all to address the comments of the Council's Climate Change Officer received 10.08.2022.
27. Prior to any tree removal taking place on site a scheme shall be submitted to and approved in writing by the Local Planning Authority to seek to reduce the speed of the carbon release. Works shall be completed in accordance with the agreed details.

28. As part of the reserved matters application a detailed scheme for the western boundary of the site detailing final levels, boundary treatments and sections shall be submitted.
29. Prior to the submission of the first reserved matters application, a Development Framework Masterplan shall be submitted to the Local Planning Authority for approval in writing. The Framework shall seek to establish the overarching design approach for the entire site reflecting on the submitted Heritage Statement Issue 1 January 2022 and the Illustrative Masterplan no. 2181.01. The Framework should be compatible and expand upon the principles set in the Design and Access Statement (DAS) and those of the adopted Supplementary Planning Document 'Successful Places: Housing Layout and Design'.
- B. That a CIL liability notice be issued as per section 5.12 of the officer's report.

CHE/22/00619/REM1 - VARIATION OF CONDITION 2 (EXTERNAL DIMENSIONS AND ELEVATIONAL TREATMENTS) OF APPLICATION CHE/19/00083/FUL-CONVERSION OF EXISTING PUB (6-ONE BED FLATS), NEW 3 STOREY BUILDING TO FRONT (6-ONE BED FLATS) TWO NEW SINGLE STOREY BLOCKS ARRANGED PARALLEL TO THE EAST AND WEST SITE BOUNDARIES (2-ONE BED FLATS) AND 1.5 STOREY BLOCK TO NORTH OF SITE (2-ONE BED FLATS). ALTERATIONS TO BE MADE TO THE CONVERSION OF THE PUB WITH A SMALL FIRST FLOOR EXTENSION TO THE REAR ALLOWING FOR ON SITE COMMUNAL MEETING FACILITIES AND SITE OFFICE FOR SUPPORTED LIVING AT ALL INN, LOWGATES, STAVELEY, CHESTERFIELD, S43 3TX FOR ROCKIE WHITE

Councillor Brady declared an interest in this item and left the meeting at this point.

**\*RESOLVED –**

That the officer recommendation be upheld and the application be approved subject to the following conditions and that a CIL Liability Notice be issued as set out in section 6.8 of the Officer's Report:-

A

1. The development hereby approved shall only be carried out in full accordance with the approved plans and documents (listed below) with the exception of any approved non-material amendment. All external dimensions and elevational treatments shall be as shown on the approved plan/s (listed below).
  - AP-000 – Site Location Plan
  - AP-002 – Proposed Site Elevations
  - AP-003 – Proposed Site Elevations
  - AP-004 – Proposed Floor Plans
  - AP-005 – Proposed Site Sections
  - AP-006 – Existing Site Levels
  - AP-007 – Proposed Site Levels
  - AP-008 – Site Containment
  - 18-043-P01 Revision A Planning Drawings Proposed Floor Plans
  - 18-043-P02 Revision A Planning Drawings Proposed Elevations
  - 18-043-P03 Revision A Planning Drawings GA Sections and Roof Plan
  - 18-043-SK13 Revision A Sketch Proposals Site Plan
  - AP-201 – Block 1 – Proposed Floor Plans / Elevations
  - AP-202 – Block 3 – Proposed Floor Plans / Elevations
  - AP-203 – Block 2 and 4 – Proposed Floor Plans / Elevations

- Design and Access Statement
  - Viability Valuation – private and confidential (received 23/05/2019)
  - Ecological Appraisal (received 24/05/2019)
2. The site shall be developed with separate systems of drainage for foul and surface water on and off site.
3. The development shall be carried out in full accordance with the approved plans and documents for the means of disposal of foul and surface water drainage (listed below). The approved foul and surface water drainage systems shall be installed prior to the first occupation of the development.
- Percolation Test and Hierarchy of Drainage Report, February 2022 produced by Brightman Clarke Architects
  - BCA-1591-01-DR-001 drainage general arrangement
  - BCA-1591-01-DR-002 Drainage Construction Details Sheet 1
  - BCA-1591-01-DR-003 - Drainage Construction Details-Sheet 2
  - BCA-1591-01-DR-004 - Catchment Area Plan
  - BCA-1591-01-DR-005 - Surface Water Management During Construction
  - BCA-1591-01-DR-006 - Manhole Schedule
  - Surface Water Calculations Outflow 3.5l
  - BCA-1591-01-DR-005 Surface Water Management During Construction

4. No building or other obstruction shall be located over or within 3 (three) metres of the line of the sewer, which crosses the site.
5. Space shall be provided within the site for storage of plant and materials, site accommodation, loading, unloading and manoeuvring of goods vehicles, parking and manoeuvring of employees and visitors' vehicles, laid out in accordance with drawing 'AP-008 – Site containment plan'. Once implemented the facilities shall be retained free from any impediment to their designated use throughout the construction period.
6. The premises the subject of the application shall not be occupied until space has been provided within the application site in accordance with the application drawings for the parking and maneuvering of vehicles, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.
7. No part of the development shall be occupied until details of arrangements for storage of bins and collection of waste have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the agreed details and the facilities retained for the designated purposes at all times thereafter.
8. A residential charging point shall be provided for the additional dwelling with an IP65 rated domestic 13amp socket, directly wired to the consumer unit with 32 amp cable to an appropriate RCD. The socket shall be located where it can later be changed to a 32amp EVCP. Alternative provision to this specification must be approved in writing, by the local planning authority. The electric vehicle charging points shall be provided in accordance with the stated criteria prior to occupation and shall be maintained for the life of the approved development.
9. Construction work shall only be carried out on site between 8:00am and 6:00pm Monday to Friday, 9:00am to 5:00pm on a Saturday and no work on a Sunday or Public Holiday. The term "work" will also apply to the operation of plant, machinery and equipment.

10. The external materials for the development shall be in accordance with the details agreed under discharge of condition application CHE/22/00497/DOC.
11. Notwithstanding the provision of the Town and Country Planning (General Permitted) Development Order 1995 (as amended) there shall be no extensions, outbuildings or garages constructed (other than garden sheds or greenhouses of a volume less than 10 cubic metre) or additional windows erected or installed at or in the dwelling hereby approved without the prior written agreement of the Local Planning Authority.
12. Within 2 months of the date of this decision full details of hard and soft landscape works for the approved development shall be submitted to the Local Planning Authority for consideration. The hard landscaping scheme shall take account of any established root protection areas to retained trees on site and may require alternative measures of construction and finishes to be considered.

Hard landscaping includes proposed finished land levels or contours; means of enclosure; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.) retained historic landscape features and proposals for restoration, where relevant. These works shall be carried out as approved prior to the occupation of the dwelling.

13. The development shall be carried out in accordance with the agreed Employment, Skills and Local Investment Plan
14. The development shall be undertaken in accordance with the approved biodiversity enhancement plan 'Drawing – AP-013 – Proposed Bat and bird box strategy' and implemented in full prior to the occupation of the development and maintained thereafter.

B. That a CIL liability notice be issued for £9,337.50 as per section 6.8 of the officer's report.

Councillor Brady returned to the meeting at this point.

CHE/22/00335/FUL - PROPOSAL: CHANGE OF USE OF EXISTING PUBLIC HOUSE TO FORM 4 FLATS (REVISED DRAWINGS RECEIVED AND DESCRIPTION AMENDED 19.10.2022, REVISED DRAWINGS

RECEIVED 21.10.2022) AT DEVONSHIRE HOTEL, 17 OCCUPATION ROAD, NEWBOLD, CHESTERFIELD FOR MR AMRIK VIRK

**\*RESOLVED –**

That the officer recommendation be upheld and the application be approved subject to the following conditions and that a CIL Liability Notice be issued as set out in section 5.10 of the Officer's Report:-

**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.
  - Revised plan submitted 21/10/22 - Location Plan, Block Plan, Proposed Elevations and Floor plans
  
  - Existing Elevations and floor plans
  
3. Before any other operations are commenced, space shall be provided within the site for storage of plant and materials, site accommodation, loading, unloading and manoeuvring of goods vehicles, parking and manoeuvring of employees and visitors' vehicles, laid out and constructed in accordance with detailed designs first submitted to and approved in writing by the Local Planning Authority. Once implemented the facilities shall be retained free from any impediment to their designated use throughout the construction period.
  
4. Prior to occupation of the development, on site cycle storage for 4 bicycles shall be provided and maintained throughout the life of the development free from any impediment to its designated use. A

drawing shall be provided showing the location of the storage facility with detailed designs of proposed secure parking first submitted to and approved in writing by the Local Planning Authority.

5. Construction work shall only be carried out on site between 8:00am and 6:00pm Monday to Friday, 9:00am to 5:00pm on a Saturday and no work on a Sunday or Public Holiday. The term "work" will also apply to the operation of plant, machinery and equipment.
6. A residential charging point shall be provided for the units for the use of vehicles in both parking spaces 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.
7. No dwelling approved as part of the development shall be occupied until the requirement for water consumption (110 litres use per person per day) in Part G of the Building Regulations has been complied with for that dwelling.
8. Prior to occupation of the development hereby approved, 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 plants to be planted:
  - b) proposed hardstanding and boundary treatment:



- c) a schedule detailing sizes and numbers of all proposed plants
  
- d) sufficient specification to ensure successful establishment and survival of new planting.
  
- e) further drawings/details of the bin store and cycle store.

Any new plant(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 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).

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and/or re-enacting that Order) the car parking spaces hereby permitted shall be retained as such and shall not be used for any purpose other than the parking of private motor vehicles associated with the residential occupation of the properties without the grant of further specific planning permission from the Local Planning Authority.

- B. That a CIL liability notice be issued for £15,655 as per section 5.10 of the officer's report.

CHE/22/00554/FUL - SINGLE STOREY SIDE AND SINGLE STOREY REAR EXTENSION, RENDER ON THE FRONT ELEVATION. CANOPY ROOF ON THE FRONT ELEVATION AT 51 SOMERSBY AVENUE, WALTON FOR MR CHARLES STATON

**\*RESOLVED –**

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

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby approved shall only be carried out in full accordance with the approved plans (listed below) with the exception of any approved non-material amendment. All external dimensions and elevational treatments shall be as shown on the approved plan/s (listed below).
  - SITE PLAN - 51SA-CCL-ZZ-XX-DR-S-1030\_P2 (Amended) Received 17-OCT-2022
  - GROUND FLOOR PLAN - 51SA-CCL-ZZ-00-DR-S-1000\_P2 (Amended) Received 17-OCT-2022
  - FIRST FLOOR PLAN - 51SA-CCL-ZZ-01-DR-S-1001\_P2 (Amended) Received 17-OCT-2022
  - ROOF PLAN - 51SA-CCL-ZZ-RF-DR-S-1002\_P2 (Amended) Received 17-OCT-2022
  - GROUND FLOOR PLAN (45 DERE Code) - 51SA-CCL-ZZ-XX-DR-S-1004\_P1 (Amended) Received 17-OCT-2022
  - FRONT ELEVATION - 51SA-CCL-ZZ-XX-DR-S-1010\_P2 (Amended) Received 17-OCT-2022
  - LEFT SIDE ELEVATION - 51SA-CCL-ZZ-XX-DR-S-1011\_P2 (Amended) Received 17-OCT-2022
  - REAR ELEVATION - 51SA-CCL-ZZ-XX-DR-S-1012\_P2 (Amended) Received 17-OCT-2022
  - RIGHT SIDE ELEVATION - 51SA-CCL-ZZ-XX-DR-S-1013\_P2 (Amended) Received 17-OCT-2022
  - 3D VIEWS SHEET 1 - 51SA-CCL-ZZ-XX-DR-S-1020\_P2 (Amended) Received 17-OCT-2022
  - 3D VIEWS SHEET 2 - 51SA-CCL-ZZ-XX-DR-S-1021\_P1 (Amended) Received 17-OCT-2022
3. Within 3 months of the commencement of the development hereby approved, a biodiversity and ecological enhancement measure shall be installed/integrated into the development site. Photographic evidence of installation shall be sent to The Local Planning Authority. The ecological enhancement measures shall thereafter be retained and maintained throughout the life of the development.

82 **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/21/00455/FUL	Side extension and raised decking area at 8 Boythorpe Road, Boythorpe, Chesterfield S40 2NE for Mr Sanders
CHE/21/00717/FUL	Raising roof height and installation of dormer window to the side to facilitate loft conversion for disability adaptations and single storey rear and side extension (revised drawings received 10.10.2022) at 89 Brushfield Road, Holme Hall, Chesterfield S40 4XF for Susannah Jepson
CHE/21/00889/RET	Retrospective application for the conversion of void area to form new residential unit, including external decking area (revised plans received 29.06.2022) at 3 Moorview House, High Street, Brimington S43 1FA for Mr J Evans
CHE/22/00065/FUL	Single storey side and rear extension - re-submission of CHE/21/00241/FUL (revised plans received 22.07.2022) at 15 Bridle Road, Woodthorpe S43 3BY for Mr Paul Bean
CHE/22/00143/REM	Variation of condition 2 (Approved drawings) in relation to CHE/20/00078/FUL Demolition of existing public house and residential development of 12 two-bedroom dormer bungalows - to amend the boundaries of the plots, boundary treatments, the bin store, fencing, landscaping and parking arrangements at Harehill Mews, Harehill Road, Grangewood S40 2NG for Erica Developments Wayne Smedley

CHE/22/00176/FUL	Single storey rear extension and change of use of former dance studio to 3 self contained units (resulting in 4no self contained units) for provision of holiday accommodation at 19 Newbold Road, Newbold, Chesterfield S41 7PG for Mitchell Proctor
CHE/22/00216/FUL	Installation of retaining wall with concrete hardstanding to allow for electric vehicle charging point at 105 Hunloke Avenue, Boythorpe S40 2PD for Mr Paul Marples
CHE/22/00273/REM	Approval of reserved matters of CHE/21/00569/OUT - Construction of a building for storing light goods vehicles/public carrier vehicles and associated goods at 10 Station Road, Barrow Hill, Chesterfield S43 2NL for Mr Adrian Taylor
CHE/22/00291/FUL	Replacement and repair of retaining walls at Royal Court Rear Car Park, Basil Close, Chesterfield S41 7SL for The Rc Managment Company Ltd
CHE/22/00296/FUL	Single storey flat roof rear extension and pitched roof attached dining room - re-submission of CHE/20/00654/FUL (revised drawings submitted 25/07/22) at 72A Hawksley Avenue, Chesterfield S40 4TL for Mr Daniel Power
CHE/22/00302/FUL	Conversion of domestic dwelling (C3) to Cafe (E(b)) at ground floor level and the creation of a single dwelling at first floor level along with associated internal and external alterations at 390 Sheffield Road, Whittington Moor, Chesterfield S41 8LF for Mrs S Barlow
CHE/22/00322/FUL	Dropped kerb to create access and retention of hardstanding to frontage at 37 Ringwood Road, Brimington S43 1DF for Mrs Jane Barnston

CHE/22/00325/FUL	Removal of existing timber shed and erection of new single storey side extension, internal refurbishment and associated works at 37 Coupland Close, Old Whittington S41 9TB for Mr Andy White
CHE/22/00329/FUL	Loft conversion and associated roof works to create additional accommodation - Revised drawings received 07.11.22 at 14 Newbold Drive, Newbold, Chesterfield S41 7AP for Mr and Mrs Boden
CHE/22/00334/OUT	Provision of new access road to facilitate the development of the section of the Hartington Employment development to the west of the River Rother together with extension to the development area and the provision of potential rail access at Land Off Hall Lane, Staveley S43 3TP for Tawnywood Ltd
CHE/22/00373/COU	Change of use of habitable room in the dwelling to be used for beauty treatments at 270 Newbold Road, Newbold Chesterfield S41 7AJ for Dr Catherine Oakley
CHE/22/00388/FUL	Rear/side extension to factory at Units 1 – 4 Highlands Place, Foxwood Road, Sheepbridge, Chesterfield S41 9RN for Direct Engineering
CHE/22/00427/FUL	Change of use from commercial to residential. Cladding of exterior walls at 43 Newbold Village, Newbold Road, Newbold, Chesterfield S41 8RJ for Mr Darren Gregory
CHE/22/00433/FUL	Single storey side garage extension as 148 Walton Road, Walton S40 3BU for Mr David Allen
CHE/22/00444/FUL	Single storey side and rear extension at 256

	Ashgate Road, Chesterfield S40 4AW for Mr Mark Brookes
CHE/22/00465/FUL	Side and rear extension to bungalow, raised patio and privacy fence. Provision of 1 additional car parking space on frontage at 3 Half Croft, Brimington, Chesterfield S43 1NZ for Mr Antony Platt
CHE/22/00470/FUL	Raised patio to the rear of the property at 6 Kennet Vale, Chesterfield S40 4EW for Mrs Kay Loftus
CHE/22/00479/FUL	External alterations to building, new canopy to loading bay, installation of external plant and erection of external plant enclosure t Ravenside Retail Park, Park Road, Chesterfield S40 1TB for Marks and Spencer
CHE/22/00499/ADV	Replacement of existing signage at 8 Littlemoor Centre, Newbold S41 8QW for PCT Healthcare Ltd
CHE/22/00501/ADV	2 externally illuminated fascia signs and 1 externally illuminated post mounted sign (revised plans received 31.08.2022 and 28.09.2022) at Woodside, 343 Ashgate Road, Chesterfield S40 4DB for Stonegate Pub Company
CHE/22/00502/FUL	New shop front at 8 Littlemoor Centre, Newbold S41 8QW for PCT Healthcare Ltd
CHE/22/00512/FUL	Internal and external alterations to existing club house including retractable canopies, an external store and a bin store. Landscaping works including level terracing and replacement of gravel with tarmac at Chesterfield Lawn Tennis Club, Hawksley Avenue, Chesterfield S40 4TW for Chesterfield Lawn Tennis Club

CHE/22/00526/FUL	Two storey front extension with front canopy at 110 Hady Crescent, Hady, Chesterfield S41 0EA for Mr Mohammad Zubair
CHE/22/00540/FUL	Construction of a new mental health facility and associated landscaping, groundworks, parking, and access arrangements - re-submission of CHE/21/00887/FUL at Chesterfield and North Derbyshire Royal Hospital, Chesterfield Road, Calow S44 5BL for Derbyshire Healthcare NHS Foundation Trust
CHE/22/00542/LBC	Demolition and replacement of veranda room at Highfield Hall Primary School, Highfield Lane, Newbold S41 8AZ for Derbyshire County Council
CHE/22/00549/FUL	First floor rear extension and single storey rear extension at 152 Park Road, Chesterfield S40 2LG for Mr Peter Fairhill
CHE/22/00555/FUL	Installation of new external prefabricated electricity substation and generator units for critical infrastructure upgrades and associated works to existing adjacent building at Chesterfield and North Derbyshire Royal Hospital, Chesterfield Road, Calow, Chesterfield S44 5BL for Mr Henry Kay
CHE/22/00563/FUL	Single storey side and rear extension and tarmacking of frontage at 3 Spital Brook Close, Spital, Chesterfield S41 0GD for Ms Butcher
CHE/22/00574/FUL	Single storey side extension and installation of 6 velux windows to roof space at 16 Churston Road Chesterfield S40 1HP for Mrs Emily Wigston
CHE/22/00576/FUL	Demolition of existing side and rear extension and erection of a new side and rear extension at 34 Newbold Avenue, Newbold, Chesterfield S41 7AT for Mr and Mrs Lewishill

- CHE/22/00583/FUL Single storey side extension and two storey rear extension. Widening of existing raised decking and 2m high fencing above decking.  
Resubmission of CHE/22/00343/FUL at 95 Foljambe Avenue, Walton S40 3EY for Mr and Mrs Wilmot
- CHE/22/00588/FUL New boundary wall/fence at 5 Westwood Drive, Inkersall, Chesterfield S43 3DF for Mr Adrian Bingham
- CHE/22/00589/TPO T1 Ash (*Fraxinus Excelsior*)- Overall crown reduction to BS3998: 2010 - Recommendation for Tree Work, of 1- 2m to reduce lateral branch weight and mechanical stress due to the tree being infected with *Hymenoscyphus Fraxineus* (Ash Dieback) and in close proximity to the house.  
at 38 Foxbrook Drive, Walton S40 3JR for Mrs Sarah Walker
- CHE/22/00596/FUL Demolition of existing conservatory and erection of a two storey rear extension with Juliette balcony and relocation of existing retaining wall at 104 Spital Lane, Spital, Chesterfield S41 0HN for Mr and Mrs Janet and Peter Bown
- CHE/22/00601/FUL Installation of two rapid electric vehicle charging stations within the car park of the site. Two existing parking spaces will become EV charging bays, along with associated equipment at McDonalds Restaurants Ltd, Markham Vale Services, Enterprise Way, Duckmanton S44 5HB for InstaVolt Ltd
- CHE/22/00605/LBC Installation of a stairlift to the rear staircase travelling from ground floor to first floor.  
Installation of a handrail on the first floor corridor internal wall at 42 St Marys Gate, Chesterfield S41 7TH for Mr Nik Rawlings



- CHE/22/00611/LBC Replace like-for-like small wooden window to vestibule, due to rot. Replace like-for like wooden door frame to vestibule, due to rot. Replace/treat wooden lintel above vestibule door, due to rot. Replace/treat wooden lintel above south-west facing lodge window due to rot. Four additional sub-floor vents, to improve ventilation at Lodge to Spital Cemetery, 19 Hady Hill, Hady S41 0DZ for Mr Alan Rhodes
- CHE/22/00612/FUL Single storey rear extension at 47 King Street, Brimington, Chesterfield S43 1HU for Mr Peter Rhodes
- CHE/22/00619/REM To continue the use of the summer house in the garden for a dog grooming business on a permanent basis by removing condition 1 of application CHE/20/00362/COU at 6 Blue Lodge Close, Inkersall S43 3GF for Mrs Tracy Cartwright
- CHE/22/00628/TPO Beech (T1) crown thinning by 25%. Fallen branches and seeds causing damage to property, blocking drainage, guttering caused leaks through the roof at 15 Balmoak Lane, Tapton S41 0TH for Mrs Susan Leighton
- CHE/22/00632/LBC Replace leaking roof slates in a like-for-like fashion at Farmhouse, Inkersall Farm, Inkersall Road, Staveley S43 3YH for Mr Stephen Crooks
- CHE/22/00636/FUL First floor side extension and reconfiguration of existing roof at 86 Church Street North, Old Whittington, Chesterfield S41 9QP for Mr and Mrs Wales
- CHE/22/00639/TPO Tree Removals at 1 Hulford Street, Chesterfield S41 9SF for Raworth

- CHE/22/00642/TPO Crown lifting of 9 sycamore, 1 hawthorn, 1 oak and 1 ash, obstructing street lighting column 18059 on Spital Lane. Fell 1 diseased tree, species unknown at 4 Dalewood Close, Hady S41 0DD for Mr Eric Brown
- CHE/22/00645/FUL Installation of a temporary single storey portakabin building with access ramp to be used as additional classroom on a hard standing car park area adjacent to an existing building and playing field at Netherthorpe School, Ralph Road, Staveley S43 3PY for Cavendish Learning Trust
- CHE/22/00660/RET Retrospective application for the erection of a single storey garden shed on the rear garden of the property at 9 Branton Close, Boythorpe, Chesterfield S40 2NL for Mrs Kelly Turner
- CHE/22/00666/TPO T28 Oak- remove epicormic growth- to keep tree healthy, remove dead wood- due to cars parked underneath and crown thin 15% due to excessive  
Shading at 756 Chatsworth Road, Chesterfield S40 3PN for J Salway
- CHE/22/00667/TPO Pollard black poplar- front and rear of property. Pollard ash tree due to location (periodic cycle pollarding). 1 chestnut tree- remove dead branches at 11 Netherleigh Road, Ashgate, Chesterfield S40 3QJ for J Salway
- CHE/22/00670/FUL Relocation of 2. existing external ATM's, with associated glazing replacement works at 2-4 Knifemithgate, Chesterfield S40 1TE for Lloyds Banking Group
- CHE/22/00671/ADV New internally illuminated ATM tablet signs, following relocation of ATM's. Existing illuminated surrounds to be removed at 2-4 Knifemithgate, Chesterfield S40 1TE for Mr Abha

- CHE/22/00678/RET Retention of existing hardstanding incorporating engineering works to decrease existing land levels  
at 8 Valley Road, Mastin Moor S43 3AR for Mr Ian Newton
- CHE/22/00679/TPO Please see attached TPO schedule and site map for species and locations. Works are for routine purposes to ensure clearance over footpaths and parking bays which are encroaching and impeding access at 1 Rose Hill East, Chesterfield S40 1NU for Mr Gary McCarthy
- CHE/22/00697/TPO TPO 4901.112, Tree is dead, needs felling and stump grinding at The Co-operative Food, 74 Newbold Village, Newbold Road, Newbold S41 8RJ for Mr Henry Glendale
- CHE/22/00702/TPO Crown reduction at 115 Storforth Lane, Chesterfield S41 0PZ for Ms Rachael Brooksby
- CHE/22/00703/FUL Replacement single storey extension to front of building and new single storey extension to rear, with associated external works t Rowland Hill House, Block B, Boythorpe Road, Boythorpe, Chesterfield S49 1HQ for Mr Mike Kaciubskij
- CHE/22/00705/TPO T1 London Plan - cut tree to pollard at 101 Whitecotes Lane, Walton S40 3HJ for Mr Chris Maggs
- CHE/22/00709/TPO T1 willow- Reduce 3.5m and T2 beech and sycamore- Reduce back by 3.5m to boundary at 15 Foxwood Close, Hasland S41 0LQ for Mr Matthew Irvine
- CHE/22/00710/TPO 3 Elm (self sets) to remove. 2 Situated approx 12 metres from the top end of the wood on the left side. 1 approx 12 metres from the top end of the

- wood on the right. All are dead and in danger of damaging younger trees. Oak, aspen, beech. New trees to plant where to canopy allows (2 oaks + 1 other. These three trees were identified by Ken  
Portas as spindly self sets dying of Dutch Elm when I applied in 202 for other work to be carried out at 33 Coupland Close, Old Whittington S41 9TB for Mrs June MacDonald
- CHE/22/00726/TPO T18(Beech) and T19(Oak) Crown clean to remove dead wood and any obvious weak branches. T18(Beech) and T19(Oak) Crown lift to clear highways, footpath and driveway. T18(beech)  
clear telephone wires at 670 Chatsworth Road, Chesterfield S40 3NU for Dr Laura Pemberton
- CHE/22/00732/TPO TPO 226 Oak - pruning of branches that are almost touching the house at 1 Loxley Close, Ashgate, Chesterfield S40 4DQ for Mr Ian Griffin
- CHE/22/00733/TPO Felling of one Beech tree reference T2 of Tree Preservation Order 4901.09 due to a large split in the main stem at Haddon House, 1 Quarry Lane, Chesterfield S40 3AS for J Salway
- CHE/22/00746/TPO Root prune ash tree in the front garden of 15 McMahon Ave. Minor excavation works within the canopy line of the tree to allow for new footpath at 15 McMahan Avenue, Inkersall S43 3HN for  
Mr Gary McCarthy
- CHE/22/00782/TPO 1 Sycamore reduce and reshape. 2 Acer (platanoides drummondii) crown thin 10% crown lift 5m at 7 Hedley Drive, Brimington, Chesterfield  
S43 1BF for Mr Paul Smith

(b) Refusals

CHE/22/00448/OUT	Outline application for the erection of one 2-bedroom bungalow with all matters reserved at Adj. 214 Tapton View Road, Newbold, Chesterfield S41 7LB for Mr Mark Pendleton
CHE/22/00571/CLO	Erection of a single storey rear extension with a flat roof at 2 Deben Close, Walton, Chesterfield S40 3HE for Mr Stephen Potter
CHE/22/00694/NMA	Non-material amendment of application CHE/21/00567/REM, Approval of reserved matters of CHE/19/00131/OUT - residential development of 400 dwellings, public open space and associated infrastructure- To remove a section of carriageway from the approved planning layout at Land To West of Inkersall Road, Staveley, Chesterfield for Barratt David Wilson Homes
CHE/22/00701/DOC	Discharge of condition 3 (Tree protection plan and arboricultural method statement) of application CHE/22/00078/FUL- Removal of existing conservatory and erection of a single storey extension at 15 Somersall Lane, Somersall S40 3LA for Mr David Goodwin

(c) Discharge of Planning Condition

CHE/21/00665/DOC	Discharge of condition 4 (render) of CHE/21/00033/FUL - Demolition of existing conservatory and erection of a single storey side and rear extension, loft conversion with roof alterations and rear dormer window as well as rendering of property at 5 Norton Avenue, Somersall, Chesterfield S40 3NG for Mrs Hearn
CHE/22/00251/DOC	Discharge of conditions: 4 (soft landscape), 11 (management of streets), 13 (lighting), 15 (materials), 19 (surface water drainage), in relation to application CHE/21/00324/FUL at

- Former Shrubberies, 46 Newbold Road,  
Newbold  
S41 7PL for Peppermint Grove Ltd
- CHE/22/00330/DOC Discharge of planning condition 5 (materials) of CHE/20/00746/FUL - Single storey front and rear extension, first floor side extension, internal and external alterations at 240 Newbold Road, Newbold, S41 7AJ for Mr and Mrs Smith
- CHE/22/00417/DOC Discharge of conditions 5 (contamination), 6 (barn owl roosting/nesting box), 7 (nesting barn owls), 8 (barn owls nesting space) , 9 (nesting solutions for swallows) and 23 (external materials) of application CHE/12/00028/FUL- Redevelopment of Manor Syck Farm, including conversion of three barns, refurbishment of existing farmhouse and new build detached farmhouse garage and detached property at Manor Syck Farm, 132 Church Street North, Old Whittington S41 9QP for Marsh Green Construction Ltd
- CHE/22/00428/DOC Discharge of conditions 3 (drainage) and 8 (external materials) of application CHE/15/00314/FUL-Demolition of existing garage and erection of new 1 and a 1/2 storey two bed dwelling with access from Central Avenue at 7 Walton Walk, Boythorpe S40 2QQ for Mr Reece Smeiley
- CHE/22/00481/DOC Discharge of conditions 3 (Lawful right of vehicular access), 4 (Biodiversity measures), 5 (Lighting details), 6 (desktop study), 9 (water consumption), condition 10 (materials' specifications), 11 (Construction method statement), 12 (Space for storage of plant and materials on site), 13 (parking space allocations), 17 (scheme for the provisions of surface water run off), 18 (drainage plan) of CHE/21/00446/FUL at 5 Mary Ann Street,

Sheepbridge, Chesterfield S41 9EP for  
Mr Dave Roberts

- CHE/22/00558/DOC Discharge of conditions 5 (biodiversity measures) and 7 (materials) of CHE/22/00067/FUL - Two storey side extension and single storey rear extension at 11 Moorpark Avenue, Walton, Chesterfield S40 3RL for Mr Thomas Eaton
- CHE/22/00559/DOC Discharge of conditions 3 (Site investigation), 4 (Declaration of safety and stability of site), 7 (External materials), 8 (Biodiversity net gain measures) of CHE/21/00815/FUL - Proposed dormer bungalow at Land Between 37 - 39 Highfield Lane, Newbold, Chesterfield for Mr Stephen Easto
- CHE/22/00595/DOC Discharge of conditions 3 (Detail of biodiversity net gain measures), 7 (Materials detail), 8 (compound) and 13 (Construction method statement) of application CHE/21/00911/FUL- Construction of a single storey dwelling in the rear garden plot at Land To The Rear Of 9 Dorset Drive, Brimington, Chesterfield S43 1DS for Mrs Alison Booth
- CHE/22/00626/DOC Discharge of conditions 3 (biodiversity) and 5 (materials) of CHE/22/00136/FUL at 37 High Street, Staveley, Chesterfield S43 3UU for Mr Brian Hutton
- CHE/22/00627/DOC Discharge of condition 7 (hard landscaping) of application CHE/19/00116/REM- Approval of reserved matters for layout, scale, appearance and landscaping of the office building pursuant to (CHE/18/00626/REM 1 for a mixed use development including hotel, multi storey car park, office accommodation and apartments together with ground floor retail and leisure uses

- within the  
Basin Square area of the development) at Land  
At East Of A61 Known As Chesterfield  
Waterside, Brimington Road, Tapton for  
Chesterfield Waterside Limited
- CHE/22/00641/DOC Discharge of planning conditions 3 (biodiversity) and 4 (materials) of CHE/21/00574/FUL - Demolition of existing conservatory and erection of a single storey side extension to form kitchen/dining area at 6 Tennyson Avenue, Chesterfield S40 4SW for Mr Scott Noble
- CHE/22/00646/DOC Discharge of condition 3 (biodiversity) of CHE/20/00487/FUL at 374 Ashgate Road, Chesterfield S40 4DD for Mr Rob Hannan
- CHE/22/00647/DOC Discharge of planning condition 4 (materials) of CHE/20/00595/FUL - Demolition of rear entrance porch and erection of 3 dormers - 2 on the front elevation and one to the rear and new front entrance porch at 21 Springfield Avenue, Chesterfield S40 1DJ for Mr Bright
- CHE/22/00656/DOC Discharge of condition 3 (materials) of CHE/20/00063/FUL - Porch extension and dormer roof extension at 18 Horsewood Road, Walton S42 7LS for Mr Leigh Drummond
- CHE/22/00663/DOC Discharge of condition 2 (biodiversity) of CHE/22/00069/FUL at 21 Miriam Avenue, Somersall S40 3NF For Mr Michael Long
- CHE/22/00700/DOC Discharge of condition 3 (Biodiversity) of application CHE/21/00862/FUL- First floor side/front extension and alterations at The Limes, 161 Walton Back Lane, Walton S42 7LT for Mr and Mrs Nigel and Steph Metham
- CHE/22/00735/DOC Discharge of condition 7 (landscaping details) of



CHE/20/00760/FUL at Land Adj. 72 Walton Road,  
Walton S40 3BY for Mr Adam Bowler

CHE/22/00758/DOC Discharge of condition 10 (Written Scheme of Investigation) of application 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/22/00767/DOC Discharge of condition 2 (slate samples) of CHE/22/00632/LBC at Farmhouse, Inkersall Farm, Inkersall Road, Staveley S43 3YH for Mr Stephen Crooks

(d) Other Council no objection with comments

CHE/22/00688/CPO Demolition and replacement of veranda room at Highfield Hall Primary School, Highfield Lane, Newbold S41 8AZ for Derbyshire County Council

(e) Split Decision with Conditions

CHE/22/00687/TPO T18 willow tree- prune crown reduce by 50% at Upper Close, 17 Somersall Lane, Somersall S40 3LA for J Salway

(f) Conditional Consent for Non-material Amendment

CHE/22/00727/NMA Non-material amendment of application CHE/18/00805/REM- Reserved matters submission for the erection of 200 dwellings and associated landscaping (to which CHE/16/00016/OUT refers)- To alter approved materials of dwellings at Land to the West of Dunston Lane, Newbold, Chesterfield for William Davis Ltd

- CHE/22/00752/NMA Non material amendment of application  
CHE/22/00540/FUL-Construction of a new mental health facility and associated landscaping, groundworks, parking, and access arrangements - re-submission of  
CHE/21/00887/FUL- To amend the wording of conditions 2, 3, 5, 11, 13, 14 for clarity and accuracy at Chesterfield and North Derbyshire Royal Hospital, Chesterfield Road, Calow, Chesterfield S44 5BL for Derbyshire Healthcare NHS Foundation Trust
- CHE/22/00760/NMA Non-material amendment of application  
CHE/21/00484/REM1 for the addition of a basement within footprint of approved dwelling  
At Oldfield Farm, Wetlands Lane, Brimington S43 1QG for Mr Walters
- (g) CLUD granted
- CHE/22/00676/CLU Certificate of lawful development - erection of front porch (single storey, standard brick & tile construction, built in 2010. Approx 4.1m2) at 27 Avondale Road, Inkersall, Chesterfield S43 3EQ for Mrs Norah Miller
- (h) Prior approval not required
- CHE/22/00658/TPD Single storey rear extension at 24 Hazel Drive, Walton S40 3EN for Mr Philip Allen
- (i) Prior approval
- CHE/22/00575/PA Conversion of vacant office spaces on 1st floor of previous office space to 4 self-contained apartments (revised drawings received 01.09.2022) at First Floor, West Bars House, West Bars, Chesterfield S40 1AQ for Pembery Rentals Ltd
- (j) Unconditional Permission

CHE/22/00677/NMA	Non-material amendment to application CHE/22/00007/FUL -Disabled adaptation to proposed retaining wall and reconfiguration of proposed hard/driveway at 32 North Crescent Duckmanton, Chesterfield S44 5EZ for Chesterfield Borough Council
CHE/22/00728/NMA	Non material amendment of application CHE/22/00353/FUL- front, side and rear two storey extension, with new front porch canopy and render to front and rear elevations- To amend the finish of the side elevation on the south east to white render and the first floor side elevation on the north west to white render, both to match the approved front and rear elevations at 35 Brookside Glen, Chesterfield S40 3PG for Mr and Miss Logan and Sarah Mantle and Clark
CHE/22/00783/CA	Remove 2 small dead Cherry trees adjacent to T18 Willow tree, situated either side of footpath from Somersall Willows at 17 Somersall Lane, Somersall, Chesterfield S40 3LA for J Salway
(k) Withdrawn	
CHE/22/00295/FUL	Single storey flat roof rear extension and pitched roof attached garage at 72A Hawksley Avenue, Chesterfield S40 4TL for Mr Daniel Power
CHE/22/00464/FUL	Change of use of office to 8 bed HMO and associated alterations - revised description and drawings received 08 09 2022 at Former Corner House Independence Project, 48 Newbold Road, Newbold Chesterfield S41 7PL for Mr James Norton
CHE/22/00485/REM	Removal of conditions 3 (Shall be occupied as ancillary accommodation to existing dwelling) and 8 (Permitted development rights) of application CHE/18/00548/FUL- Change of use from offices

to residential, extensions to dwelling, demolition of existing conservatory, erection of a new conservatory and demolition of existing stables and erection of new 4 garage at Dunston Hole Farm, Unnamed Road Accessing Dunston Hall and Hole Farm, Chesterfield S41 9RL for Mr and Mrs K. Heppenstall

CHE/22/00486/REM

Variation of conditions 2 (External dimensions and elevational treatments) and 7 (material of doors/windows shall be of timber construction) of application CHE/18/00548/FUL- Change of use from offices to residential, extensions to dwelling, demolition of existing conservatory, erection of a new conservatory, demolition of existing stables and erection of a new 4 car garage at Dunston Hole Farm, Unnamed Road Accessing Dunston Hall and Hole Farm, Chesterfield S41 9RL for Mr and Mrs K Heppenstall

CHE/22/00600/FUL

Erection of detached outbuilding for use as hairdressing salon and store (revised drawing received 22.09.2022) at 5 Raneld Mount, Walton, Chesterfield S40 3RE for Miss Jodie Mallender

### 83 **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/22/00667/TPO

Consent is granted to the pruning of 9 trees consisting of 4 Chestnut trees within G5, 3 Poplars and 1 Ash within G6 and 1 Poplar reference T58 on the Order Map and which are situated in the grounds of 11 Netherleigh Road, Brampton

- CHE/22/00702/TPO Consent is granted to the pruning of one Poplar tree reference T1 on the Order Map and which is situated to the rear of 115 Storforth Lane, Hasland
- CHE/22/00705/TPO Consent is granted to the pruning of one London Plane tree reference T1 on the Order Map which is situated to the frontage of 101 Whitecotes Lane with an extended consent to prune the tree on a 3 year cycle (decision will be reviewed 10 years from the date of issue)
- CHE/22/00709/TPO Consent is granted to the pruning of 3 trees consisting of x1 Beech, x1 Sycamore and x1 Willow within in W1 at 15 Foxwood Close, Hasland.
- CHE/22/00710/TPO Consent is granted to the felling of 3 dead Elm trees within W1 on the Order map for at 33 Coupland Close, New Whittington with a condition to plant 3 new Oak trees in the same location and to leave dead standing 3 metres habitat stems and habitat piles within the woodland to benefit wildlife
- CHE/22/00726/TPO Consent is granted to the pruning of two trees reference T18 Beech and T19 Oak on the Order Map for Dr Pemberton of 670 Chatsworth Road.
- CHE/22/00746/TPO Consent is granted to the root pruning of one Ash tree reference T1 on the Order map at 15 McMahan Avenue, Inkersall.
- CHE/22/00732/TPO Consent is granted to the pruning of one Oak tree reference T1 on the Order Map and which is situated in the garden of 1 Loxley Close, Ashgate.
- CHE/22/00782/TPO Consent is granted to the pruning of two tree reference T12 Maple and T13 Sycamore on the Order Map and which are situated at 7 Hedley Drive, Brimington.
- CHE/22/00687/TPO Consent is refused to the pruning of one Willow tree reference T18 on the Order Map and which is

situated in the garden of 17 Somersall Lane, Somersall.

However, consent is granted to an all-round crown reduction by 3-4 metres to leave a 10-metre-high tree pruning back to suitable replacement branches and leaving a well-balanced crown.

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

<p>CHE/22/00783/CA The felling of two dead Cherry trees in the grounds of 17 Somersall Lane, Somersall.</p>	<p>Agreement to the felling of two dead Cherry trees. The felling of the trees will have no adverse effect on the character and amenity of the area. The trees are within the Somersall Conservation Area.</p>
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(c) Hedgerow Removal Notice (Regulation 5(l))

**84 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.

**85 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.

**86 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.

**87 UNAUTHORISED DEVELOPMENT AT 2 PARK HALL AVENUE, CHESTERFIELD, DERBYSHIRE, S42 7LR**

The Development Management and Conservation Manager submitted a report to inform members to a breach of planning legislation for the erection of a large section of timber fencing and the enlargement of stone columns across the front garden boundary of 2 Park Hall Avenue, Walton, Chesterfield. Authorisation was being sought for enforcement action to facilitate the removal of the unauthorised fencing and new stonework.

**\*RESOLVED –**

That authority be granted for the issue of an enforcement notice requiring the removal of the unauthorised fence and stone piers with a compliance period of 28 days.