



Please ask for Charlotte Kearsey
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The Chair and Members of Planning
Committee

Councillors Brunt and Dickinson –
Site Visit 1

Councillors Ludlow and Parsons –
Site Visit 2

7 September 2018

Dear Councillor,

Please attend a meeting of the PLANNING COMMITTEE to be held on MONDAY, 17 SEPTEMBER 2018 at 3.00 pm in Committee Room 1, Town Hall, Rose Hill, Chesterfield S40 1LP, the agenda for which is set out below.

AGENDA

Part 1(Public Information)

PLEASE NOTE THAT THE MEETING WILL BE PRECEDED BY THE FOLLOWING SITE VISITS.

Planning Committee Members should assemble in Committee Room 1 at 13:15pm. Ward members wishing to be present should attend on site as indicated below:-

1. 13:30 19 Bentham Road, Brockwell
CHE/17/00867/FUL
2. 13:50 Erin Road, Poolsbrook
CHE/18/00229/FUL

Members are reminded that only those attending on site will be eligible to take part in the debate and make a decision on these items. Members intending to declare a Disclosable Pecuniary Interest, or any other matter which would prevent them taking part in discussions on an item, should not attend the site visit for it

Ward members are invited to attend on site and should confirm their attendance by contacting Charlotte Kearsey on tel. 01246 345236 or via e-mail: charlotte.kearsey@chesterfield.gov.uk by 9.00 a.m. on Monday 17 September, 2018. If you do not confirm your attendance, it will be assumed that you will not be attending on site.

Please ensure that all mobile phones are switched off during site visits and at the meeting at the Town Hall.

1. Apologies for Absence
2. Declarations of Members' and Officers' Interests Relating to Items on the Agenda
3. Minutes of Planning Committee (Pages 3 - 34)
4. Applications for Planning Permission - Plans Determined by the Committee (Pages 35 - 142)
5. Building Regulations (P880D) (Pages 143 - 152)
6. Applications for Planning Permission - Plans Determined by the Development Management and Conservation Manager (P140D) (Pages 153 - 170)
7. Applications to Fell or Prune Trees (P620D) (Pages 171 - 176)
8. Appeals Report (P000) (Pages 177 - 180)
9. Enforcement Report (P410) (Pages 181 - 186)

Yours sincerely,



Local Government and Regulatory Law Manager and Monitoring Officer

PLANNING COMMITTEE**Tuesday, 28th August, 2018**

Present:-

Councillor Brittain (Chair)

Councillors	P Barr	Councillors	T Gilby
	Bingham		Sarvent
	Brady		Simmons
	Catt		Wall
	Caulfield		

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

CHE/18/00411/FUL - Proposed artificial turf pitch and associated landscaping, boundary treatments, footpaths, fencing and lighting on the site of the former leisure centre within queens park (revised plans received on the 03/08/2018 and 07/08/2018) at Former Queens Park Sports Centre, Boythorpe Road, Boythorpe, Chesterfield, Derbyshire for Chesterfield Borough Council.

Councillors Bingham, Brady, Brittain, Dickinson (ward member), Gilby, Sarvent and Wall.

CHE/18/00225/FUL - Erection of 5 detached dwellings and demolition of redundant dutch barn (coal mining risk assessment rec'd 11/05/2018 and preliminary ecological appraisal rec'd 08/07/2018) at Chesterfield Cattery, Crow Lane, Chesterfield, Derbyshire S41 0EQ for D Thomas and K Hearn.

Councillors Barr, Bingham, Brady, Brittain, Catt, Caulfield, Gilby, Sarvent, Simmons and Wall.

CHE/18/00127/FUL - Proposed conversion and extension of existing garage to domestic living accommodation at 140 Church Street North, Old Whittington S41 9QP for Mr R Gascoyne.

Councillors Barr, Bingham, Brady, Brittain, Catt, Caulfield, Gilby, Innes (ward member), Sarvent, Simmons and Wall.

CHE/18/00307/FUL - Demolition of existing dwelling and erection of a replacement dwelling at Broomhill Farm, Broomhill Road, Old Whittington S41 9EA

Councillors Barr, Bingham, Brady, Brittain, Catt, Caulfield, Gilby, Innes (ward member), Sarvent, Simmons and Wall.

CHE/17/00496/FUL - Conversion of the travellers rest into 12 residential apartments including conversion of the attached retail unit linked to the original building, together with a new three storey rear extension and new roof over the existing building to incorporate additional rooms within the roof space – amended noise, odour and air quality assessment received 29.05.2018, amended plans received 29.05.2018 and 10.07.2018 at the Travellers Rest, 425 Sheffield Road, Whittington moor S41 8LT for Mr Shrimpton

Councillors Barr, Bingham, Brady, Brittain, Catt, Caulfield, Gilby, Sarvent, Simmons and Wall.

CHE/17/00722/OUT - Outline application to construct 10 dwellings and associated parking and access arrangements at land to the rear of 79 Sheffield Road, Stonegravels, Chesterfield

Councillors Barr, Bingham, Brady, Brittain, Catt, Caulfield, Gilby, Sarvent, Simmons and Wall.

*Matters dealt with under the Delegation Scheme

39 **APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Callan, Davenport, Elliot, Hill and Miles.

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

Councillors Barr, Catt, Caulfield and Simmons declared an interest in agenda item 4(2) (CHE/18/00411/FUL - Proposed artificial turf pitch and associated landscaping, boundary treatments, footpaths, fencing and lighting on the site of the former leisure centre within Queens Park (revised plans received on the 03/08/2018 and 07/08/2018) at Former

Queens Park Sports Centre, Boythorpe Road, Boythorpe, Chesterfield, Derbyshire for Chesterfield Borough Council as they were members of the scrutiny project group which had contributed to the development of the project business case.

41 MINUTES OF PLANNING COMMITTEE

RESOLVED -

That the Minutes of the meeting of the Planning Committee held on 6 August, 2018 be signed by the Chair as a true record.

42 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/18/00225/FUL - ERECTION OF 5 DETACHED DWELLINGS AND DEMOLITION OF REDUNDANT DUTCH BARN (COAL MINING RISK ASSESSMENT REC'D 11/05/2018 AND PRELIMINARY ECOLOGICAL APPRAISAL REC'D 08/07/2018) AT CHESTERFIELD CATTERY, CROW LANE, CHESTERFIELD, DERBYSHIRE S41 0EQ FOR D THOMAS AND K HEARN

In accordance with Minute No. 299 (2001/2002) Mr Kevin Hearn (applicant) and Ms Debbie Thomas (applicant) addressed the meeting.

That the officer recommendation be upheld and the application be refused subject to the following reasons:-

1. The site the subject of the application is on land allocated under policy EVR2 of the 2006 Local Plan (a saved designation of the Chesterfield Local Plan: Core Strategy 2011 – 2031) as open countryside. Policy CS10 of the Chesterfield Local Plan: Core Strategy 2011 – 2031 states that greenfield led housing development will not be accepted where the Local Planning Authority is able to demonstrate a 5 year housing land supply.

On the basis that the Local Planning Authority is currently able to demonstrate a 5 year housing land supply the development would be contrary to the provisions of policy CS10 and EVR2 and the wider provisions of the National Planning Policy Framework 2018.

2. The site is situated in a rural location and having regard to its specific characteristics, under the provisions of Policy CS1, the new dwellings would not be within walking distance of a centre (the nearest being Chesterfield Town Centre, approximately 1.5km away, with a significant proportion via unlit roads without pavements). On this basis the proposals fail to meet the provisions of Policy CS1 of the Chesterfield Local Plan: Core Strategy 2011 – 2031 and the wider provisions of the 2018 National Planning Policy Framework.

CHE/17/00496/FUL - CONVERSION OF THE TRAVELLERS REST INTO 12 RESIDENTIAL APARTMENTS INCLUDING CONVERSION OF THE ATTACHED RETAIL UNIT LINKED TO THE ORIGINAL BUILDING, TOGETHER WITH A NEW THREE STOREY REAR EXTENSION AND NEW ROOF OVER THE EXISTING BUILDING TO INCORPORATE ADDITIONAL ROOMS WITHIN THE ROOF SPACE – AMENDED NOISE, ODOUR AND AIR QUALITY ASSESSMENT RECEIVED 29.05.2018, AMENDED PLANS RECEIVED 29.05.2018 AND 10.07.2018 AT THE TRAVELLERS REST , 425 SHEFFIELD ROAD, WHITTINGTON MOOR S41 8LT FOR MR SHRIMPTON

In accordance with Minute No. 299 (2001/2002) Mr Andrew Green of Spire Environmental Consultants (on behalf of applicants) addressed the meeting.

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

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

2. All external dimensions and elevational treatments shall be as shown on the approved plans with the exception of any approved non material amendment.

3. Before construction works commence or ordering of external materials takes place, precise specifications or samples of the materials to be used shall be submitted to the Local Planning Authority for consideration. Only

those materials approved in writing by the Local Planning Authority shall be used as part of the development.

4. No development shall take place until full details of both hard and soft landscape works and boundary treatments have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

5. 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. 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.

7. Development shall take place in complete accordance with the amended noise, air quality and odour assessment dated 17th May 2018.

8. No development shall take place until site investigation works have been undertaken in order to establish the exact situation regarding coal mining legacy issues on the site. Details of the site investigation works shall be submitted to and approved in writing by The Local Planning Authority. The details shall include;

- The submission of a scheme of intrusive site investigations for approval;
- The undertaking of that scheme of intrusive site investigations;
- The submission of a report of findings arising from the intrusive site investigations;
- The submission of a scheme of remedial works for approval; and
- Implementation of those remedial works

9. Prior to commencement, a day time building assessment for bats and birds shall be submitted to the local authority for approval in writing. The assessment shall be undertaken by a suitably qualified ecologist (<http://www.cieem.net/members-directory/search>). The format and content of the ecology report should follow current guidelines - such as CIEEM Ecological Report Writing, British Standards BS:42020 and Bat

Conservation Guidelines (Collins, 2016). In addition the reports, where possible, should include mitigation and enhancement measures that may be required, to secure as a condition of any permission. Where appropriate this should include a detailed method statement for undertaking works that would avoid harm to protected species and appropriate mitigation and compensation. It should be noted if the building are found to have potential for bats, further surveys will be required.

10. Development shall not commence until a revised layout for the land to the rear of the site showing the optimum provision for car parking on site has been submitted to the local planning authority for consideration. The development shall only proceed on the basis of those details which receive the written approval of the local planning authority and the parking and manoeuvring area shall be available for its designated use prior to first occupation of the development and which shall be retained available for the designated use thereafter.

11. An Electric Vehicle Charging Point shall be installed as part of the build phase and which shall be retained available for use for the life of the development.

(B) That a CIL Liability Notice be served for £27,132 detailed in section 18.2 of the officer's report.

Councillors Barr, Catt, Caulfield and Simmons had declared an interest in the following item and left the meeting at this point.

CHE/18/00411/FUL - PROPOSED ARTIFICIAL TURF PITCH AND ASSOCIATED LANDSCAPING, BOUNDARY TREATMENTS, FOOTPATHS, FENCING AND LIGHTING ON THE SITE OF THE FORMER LEISURE CENTRE WITHIN QUEENS PARK (REVISED PLANS RECEIVED ON THE 03/08/2018 AND 07/08/2018) AT FORMER QUEENS PARK SPORTS CENTRE, BOYTHORPE ROAD, BOYTHORPE, CHESTERFIELD, DERBYSHIRE FOR CHESTERFIELD BOROUGH COUNCIL

In accordance with Minute No. 299 (2001/2002) Councillor Dickinson (assistant cabinet member) and Mr Ian Waller (on behalf of applicant) addressed the meeting.

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

Time limits etc

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. All external dimensions and elevational treatments shall be as shown on the approved plans (listed below) with the exception of any approved non material amendment.

- Topographical Survey
- Site Location Plan - 12321-DB3-S01-ZZ-DR-A-90001
- Existing Site Plan - 12321-DB3-S01-ZZ-DR-A-90002
- Existing Site Sections - 12321-DB3-S01-ZZ-DR-A-90003
- Existing Site Elevations - 12321-DB3-S01-ZZ-DR-A-90004
- Illustrative Sections and Elevations - 122564-PG-8003
- Illustrative Sections and Elevations - 122564-PG-8004
- Details Sheet 1 - 12321-DB3-S01-ZZ-DR-A-20102
- Details Sheet 2 - 12321-DB3-S01-ZZ-DR-A-20103
- Proposed Site Sections - 12321-DB3-S01-ZZ-DR-A-90105
- Proposed Site Elevations - 12321-DB3-S01-ZZ-DR-A-90106
- Proposed Elevations - 12321-DB3-S01-ZZ-DR-A-90107
- Proposed Site Plan - 12321-DB3-S01-ZZ-DR-A-90101 P3
- Proposed Pitch Setting Out – 12321-DB3-S01-ZZ-DR-A-2 0101 P2
- Landscape Proposals Plan – 122564-PG-8002 Rev B
- Lighting Plan – UKS16068-2 and Lighting Details
- Design and Access Statement
- Flood Risk and Drainage Strategy
- Geo-Environmental Desk Study
- Heritage Statement
- Extended Phase I Report
- Arboricultural Implications Assessment and Tree Survey Report
- Supplementary Statement to accompany Revisions (Aug 2018)

Drainage

3. No development shall take place until details of the proposed means of disposal of surface water drainage, including details of any balancing

works and off-site works, have been submitted to and approved by the local planning authority. Furthermore, unless otherwise approved in writing by the local planning authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works.

Site Investigations

4. Development shall not commence until intrusive site investigations have been carried out by the developer to establish the exact situation regarding coal mining legacy issues on the site and approval for commencement of development given in writing by the Local Planning Authority. The investigation and conclusions shall include any remedial works and mitigation measures required/proposed for the remediation/stability of the site. Only those details which receive the written approval of the Local Planning Authority shall be carried out on site.

Ecology/Trees

5. No removal of trees or shrubs shall take place between 1st March and 31st August inclusive, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and details of measures to protect the nesting bird interest on the site have first been submitted to and approved in writing by the Local Planning Authority and then implemented as approved.

6. Prior to commencement of development a further survey for recently excavated badger setts on the site or within 30 metres of the site boundary should be undertaken. Only once those survey findings have been submitted to and approved in writing by the Local Planning Authority shall ground works on the site be permitted to commence.

7. The lighting design proposed by Abacus Lighting Ltd (Ref: UKS16068-2 / 20.03.18) shall be implemented in full to ensure that lightspill to surrounding habitats is minimised and the functionality for nocturnal wildlife is maintained.

Heritage - Boundary Treatments and Planting

8. Prior to commencement of development, further details of the proposed boundary wall, gates, gate piers, railings and fencing (including

materials, finishes, profiles and any renovation works to existing connecting features) shall be submitted to the Local Planning Authority for further consideration. Only those details which are agreed in writing by the Local Planning Authority shall be implemented on site and maintained thereafter as per the agreed scheme.

9. Upon commencement of development and prior to the facility being brought into first use, further details of the proposed soft landscaping shall be submitted to the Local Planning Authority for further consideration. Only those details which are agreed in writing by the Local Planning Authority shall be implemented on site and maintained thereafter as per the agreed scheme in accordance with an accompanying implementation programme.

10. The premises, the subject of this application, shall not be brought into use until space has been provided within the site curtilage for the cycle storage as per the application drawings. Thereafter the facility shall be maintained available for use throughout the life the development.

Lighting/Amenity

11. The floodlighting hereby agreed shall not be used between the hours of 22:00 and 07:00 on any day.

12. Prior to their installation a revised lighting scheme which takes account of the revised site layout (submitted 03/08/2018 and 07/08/2018) shall be submitted to the Local Planning Authority for consideration. All the lighting columns shall be shrouded to prevent glare to adjoining properties and/or the highway. Only those details which are subsequently agreed in writing shall be implemented on site and retained thereafter as approved.

13. If within a period of 12 months from the lighting installation being implemented, any complaints are received about glare/overspill, the lights causing the effect shall be immediately turned off. Before the installation is allowed to be switched back on a lighting survey shall be undertaken to assess the full impact of the installation and remedial measures shall be submitted to the Local Planning Authority for consideration and written approval. Thereafter those remedial measures shall be implemented with immediate effect and retained thereafter as approved.

14. Prior to its installation the final design of the facilities enclosure fencing shall be submitted to the Local Planning Authority for consideration and approval in writing. The details shall include measures to mitigate any adverse noise/nuisance impacts from balls striking the fencing. Only those details which receive approval in writing shall be implemented on site and maintained thereafter throughout the life of the development.

Highways

15. Prior to the commencement of the development full structural details for the proposed boundary/retaining walls positioned on land adjacent to the public highway shall be submitted to and approved in writing by the Local Planning Authority, the structure being constructed in accordance with the approved scheme prior to the retained areas being brought into use

16. No development shall take place 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. 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
- arrangements for turning vehicles

17. For a period of 12 months following the development being first brought into use, the functionality of the 4.5m high fencing enclosure shall be monitored to ensure it serves as an effective barrier to prevent balls straying onto the adjacent public highway. If any such incidents are reported where balls have strayed onto the public highway to the detriment of public safety, a mitigation strategy to retain balls within the playing arena shall be submitted to Local Planning Authority for consideration. Only those details which receive written approval shall be implemented on site in accordance with a timeframe agreed under the terms of this condition and which shall be retained thereafter.

Landscaping

18. Prior to commencement of development the Arboricultural Implications Assessment shall be reviewed and updated to reflect the revisions to the site layout plan hereby agreed (submitted on 03/08/2018 and 07/08/2018). The tree protection measures and tree protection plan shall be updated and submitted to the Local Planning Authority for consideration and written approval. Only those details which receive written approval shall be implemented on site (in accordance with condition 18 below) and shall be maintained thereafter throughout the construction phase.

19. Prior to completion 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 of the development. Details shall include:

- 1) a scaled plan showing all existing vegetation and landscape features to be retained and trees and plants to be planted;
- 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
- 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

20. Before any development or construction work begins, a pre-commencement meeting shall be held on site and attended by the developers appointed arboricultural consultant, the site manager/foreman and a representative from the Local Planning Authority (LPA) to discuss details of the working procedures and agree either the precise position of

the approved tree protection measures to be installed OR that all tree protection measures have been installed in accordance with the approved tree protection plan. The development shall thereafter be carried out in accordance with the approved details or any variation as may subsequently be agreed in writing by the Local Planning Authority.

Councillors Barr, Catt, Caulfield and Simmons returned to the meeting.

CHE/18/00307/FUL - DEMOLITION OF EXISTING DWELLING AND ERECTION OF A REPLACEMENT DWELLING AT BROOMHILL FARM, BROOMHILL ROAD, OLD WHITTINGTON S41 9EA

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

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

2. All external dimensions and elevational treatments shall be as shown on the approved plans:

- Proposed Floor plans (Drawing 2)
- Proposed Elevations (Drawing 1)
- Existing Elevations (Drawing 1)
- Existing Floorplan (Drawing 2)
- Site Location Plan
- Block Plan
- Email regarding materials sent on 05/06/18

3. Development shall not commence until intrusive site investigations have been carried out by the developer to establish the exact situation regarding coal mining legacy issues on the site and approval for commencement of development given in writing by the Local Planning Authority. The investigation and conclusions shall include any remedial works and mitigation measures required/proposed for the stability of the site. Only those details which receive the written approval of the Local Planning Authority shall be carried out on site.

4. An Electric Vehicle Charging Point shall be installed as part of the build phase and which shall be retained available for use for the life of the development.

5. No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved in writing by The Local Planning Authority. This shall include percolation tests if soakaways are proposed.

(B) That a CIL Liability Notice be served for £5,888 detailed in section 5.7 of the officer's report.

CHE/18/00127/FUL - PROPOSED CONVERSION AND EXTENSION OF EXISTING GARAGE TO DOMESTIC LIVING ACCOMMODATION AT 140 CHURCH STREET NORTH, OLD WHITTINGTON S41 9QP FOR MR R GASCOYNE

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. All external dimensions and elevational treatments shall be as shown on the approved plans 'Planning Drawing' Drawing No 17:071-01A (dated 28.03.2018), with the exception on any approved non material amendment
3. The premises, the subject of the application, shall not be occupied until space has been provided within the application site in accordance with the approved application drawings for the parking/loading and unloading/manoeuvring of residents/visitors/service and delivery vehicles, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.
4. 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 and associated turning circle hereby permitted shall be retained as such and shall not be used for any purpose other than the parking of private motor vehicles associated with the residential occupation of the property without the grant of further specific planning permission from the Local Planning Authority.

5. An Electric Vehicle Charging Point shall be installed as part of the build phase and which shall be retained available for use for the life of the development.

6. A. Development shall not commence 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 site 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 contamination. Ground gas, ground water and chemical analysis, identified as being appropriate 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.

7. No development approved by this permission shall be commenced until a scheme for the provision and implementation of surface water run-

off limitation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall incorporate sustainable drainage principles and shall be implemented in accordance with the approved programme and details

(B) That a CIL Liability Notice be served for £8,145 detailed in section 5.11 of the officer's report.

CHE/17/00722/OUT - OUTLINE APPLICATION TO CONSTRUCT 10 DWELLINGS AND ASSOCIATED PARKING AND ACCESS ARRANGEMENTS AT LAND TO THE REAR OF 79 SHEFFIELD ROAD, STONEGRAVELS, CHESTERFIELD

Councillors Brady and Gilby left the meeting at this point and did not return.

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

1. Approval of the details of the external appearance and landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
2. Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
3. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
4. Details of the existing and proposed land levels and the proposed floor levels of the dwellings hereby approved shall be submitted in writing concurrently with any application for the reserved matters being 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 dwellings shall be constructed at the levels approved under this condition unless otherwise agreed, in writing, by the Local Planning Authority.

5. Concurrent with the submission of a reserved matters application, precise specifications or samples of the walling and roofing materials to be used shall be submitted to the Local Planning Authority for consideration. Only those materials approved in writing by the Local Planning Authority shall be used as part of the development unless otherwise agreed by the Local Planning Authority in writing.

6. Unless otherwise approved in writing by the Local Planning Authority demolition, remediation or construction work to implement the permission hereby granted shall only be carried out on site between 8:00am and 6:00pm Monday to Friday, 9:00am to 1:00pm 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.

7. No development shall take place until details of the proposed means of disposal of surface water drainage, including details of any balancing works and off -site works, have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include:

i) evidence that other means of surface water drainage have been properly considered and why they have been discounted; and

ii) the means by which the discharge rate shall be restricted to a maximum rate of 3 (three) litres per second.

Furthermore, unless otherwise approved in writing by the Local Planning Authority, there shall be no piped discharge of surface water from the development prior to the completion of the approved surface water drainage works .

8. Electric Vehicle Charging Points shall be installed as part of the build phase and which shall be retained available for use for the life of the development.

9. The reserved matters submission shall include a woodland management scheme (LEMP) for the retained woodlands as shown on drawing PA2 03 Rev H and drawing SRC2 06 by Weddle Landscapes dated May 2018. The scheme shall demonstrate the following:

- a) A long term woodland management plan for the wooded area providing management priorities along with short and long term management proposals
- b) to show the works required immediately to facilitate the development along with a plan of the areas affected
- c) the proposed restocking of the area with native species to enhance the biodiversity of the wooded area.
- d) Description and evaluation of features to be managed.
- e) Ecological trends and constraints on site that might influence management.
- f) Aims and objectives of management.
- g) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- h) Details of the body or organization responsible for implementation of the plan.
- i) Ongoing monitoring and remedial measures, including monitoring visits and targets.
- j) Locations of bat boxes, bird boxes and habitat piles (include 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 plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the scheme agreed in writing by the local planning authority.

10. The retained trees within the woodland area shown within the blue hatched line on drawing SRC2 06 by Weddle Landscapes dated May 2018 shall be retained and protected in line with a tree protection plan which has previously been agreed in writing by the local planning authority. The tree protection measures shall be retained in place throughout the land clearance and development phases unless otherwise agreed in writing by the local planning authority.

11. Further details of the proposed accesses through the boundary wall to the block of flats off Sheffield Road shall be submitted. Where the access affects the retained trees further details should be provided showing any change in levels, trees to be removed and cross sectional drawing to demonstrate how this can be achieved. Only those details agreed in writing shall be implemented.

12. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units; signs, lighting etc); proposed and existing functional services above and below ground (e.g. drainage power, communication cables, pipelines etc, indicating lines, manholes, supports etc); retain historic landscape features and proposals for restoration where relevant.

13. Along with the details already provided in drawing SRC2 05 Landscape masterplan further details of the proposed footpath (woodland walk) through the wooded area shall be submitted and which shall include the width of the path including any addition working/construction area, the construction materials and final surface finish and any proposed changes in levels (cross sectional drawings will be required).

14. Before any other operations are commenced, the existing access to Sheffield Road shall be modified in accordance with details to be submitted and approved, in writing, by the Local Planning Authority in consultation with the Highway Authority demonstrating a kerbed radii junction, laid out, constructed and provided with visibility splays of 2.4m x 47m in both directions, the area in advance of the sightlines being maintained clear of any object greater than 1m in height (0.6m in the case

of vegetation) relative to the adjoining nearside carriageway channel level.

15. The premises, the subject of the application, shall not be occupied until space has been provided within the site curtilage for the parking and manoeuvring of vehicles, located, designed, laid out and constructed all as agreed in writing with the Local Planning Authority and maintained throughout the life of the development free from any impediment to its designated use.

16. Before any other operations are commenced (excluding demolition/site clearance), space shall be provided within the site curtilage for storage of plant and materials, site accommodation, loading and unloading of goods vehicles, parking and manoeuvring of site operatives and visitors vehicles, laid out and constructed in accordance with detailed designs to be submitted in advance to the Local Planning Authority for written approval and maintained throughout the contract period in accordance with the approved designs free from any impediment to its designated use.

17. There shall be no gates or other barriers on the access.

18. The proposed access to Sheffield Road shall be no steeper than 1:14 for the first 5m from the nearside highway boundary and 1:10 thereafter.

19. Development shall not commence until intrusive site investigations have been carried out by the developer to establish the exact situation regarding coal mining legacy issues on the site and approval for commencement of development given in writing by the Local Planning Authority. The investigation and conclusions shall include any remedial works and mitigation measures required/proposed for the stability of the site. Only those details which receive the written approval of the Local Planning Authority shall be carried out on site.

20. A. Development shall not commence 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 site 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.

21. No site clearance or ground works should take place until a period of monitoring has been undertaken to determine if the 2 x hole badger sett located on site is active. This should be undertaken by an experienced ecologist. If the sett is considered active, a licence must be obtained from Natural England to close the holes. If the sett is considered disused, the holes should be dug out under the supervision of an ecologist

22. Trees with low bat roost potential should be felled by an Arboriculturalist experienced in working on trees with bat roost potential. The Arboriculturalist should be alerted to the possibility of bats being present and the need for vigilance during pruning/felling activities, possibly with precautionary measures such as careful cutting and lowering of limbs.

23. No development shall commence until a detailed lighting strategy has been submitted to and approved in writing by the LPA to safeguard bats. This should clearly show lux levels of lightspill around the proposed buildings and provide details of the type of lighting and any mitigating features such as shields, hoods, timers etc. Guidelines can be found in Bats and Lighting in the UK (BCT, 2009). Such approved measures will be implemented in full.

(B) That a S106 legal agreement be negotiated to secure:

- An opportunity to explore and secure offsite compensation using biodiversity metrics, providing a quantifiable way of assessing the biodiversity impact.

(A) CHE/17/00569/FUL PROPOSED EARTHWORKS ON DEVELOPMENT LAND (FURTHER INFORMATION REGARDING LANDSCAPING, DRAINAGE AND BIODIVERSITY RECEIVED 11.07.2018)

(B) CHE/17/00645/FUL PROPOSED BODYSHOP, WASH AND VALET BUILDINGS (FURTHER INFORMATION REGARDING LANDSCAPING, DRAINAGE, LIGHTING AND BIODIVERSITY RECEIVED 11.07.2018)

(C) CHE/17/00647/FUL PROPOSED VEHICLE SALES AND SERVICE CENTRES FOR THE SALE, SERVICE AND M.O.T. OF MOTOR VEHICLES (REVISED DRAWING RECEIVED 14.05.2018, AMENDED PLANS FOR SALES BUILDING RECEIVED 11.07.2018 AND 24.07.2018, FURTHER INFORMATION REGARDING LANDSCAPING, DRAINAGE AND BIODIVERSITY RECEIVED 11.07.2018 AND 25.07.2018)

AT LAND OFF EASTSIDE PARK, EASTSIDE ROAD, CHESTERFIELD S41 9BU FOR PENDRAGON PLC

That the officer recommendation be upheld and the corrections to the condition numbers, as detailed in the officer's report, be accepted by Members and the revisions be incorporated into the decisions issued subject to the satisfactory completion of the S106 agreement.

*The Chief Building Control Officer reported that pursuant to the authority delegated to him he had determined the under-mentioned plans under the Building Regulations:-

Approvals

18/03563/DEXBN	Kitchen extension to include downstairs toilet at 107 Hucknall Avenue Loundsley Green Chesterfield S40 4BZ
18/03708/DEXBN	Removal of internal wall at 48 St Thomas Street Chesterfield S40 3AH
18/03724/DEXBN	Single storey conservatory to the rear at 131A Station Road Brimington Chesterfield S43 1LJ
18/03746/DEXBN	Conversion of existing garage, store room and WC to bedroom and wet room for disabled persons use at 1 Peak View Road Loundsley Green Chesterfield S40 4NW
18/03749/DEXBN	Upgrade of thermal element (reroof) at Grove Hill 136 St Johns Road Newbold Chesterfield S41 8TW
18/03781/DEXBN	Removing internal wall and chimney stack at 6 New Queen Street Chesterfield S41 7EU
18/03709/DEXFP	Two storey side extension at 35 Purbeck Avenue Brockwell Chesterfield S40 4NP
18/03699/DEXRG	Removal of internal wall and creation of side window opening at 596A Chatsworth Road Chesterfield S40 3JX
18/03784/DEXRG	Replacement windows and doors at 633 Chatsworth Road Chesterfield S40 3NT
18/03594/IND	Two storey and single storey rear extension at 36 Springfield Avenue Chesterfield Derbyshire S40 1DJ
18/03602/IND	Side single storey extension at 7 Spital Brook

Close Spital Chesterfield S41 0GD

- 18/03635/IND Removal of internal walls, chimney and new beams at 22 Norwood Avenue Hasland Chesterfield S41 0NW
- 18/03649/IND Conversion of an existing conservatory into a habitable space, with a small extension forming a utility room, single storey at 59 Yew Tree Drive Somersall Chesterfield S40 3NB
- 18/03693/IND Industrial building at land adjacent to IMI SSF Ltd Broombank Road Sheepbridge Industrial Estate Chesterfield Derbyshire
- 18/03688/IND Ground floor extension and conversion of outhouse to utility room at 42 Blandford Drive Newbold Chesterfield S41 8QT
- 18/03704/IND Conservatory roof replacement with Supa-Lite roof system at 31 Springfield Avenue Chesterfield S40 1HL
- 18/03717/IND Single storey rear extension at 147 Langer Lane Birdholme Chesterfield S40 2JP
- 18/03718/IND Rear detached garage block (single storey) at 135 High Street Old Whittington Chesterfield S41 9LQ
- 18/03750/IND Single storey rear extension at 3 Pine Street Hollingwood Chesterfield S43 2LG
- 18/03795/IND Proposed mezzanine to rear of property at 178 Handley Road New Whittington Chesterfield S43 2ER
- 18/03803/IND Two storey side extension and single storey rear extension at 8 Newbold Drive Newbold Chesterfield S41 7AP

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/18/00306/RET	Change of use from accountants to beauty salon including bar for use by guests/clients and bona fide guests of customers. Sequential assessment received 17.07.2018 at 42 Sheffield Road Stonegravels Chesterfield Derbyshire S41 7LL for Faceit Aesthetics
CHE/18/00332/FUL	Rear/side ground floor extension to form rear open plan living space (Revised Drawing received 08.07.18) at 14 Manor Road Brampton S40 1HX for Mr James Slater
CHE/18/00338/MA	Material amendment to CHE/17/00830/FUL and CHE/18/00080/REM1 - various external changes including, installation of external lighting, reduction in chimney height, raise eaves on proposed extension, barrier along car park at Crispin Inn Ashgate Road Chesterfield S40 4AW for Co-op Group
CHE/18/00354/FUL	Single storey rear extension at 21 Westmoor Road Brimington S43 1PT for Mr Robert Walker
CHE/18/00365/FUL	Single storey outbuilding to replace existing garage at 71 Manor Road Brimington S43 1NN for Mr and Mrs Ward
CHE/18/00379/FUL	Erection of a pallet storage structure - additional information received at Inspirepac Markham Vale Markham Lane Chesterfield S44 5HS for Inspirepac Markham Vale
CHE/18/00388/FUL	Two storey side extension to replace existing single storey garage, single storey rear

- extension and external wall insulation and render to elevations and re-roofing at 62 Vincent Crescent Chesterfield S40 3NP for Mr and Mrs Walsh
- CHE/18/00390/ADV Two building mounted fascia signs and one ground level totem style at Plot 13A Markham Lane Duckmanton Derbyshire for Sterigenics UK Limited
- CHE/18/00395/ADV 1 hanging swing sign - black wrought iron swing brackets with a 700 x 580 x 20mm double sided swing panel, vinyl window decals and lettering on arch at front at 86 Saltergate Chesterfield S40 1LG for Mr Stephen Jenkins
- CHE/18/00399/NMA Non material amendment to CHE/17/00613/FUL (rear extension and removal of existing garage) to fit small obscurely glazed window to side left elevation at 1 Poplar Avenue Somersall Derbyshire S40 3JT for Mrs S Gretton
- CHE/18/00401/FUL Replacement of an existing effluent tank with a silo at Tannery and Premises at Clayton Street Spital Chesterfield Derbyshire S41 0DU for Joseph Clayton & Sons (Chesterfield) Ltd
- CHE/18/00406/FUL Orangery style extension to rear of house at Hady House 75 Hady Hill Hady S41 0EE for Mr Fletcher
- CHE/18/00407/LB Orangery style extension to rear of house at Hady House 75 Hady Hill Hady S41 0EE for Mr Fletcher
- CHE/18/00412/FUL Two storey front extension at 1 Rodsley Close Holme Hall Chesterfield Derbyshire for Mr Timothy Booker
- CHE/18/00416/FU Single storey rear extension at 26 Oakley Avenue Brockwell Chesterfield Derbyshire for Mr Rocco Guerriero

- CHE/18/00440/TPO Fell T1 (ash) and T2 (ash) due to extensive damage to driveway at Lansdowne 18 Lancaster Road Newbold Derbyshire S41 for Mrs Maureen Ashton
- CHE/18/00459/TPO Fell one prunus tree at 39 Vincent Crescent Chesterfield Derbyshire S40 3NW for Mr David Jefferies
- CHE/18/00460/TPO To trim overhanging branches of a Turkey Oak (T23) and sycamore (T24). Fell elm tree that is strangled by Ivy at Brambling House Hady Hill Hady Derbyshire S41 0EF for Mr Peter Stokes
- CHE/18/00488/NMA Plots 80 and 81 updated to semi-detached. Brick type 1 updated from Terca Oakwood to Terca Blended Red for application CHE/17/00351/REM for the erection of 99 dwellings and associated public open space, landscaping and surface water balancing (Phase at land to the west of Dunston Lane Newbold Derbyshire for William Davis Ltd
- CHE/18/00490/LBC Internal alterations to the property comprise the part removal of the existing separating wall between the kitchen and lounge area at ground floor level to provide open plan living accommodation and importantly improve means of escape from first floor level. Create natural stone patio in front garden area to the property at 12 Church Street North Old Whittington Derbyshire for Mr Gary Fletcher
- CHE/18/00521/TPO Ash Tree - Crown lift to 5.2m: clean crown; remove ivy at 1 Meadow View Worksop Road Mastin Moor Derbyshire S43 3DN for Miss Rita Packwood
- CHE/18/00524/TPO Tree is to be felled due to damage to the main stem at land to rear of 264 - 272 Hady Hill Hady Derbyshire for Trueman Tree Services

(b) Refusal

CHE/18/00433/DOC Discharge of conditions 6 (Construction Method Statement), 7(Scheme of Investigation) and 15 (Employment and Training Scheme) of CHE/18/00136/FUL - New multi-storey car park providing 530 no. spaces over five storeys at former Saltergate Multi Storey Car Park Saltergate Chesterfield Derbyshire for Chesterfield Borough Council

(c) Discharge of Planning Condition

CHE/18/00353/DOC Discharge of conditions 3 (traffic calming), 5 (closing vehicular and pedestrian access), 8 (storage of plant and machinery), 12 (site investigations),13 (hard and soft landscaping), 14 (foul and surface water drainage), 15 (materials) and 16 (fencing and walling) of CHE/17/00437/FUL - Erection of 3 bungalows on land at the green, in place of the existing Methodist church which has been granted demolition at Q House The Green Hasland S41 0LJ for Mr Richard Palfreyman

CHE/18/00396/DOC Discharge of condition numbers, 4 (drainage), 5 (coal mining investigation), 6 (archaeological survey), 7 (grass snake mitigation), 11 (wheel cleaning facilities),12 (details of estate roads), 15 (access drives),16 (discharge of water from highway), 17 (surface water drainage), 18 (Travel Plan) and 22 (employment and Training Scheme) of CHE/14/00872/OUT - Outline residential development on 3.66 hectares of land for up to 75 dwellings including means of access at land at Cranleigh Road Woodthorpe Derbyshire for Avant Homes (England) Limited

CHE/18/00418/DOC Discharge of Condition Nos. 8 (Construction Management Plan),13 (Drainage) and 16 (Materials) - Planning Application No.

- CHE/17/00893/FUL at RSPCA 137 Spital Lane Spital Chesterfield Derbyshire S41 0HL for RSPCA Chesterfield and North Derbyshire
- CHE/18/00420/DOC Discharge of planning condition 8 (sprinkler tank and pump house) of CHE/17/00182/REM at Plot 13A Markham Lane Duckmanton Derbyshire for Sterigenics UK Limited
- CHE/18/00425/DOC Discharge of condition 9 (Service Management Plan) of CHE/17/00830/FUL and CHE/18/00080/REM1 - Change of use from Public House (Class A4) to retail use (Class A1), alterations to site including demolition of extension, construction of new extension, alterations to entrance and shopfront, service yard and new plant area and associated parking spaces at land at former Crispin Inn 240 Ashgate Road Chesterfield S40 4AW for Croft Transport Planning and Design
- CHE/18/00426/DOC Discharge of conditions 8 and 9 (Biodiversity Enhancement Strategy), Condition 10 (Arboricultural Method Statement, Arboricultural Survey Plan 01, Tree Protection Plan 01 - RJ) and Condition 13 (materials) of CHE/18/00136/FUL - New multi-storey car park providing 530 no. spaces over five storeys, including 2 no. late pay spaces, 32 no. disabled parking spaces, 15 no. parent and child spaces, 6 no. active electric vehicle charging spaces and 10 no. passive (for future activation) electric vehicle charging spaces, with staff office and welfare facilities on the ground floor, and associated landscaping and public realm works to the immediate surroundings at former Saltergate Multi Storey Car Park Saltergate Chesterfield Derbyshire for Chesterfield Borough Council
- CHE/18/00447/DOC Discharge of planning conditions 3 (surface water), 8 (lighting strategy), 9 (ecological

strategy), 11 (vehicular and pedestrian access), 12 (construction management plan), 16 (cycle parking facilities), 18 (bin storage), 19 (prevention of water on to highway), 23 (materials), 26 (hard landscaping) and 27 (Employment and Training scheme) of CHE/17/00209/FUL - Demolition of existing buildings and structures apart from the retention of the former Sunday School building, erection of foodstore and creation of new/alterations to existing accesses, with associated parking, servicing and landscaping at Perrys Ford Garage Chatsworth Road Chesterfield Derbyshire S40 2BJ for Lidl UK GmbH

CHE/18/00456/DOC Discharge of conditions 3 (drainage), 4 (surface water) and 5 (surface water drainage) of CHE/18/00136/FUL - New multi-storey car park providing 530 at former Saltergate Multi Storey Car Park Saltergate Chesterfield Derbyshire for Chesterfield Borough Council

(d) Prior notification approval not required

CHE/18/00363/DEM Demolition of existing unit in order to build 6 new units as per planning application CHE/17/00721/FUL at 1 Burley Close Chesterfield Derbyshire S40 2UB for Mr Roger Whittaker

(e) CLOPUD Granted

CHE/18/00398/CLOPUD Single storey side extension, single storey rear extension, dormer to rear and velux to front elevation at 26 Orchard View Road Loundsley Green Chesterfield Derbyshire S40 4BU for Mr James Boot

CHE/18/00402/CLOPUD Lawful development certificate for rear single storey extension to existing dwelling at 29 Errington Road Chesterfield Derbyshire S40 3ER for Mr Andrew Peppitt

CHE/18/00404/CLOPUD Certificate of proposed development for construction of new single storey rear extension and demolition of existing garage at 21 Manor Avenue Brimington S43 1NQ for Mr Matthew Cluer

45 **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 the felling and pruning of trees:-

CHE/18/00460/TPO Consent is granted to the pruning of 2 trees reference T23 Oak and T24 Sycamore on the Order map for Mr Stokes of 100 Hady Crescent, Hady.

CHE/18/00524/TPOEXP Consent is granted to the felling of one Oak tree reference T2 on the Order map for Trueman Tree Services Ltd on behalf of The Royal Hospital NHS Trust, Calow, with a duty to plant a new Oak in the first available planting season 2018-2019.

CHE/18/00521/TPO Consent is granted to the pruning of one Ash tree reference T4 on the Order map for Underwood Tree Surgeons on behalf of Miss Packwood of 1 Meadow View, Worksop Road, Mastin Moor.

CHE/18/00453/TPO Consent is refused to the felling of one Sycamore tree reference T29 on the Order map for Mr James Allsop of 44 Netherleigh Road.

46 **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.

47 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.

48 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 involved the likely disclosure of exempt information as defined in Paragraph 6 of Part 1 of Schedule 12A of the Act.

49 UNAUTHORISED ENGINEERING OPERATION AT 10 POTTERY LANE WEST

The Development Management and Conservation Manager submitted a report to provide an update on progress in relation to compliance with an Enforcement Notice concerning the unauthorised excavation of earth from the rear garden area of the residential dwelling at 10 Pottery Lane West, Chesterfield and to consider the need for any further action.

***RESOLVED –**

1. That the reinstatement of the land to former levels on the section of garden closest to the dwelling be accepted as the Enforcement Notice being complied with.
2. That on the basis of the works undertaken to date on the rear section of the garden area further enforcement requiring the reinstatement of the land to former levels not be pursued.

Agenda Item 4

COMMITTEE/SUB	Planning Committee
DATE OF MEETING	17 TH SEPTEMBER 2018
TITLE	DETERMINATION OF PLANNING APPLICATIONS
PUBLICITY	*For Publication
CONTENTS SUMMARY	See attached index
RECOMMENDATIONS	See attached reports
LIST OF BACKGROUND PAPERS	For each of the attached reports, the background papers consist of the file specified in the top right hand corner on the front page of the report. Those background papers on the file which do not disclose exempt or confidential information are open to public inspection at the office of the Development Management and Conservation Manager – Planning Services. Additional background papers (if any) will be separately listed in the report.

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**INDEX TO DEVELOPMENT MANAGEMENT AND CONSERVATION
MANAGER'S REPORT ON THE 17TH SEPTEMBER, 2018**

- ITEM 1 - CHE/18/00229/FUL - Residential development of 175 no. 2, 3 and 4 bed dwellings and ancillary works at Land South Of Erin Road Junction ,The Grove, Poolsbrook for Gleeson Regeneration Ltd**
- ITEM 2 - CHE/17/00867/FUL - Erection of a 3 bedroom dormer bungalow with garage at land adj 19 Bentham Road Chesterfield for Miss Michelle Hardy.**

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Case Officer: Sarah Kay
 Tel. No: (01246) 345786
 Ctte Date: 17th September 2018

File No: CHE/18/00229/FUL
 Plot No: 2/2849

ITEM 1

PROPOSED RESIDENTIAL DEVELOPMENT OF 175 NO. 2, 3 AND 4 BED DWELLINGS AND ANCILLARY WORKS - REVISED PLANS RECEIVED 27/07/2018, 09/08/2018, 22/08/2018 AND 04/09/2018 ON LAND SOUTH OF ERIN ROAD JUNCTION, THE GROVE, POOLSBROOK, DERBYSHIRE FOR GLEESON REGENERATION LTD

Local Plan: Sports Pitches & Playing Fields
 Ward: Middlecroft and Poolsbrook

1.0 **CONSULTATIONS**

Local Highways Authority	Comments received 08/06/2018 – see report
Design Services	Comments received 09/05/2018 and 14/08/2018 – see report
Environmental Services	Comments received 13/08/2018 – see report
Housing Services	Comments received 12/07/2018 and 03/09/2018 – see report
Leisure Services	Comments received 24/07/2018 – see report
Urban Design Officer	Comments received 27/06/2018 – see report
Tree Officer	Comments received 25/06/2018 – see report
Economic Development	Comments received 16/05/2018 – see report
DCC Strategic Planning	Comments received 14/05/2018 and 16/08/2018 – see report
CBC Strategic Planning	Comments received 20/08/2018 – see report
Highways England	Comments received 09/05/2018 and 02/08/2018 – no objections
Derbyshire Wildlife Trust	Comments received 23/05/2018 and 13/08/2018 – see report
Coal Authority	Comments received 15/05/2018

	and 15/08/2018 – see report
DCC Archaeology	Comments received 08/05/2018 – no archaeological work is required
Lead Local Flood Authority	Comments received 04/06/2018, 15/06/2018, 26/07/2018 and 16/08/2018 – see report
Yorkshire Water Services	Comments received 10/05/2018 and 25/06/2018 – see report
North East Derbyshire CCG	Comments received 26/04/2018 and 10/08/2018 – see report
Derbyshire Fire and Rescue	Comments received 01/05/2018 – see report
Environment Agency	Comments received 24/04/2018 – no objections/ standing advice
Derbyshire Constabulary	Comments received 08/05/2018 and 02/08/2018 – see report
C/Field Cycle Campaign	No comments received
Staveley Town Council	Comments received 17/05/2018 – see report
Ward Members	No comments received
Site Notice / Neighbours	Two letters of representation received

2.0 **THE SITE**

- 2.1 The site is an area of green fields located on the SE side Poolsbrook village which measures approximately 5.90ha in area.
- 2.2 To NE the site is bounded by Erin Road (A6192) which bypasses the village and provides a link between Staveley and Duckmanton. To the north is The Grove which is the main access road into the village from Erin Road. The western boundary is marked by a mature hedgerow and Staveley Road beyond, which forms the current edge of the village at this point. The southern boundary is a dense wooded belt separating the site from the nearby Erin Void Landfill site.
- 2.3 Within the site are pockets of woodland which although relatively immature, form areas of natural habitat and are a notable feature

of the site. A ditch crosses east to west and separates the top third of the site from the remaining land to the south.



3.0 **RELEVANT SITE HISTORY**

- 3.1 CHE/0303/0219 – Erection of community heating equipment at land off The Grove. Approved 22/5/2003.
- 3.2 CHE/1002/0634 – Community heating building at land off Staveley Road / Cottage Close. Approved 14/1/2003.
- 3.3 CHE/1101/0630 - Erection of a conservatory at Rest-A-While, Staveley Road. Approved 3/1/2002.
- 3.4 CHE/0192/0037 - Car park & associated landscaping at land at Erin Road. Approved 8/4/1992.
- 3.5 CHE/0190/0038 - Construction of recreation ground football at land at Erin Road. Approved 14/3/1990.

4.0 **THE PROPOSAL**

- 4.1 This is an application, submitted in full, for the proposed erection of 175 no. dwellings on the land identified in section 2.0 above.
- 4.2 The application proposes 175 no. dwellings comprising:
- 2-beds no. 59 units,
 - 3-beds no. 107 units
 - 4-beds no. 9 units
- 4.3 A new vehicle access is shown to be formed to serve 40 no. of the dwellings from The Grove; with two further access points to be formed on the west boundary serving the southern element of the site from Staveley Road. 12 no. individual driveways are also shown to take direct access from Staveley Road as part of the proposed site layout. The proposals include a broad area of open space running broadly east - west through the centre of the site which is subdivided by the existing drainage channel. The drainage channel is to be re-engineered to allow for the development proposals to take place and will incorporate flood storage capacity both above and below ground along the alignment of the channel.
- 4.4 The application submission is supported by the following plans / documents. Items ~~struck through~~ have been superseded as a result of revisions being received.

Original Plans – 10/04/2018

2879-0-000 A	SITE LOCATION PLAN
S8708	TOPOGRAPHICAL SITE SURVEY
2879-0-001-K	SITE LAYOUT PLAN
201/1F - HOUSE TYPE 201	ELEVATIONS / FLOOR PLANS
202/1F - HOUSE TYPE 202	ELEVATIONS / FLOOR PLANS
212/1 - HOUSE TYPE 212	ELEVATIONS / FLOOR PLANS
301/1G - HOUSE TYPE 301	ELEVATIONS / FLOOR PLANS
303/1E - HOUSE TYPE 303	ELEVATIONS / FLOOR PLANS
304/1E - HOUSE TYPE 304	ELEVATIONS / FLOOR PLANS
307/1B - HOUSE TYPE 307	ELEVATIONS / FLOOR PLANS
309/1E - HOUSE TYPE 309	ELEVATIONS / FLOOR PLANS
310/1D - HOUSE TYPE 310	ELEVATIONS / FLOOR PLANS
311/1A - HOUSE TYPE 311	ELEVATIONS / FLOOR PLANS
313/1 - HOUSE TYPE 313	ELEVATIONS / FLOOR PLANS
314/1 - HOUSE TYPE 314	ELEVATIONS / FLOOR PLANS
401/1G - HOUSE TYPE 401	ELEVATIONS / FLOOR PLANS
403/1H - HOUSE TYPE 403	ELEVATIONS / FLOOR PLANS
405/1E - HOUSE TYPE 405	ELEVATIONS / FLOOR PLANS
SD-100 REV D	BOUNDARY TREATMENTS - TIMBER FENCE
SD-103 REV B	BOUNDARY DETAILS POST
SD-118	VERTICALLY BOARDED ACOUSTIC FENCE
SD-700 REV A	DETACHED SINGLE GARAGE DETAILS
SD-701 REV A	DETACHED DOUBLE GARAGE DETAILS

Revised 09/07/2018

21-0002-CCL-SK012	EXISTING WATERCOURSE SECTIONS
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Revised 02/05/2018

2751-2A-TRD-A0-500	TREES IN RELATION TO DEVELOPMENT
2751-4A-VIA-A1-1000	VISUAL IMPACT ASSESSMENT
2751-5B-MM-A1-1000	MITIGATION MEASURES

Revised 27/07/2018

2879-0-001-L	PROPOSED SITE LAYOUT - WITH OS PLAN
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2879-0-005	PROPOSED MATERIALS PLAN
201(X)-8 RURAL 13	ELEVATIONS
202(T)-9 RURAL 13	ELEVATIONS
212(E)-9 RURAL 13	ELEVATIONS
301(Z)-8 RURAL 13	ELEVATIONS
303(W)-9 RURAL 13	ELEVATIONS
304(V)-10 RURAL 13	ELEVATIONS
307(Z)-10 RURAL 13	ELEVATIONS
309(W)-10 RURAL 13	ELEVATIONS
310(R)-10 RURAL 13	ELEVATIONS
311(G)-8 RURAL 13	ELEVATIONS
313(H)-9 RURAL 13	ELEVATIONS
401(T)-9 RURAL 13	ELEVATIONS
403(R)-9 RURAL 13	ELEVATIONS
405(X)-9 RURAL 13	ELEVATIONS

Revised 09/08/2018

2879-0-001-N	PROPOSED SITE LAYOUT - WITH OS PLAN
2879-0-002 -A	PROPOSED STREET SCENES - INDICATIVE COLOUR
2879-0-005 -B	PROPOSED MATERIALS PLAN
307Z(B)PLANNING (Plots 4 and 40 Only)	REVISED ELEVATIONS
309N(E)PLANNING (Plot 19)	REVISED ELEVATIONS
309N2(E)PLANNING (Plot 38)	REVISED ELEVATIONS
403U(H)PLANNING (Plot 73 Only)	REVISED ELEVATIONS

Revised 22/08/2018

2879-0-001-O	PROPOSED SITE LAYOUT - WITH OS PLAN
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Revised 04/09/2018

2879-0-001-P	PROPOSED SITE LAYOUT - WITH OS PLAN
18006_P_001 Rev D	SITE ACCESS VISIBILITY SPLAYS
18006_P_002 Rev D	SWEPT PATH ANALYSIS – REFUSE VEHICLE
18006_P_003 Rev D	VISIBILITY SIGHTLINES SHEET 1 OF 2
18006_P_004 Rev D	VISIBILITY SIGHTLINES SHEET 2

Documents

Planning Statement

Design and Access Statement

Drainage Statement

Flood Risk Assessment (revised 09 July 2018)

Deep Water Risk Assessment

Ecological Impact Assessment

Transport Assessment (revised 09 August 2018)

Travel Plan (revised 09 August 2018)

Noise Assessment

Geotechnical and Geo-Environmental Desk Study (by Eastwood & Partners)

Geotechnical and Geo-Environmental Site Investigation (by Eastwood & Partners)

Tree Report & Plan

Arboricultural Impact Assessment

Landscape Statement

Employment and Training Management Plan (revised 27 July 2018)

Affordable Housing Statement

Planning Obligations Statement

~~Materials Schedule~~

Maximising Security Through Design (by MJ Gleeson)

HCA Development Appraisal & Cost Breakdown – ***Private & Confidential***

Proposals for Compensatory Woodland

5.0 **CONSIDERATIONS**

5.1 **Planning Policy Background**

- 5.1.1 The site is situated within the ward of Middlecroft and Poolsbrook and is located on the edge of the built settlement of Poolsbrook village in an area predominantly residential in nature. Having regard to the nature of the application policies CS1, CS2, CS3, CS4, CS6, CS7, CS8, CS9, CS10, CS11, CS13, CS18 and CS20 of the Core Strategy and the wider National Planning Policy Framework (NPPF) apply. In addition the Councils Supplementary Planning Document on Housing Layout and Design ‘Successful Places’ is also a material consideration.

5.2 **Principle of Development**

Current designation and 5 year housing land supply

- 5.2.1 The site is currently designated as a Sports Pitch and Playing Field, subject to local plan policy CS9, and as a greenfield site, in accordance with Policy CS10, planning permission can only normally be granted for housing-led proposals if allocated sites have been exhausted or if the borough cannot demonstrate a 5 year supply of housing land.
- 5.2.2 At time of writing the council is currently able to demonstrate the required 5 year supply of deliverable land for housing (reported to Planning Committee on 6th August 2018).
- 5.2.3 However, the supply position has not been tested through a Local Plan examination, and as such a cautious approach should be taken and the proposal should be viewed as being contrary to Policy CS10 until the new Local Plan is adopted. Given the status as Regeneration Priority Area and the policy in the emerging Local Plan (LP1) (which has been through a public consultation), considerable weight should be given to the regeneration benefits offered by the development in respect of CS2 (d) and (ii) and delivering the council's spatial strategy (CS1 and CS2 (a))) in establishing whether an exception should be made to policy CS10.

CS1 Spatial Strategy – concentrating new development close to centres and at regeneration priority areas

- 5.2.4 CS1 sets out that the overall approach is to concentrate new development within walking and cycling distance of centres and focus on areas that need regenerating.
- 5.2.5 The site is within walking and cycling distance of some local facilities, including Poolsbrook Primary School and a convenience store. It is around 1.2 miles (around 20 minute walk) to the nearest Centre at Staveley. However, the Draft Local Plan did propose Local Centres to be designated at Duckmanton and Lowgates East due to the range of services and facilities available, although both are 1.4 miles/25 minute walk. All three locations, although relatively close, are beyond what might be considered a reasonable walking distance from a centre and no new local facilities are proposed as part of the development. Bus services are reasonable, and new

development may help to sustain the shop and school in the village.

- 5.2.6 CS1 identifies six Regeneration Priority Areas, of which Poolsbrook is one, as a focus for growth. To accord with the regeneration aspect of CS1 (and justify whether an exception can be made to CS10), the development must demonstrate how it will assist in the regeneration of Poolsbrook.

CS2 Principles for Location of Development

- 5.2.7 CS2 sets criteria for assessing proposals for development on unallocated sites. Whilst it is not necessary for a development to meet all of the requirements set out in policy CS2 in order for a proposal to be acceptable, weight should be given to the extent that they are able to.
- 5.2.8 In relation to criteria a, as mentioned above, the site is above what might be considered a reasonable walking distance from a centre and therefore there is a question as to the extent the proposal contributes to delivering the spatial strategy in this regard. The spatial strategy also sets out the overall housing requirement for the borough, and the proposal would undoubtedly make a contribution to delivering that.
- 5.2.9 The site is not previously developed land and therefore does not accord with criteria b. The proposal is for greenfield development, where exceptions to policy can only be considered if sufficient regeneration benefits are robustly demonstrated with a viability appraisal.
- 5.2.10 It is considered that the proposal accords with criteria (c) (e) and (g) of this policy, and subject to comments from Derbyshire County Council regarding education provision (see further comments under S106 and CIL below), it would also accord with criteria (e). The proposal has the potential to offer wider regeneration and sustainability benefits to the area (d) which need to be demonstrated through a viability appraisal. As noted by DCC Highways, the proposal does not include new pedestrian and cycle links, and as such does not provide opportunities for walking and cycling and is contrary to criteria (f). It is however understood that there is a commitment from the Council to use a proportion of the capital receipts from the sale of the land to fund foot and cycle path

improvements associated with the off-site open space and play enhancements and there is also an opportunity to use CIL revenue to support improvements.

5.2.11 The majority of the site is in flood zone 2, with a significant area of high and medium risk of flooding from surface water. As such any planning application will need to be accompanied by a site specific Flood Risk Assessment in accordance with national planning guidance. The Council will take advice from the Environment Agency and consider the extent to which Sequential Test considerations have been satisfied. The regeneration benefits and any improvements to the drainage network will be significant considerations.

5.2.12 Criteria i and ii do not apply in this case.

Regeneration benefits

5.2.13 It is essential to robustly demonstrate the regeneration benefits of the proposal given that the council does have a 5 year housing land supply, in order to consider whether an exception can be made to CS10. The provision of new housing in the village and providing a more diverse mix of housing types and tenures is a significant regeneration benefit in this location.

5.2.14 The Planning Obligation Statement states that in addition to the CIL payment, the benefits will be as follows:

1. A commitment to commence development within 6 months of an implementable planning consent
2. A commitment to employ local labour where possible
3. A commitment to employ an apprentice on the site if possible

5.2.15 The Statement claims that any additional financial planning gain will render the development unviable, although it is understood from the independent review of the viability assessment that a sum of £174,000.000 is available to fund necessary contributions and that this sum has been agreed with the applicant. Further discussion of this matter is detailed in section 5.8 below.

5.2.16 Other benefits cited in the Planning Statement may be achieved but cannot be secured as part of any permission:

- Increase in resident expenditure

- Indirect job opportunities

CS9 Green Infrastructure

- 5.2.17 As a greenfield site, Policy CS9 Green Infrastructure and Biodiversity requires proposals to enhance biodiversity and ensure a net gain in quantity, quality or function of green infrastructure. In order to comply with CS9 (f & h) it is essential that the proposed new wildlife habitat, tree planting, tree and hedgerow retention are secured to ensure a net gain in quality and function of the site to balance against the loss of green infrastructure (see section 5.7 below).

Open space and play

- 5.2.18 As a current playing field, at pre-application stage Leisure Services advised that the current Parks and Open Space Strategy does not seek to retain all play areas or green space, and it acknowledges the need to identify surplus play spaces and 'green spaces' for 'potential change of use or disposal'. Leisure Services confirmed that the site is surplus to operational requirements, although it is important to note that the Parks and Open Space Strategy is currently being updated and the recommendations have not yet been published. Leisure Services should be asked to provide a formal comment in the event that the evidence has been updated.
- 5.2.19 In terms of requirements for play provision arising out of the development, Leisure Services advised that rather than new on-site play provision, improvements to existing open space and play facilities would offer a more significant regeneration benefit. Leisure Services advised that improvements will be required to the Council junior play on a site at Cottage Close, the football pitch, and improved connectivity (foot/cycle paths) to Poolsbrook Country Park, providing connectivity with other green infrastructure and facilities. These improvements are important in demonstrating sufficient regeneration benefits and justify making an exception to CS1 and CS10 in light of the 5 year supply of housing land, but cannot be secured as an off-site S106 contribution as this would result in double counting with the council's CIL Regulation 123 list. As noted above in relation to foot/cycle paths, it is understood that there is a commitment from the Council to fund the necessary upgrading costs with monies from the sale of the land (not excluding any contributions from CIL funds but without prejudice to

any decisions that the Council may take on priorities for CIL expenditure).

CS11 Range of Housing

- 5.2.20 In terms of the range of housing, policy CS11 requires that up to 30% affordable housing is provided, either on or off site, subject to viability. Due to the presence of social housing in the existing village and the need to diversify the mix of housing, the amount of affordable housing will be balanced against other community/regeneration benefits that can be secured (as evidenced in the Viability Appraisal). It is stated that 25% of the housing proposed will be low cost market housing including schemes such as Help to Buy. The applicant considers this to be a discounted market housing product, although it does not explicitly fall within the definition of affordable housing (NPPF July 2018). Subject to clarification from the Government, 'Help to Buy' may be considered as '*other low cost homes for sale*' within d) Other affordable routes to home ownership.
- 5.2.21 With this in mind, it is also noted that Housing Services have commented that demand for (traditional) affordable housing types in Poolsbrook is low and there is little need for additional supply in the immediate surrounding area. Therefore in terms of the funds available for contributions, the provision of additional affordable housing in Poolsbrook is a relatively low priority. However, when all other requirements have been considered, if there is scope for an off-site contribution towards affordable housing, it would be appropriate to seek a commuted sum to be used locally for more specialised housing solutions such as adaptations, in line with recommendations from Housing Services (see section 5.8 below).

Concluding Comments

- 5.2.22 The site is greenfield and as the council has a five year supply of land for housing, the proposal is contrary to policy CS10 of the adopted Chesterfield Local Plan Core Strategy. However, as the site is part of an identified Regeneration Priority Area, there is scope to consider whether an exception can be made to CS10 if the regeneration benefits (evidenced by a viability appraisal) are sufficient.

- 5.2.23 Considering the benefits in terms of mix of housing and potential for local training and employment, along with improvements to open space and play facilities, the proposal does offer sufficient regeneration benefits to warrant making an exception to CS10 in this case.
- 5.2.24 Subject to agreement of an outline Habitat Compensation Strategy with the Council and DWT, and securing a S106 contribution to fund the replacement tree planting, and provided there is a mechanism that will mitigate the loss of open space (e.g. improvements to play facilities off Cottage Close, football pitch, and new and enhanced foot and cycle paths to connect with existing), the proposal accords with CS9.
- 5.3 **Design and Appearance Issues (inc. Neighbouring Impact / Amenity)**
- 5.3.1 The site is an area of green fields located on the SE side Poolsbrook village. To NE the site is bounded by Erin Road (A6192) which bypasses the village and provides a link between Staveley and Duckmanton. To the north is The Grove which is the main access road into the village from Erin Road. The western boundary is marked by a mature hedgerow and Staveley Road beyond, which forms the current edge of the village at this point. The southern boundary is a dense wooded belt separating the site from the nearby Erin Void Landfill site.
- 5.3.2 Within the site are pockets of woodland which although relatively immature, form areas of natural habitat and are a notable feature of the site. A ditch crosses east to west and separates the top third of the site from the remaining land to the south.
- 5.3.3 Poolsbrook has its origins as a mining settlement. It was originally built by Staveley Coal and Iron Company towards the end of the 19th century, providing workers housing for miners at the nearby Collieries. During the inter-war period the older lines of terraces were subsequently replaced by a new street layout and houses which form the village of today.
- 5.3.4 Poolsbrook displays a strong architectural identity with a largely consistent approach to the scale and appearance of the houses, in terms of materials and forms. This creates a place with a strong visual coherence.

5.3.5 The site area comprises 5.9 hectares of woodland and meadow. 175 dwellings are proposed and therefore this equates to a gross density of 29.5 dwellings per hectare (dph), which is a standard suburban density of development. Included in the proposed layout is an area of POS measures approximately 1.43 hectares, leaving a net developable area of 4.47ha and a resulting net density is 39dph.

5.3.6 The initial application submission was supported by a Planning Statement, Design and Access Statement, Landscape Statement and Maximising Security Through Design Statement; which were all reviewed alongside the application drawings / proposals by the Council's **Urban Design Officer (UDO)**, Derbyshire Constabulary's **Crime Prevention Design Advisor (CPDA)** and the Derbyshire **Fire and Rescue Officer (F&RO)**. The following comments were made by each consultee respectively:

UDO - Guidance contained within the Council's residential design SPD Successful Places (2013), stipulates that proposals should be based upon a thorough understanding of the site constraints and opportunities following an analysis of the site and its context. This should then inform the developments 'design concept' which underpins the design of the scheme and the approach to the development as a whole.

The DAS indicates that a site appraisal has been undertaken and detailed through a series of context, appraisal and concept sketches in accordance with guidelines set out in 'Successful Place. However, these are not contained within the DAS and no such information appears to have been provided in support of the submission.

As a result the layout is presented in isolation with no evidence provided to demonstrate that the scheme is founded on an appreciation of the village context, a site appraisal or underpinned by a sound design concept. Consequently the layout appear generic, lacks any clear sense of place and does not indicate how it has taken the opportunities available for improving the character and quality of the area and way it functions. In contrast, the development would, by reason of its amount and arrangement be damaging to many of the existing natural features.

A substantial proportion of the DAS (7 of 30 pages) is dedicated to precedent images from locations outside the village in an attempt to justify the use of generic house types, whereas greater consideration of how the proposed development relates to and responds Poolsbrook would be of greater relevance to the application. The actual analysis of the settlement is cursory with little evaluation of the character or how this could be used to link the character of the development to the village. Poolsbrook has its own locally distinctive character (see 4a above) and the positive characteristics of the village should be used to inform the design response rather than impose generic designs from elsewhere.

It is recommended that the design approach to the site is revisited based upon guidance contained within the SPD (see link above) to take every opportunity to more closely reflect the locally distinctive qualities of the village and strengthen the character and identity of the proposals, many of which are already outlined above.

Village Entrance

The site occupies a key position at a main entrance into Poolsbrook. However, the proposals do not acknowledge important location through the design of the layout. The development represents an opportunity to form a positive gateway into the village by arranging the built form to address the junction. The layout in this area (Plots 34 – 40) could be re-configured to relate to the entrance.

Connectivity

The layout contains one point of vehicle access from The Grove serving the northern part of the site. A second vehicle entrance point is located on the south west boundary, off Staveley Road, serving the southern part of the site. Both development parcels are segregated by the existing drainage ditch and a grassland corridor running broadly east-west through the centre of the site.

This arrangement creates two cul-de-sacs although no formal footpath connection is shown through the green space to link up to the two sides of the development. As such, a footpath link to facilitate pedestrian access between the two areas is recommended.

Corner Locations

The layout includes numerous corners, although many are not occupied by units designed to turn or address corner locations specifically. This results in many blank walls in prominent positions within the townscape. Dual aspect designs should be introduced to corner plots and house type designs adapted as appropriate so as to meaningfully relate side elevations towards the street. Many of the house types have habitable rooms that could accommodate additional side windows and bays.

The existing village includes a number of junctions where the dwellings are designed to address or frame the corner, creating identifiable locations and assisting with the legibility of the townscape. It would be appropriate to seek to replicate this characteristic within the proposed development. The design should be revisited to address this issue.

Terminating Vistas

Views along a number of the proposed streets are poorly considered, often terminating on parking, garaging, boundary fences or glancing edges of the buildings, rather than focussing on a strong focal point or elevation that has been deliberately positioned to close the view.

The existing village includes a number of vistas along roads where the dwellings are positioned deliberately to close the views at the end of the street. It would be appropriate to seek to replicate this characteristic within the proposed development. This should be revisited and the design amended to address this issue.

Relationship to edges

The site has a number of exposed 'edges' where it relates to The Grove, Staveley Road, Erin Road and frontages onto both sides of the central green corridor. Generally, the development is outward facing and relates to its edges. However, the arrangement of the layout raises a number of issues set out below:

Erin Road Frontage

The development along Erin Road either backs onto or is side onto the boundary with Erin Road. A 2m high acoustic fence is also proposed along the NE boundary, although its exact extent is unclear from the drawings provided. This would be partially obscured in views from Erin Road due to the presence of a low embankment and the site being at a slightly lower level to the road. Nevertheless, the fencing represents a potentially stark edge to

this part of the site. Although some native hedge planting is indicated along this boundary, this is fragmented and intermittent. Overall, the combination of development, fencing and removal of woodland is likely to create an abrupt interface with frontage onto Erin Road, which would form the new edge to the village.

Staveley Road Frontage

A mature hedgerow is located along the western boundary and separates Staveley Road from the site. Where the development faces towards Staveley Road the buildings are located within existing hedge line and accessed directly off the road.

Consequently, the majority of the hedgerow would be removed as a result. Although short sections of hedgerow are shown to be retained on plot frontages, the loss of hedgerow will be significant and the practicalities of retaining any meaningful hedgerow are uncertain.

This would be detrimental to the appearance of Staveley Road and is likely to be harmful to the ecological value of the site.

Central Green Corridor

The edges of the development facing onto the green corridor are very straight and create a rigid building line. These edges would benefit from a more natural alignment in response to the natural character of the green space that they define.

Furthermore a clear definition between public and private spaces along these edges should be clearly defined. A 1.2m high post and rail timber fence or metal railings are recommended between the road/private drives and the green corridor. Pedestrian access points would need to be provided off the adopted roads to facilitate public access.

Site Features / Hedges and Woodland

The existing drainage ditch is proposed to be retained, although engineering works are referenced on some drawings and it is unclear how this would impact on this site feature.

The majority of existing woodland together with the much of the established hedge along Staveley Road is proposed to be removed as a result of the development. This is likely to be detrimental to the ecology of the development and the character and appearance of the site which is defined by the presence of trees and hedgerows.

Where wooded areas are shown to be retained, the Mitigation Measures drawing identifies these as subject to agreement of consultant engineer (in respect of possible re-grading to areas of ground alongside beck). This suggests that these areas may also be lost due to drainage engineering works.

The frontages onto The Grove and Staveley Road are also punctuated by multiple plot entrances serving individual driveways. These break up the continuity of the remaining hedgerows. Although the Mitigation Measures drawing indicates retained hedgerow along Staveley Road, this is shown to be only very narrow and intermittent and is unlikely to be meaningful in terms of appearance or ecological value.

Projecting boundaries

In a number of locations side garden boundaries are shown to project out from the building line and into the street. These would appear intrusive and detract from the appearance of the streetscene. It is recommended that these are set back meaningfully from the back edge of the footways and a landscaped margin provided to soften the appearance of these frontages. Furthermore timber fences to side garden boundaries onto public frontages should be substituted with 1.8m high brick boundary walls to ensure a good finish and a robust treatment against the street.

Landscaping

No details of landscaping appear to be available at this stage, although a Landscape Statement has been submitted which advocates a strong planted context for the new development but recognises that the proposals would result in a significant visual impact in the short term.

However, the conclusion that the proposed perimeter planting would, over time, provide a strong planted context, that would enhance the visual appearance and wildlife value of the site, is considered to overstate the benefits of the landscape mitigation proposals relative to the loss of woodland, hedges that would arise from the development.

Amenity

The rear gardens are proposed to be subdivided by low (600mm high) post and wire fences. This raises a question of amenity and

security between residential plots due to the absence of tall secure boundaries between gardens.

Appearance & Character

As identified above, the village displays a number of strong locally distinctive characteristics that could be readily interpreted and incorporated into the proposed design. Key features are already stated in 4a. Village Character and Identity. At present the proposed house types are generic designs and there has been no clear attempt to respond to the local distinctiveness of the village.

Any proposals should seek to assess and understand these qualities and find ways of interpreting and embedding positive aspects of the villages distinctiveness into the proposals to ensure it is grounded sensitively within the context of 'this place', and does not appear as an 'anywhere' form of development that is unresponsive to the character and identity of Poolsbrook. This could be achieved in a number of ways, including:

- The use of red brick ground floors (lower two-thirds) and rendered upper floor (top third) are a strong component of the areas architectural and character. This could be replicated in the design of the proposed house types through the introduction of render to echo the local style or perhaps interpreted through the use of the lighter coloured brick above red brick in 1/3 to 2/3 proportions.*
- Low red brick boundary walls to plot frontages along main street frontages.*
- Introduction of predominately hipped roof styles.*
- Red brown plain tile roof tiles.*
- Blue brick plinths.*
- Brick band detail between upper and lower floors/Materials.*

It is recommended that the standard house types are adapted in response to and reflect the locally distinctive characteristics of the village.

Conclusion

Where identified above the layout as currently shown raises a number of design issues. It is recommended that the scheme is reviewed and amended having regard to these comments and guidance contained within the Successful Places SPD.

CPDA - There are no objections to the principle of residential development on this site or the layout proposed.

I note Gleasons 'Designing Out Crime' document supporting the application, but as this is a generic document and doesn't respond to the context of the site, my advice is to require the following amendments to boundaries and some house treatment.

The inter-garden boundary is a 600mm high post and wire fence, which is insufficient separation in my view. It should be substituted with a principally solid material fence of no lower than 1200mm with an initial section of 1800mm privacy screen.

The majority of the outer site boundary is proposed to be a 1800mm high hit and miss boarded fence, with some areas where there is an existing post and rail fence or back garden fence of existing housing in place. There is a 2000mm acoustic fence drawing accompanying the application, but no indication of this being specified anywhere.

As the majority of the outer eastern boundary is adjacent to open fields, an access track visually cut off by land bunds, and I believe a public footpath off Staveley Road which isn't shown on plans, my recommendation is to specify such a 2 metre acoustic fence along all garden boundaries adjacent to the depot access track, enclosing the depot to the north east, and for the remainder of the eastern site boundary up to plot 175 at the junction with Staveley Road. The boundary for plots 1, 7-11, 12 and 14 should be clarified.

The majority of key corner plots have been well specified to give an active outlook over the street or open space. The following plots do not and I'd ask are amended as shown.

Type 301 to have the additional bay window shown at plots 36 and 137.

Type 201 to have optional bays at plots 34, 81 and 82.

Type 311 to have an optional bay at plot 76.

Type 304 is a weak corner type and should be replaced at plots 121 and 160.

Type 307 to have additional lounge windows to the side of plots 4 and 40.

Type 309 to have additional lounge windows to the side of plots 19, 38, 111 and 142.

Type 403 to have additional windows to the dining area on the side of plot 73.

F&RO – The Fire and Rescue Authority strongly recommend the installation of a domestic sprinkler system in the proposed premises, however should you choose not to install a sprinkler system at this stage the Fire and Rescue Authority would like to recommend that you provide a minimum 32mm water supply capable of delivering the required volumes which would allow an installation to be carried out easier and at less cost should this be proposed in the future.

Officer Comment – The comment made above concerning the installation of domestic sprinkler systems is a building regulations matter.

5.3.7 As a result of receiving the consultee comments set out above the applicant sought to address the concerns which had been raised through a series of revisions and amendments being made to house types and site layout (27 July 2018, 09 August 2018, 22 August 2018 and 04 September 2018). Some of the amendments made were also commensurate with changes required by the Local Highways Authority and these are discussed in more detail in section 5.4 below.

5.3.8 The revisions made to the scheme sought to address issues highlighted in respect of boundary treatments around the application site perimeter, boundary treatments within the site layout itself, private boundary treatments to each plot, house types and materials, and house types to corner plots where additional surveillance was being sought. The applicant provided the following update / response to the comments made (with particular reference to those of the UDO):

Design Approach

As detailed within the DAS, a site appraisal was undertaken and the design progressed through a series of sketches in accordance with 'Successful Places'. Although I recognise that visual drawings have not been provided of this process, it has been completed by our architects and I do not feel that updating the DAS at this stage of the application would be of significant benefit.

The layout has taken account of the village of Poolsbrook, the immediate surroundings of the site, and the context of the site itself. The layout design has incorporated elements of the

surrounding area, as discussed in the Design and Access Statement, to form cohesion and harmony with the settlement of Poolsbrook, whilst creating its own sense of place.

Village Entrance

We believe that the layout acknowledges the importance of the sites location at the village entrance by addressing The Grove with a combination of house types. You referred to reconfiguring plots 34-40 in order to relate to the entrance; however most of these plots (plots 36 – 40) all front the main entrance to the development, creating a sense of place upon arrival. Plots 34 and 35 are reached from a private drive accessed via the main spine road. The layout has been designed in this way to ensure the frontage and main spine road is addressed as much as possible, creating added interest by introducing a private drive, as opposed to one continuous run of plots. Plots 34 and 35 form part of an attractive cluster of four houses at the end of the private drive. We feel that this area positively addresses the village entrance.

Connectivity

There is no formal footpath connection identified through the green space. This area has been identified as an area which provides opportunity for ecological enhancement, whilst also being an area which is designed to flood. The existing watercourse will remain insitu, and this area will be subject to engineering works. The Flood Risk Assessment submitted as part of this application provides further information. The primary function of the preserved floodplain is to store surface water runoff during periods when the River Doe Lea is at a high level, but it is also proposed as an area which can benefit from ecological enhancement with the planting of tussocky wildflower grassland. With the above considerations, it is not proposed to actively encourage pedestrian access to this space and consequently a footpath between the two areas is not proposed.

Corner Locations

The layout has been designed to minimise the number of blank walls in prominent positions, and use corner turners in specific locations to create added interest, as well as the benefits of surveillance. We have however considered your comments and made several changes to the layout in order to better address corner locations through the use of additional windows and

changes to house types in some locations. These are identified on the revised layout.

Terminating Vistas

We feel that wherever possible, in understanding the constraints of the site, we have created added interest and positive terminating vistas, however in order to address your comments we have adjusted Plots 8 – 11.

Relationship to edges

Erin Road Frontage

The location of the close boarded fence is detailed in the noise report, but for convenience this is now identified on the site layout.

Staveley Road Frontage

The hedgerow along Staveley Road has a category grading of C, as identified within the Tree Survey, and therefore the hedgerow is of very little merit and has few arboricultural, ecological or landscape qualities. We have positioned the new properties to front Staveley Road in order to create a positive outlook for new residents, and enhance the sense of place. The positioning of dwellings in this way also has benefits for security. Although this hedgerow is of little value, we aim to retain as much of this as possible, and future maintenance will be the responsibility of new purchasers or a management company. The loss of the segments of hedgerow is not significant given its low arboricultural and ecological status, and there are no concerns about retention of the remaining hedgerow.

The developable site area is significantly constrained by the required flood storage area associated with the central corridor. The layout has also been designed in this way to facilitate the underground storage of surface water and associated easements which are defined by the engineering strategy for the site. We believe that the layout creates an attractive and aesthetically pleasing outlook for new residents of the development site, whilst overlooking of the green space creates an added benefit for security.

As previously discussed, there is no overwhelming reason to prevent public access to the central ditch corridor, however it is proposed not to actively encourage this. We are not proposing any

paths nor a footbridge over the watercourse, and instead this whole area will be planted with a tussocky mix which, once established, will be an enhanced ecological area. We believe that the use of a timber fence or railings would create a harsh and formal edge with the green space, and by leaving this open we believe that it blends more smoothly with the built form, and creates a sense of openness.

Site Features / Hedges and Woodland

The status of the trees and hedgerow and the potential impacts are addressed in the Tree Survey and other associated arboricultural reports.

Projecting Boundaries

The side garden boundaries are designed in this way to avoid having small strips of 'no man's land' which nobody takes ownership of, and over time these become unsightly. Further to conversations with Sarah Kay, we have introduced these strips to some plots on the main spine road of the development including Plot 4 and 38.

In respect of timber fences to side garden boundaries onto public frontages, I draw your attention to Appeal Decision Reference APP/R1038/W/17/3184601: Land off Masefield Avenue, Holmewood, Chesterfield, in which the Inspector considered the benefits of Gleeson's screen fence specification as opposed to a wall in a public frontage location. The Inspector found that the fence specification represented 'good design' and 'would not have a harmful effect on the character and appearance of the surrounding area'. In our opinion, this site is materially similar and in a similar location and therefore the same principle applies.

Landscaping

The status of the trees and hedgerow and the potential impacts are addressed in the Tree Survey and other associated arboricultural reports.

Amenity

Gleeson address garden security through our submitted document 'Maximising Security Through Design'. Section 5.2 of this report shows how Gleeson create secure zones of rear garden areas around 5 to 7 houses utilising low level fences to allow surveillance to that each house can view a number of neighbouring rear

gardens therefore deterring trespassers. As part of the above measures a more robust fence or garage between houses is provided to form a secure barrier between the street and private rear gardens. This makes it very difficult for intruders to enter the secure zone whilst creating the observation zone mention above whereby unusual activity can be identified. By providing low level fences potential intruders have very little area in which to hide. Through this method, natural surveillance is provided in abundance. In order to address your concerns, the revised layout includes additional 1.2m fences provided in longer runs to create additional 'secure zones'.

Appearance and Character

Gleeson strongly believe that the proposals respond to the local distinctiveness of the village. The elevations and materials proposed do interpret the local style through the combination of lighter coloured and red bricks. However, further to our recent discussions we have now submitted revised elevations across the whole site to address your comments. As per your comments, we are also happy to confirm the use of terracotta tiles, as per the revised materials plan.

- 5.3.9 Having regard to the comments and exchanges set out above, in the context of the revisions as made and the assessment of the scheme as a whole it is considered that in design and appearance terms the development proposals are acceptable. In reaching this conclusion it is accepted that there are some design compromises based upon the assessment made by the UDO and CPDA, however it must be accepted that the applicant is taking on a site where market prices are low and therefore this affects the product, materials and finishes which the developer can viably offer to the market. The developer (Gleeson's) has made it clear that whilst they do target sites in areas where land prices are lower, they seek to pass on some savings to prospective purchases by offering a 'no frills' product. Examples of these savings can be seen where they do not landscape rear gardens, do not erect solid timber boundary fences between houses and do not hard surface all of their driveways (the driveways have a gravel finish with a tarmac apron to the back of the footway).
- 5.3.10 The UDO and CPDA have criticised in particular the boundary treatments shown between properties (the use by the developer of post and wire fences to define boundaries) as they argue these do

not offer privacy and adequate amenity to future occupiers. Notwithstanding this however the case officer has visited several sites being developed by Gleeson's in the region (Sheffield, Creswell and Holmewood) where many of these sites are occupied and it is clear that the majority of purchasers go on to undertake the works themselves to finish off rear gardens and erect rear boundary treatments etc. Overall therefore it is not considered that in accepting these compromises at the planning stage, they lead to deficiencies in the design / appearance of the development following completion.

5.3.11 It is noted that the UDO criticises a missed opportunity to connect the two parcels of development by providing access over the drainage channel traversing the site; however this site is to be re-engineered to account for the additional development with areas created for grass snake mitigation (see ecology section below) and therefore it would not be desirable to encourage public access into this area.

5.3.12 Overall it is considered that the design and appearance of the development proposals address wherever possible the aspirations of the Housing Layout and Design SPD, albeit in some aspects through compromise. Notwithstanding this the site layout achieves appropriate levels of private amenity space and privacy between plots / existing neighbouring properties and in the context of policies CS2 and CS18 of the Core Strategy it is acceptable. The development density is however towards upper tolerances for the sites location, the site layout and proximity to neighbours and therefore given the freedoms offered through permitted development rights it is considered necessary to remove each householder permitted development rights to erect extensions, outbuildings and additional windows etc without seeking further planning permission.

5.4 **Highways Issues**

5.4.1 Having regard to matters concerning highway safety and highway impact (policies CS2, CS18 and CS20 of the Core Strategy) the application submission was supported by a Transport Assessment (TA) and Travel Plan (TP) which were reviewed by the **Local Highways Authority** (LHA) who provided a comprehensive response dated 08 June 2018.

5.4.2 The initial response from the LHA raised a number of queries and points for clarification on the layout and conclusions of the TA and this led to a series of email exchanges between the applicant and the LHA direct to seek to resolve the matters which had been raised. These exchanges lead to the submission of a series of amended plans (27 July 2018, 09 August 2018 and 22 August 2018) and a revised TA and TP also being submitted (09 August 2018).

5.4.3 The last written consultee response from the LHA (received on 31 August 2018) provided the following commentary:

'I refer to your request for further comments on the issues raised below together with subsequent observations in relation to the appended latest Proposed Site Layout Plan (Rev:O).

Appropriate exit visibility sightlines will be required at each road junction, shared driveway and private parking spaces. It's accepted that where there is a 2.0m width fronting footway and the road alignment is straight, 2.4m x 25m sightlines will be achievable. However, where driveways are in close proximity to bends in alignment, junctions, etc., sightlines may pass over land outside of the proposed highway and will need to be identified in order that they may be Conditioned to be maintained in future clear of obstruction. Without benefit of a drawing printed to scale it's difficult to determine where such situations may be, however, the applicant should be requested to ensure, and confirm, that exit visibility sightlines of 2.4m x 25m are available in all of the aforementioned situations and identify any areas outside of the proposed highway that will need to be secured for future maintenance by the occupiers/ land owners. Possible locations with substandard sightlines include Plots 4, 12, 21, 30 – 36, 56 and 133 – 136. Areas in advance of junction visibility sightlines will need to be constructed as footway and dedicated as highway e.g. sightline across Plot 21 from the access way serving Plots 6 – 11 as demonstrated on the previously submitted sightline drawing.

The site is located adjacent to a multi-user path that forms a part of the Derbyshire Key Cycle Network. I note that there have been discussions with respect to not creating any direct links from the site and trust that you are satisfied that this issue has been fully explored. If at all feasible, provision of links would encourage travel by more sustainable means and significantly reduce the length of

travel on carriageways, with the inherent potential vehicle conflict, for those wishing to use the trail. If links can't be provided, widening of the existing footway across the frontage of the site with The Grove to extend the off-carriageway route would help to provide the aforementioned benefits for those residing/ visiting the northern element of the site.

Whilst it's appreciated that the swept path analysis for a Large Refuse Vehicle demonstrates overhang of the vehicle bodies, avoiding over-run would require very precise manoeuvring therefore the Highway Authority seeks to reduce the likelihood of future kerb/ footway damage by means of securing a 400mm – 500mm clearance to the wheel tracks. The turning heads adjacent to Plots 10 and 142 are of particular concern in this respect. The applicant may wish to give some consideration to the sections of road leading to these turning facilities remaining private and seeking the views of the Local Refuse Collection Service if this were to be the case.

It's noted that Plots 163 – 170 are to be served by a private driveway via a dropped kerb crossing of the footway.

Junction visibility sightlines are referred to above and should be shown as forming a part of the proposed highway rather than being subject of Condition.

Private driveway, etc. sightlines are also mentioned above and, where required over land outside of the highway, should be identified to be secured by Condition.

I note that the carriageway alignment in the vicinity of Plot 21 has been revised to help clarify the priority route.

Sharp steps in alignment should be avoided to reduce the likelihood of impact as well as ease of future maintenance. It's recommended that 'spine' roads remain at a constant width e.g. southwards from Plot 30 and to the north-east from Plot 78 and reduced width on the 'side' roads may be achieved by either taking the junction radii directly to the proposed carriageway width or reducing the carriageway width over a longer tapered length (say over the transition strip).

It's noted that a number of modifications have been incorporated within the currently proposed layout along the lines of those demonstrated on the Highway Authority's sketches.

It would appear that all small areas of verge have been removed – it's suggested that any further revisions in this respect may be resolved at Constructional Approval stage as a part of any Section 38/278 Agreement with the Highway Authority.

I haven't been party to the discussions re garage/ parking space dimensions, however, you will be aware of current design guide recommendations for these i.e. 2.4m x 5.5m minimum for a parking space (2.4m x 6.5m where in front of garage doors) with an additional 0.5m of width to any side adjacent to a physical barrier e.g. wall, hedge, fence, etc. and minimum internal garage dimensions of 3.0m x 6.0m and 6.0m x 6.0m for single and double garages respectively if they are to be considered as counting towards off-street parking provision.

Again, unfortunately, I don't know the details of the discussion regarding mitigation Works at the Duke St/ Market St signals although it's considered that the appropriate form is introduction of MOVA control that should be made subject of Condition to be installed prior to first occupation.

I believe that fire building regs relate to suitability of access layout to accommodate use by fire tenders rather than adoption status and the road serving Plots 71 – 77 should take the form of a private shared driveway of suitable dimension.

Please find attached a copy of the Decision Notice dated October 2017 in which the highway safety concerns with respect to the proposed driveway construction are clearly made. The Highway Authority concurs with the findings and decision of the Planning Inspector and recommends that driveways are surfaced using solid bound materials for a minimum distance of 6m behind the highway boundary.

Garage dimensions are referred to above.

The amended footways are noted.

It's noted that driveways/ surfaced areas are to be graded such that surface water run-off is directed away from the highway and thereby remove the need for any further drainage apparatus.

As stated within my follow up e-mail of 16 August 2018 with respect to Rev N of the Proposed Site Layout, areas of appropriate dimension should be identified for standing of waste bins adjacent to, but clear of, the proposed/ existing highway.'

- 5.4.4 In respect of the comments made by the LHA above, a further series of revisions were submitted to the LPA (04 September 2018) which included Rev P of the site layout and a package of vehicle tracking and highway visibility plans.
- 5.4.5 The visibility plans identify splays from the new estate access road, the internal access roads and private drive visibility and where these splays cross individual plots these areas will be required to be conditioned to maintain exit visibility over their land. This primarily affects corner plots and will take the form of a condition which requires not obstruction over 1m in height being placed in these areas.
- 5.4.6 The matter raised in respect of securing a potential connection to the multi user route running along Erin Road has been discussed with the applicant. They have experienced issues with other sites previously where the Local Highways Authority has not willing to adopt the provision of such routes and therefore they have not included a connection in their scheme as this potentially ends up not being maintained or amended at a later date to exclude it. In this case the LHA have not suggested in their comments they are willing to adopt any such provision and therefore it is not considered that acceptance of the scheme overall depends upon the provision of this connection. It is considered however that there is sufficient space along The Grove frontage to provide a widened footway as requested as an alternative by the LHA and this can be conditioned / clarified under the S38.
- 5.4.7 Further analysis of swept paths for refuse vehicles is provided on the revised site layout plan and additional swept path drawings submitted (04 September 2018). It is considered that these drawings demonstrate there is adequate dimension for a refuse vehicle to turn. Notwithstanding this the LHA will be able to control the final dimensions and extent of the highway as the applicant will

be required to enter into a S38 agreement with the LHA to have the highway formally adopted.

- 5.4.8 The comment made by the LHA in respect of junction visibility forming part of the highway appears to have been clarified by the latest revised plans and with the exception of one plot (which can be conditioned) the LHA would have control over what elements of the site become adopted highway under any S38 agreement.
- 5.4.9 In respect of parking and garage spaces the applicant has provided further details on the subtle variances between the garages which are to be provided. Some are integral and some are detached and vary in dimension in this respect. Overall however it is considered that the level of car parking provision to be provided is acceptable. Detached garages are shown to be 3m x 6m internal dimension and integral garages are shown to measure 2.6m x 5.5m internal dimension. It is accepted that these dimensions do not meet the standards set out in the adopted Design guide SPD however they are of sufficient dimension to park a vehicle and the majority of driveways provided to each plot are big enough alone to park 2 no. vehicles as well. The level of parking provision is therefore acceptable subject to condition requiring its retention in perpetuity.
- 5.4.10 The comment made by the LHA in respect of the traffic light signals at Market Street / Duke Street in Staveley stem from the findings of the TA, which looks at the potential impacts of the development and the increase in traffic in the local area. Of the area assessed this is the only junction which potentially shows an adverse impact and the LHA have suggested that this can be mitigated by the implementation of a MOVA signal control at this junction. The LHA state that a contribution of £5000 would secure this system and therefore this is considered to be necessary to mitigate an identified impact of the development and should be secured through a S106 contribution (see section 5.8 below).
- 5.4.11 It is noted that the LHA comment about the provision of gravel surfaced driveways and their concerns about this treatment being transferred onto the public highway. The LHA have provided an appeal decision in Barnsley where the LPA have defended their decision to reject this treatment; however the case officer has visited 4 no. other Gleeson sites in the surrounding area where these driveway treatments have been accepted. Notably 2 no. of

these sites are actually in Derbyshire (Holmewood and Cresswell), where the LHA making the comments of this application have accepted this treatment as the adopting highway authority and therefore the LPA do not consider that they can sufficiently justify refusing planning permission on this basis alone. A tarmac apron is provided to the back of the footway to catch any immediate transfer and there wasn't significant evidence of stone transfer being carried onto the public highways in the site visited to suggest a serious highway safety risk exists. Ultimately the LHA will have the final decision over whether they agree to adopt the highways on the estate with these driveway treatments.

5.4.12 Finally the comment in respect of bin storage and collection areas is not currently identified on the site layout plan and therefore an appropriate condition can be imposed to require this further detail to be submitted and agreed.

5.4.13 Overall it is considered that the development proposals are to be served by an appropriate site access and the new development access roads are of appropriate geometry. Parking is provided at an acceptable ratio. In respect of highway safety and the provisions of policies CS2, CS18 and CS20 of the Core Strategy the proposals are considered to be acceptable.

5.5 **Flood Risk & Drainage**

5.5.1 Having regard to matters concerning flood risk and drainage (policy CS7 of the Core Strategy) the application site lies within flood risk zone 2, as defined by the Environment Agency flood maps and accordingly the application submission is supported by a Flood Risk Assessment (FRA) undertaken by JOC Consultants Ltd. The submission indicates that the development proposals will be connected to mains for foul drainage and to a SuDS system and nearby watercourse for surface water drainage.

5.5.2 The application submission and FRA have been reviewed by the **Environment Agency (EA)**, **Lead Local Flood Authority (LLFA)**, **Yorkshire Water Services (YWS)** and the Council's own **Design Services (DS)** team and the following initial responses were received:

EA – No objections – refer to their standing advice.

LLFA - The Lead Local Flood Authority (LLFA) would require some clarification on some aspects of the above planning application.

The applicant has indicated that the proposed site outfall (which is off site) shall be via a culverted section of watercourse with a flap valve outfall to the river Doe Lea. However, the applicant has indicated that they are unaware of what the current condition of the flap valve is. The LLFA would require further details of this, given that it will be fundamental to how the development will drain during storm conditions. Further to this, it is unclear at present who is responsible for the maintenance of this flap valve?

The applicant has indicated that should the flap-valve not function correctly, it would result in failure of the on-site drainage system, due to the River Doe Lea backing up the system, during periods of high flow. The applicant has also indicated that a backup measure shall be put in place should the existing flap valve fails. However, it is not clear how any back up system would function, should the existing flap valve failed. Furthermore, who would be responsible to ensure the backup measures are implemented in the event of a failure of existing flap valve.

Is it the intention that the area designated to be a storage feature, shall be public open space? The LLFA would raise concerns that this could be potentially unusable for a significant amount of time. Furthermore, will any measures be put in place to clearly define this as an area that is intended to flood. Who shall be responsible to the future maintenance of the retained floodplain? Further to this, what provisions shall be put in place for a suitable easement strip of preserved floodplain to allow for routine maintenance to be undertaken?

The applicant has also indicated grading of the bank in the retained flood plain may be required, however it is unclear how the banks shall be graded. The LLFA expect the gradient of the banks of any attenuation features to be 1 in 3 minimum, to ensure safe access and egress and for maintenance purposes as well.

YWS - It appears from the submitted site layout that buildings will be sited over the public sewerage system located within the site. This could seriously jeopardise Yorkshire Water's ability to maintain the public sewerage network and is not acceptable. We therefore OBJECT to the development layout as currently shown. I

strongly advise that, prior to determination of this application, the site layout is amended to allow for adequate protection of the sewers. For further information, the developer should contact our Developer Services Team: telephone 0345 120 84 82 or email technical.sewerage@yorkshirewater.co.uk.

DS - The site is shown to be at high risk of surface water flooding on the Environment Agency flood maps. We have reviewed the submitted flood risk assessment and concur with its proposals to prevent flooding to properties. We have previously had contact with the developer and discussed the flood risk to the site.

Full details of the proposed surface water and foul drainage systems should be provided prior to full approval. It is noted some outline proposals are discussed in the FRA and Drainage Statement, however full details should be provided.

Derbyshire County Council Flood Team should be consulted on this application as a major development. It may also require consent from them to carry out works within the watercourse.

5.5.3 As a result of receiving the initial responses set out above the applicant was invited to address the issues about the submission which were highlighted by the LLFA and YWS.

5.5.4 Firstly in respect of the issue highlighted by YWS due to the presence of sewer infrastructure crossing the site the applicant confirmed that it is their intention to apply to divert the sewer infrastructure in question as part of the proposed redevelopment of the site (12 June 2018). Obviously a development of this scale and nature will inevitably require new sewer infrastructure anyway and therefore it is not unusual for a developer to need to address an issue of existing infrastructure at the same time. The applicant liaised direct with YWS on this matter as ultimately it would need to be the subject of an application under S185 to the Water Authority and subsequently YWS provided the following reviewed consultee comment (dated 25 June 2016) to the LPA:

Waste Water

If planning permission is to be granted, the following conditions should be attached in order to protect the local aquatic environment and YW infrastructure:

- 1) *No building or other obstruction including landscape features shall be located over or within:*
- a) *6 (six) metres either side of the 600 mm sewer centre-line i.e. a protected strip width of 12 metres, that crosses the site;*
 - b) *3.5 (three point five) metres either side of the 525 mm sewer centre-line i.e. a protected strip width of 7 metres, that crosses the site; and*
 - c) *3 (three) metres either side of the 375 mm sewer centre-line i.e. a protected strip width of 6 metres, that crosses the site.*

No trees shall be planted within 5 metres either side of any sewerage located within the site boundary.

If the required stand-off distances are to be achieved via diversion or closure of the sewers, 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(s), the approved works have been undertaken.

(In order to protect public health and allow sufficient access for maintenance and repair work at all times)

- 2) *The site shall be developed with separate systems of drainage for foul and surface water on and off site.*

(In the interest of satisfactory and sustainable drainage)

- 3) *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*

(To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the foul sewer network)

- 1) *On the Statutory Sewer Map, there are 600 mm and 375 mm diameter public combined, 525 mm diameter surface water and 225 mm diameter foul sewers recorded to cross the site. It is*

essential that the presence of this infrastructure is taken into account in the design of the scheme. Building over/near the 225mm diameter public foul sewer located within the site may take place under the control of Part H4 Building Regulations 2000.

I understand that the developer has enquired with our sewerage team regarding diverting the sewers and the process should be commenced as soon as possible to ensure that the proposed diversion routes are acceptable to all parties. It should be noted that it is not desirable to locate domestic gardens within the required sewer stand-off distances. I suggest that, prior to determination of this application, the developer submits evidence to the LPA of their intention to divert the relevant sewers, ideally a site layout showing the site surveyed location of the pipes and their diversion routes. For further information, the developer should contact our Developer Services Team: telephone 0345 120 84 82 or email technical.sewerage@yorkshirewater.co.uk

There is a outfall to watercourse, under the control of Yorkshire Water, located near to the site. Vehicular access, including with large tankers, could be required at any time.

2) The Drainage Statement (prepared by Gleeson Homes - Report dated March 2018) is acceptable and it is noted that surface water is proposed to be drained to watercourse. As surface water from the site is not proposed to discharge to the public sewer network no assessment of the capacity of the public sewers to receive surface water has been undertaken. Should the surface water disposal proposals change further consultation with Yorkshire Water will be required.

- 5.5.5 On the basis of the further comments received from YWS above it is considered that appropriate planning conditions can be imposed on any permission issued, to secure the requirements set out by YWS in accordance with the provisions of policy CS7 of the Core Strategy and wider NPPF.
- 5.5.6 Secondly in respect of the issues highlighted by the LLFA set out above, the site the subject of the application is subject to flood risk and includes across it existing drainage infrastructure which serves as a surface water drainage solution to the remainder of Poolsbrook at present. The FRA submitted with the application indicates that the drainage infrastructure crossing the site and

connecting to the river Doe Lea to the north east beyond the site will continue to be used as part of the development proposals; however the system will be upgraded with additional storage capacity incorporated to serve both its existing function and the new development proposed. The LLFAs concerns raised initially related to the functionality of a piece of infrastructure which is connected to the drainage channel where it meets the river, which essentially seals when the river is in flood to allow the site to act as flood storage. The LLFA needed to be assured the infrastructure being proposed would not jeopardise this function and that the development would incorporate appropriate levels of storage capacity commensurate with the development (existing and proposed) to protect them from flooding; if the river was in a state of flood itself.

- 5.5.7 Amendments and clarification to the FRA and drainage strategy being proposed were provided to the LLFA by the applicant through a series of email exchanges (12 June 2018, 02 July 2018, 09 July 2018 and 03 August 2018) which led to the comments of the LLFA below being received:

The applicant is proposing to discharge surface water to an ordinary watercourse within the proposed site with attenuation storage provided within the preserved floodplain. The ordinary watercourse is culverted upstream and downstream of the proposed site. The downstream culvert outfalls to the river Doe Lea with a non - return flap valve.

During times the watercourse is flood locked by the Doe Lea, the preserved Flood plain will accommodate surface water for the upstream Poolsbrook Estate and the proposed Development Site. The applicant has indicated the total volume of that will be accommodate in the preserved flood plain during 1% AEP event with a 40% Climate change allowance during a flood Locked event during a 16.5 hour period.

Should the flap valve fail to fully close the applicant has indicated that this would result in water backing up into the preserved floodplain, however the applicant has indicated that the preserved would be able to accommodate these flows whilst maintaining a freeboard of 300mm.

Whilst the applicant has indicate the preserved flood plain would able be to accommodate a flap valve failure during a 16.5 hour

period the LLFA welcomes the applicants consideration for a secondary back method, in the event of a flap valve failure. The LLFA do recognise the failure of the flap valve to be a residual risk, as indicated in the submitted FRA.

Should the application progress a detailed management and maintenance plan should be submitted for the lifetime of the development indicating who is responsible for the preserved flood plain.

The LLFA notes the applicant has undertaken a deep water risk assessment has been undertaken and would fully expect the recommendations to be fully implemented.

Finally, the applicant hasn't undertaken an appropriate ground investigation to support and inform the application. However, it is noted in the Drainage Strategy that a full ground investigation will be undertaken prior to detailed design.

To ensure adherence to DEFRA's Non-statutory technical standards for sustainable drainage systems these recommended conditions should not be altered without consulting the County Council Flood Risk Management team.

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

a. Development of land off, The Grove, Poolsbrook, Chesterfield Flood Risk Assessment (Report No: 17/007.01 Revision: 5th July 2018 by joc consultants ltd

b. And 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 building commencing."

(Reason: To ensure that the proposed development does not increase flood risk and that principles of sustainable drainage are incorporated into this proposal and sufficient detail of the construction, operation and maintenance of sustainable drainage

systems is provided to the Local Planning Authority in advance of full planning consent being granted).

2. “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 hierarchy in paragraph 80 of the planning practice guidance, and to obtain a full understanding of the springs within the site and any associated mitigation requirements.”

(Reason: To ensure that surface water from the development is directed towards the most appropriate waterbody in terms of flood risk and practicality by utilising the highest possible priority destination on the hierarchy of drainage options. The assessment should demonstrate with appropriate evidence that surface water runoff is discharged as high up as reasonably practicable in the following hierarchy:

I. into the ground (infiltration);

II. to a surface water body;

III. to a surface water sewer, highway drain, or another drainage system;

IV. to a combined sewer.

And to ensure that development will be safe from flood risk including from groundwater and natural springs).

3. 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 leading to increased surface water run-off from site, during the construction phase.

(Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development.)

Advisory/Informative Notes:

The County Council do not adopt any private SuDS schemes. As such, it should be confirmed prior to commencement of works which organisation will be responsible for SuDS maintenance once the development is completed.

Any works in or nearby an ordinary watercourse may require consent under the Land Drainage Act (1991) from the County Council (e.g. an outfall that encroaches into the profile of the watercourse, etc) to make an application for any works please contact Flood.Team@derbyshire.gov.uk.

The Local Planning Authority should be mindful to obtain all the relevant information pertaining to the proposed discharge in land that is not within the control of the applicant, which is fundamental to allow the drainage of the proposed development site.

The applicant should demonstrate, to the satisfaction of the Local Planning Authority, the appropriate level of treatment stages from the resultant surface water in line with Table 4.3 of the CIRIA SuDS Manual C753. This type of development usually requires >2 treatment stages before outfall into surface water body/system which may help towards attainment of the downstream receiving watercourse's Water Framework Directive good ecological status.

The County Council would prefer the applicant to utilise existing landform to manage surface water in mini/sub-catchments. The applicant is advised to contact the County Council's Flood Risk Management team should any guidance on the drainage strategy for the proposed development be required.

The applicant should provide a flood evacuation plan which outlines;

- The flood warning procedure.*
- A safe point of extraction.*
- How users can safely evacuate the site upon receipt of a flood warning.*
- The areas of responsibility for those participating in the plan.*
- The procedures for implementing the plan.*
- How users will be made aware of flood risk.*
- How users will be made aware of flood resilience.*
- Who will be responsible for the update of the flood evacuation plan?*

5.5.8 On the basis of the further comments received from LLFA above it is considered that appropriate planning conditions can be imposed on any permission issued, to secure the requirements set out by LLFA in accordance with the provisions of policy CS7 of the Core Strategy and wider NPPF.

5.6 **Land Condition / Contamination / Air Quality and Noise**

5.6.1 Albeit that the site is an undeveloped greenfield it is essential to ensure that the ground conditions are appropriate, or can be appropriately remediated to an appropriate level, to ensure that the ground is suitable for the development being proposed.

5.6.2 In accordance with policy CS8 of the Core Strategy and wider advice contained in the NPPF the application submission is accompanied by a Geotechnical and Geo-Environmental Desk Study and Geotechnical and Geo-Environmental Site Investigation which have been reviewed alongside the application submission by both the Councils Senior Environmental Health Officer (EHO) and the Coal Authority (CA) in respect of land condition.

5.6.3 The CA response advised:
'The Coal Authority considers that the content and conclusions of the Phase 2 Site Investigation Report (19 December 2016, prepared by Eastwood & Partners) are sufficient for the purposes of the planning system and meet the requirements of the NPPF in demonstrating that the application site is, or can be made, safe and stable for the proposed development. The Coal Authority therefore has no objection to the proposed development. However, further more detailed consideration of ground conditions and/or foundation design may be required as part of any subsequent building regulations application'

5.6.4 The EHO response advised:
'I have inspected the above application, and have no adverse comments to make.

Should the proposed development be approved, I ask that the following conditions be added

Air Quality

As the government has set an aspirational target for all new vehicles in the UK to be zero emission at source by 2040 (as

contained in The UK Plan for Tackling Roadside Nitrogen Dioxide Concentrations: Detailed Plan, published July 2017), I ask that infrastructure for electric charging points be installed as part of the build phase.

Noise

To minimise noise impacts on the existing residential dwellings, I recommend that 'construction work' shall only be carried out between the hours of 8:00 am to 6:00 pm Monday to Friday and 9:00 am to 5:00 pm on a Saturday. Construction work shall not be carried out on Sundays or Public Holidays. The term 'construction work' shall include mobile and fixed plant/machinery, (e.g. generators) radios and the delivery of construction materials. NB - The above condition takes into account current guidance issued by Derbyshire County Council, Highways Agency and all Utility companies.

If this proposal is likely to have audible intruder alarm(s) installed upon each of the residential units I would recommend that the occupier(s) notify the Council of 'nominated key holder details' (application forms are available on request from Environmental Services, Environmental Protection Team, Town Hall, Rose Hill, Chesterfield, Derbyshire, S40 1LP). NB – The above information shall be added as an advisory note to the decision notice.'

- 5.6.5 Having regard to the comments detailed above from the CA and EHO appropriate planning conditions can be imposed on any permission issued to ensure compliance with policy CS8 of the Core Strategy and the wider NPPF in respect of land condition, contamination and noise.

5.7 **Ecology & Trees**

- 5.7.1 The site the subject of the application is entirely greenfield / open land which was formerly maintained by the Council as a sports pitch / playing field but has not been actively maintained for at least the last year. The site comprises of open grassland, semi-mature pockets of woodland, mature hedgerows and a drainage feature which traverses the site.
- 5.7.2 Given the nature and characteristics of the site described above the application submission is supported by an Ecological Impact Assessment (EIA), Arboricultural Impact Assessment (AIA) and

Tree Report (TR) which have all initially been reviewed by **Derbyshire Wildlife Trust (DWT)** and the Council's **Tree Officer (TO)**. The following initial comments were made:

DWT - An Ecological Impact Assessment has been produced by SLR, which includes detailed habitat and protected species surveys, all undertaken in accordance with best practice guidelines.

The entire site comprises 'green space', with a large expanse of semi-improved grassland, multiple young woodland blocks and ditch running east-west.

The key species receptor for the site is grass snake, with a peak count of seven individuals recorded during surveys. The woodland blocks also support a variety of breeding birds and a low level of bat activity was recorded on site, with the ditch being the area of highest activity.

Impacts

We acknowledge that the assessment of impacts follows the CIEEM 2016 guidelines, however the report does not really address the impacts to green infrastructure and general net loss of biodiversity within the site. The proposed layout will adversely affect existing green infrastructure, contrary to the CS9: Green Infrastructure and Biodiversity Policy of the Local Plan (2011-2031). Impacts include:

- the net loss of woodland planting on site, which is contrary to the aims of the Rother and Doe Lea Valleys Action Area LBAP.*
- the net loss of grassland, which whilst not species-rich, provides an expanse of open grassland habitat likely benefit a variety of species, including those listed on the LBAP/S41 NERC Act 2006.*
- the net loss of existing hedgerows and scrub along the eastern and western boundaries (hedgerows are Habitats of Principal Importance, S41 NERC Act 2006).*

Mitigation

The ditch is retained in the current proposal, with a corridor of tussocky grassland either side. Partial retention of the woodland blocks is shown within the ditch corridor, however as this land will require regrading, the feasibility of tree retention is considered low.

The intention of the ditch corridor is to maintain habitat for grass snake, however this will be surrounded on both sides by housing, with disturbance likely from the public and domestic pets. Connectivity to the wider area will be wholly limited to the culvert beneath Erin Road. We advise that this is not sufficient to maintain the presence of grass snake on site and suggest that a corridor should be maintained around the north-eastern boundary to the south of the ditch to provide connectivity to land to the east, including Ponds 1-3. We also advise that the central ditch corridor should be protected by railings to prevent encroachment (a gate will be required for maintenance), with public footpaths on the outer edges if required. Interpretation boards could be utilised to explain that this is a wildlife corridor important for local species.

We also advise that the net loss of woodland is not acceptable in terms of the loss of habitat for breeding birds, foraging bats and grass snake. Grass snake may hibernate in these areas and no mention of this is made in the EclA. Garden planting is considered unlikely to replicate the existing habitat resource on site for breeding birds. The Mitigation Measures drawing (2751/5 Rev. B) produced by Rosetta Landscape Design only shows the ditch corridor and then existing woodland outside the site boundary to the south-east. There is no meaningful mitigation for woodland loss.

As detailed in previous correspondence from DWT (dated 12th January 2018), we would expect to see adequate compensation for the loss of the woodland blocks in accordance with Policy CS9: "In relation to compensating for the loss of the woodlands this would need to demonstrate that woodlands of similar or greater value could be established and managed within the local vicinity. These would need to complement existing habitats (and not threaten any existing habitats). There could also be justification for financial contributions that would assist in the management of nearby sites including Poolsbrook Country Park and several Local Wildlife Sites".

TO - *The proposed layout of the site as shown on drawing 2879-0-001K by Niemen Architects dated 9th March 2017 would result in the loss of nearly all the wooded areas on the site with the exception of 3 small pockets of woodland in G3, G4 & G10. It is proposed that these small pockets of trees are retained adjacent to the existing drain ditch that runs through the site but subject to the*

consulting engineer and re-grading of the site. This therefore gives no guarantee that any of the existing vegetation will be retained. This, along with the other proposed tree removal would obviously result in a net loss of woodland, hedgerow and associated features on the site.

The proposed layout will also affect the woodland on the adjacent land on the south east boundary where it is proposed that the rear gardens of these plots will back on to the woodland area. This woodland reference G8 is now becoming a prominent feature in the landscape. There is a standoff distance of only 11 metres on some of the plots which will create an ongoing maintenance problem for the woodland owner and occupier with requests to have the trees pruned back or removed as the trees mature on the woodland edge. A greater standoff distance is therefore recommended to remove any future problems both for the new owners of the plots and woodland owner.

An arboricultural impact assessment by Rosetta Landscape Design dated 29th March 2018 and tree report dated 9th March 2017 has been submitted with the application and provides details of which trees and groups of trees should ideally be retained and removed in the scheme using the tree quality assessment within BS5837 Trees in relation to design, demolition and construction- Recommendations 2012.

It is worth noting in section 3.2.2 of the assessment that 'with respect to the illustrative layout parts of all the tree groups apart from G7 could potentially be retained'. This totally contradicts the site layout plan drawing 2879-0-001K and drawing 2751/2 'Trees in relation to development' where it is shown that virtually all of the trees and hedgerows are removed.

The tree survey and 'existing trees on site' drawing 2751-1 has categorised 6 groups of trees G3, G4, G5 G8, G9 & G10 on the site as category B which are trees that should ideally aim to be incorporated into the scheme. 5 groups of trees G1, G2, G7, G11 & G12 and 2 hedgerows H6 & H13 have been assessed as category C trees which are trees not usually retained where they may adversely affect the layout.

The proposed mitigation measures of 7 new trees along The Grove access boundary and 3 trees on the north east corner boundary of the site as shown on drawing 2751/5A – Mitigation measures falls

way short for the amount of trees and hedgerow coverage lost to the proposed development. The hedgerow along Staveley Road referred to as H6 & G5 and the woodland G4 are by far the most important vegetation landscape features on the site which provide a natural screen and wildlife corridor. This coupled up with G3 provides a valuable wildlife link to The Grove.

It is therefore suggested that H6 & G5 and woodland G4 are retained on the site and G3 is retained in part and length to provide continuity in the wildlife corridor from Staveley Road to The Grove. A footpath or cycle route could also be incorporated with a footbridge over the drain ditch. To the opposite side is G10 which should also be retained where possible.

It is also recommended that the access off Staveley Road is reduced to one main access to retain the existing hedgerow boundary feature, woodland and wildlife corridor and the properties are accessed from within the site.

No specific details of the tree protection measures other than the general measures within the tree survey have been provided with the application so if consent is granted the development a condition should be attached for the applicant to provide a tree protection plan before works commence on the site to safeguard any retained trees.

I therefore object to the application on the following grounds:

- The loss of too many existing trees and habitats on the site*
- Unacceptable mitigation measures*
- Unknown impact or retention of proposed retained trees near the drainage ditch which could result in the loss of all the trees and hedgerows on the site.*
- Loss of hedgerow and wooded area with no net gain in tree cover and biodiversity*
- Loss of the natural hedgerow and woodland screening to the site along Staveley Road and the wildlife corridor from Staveley Road to the The Grove.*
- Impact on the woodland on the adjacent land to the south east boundary.*

5.7.3 Having regard to the comments made by both DWT and the TO above, the applicant sought through a series of revisions and

clarifications to address the issues that had been raised; accepting that the concerns of the TO over the loss of trees and hedgerows from the site were inevitable if the principle of development (scale and nature) was to be accepted.

- 5.7.4 DWT were provided with further details of the applicants intended works to the drainage channel (necessary to meet the requirements of the FRA and Drainage Strategy) via emails dated 07 June 2018, 23 July 2018 and 24 July 2018; which provided some clarity over the treatment of the channel post engineering / construction. DWT were keen to see that the drainage channel area allowed this part of the site to provide grass snake mitigation measures (which were present on site) however until the final engineered design of the drainage strategy was formed the applicant advised that they would not be unable to confirm the exact easement requirements for the infrastructure and any planting they could offer. The applicant did suggest that the drainage channel could be fenced off to prevent public access (and also any domestic pets gaining access) which DWT advised would create a better environment for grass snakes.
- 5.7.5 In addition to the discussions over grass snake mitigation negotiations were held between the Council, the Local Planning Authority and the applicant (following acceptance over the principle of development) to look to agree a strategy of mitigating the loss of the habitat present on the development site. As the site is being sold by the Council the LPA suggested that compensatory habitat could be formed on land in the vicinity of the site which was within the Council's ownership as a way of facilitating the development and overcoming the initial concerns raised by DWT and the TO over the loss of habitat (trees and woodland).
- 5.7.6 On the 30 August 2018 the applicant submitted Proposals for Compensatory Woodland which set out options for the provision of new woodland / landscape planting; which also included a quote for the implementation of the works.
- 5.7.7 Given that it is both the opinion of DWT and the Strategic Planning team (see section 5.2 above) that the compensatory woodland was necessary to meet the provisions of the NPPF and policies CS1, CS2 and CS9 of the Core Strategy discussions were held with the applicant over the viability of the scheme and the ability for them to fund the provision of these works. These discussions were based

upon a prior conclusion that the compensatory woodland planting was not double counting and should be covered by S106 and not CIL; as the requirements were a site specific measure arising as a result of a specific development proposal and therefore these measures were subject to statutory tests set out under Regulation 122 of the Community Infrastructure Levy Regulations 2010.

A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is –
a) necessary to make the development acceptable in planning terms

b) directly related to the development; and

c) fairly and reasonably related in scale and kind to the development.

5.7.8 The LPA commissioned an independent viability appraisal (undertaken by CP Viability dated June 2018) and the findings of the VA revealed that whilst the site was finely balanced in terms of viability it was calculated that the site could secure a contribution of £174,348 (through present value surplus) towards planning obligations / S106 contributions, in addition to any CIL contribution. It was therefore mutually agreed that this was the maximum figure that the developer could offer as a commuted sum towards any necessary planning obligation / S106 contribution.

5.7.9 Having considered the Compensatory Woodland / Habitat proposals (in consultation with the Council's Leisure Service team and DWT) it is considered that the principle of the proposals are acceptable and would meet the requirements specified under the provisions of policy CS9. The plan submitted by the applicant does suggest some areas of planting which are not necessarily agreeable to the Council as the land identified is used for other purposes but there is no doubt there is sufficient land within the identified area (Poolsbrook Country Park) that other sites will be available to secure an appropriate scheme. Subject therefore to some fine tuning and appropriate legal obligation wording to plant and maintain the woodland in the future (likely to be a commuted sum and works completed by CBC) it is therefore concluded that under the provisions of policies CS1, CS2 and CS9 of the Core Strategy and the wider NPPF the proposals and their impacts upon ecology and trees are acceptable. It will be necessary to secure the works discussed above through the imposition of a series of

planning conditions which have been discussed and agreed with DWT.

5.8 **Other Considerations (inc. Planning Obligations / S106)**

- 5.8.1 Having regard to the nature of the application proposals several policy seeking contribution requirements are triggered given the scale and nature of the development. Policy CS4 of the Core Strategy seeks to secure necessary green, social and physical infrastructure commensurate with the development to ensure that there is either no adverse impact upon infrastructure capacity in the Borough or any impacts can appropriately mitigated.
- 5.8.2 Internal consultation has therefore taken place with the Councils own **Economic Development** and **Housing Services** teams, as well as externally with **Derbyshire County Councils Strategic Planning** team and the **North Derbyshire Care Commissioning Group**(CCG) on the development proposals to ascertain initially what specific contributions should be sought.
- 5.8.3 The Council's Economic Development (ED) team confirmed their support for the development proposals in principle and recommended that, *'a local labour / supply chain clause is negotiated and secured via either a s106 agreement or planning condition which would encourage local employment, training and supply chain opportunities during the construction phase to promote the opportunities to local businesses and local people'*. The ED noted the submission by the applicant of an employment, training and management plan and commented, *'The plan makes provision for employment and training opportunities for local people but would benefit from more detail as to how the applicant will engage with the local supply chain. To ensure that the commitments within the plan are recognised, it is also recommended that the applicant works with the economic development to agree an action plan and monitoring arrangements'*.
- 5.8.4 Having regard to the comments made by the ED team above it will be necessary to look to secure by planning condition the requirement for local labour (best endeavours), which is standard approach taken to deal with local labour / supply as required by the provisions of policy CS13 for all major development schemes.

5.8.5 Under the provisions of policy CS11 of the Core Strategy which requires on sites totalling 15 dwelling or more, up to 30% affordable / special needs housing subject to evidence of need and viability assessment; the Council's Housing Services (HS) team responded to the development consultation as follows:

'Demand for (traditional) affordable housing types in Poolsbrook is low and there is little need for additional supply in the immediate surrounding area. There is not a need for additional affordable housing in the area of the types (2,3 and 4 bedroom houses) that are proposed on the development.'

The affordable housing statement from Gleeson's comments is taken from a draft document and proposal from Government. As it is a draft it is not guaranteed that this changes to definition will occur therefore consideration of whether affordable housing according to its current definition should be provided in accordance with Planning Policy. Whilst no direct on site provision would be sought due to the low demand for social rented properties in the area if the site viability permits the delivery of affordable housing this should be in the form of a commuted sum. This money could then be used to provide bespoke housing solutions locally for more specialised housing solutions such as adaptations'.

5.8.6 Since the submission of the application and Gleeson's Affordable Housing Statement, the NPPF was updated (July 2018) to incorporate in the definition of affordable housing the following:

*d) **Other affordable routes to home ownership:** is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to Government or the relevant authority specified in the funding agreement.*

5.8.7 In view of the above and other matters attributable to the need to secure planning obligations through S106 contribution the Council

sought an independent Viability Appraisal (VA) of the site and development proposed. This work was undertaken by David Newham of CP Viability Ltd (June 2018).

- 5.8.8 The findings of the VA revealed that whilst the site was finely balanced in terms of viability it was calculated that the site could secure a contribution of £174,348 (through present value surplus) towards planning obligations / S106 contributions, in addition to any CIL contribution. It was therefore mutually agreed that this was the maximum figure that the developer could offer as a commuted sum towards any necessary planning obligation / S106 contribution.
- 5.8.9 Having regard to the above it is already accepted (see section 5.7 above) that the creation of Habitat Compensatory Planting is necessary to mitigate the impacts of the development on the local environment and therefore the figures for this scheme and its future maintenance are to be taken as a priority from that S106 'pot'. In addition £5000 will be allocated towards Highway Mitigation (see section 5.4 above).
- 5.8.10 It was agreed that the Habitat Compensatory Planting would be provided by the Council (as it affects their land) and therefore a commuted sum for this and its future maintenance would form part of the S106. At the time of writing this report a quote for £45,000 had been provided for the creation of the habitat; however the Leisure Services team had not yet confirmed their final figure for a 5 year maintenance plan.
- 5.8.11 Looking in turn therefore at each of the other S106 requirements the scheme would trigger an affordable housing contribution (Policy CS11) and a requirement in respect of the Percent for Art scheme (Policy CS18). A request for a contribution has also been received from the North Derbyshire Care Commissioning Group (CCG) for a contribution of £66,646 towards providing GP services.
- 5.8.12 As Health services are not currently covered by the council's CIL Regulation 123 list and it is therefore necessary to consider if this should be addressed through a financial contribution, secured by a S106 agreement. Policy CS4 states that 'developers will be required to demonstrate that the necessary infrastructure (green, social and physical) will be in place in advance of, or can be provided in tandem with, new development'. The preamble (para

5.6) to the policy describes infrastructure, but does not provide an exclusive or exhaustive list. It does refer to health facilities specifically as an example of social infrastructure. Para 5.8 refers to working 'co-operatively and jointly with partners to ensure delivery of the infrastructure required to enable development and improve existing facilities'.

- 5.8.13 Under the policy, strategic infrastructure set out in the council's Infrastructure Delivery Plan should be secured through CIL. The expansion of GP services in this area is not in the IDP or on the Regulation 123 list and therefore securing a contribution through S106 would not be considered 'double counting'.
- 5.8.14 The CIL regulations and NPPF set out the tests for planning obligations. Planning obligations should only be sought where they meet all of the following tests:
- necessary to make the development acceptable in planning terms
 - directly related to the development
 - fairly and reasonably related in scale and kind to the development
- 5.8.15 The CCG has clearly set out the evidence relating to the second two tests. On the basis of Policy CS4, as expanded in the preamble to the text, it is clear that health facilities are covered by Policy CS4 where a need can be identified. The request also therefore meets the first test and it is considered that this contribution should be sought as a priority.
- 5.8.16 Looking therefore at the remaining contributions of affordable housing and percent for art it is considered, given the need to balance delivery of the site and regeneration to Poolsbrook, that in this instance the Percent for Art contribution can be forfeited on the balance of viability. There is also only one option for the siting of public art on the site and this is along the drainage channel which will be affected by easements (Water Authority) and not publically accessible. It is therefore considered not to be the most ideal location for such a scheme and other contribution priorities outweigh public art in this case.
- 5.8.17 In terms of the affordable housing the submission by Gleeson's suggests that due to their low market values the product on offer from Gleeson's meets the definition of affordable housing in its

own right, under the provisions of the amended NPPF and affordable housing definition. Whilst this position has not yet been tested it is clear that there is no requirement for affordable units in Poolsbrook due to a high level of existing housing stock in the area owned by the Council. Therefore it is considered that of the remaining sum of S106 contribution available (£57,702) will be divided between the commuted sum for ongoing maintenance of the compensatory planting (which Leisure Services will calculate) and the remainder will be taken as a commuted sum for Housing (which is likely to be used to fund specialised housing solutions such as adaptations).

5.9 Community Infrastructure Levy (CIL)

- 5.9.1 Having regard to the nature of the application proposals the development comprises the creation of 175 no. new dwellings and the development is therefore CIL Liable.
- 5.9.2 The site the subject of the application lies within the low CIL zone and therefore the CIL Liability has been calculated (using calculations of gross internal floor space [GIF]) as follows:

		A	B	C	D	E
Proposed Floorspace (GIA in Sq.m)	Less Existing (Demolition or change of use) (GIA in Sq.m)	Net Area (GIA in Sq.m)	CIL Rate	Index (permission)	Index (charging schedule)	CIL Charge
Total = 13,464sqm	0	13,464	£20 (Low Zone)	317	288	£296,395

Net Area (A) x CIL Rate (B) x BCIS Tender Price Index (at date of permission) (C) / BCIS Tender Price Index (at date of Charging Schedule) (D) = CIL Charge (E).

6.0 REPRESENTATIONS

- 6.1 The application has been publicised by site notice posted on 25/04/2018; by advertisement placed in the local press on 03/05/2018; and by neighbour notification letters sent on

24/04/2018. Neighbours were also re-consulted on the revised plans on 01/08/2018.

6.2 As a result of the applications publicity there have been two letters of publicity received as follows:

The Old Chapel, Cottage Close

Thank you for your notification of the above planning application. In comparison to the present size of our village, this is a major development and obviously there are concerns, even though the need for extra national housing has been well circulated.

There being proposed several hundred adults and young people of all age groups, who will live their lives in this estate, there are bound to be questions regarding the blend with Poolsbrook Village, the School Academy, the present new housing development (ex. Poolsbrook Hotel) and questions as to how best to serve the needs of the volume of families.

The two entrance/exits proposed for the new estate (New Poolsbrook?) are going against the natural traffic flow of the existing village. Already there is already, by necessity, double-parking on all roads. Add to this a new entrance/exit in The Grove (blind bend), busy turn-in, not unfeasible to have cars, lorries, buses etc backing out into Erin Road, and new entrance/exit in Staveley Road, school-runs etc, business commuting etc and the old saying 'accidents waiting to happen' is totally reasonable to assume. Distinct possibility of road traffic accidents and very probably children at risk who, at present, enjoy the present reasonable safety of present village surroundings.

A properly planned main entrance/exit and new roundabout, for all new estate vehicles (could be around three hundred cars and some motorbikes, bicycles, mobility scooters etc.) along Erin Rd seems a safer possibility.

Moving forwards, as part of the usual social responsibility between construction company and existing surrounding homes, it would be in the interests of our village if improvements would be made, as a tangible advantage for all concerned, as part of the detailed planning agreement:-

1. The existing sports pitch is well-used by local teams, youth groups, the village school, recreation for all, and regarded as an above-average pitch in the local area. As such, the present changing rooms etc are in need of upgrading, particularly in view of the sizeable number of expected youth living in the proposed estate. Likewise, an upgrade of the poor enclosure fencing, rubbish bins etc would be welcomed. For vehicle and public safety, should the present application be approved, some provision should be made for the cars of the local teams and supporters, who at present, park along Staveley Road - bearing in mind the proposed exit/entrance to the new estate along the same road, only a few yards away. Staveley Road and Cottage Close are extremely busy during school runs, maybe alternative entrance/exit for new estate?

2. The teachers of the our village school are obliged to use Cottage Close for overspill parking during school hours, and parent's cars temporarily are obliged to double-park for the school run. This is a concern, regarding traffic volumes heading in and out of the new estate, especially during rush-hours. The school itself is in desperate need of improvements, grade movements etc. Will the school be extended, or kept at present capacity?

3. Poolsbrook Bowls Club is a well-respected club and venue of crown green, also their members have to park along Staveley Road when events are on. It would be welcome if some agreed works would be made with respect for this well-attended society.

The village would benefit greatly from improvement works, especially to provide a reasonable meshing with the new houses, pricing, built environment, social aspects etc:-

1. The existing accesses to the village, from a road safety point-of-view, are a concern. Both accesses/exits have blind spots and lines of view are disrupted. The present 50 mph limit on this part of Erin Road is too fast for this section for traffic exiting and entering the village. Addressing hard landscaping, warning signs, rumble rumble-strips etc would alleviate some risk, particularly with the new estate in mind.

2. Village roads and paths are in great need of resurfacing, temporary filling potholes and bitumen sealer to footpaths as has

been done previously, are wasting resources in our view. Already, on Staveley Road alone there are over a dozen potholes...

3. Grassed areas, verges etc. would benefit from a maintenance agreement. Grass overgrowing path edging strips, weed abundance and general housekeeping- keeping requirements.

4. There is at present, a muddy footpath between the village and the Country Park. A permanent solution would be preferable, especially as the Council funded a hardcore footpath years ago.

The development proposal, as it stands, may benefit, with regard to alternative access/egress arrangements into the village, due to the volume of plots proposed. Also, there is a need for more consideration towards wildlife and the present woodland copses. If these areas are required for construction of plots, then substitution of further new areas should be made. The boundary of existing hedgerow between new development and Staveley Rd should be maintained and allowed to grow higher, along with tree screening. There is a relevant need for village improvements and to make an aesthetic balance between new and existing developments.

I am aware that I may be addressing matters already in hand with Gleasons, however, I believe that unless constructive implementation is given, then a practical, socially acceptable and fully integrated solution may not be achievable.

46 Staveley Road

I would like you to take into account my concerns for the trees on Staveley Road behind the two shops and in line with my property. I feel it is imperative that these trees are retained and would oppose any plans to remove them.

6.3 **Staveley Town Council** - The Council would draw attention to local flooding issues, the need to consult with Poolsbrook and Duckmanton Schools (not mentioned in the attached brief), the associated capacity of local schools to deal with the potential influx, the capacity of the sewerage system and the use of green space for development. If these issues are satisfactorily dealt with then the Council support the proposal.

6.4 ***Officer Response: Please see sections 5.2, 5.3, 5.4, 5.5, 5.6, 5.7 and 5.8 above.***

7.0 **HUMAN RIGHTS ACT 1998**

7.1 Under the Human Rights Act 1998, which came into force on 2nd October 2000, an authority must be in a position to show:

- Its action is in accordance with clearly established law
- The objective is sufficiently important to justify the action taken
- The decisions taken are objective and not irrational or arbitrary
- The methods used are no more than are necessary to accomplish the legitimate objective
- The interference impairs as little as possible the right or freedom

7.2 It is considered that the recommendation is objective and in accordance with clearly established law.

7.3 The recommended conditions are considered to be no more than necessary to control details of the development in the interests of amenity and public safety and which interfere as little as possible with the rights of the applicant.

7.4 Whilst, in the opinion of the objector, the development affects their amenities, it is not considered that this is harmful in planning terms, such that any additional control to satisfy those concerns would go beyond that necessary to accomplish satisfactory planning control.

8.0 **STATEMENT OF POSITIVE AND PROACTIVE WORKING WITH APPLICANT**

8.1 The following is a statement on how the Local Planning Authority (LPA) has adhered to the requirements of the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 in respect of decision making in line with paragraph 38 of the National Planning Policy Framework (NPPF).

8.2 Given that the proposed development does not conflict with the NPPF or with 'up-to-date' Development Plan policies, it is considered to be 'sustainable development' and there is a presumption on the LPA to seek to approve the application. The LPA has used conditions to deal with outstanding issues with the

development and has been sufficiently proactive and positive in proportion to the nature and scale of the development applied for.

8.3 The applicant / agent and any objector will be provided with copy of this report informing them of the application considerations and recommendation / conclusion.

9.0 **CONCLUSION**

9.1 The proposed development is considered to be appropriately sited, detailed and designed such that the development proposals comply with the provisions of policies CS1, CS2, CS3, CS4, CS6, CS7, CS8, CS9, CS10, CS11, CS13, CS18 and CS20 of the Core Strategy and the wider National Planning Policy Framework (July 2018).

9.2 Planning conditions have been recommended to address any outstanding matters and ensure compliance with policies CS7, CS8, CS9, CS18 and CS20 of the Chesterfield Local Plan: Core Strategy 2011 – 2031 and therefore the application proposals are considered acceptable.

10.0 **ADDITIONAL RECOMMENDATION**

10.1 That a S106 agreement be negotiated (as per section 5.8 above) to cover:

- £47,000 towards Compensatory Habitat / Woodland Planting at Poolsbrook; and a further commuted sum for 5 years maintenance (to be reported verbally at committee)
- £5000 towards a MOVA installation for highway mitigation measures
- £66,646 towards GP facilities / upgrade
- A commuted sum for affordable housing (to be reported verbally at committee)
- Appointment of a management company to maintain any communal / green open spaces; inc. any drainage infrastructure not formally adopted by the Water Authority

10.2 That a CIL Liability Notice be served requiring the CIL to be paid as set out in section 5.9 above.

11.0 **RECOMMENDATION**

11.1 That the application be **GRANTED** subject to the following conditions /notes:

Time Limit etc

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

Reason - The condition is imposed in accordance with section 51 of the Planning and Compensation Act 2004.

02. All external dimensions and elevational treatments shall be as shown on the approved plans (listed below – with any superseded plans ~~struck through~~) with the exception of any approved non material amendment.

Original Plans – 10/04/2018

2879-0-000 A	SITE LOCATION PLAN
S8708	TOPOGRAPHICAL SITE SURVEY
2879-0-001-K	SITE LAYOUT PLAN
201/1F - HOUSE TYPE 201	ELEVATIONS / FLOOR PLANS
202/1F - HOUSE TYPE 202	ELEVATIONS / FLOOR PLANS
212/1 - HOUSE TYPE 212	ELEVATIONS / FLOOR PLANS
301/1G - HOUSE TYPE 301	ELEVATIONS / FLOOR PLANS
303/1E - HOUSE TYPE 303	ELEVATIONS / FLOOR PLANS
304/1E - HOUSE TYPE 304	ELEVATIONS / FLOOR PLANS
307/1B - HOUSE TYPE 307	ELEVATIONS / FLOOR PLANS
309/1E - HOUSE TYPE 309	ELEVATIONS / FLOOR PLANS
310/1D - HOUSE TYPE 310	ELEVATIONS / FLOOR PLANS
311/1A - HOUSE TYPE 311	ELEVATIONS / FLOOR PLANS
313/1 - HOUSE TYPE 313	ELEVATIONS / FLOOR PLANS
314/1 - HOUSE TYPE 314	ELEVATIONS / FLOOR PLANS
401/1G - HOUSE TYPE 401	ELEVATIONS / FLOOR PLANS
403/1H - HOUSE TYPE 403	ELEVATIONS / FLOOR PLANS
405/1E - HOUSE TYPE 405	ELEVATIONS / FLOOR PLANS
SD-100 REV D	BOUNDARY TREATMENTS - TIMBER FENCE
SD-103 REV B	BOUNDARY DETAILS POST
SD-118	VERTICALLY BOARDED ACOUSTIC FENCE
SD-700 REV A	DETACHED SINGLE GARAGE DETAILS

SD-701 REV A	DETACHED DOUBLE GARAGE DETAILS
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Revised 09/07/2018

21-0002-CCL-SK012	EXISTING WATERCOURSE SECTIONS
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Revised 02/05/2018

2751-2A-TRD-A0-500	TREES IN RELATION TO DEVELOPMENT
2751-4A-VIA-A1-1000	VISUAL IMPACT ASSESSMENT
2751-5B-MM-A1-1000	MITIGATION MEASURES

Revised 27/07/2018

2879-0-001 -L	PROPOSED SITE LAYOUT - WITH OS PLAN
2879-0-005	PROPOSED MATERIALS PLAN
201(X)-8 RURAL 13	ELEVATIONS
202(T)-9 RURAL 13	ELEVATIONS
212(E)-9 RURAL 13	ELEVATIONS
301(Z)-8 RURAL 13	ELEVATIONS
303(W)-9 RURAL 13	ELEVATIONS
304(V)-10 RURAL 13	ELEVATIONS
307(Z)-10 RURAL 13	ELEVATIONS
309(W)-10 RURAL 13	ELEVATIONS
310(R)-10 RURAL 13	ELEVATIONS
311(G)-8 RURAL 13	ELEVATIONS
313(H)-9 RURAL 13	ELEVATIONS
401(T)-9 RURAL 13	ELEVATIONS
403(R)-9 RURAL 13	ELEVATIONS
405(X)-9 RURAL 13	ELEVATIONS

Revised 09/08/2018

2879-0-001 -N	PROPOSED SITE LAYOUT - WITH OS PLAN
2879-0-002 -A	PROPOSED STREET SCENES - INDICATIVE COLOUR
2879-0-005 -B	PROPOSED MATERIALS PLAN
307Z(B)PLANNING (Plots 4 and 40 Only)	REVISED ELEVATIONS
309N(E)PLANNING (Plot 19)	REVISED ELEVATIONS
309N2(E)PLANNING (Plot 38)	REVISED ELEVATIONS

403U(H)PLANNING (Plot 73 Only)	REVISED ELEVATIONS
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Revised 22/08/2018

2879-0-001-O	PROPOSED SITE LAYOUT - WITH OS PLAN
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Revised 04/09/2018

2879-0-001-P	PROPOSED SITE LAYOUT - WITH OS PLAN
18006_P_001 Rev D	SITE ACCESS VISIBILITY SPLAYS
18006_P_002 Rev D	SWEPT PATH ANALYSIS – REFUSE VEHICLE
18006_P_003 Rev D	VISIBILITY SIGHTLINES SHEET 1 OF 2
18006_P_004 Rev D	VISIBILITY SIGHTLINES SHEET 2 OF 2

Documents

Planning Statement

Design and Access Statement

Drainage Statement

Flood Risk Assessment (revised 09 July 2018)

Deep Water Risk Assessment

Ecological Impact Assessment

Transport Assessment (revised 09 August 2018)

Travel Plan (revised 09 August 2018)

Noise Assessment

Geotechnical and Geo-Environmental Desk Study (by Eastwood & Partners)

Geotechnical and Geo-Environmental Site Investigation (by Eastwood & Partners)

Tree Report & Plan

Arboricultural Impact Assessment

Landscape Statement

Employment and Training Management Plan (revised 27 July 2018)

Affordable Housing Statement

Planning Obligations Statement

~~Materials Schedule~~

Maximising Security Through Design (by MJ Gleeson)

Proposals for Compensatory Woodland

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

Drainage

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

a. Development of land off, The Grove, Poolsbrook, Chesterfield Flood Risk Assessment (Report No: 17/007.01 Revision: 5th July 2018 by joc consultants ltd

b. And 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 building commencing.

Reason - To ensure that the proposed development does not increase flood risk and that principles of sustainable drainage are incorporated into this proposal and sufficient detail of the construction, operation and maintenance of sustainable drainage systems is provided to the Local Planning Authority in advance of full planning consent being granted.

04. 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 hierarchy in paragraph 80 of the planning practice guidance, and to obtain a full understanding of the springs within the site and any associated mitigation requirements.

Reason - To ensure that surface water from the development is directed towards the most appropriate waterbody in terms of flood risk and practicality by utilising the highest possible priority destination on the hierarchy of drainage options. The assessment should demonstrate with appropriate evidence

that surface water runoff is discharged as high up as reasonably practicable in the following hierarchy:

- I. into the ground (infiltration);*
- II. to a surface water body;*
- III. to a surface water sewer, highway drain, or another drainage system;*
- IV. to a combined sewer.*

And to ensure that development will be safe from flood risk including from groundwater and natural springs.

05. 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 leading to increased surface water run-off from site, during the construction phase.

Reason - To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development.

06. No building or other obstruction including landscape features shall be located over or within:
- a) 6 (six) metres either side of the 600 mm sewer centre-line i.e. a protected strip width of 12 metres, that crosses the site;
 - b) 3.5 (three point five) metres either side of the 525 mm sewer centre-line i.e. a protected strip width of 7 metres, that crosses the site; and
 - c) 3 (three) metres either side of the 375 mm sewer centre-line i.e. a protected strip width of 6 metres, that crosses the site.

No trees shall be planted within 5 metres either side of any sewerage located within the site boundary.

If the required stand-off distances are to be achieved via diversion or closure of the sewers, 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(s), the approved works have been undertaken.

Reason - In order to protect public health and allow sufficient access for maintenance and repair work at all times.

07. The site shall be developed with separate systems of drainage for foul and surface water on and off site.

Reason - In the interest of satisfactory and sustainable drainage.

08. 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.

Reason - To ensure that the site is properly drained and in order to prevent overloading, surface water is not discharged to the foul sewer network.

Environmental Health

09. Construction work (inc. demolition works) shall only be carried out on site between 8:00am and 6:00pm Monday to Friday, 9:00am to 5:00pm on a Saturday and no work on a Sunday or Public Holiday. The term 'construction work' shall include mobile and fixed plant/machinery, (e.g. generators) radios and the delivery of construction materials. NB - The above condition takes into account current guidance issued by Derbyshire County Council, Highways Agency and all Utility companies.

Reason – In the interests of residential amenity.

10. Electric Vehicle Charging Points shall be installed as part of the build phase at each dwelling, which shall be retained available for use for the life of the development.

Reason - In the interests of reducing emissions in line with policies CS20 and CS8 of the Core Strategy.

11. In the event it is proposed to import soil onto site in connection with the development the proposed soil shall be sampled at source and analysed in a MCERT certified laboratory, the results of which shall be submitted to the Local Planning Authority for consideration. Only the soil approved in writing by the Local Planning Authority shall be used on site.

Reason - To protect the environment and ensure that the redeveloped site is reclaimed to an appropriate standard.

Ecology / Trees

12. Development shall not commence (including site clearance / preparation) until a grass snake mitigation strategy has been prepared that includes measures to avoid harm to grass snake population to be employed during the site preparation and construction process and thereafter measures to provide sufficient suitable habitat is incorporated within the final layout to protect and promote the recovery of this priority species has been submitted to and approved in writing by the Local Planning Authority. The works shall only be carried out on site in strict accordance with the approved strategy.

Reason – To ensure that any ecological interest on site is appropriately addressed and can be mitigated against, prior to any development taking place, in accordance with policy CS9 and the wider NPPF.

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

Reason – In the interests of biodiversity and to accord with policy CS9 of the Local Plan: Core Strategy 2011-2031 and the National Planning Policy Framework.

PD Rights / Landscaping Details

14. 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.

Reason - In the interests of the amenities of occupants of adjoining dwellings.

15. Within 2 months of commencement of development, unless otherwise agreed in writing by the Local Planning Authority, details of a soft landscaping scheme for the approved development shall be submitted to the Local Planning Authority for consideration.

The required soft landscape scheme shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers; densities where appropriate, an implementation programme and a schedule of landscape maintenance for a minimum period of five years. Those details, or any approved amendments to those details shall be carried out in accordance with the implementation programme.

Reason - The condition is imposed in order to enhance the appearance of the development and in the interests of the area as a whole.

16. If, within a period of five years from the date of the planting of any tree or plant, that tree or plant, or any tree or plant planted as a replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason - The condition is imposed in order to enhance the

appearance of the development and in the interests of the area as a whole.

17. Within 2 months of commencement of development, unless otherwise agreed in writing by the Local Planning Authority, full details of hard landscape works for the approved development shall be submitted to the Local Planning Authority for consideration.
- 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 building.

Reason - The condition is imposed in order to enhance the appearance of the development and in the interests of the area as a whole.

Others

18. The development hereby approved shall include the provision of appropriate infrastructure to enable the dwellings to have high speed broadband, in accordance with details to be submitted to, and approved in writing, by the Local Planning Authority.

Reason – In the interests of sustainable development and to ensure that the development is capable of meeting the needs of future residents and / or businesses in accordance with policy CS4 of the Core Strategy and para. 42 of the NPPF.

19. 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.

Reason - In order to support the regeneration and prosperity of the Borough, in accordance with the provisions of Policy CS13 of the Core Strategy.

Highways

20. 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.

Reason – In the interests of highway safety.

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

Reason – In the interests of highway safety.

22. No development shall take place 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. 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
 - Arrangements for turning vehicles

Reason – In the interests of highway safety.

23. The premises, the subject of the application, shall not be occupied until the proposed new estate streets within the application site have been designed and laid out in accordance with the 6C's design guide and constructed to

base level to adoptable standards all as agreed in writing with the Local Planning Authority.

Reason – In the interests of highway safety.

24. No development shall take place 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.

Reason – In the interests of highway safety.

25. The carriageways of the proposed estate roads shall be constructed in accordance with Condition 23 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 roads. 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 twelve months (or three months in the case of a shared surface road) from the occupation of such dwelling, unless otherwise agreed in writing by the Local Planning Authority.

Reason – In the interests of highway safety.

26. The premises, the subject of the application, shall not be occupied until a new estate street junction has been formed to The Grove and Staveley Road (as per the application drawings) and provided with visibility sightlines extending from a point 2.4 metres from the carriageway edge, measured along the centreline of the estate street, for a distance of 43 metres in each direction measured along the nearside carriageway edge, the land in advance of the visibility sightlines being levelled, constructed as footway and

not being included in any plot or other sub-division of the site.

Reason – In the interests of highway safety.

27. No dwelling shall be occupied until space has been laid out within the site for the parking of residents and visitors vehicles.

Reason – In the interests of highway safety.

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

Reason – In the interests of highway safety.

29. Individual and shared private accesses shall not be taken into use until 2m x 2m x 45° pedestrian intervisibility splays have been provided on either side of the accesses at the back of the footway/margin, the splay area being maintained throughout the life of the development clear of any object greater than 0.6m in height relative to footway level.

Reason – In the interests of highway safety.

30. The proposed access driveways to the new estate street shall be no steeper than 1 in 14 for the first 5m from the nearside adoptable highway boundary and 1 in 10 thereafter.

Reason – In the interests of highway safety.

31. No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in

writing by the Local Planning Authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in Annex F of PPS25 (or any subsequent version), and the results of the assessment provided to the Local Planning Authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- i. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason – In the interests of highway safety.

Notes

01. If work is carried out other than in complete accordance with the approved plans, the whole development may be rendered unauthorised, as it will not have the benefit of the original planning permission. Any proposed amendments to that which is approved will require the submission of a further application.
02. This approval contains condition/s which make requirements prior to development commencing. Failure to comply with such conditions will render the development unauthorised in its entirety, liable to enforcement action and will require the submission of a further application for planning permission in full.

Drainage

03. The County Council do not adopt any private SuDS schemes. As such, it should be confirmed prior to

commencement of works which organisation will be responsible for SuDS maintenance once the development is completed.

Any works in or nearby an ordinary watercourse may require consent under the Land Drainage Act (1991) from the County Council (e.g. an outfall that encroaches into the profile of the watercourse, etc) to make an application for any works please contact Flood.Team@derbyshire.gov.uk.

The Local Planning Authority should be mindful to obtain all the relevant information pertaining to the proposed discharge in land that is not within the control of the applicant, which is fundamental to allow the drainage of the proposed development site.

The applicant should demonstrate, to the satisfaction of the Local Planning Authority, the appropriate level of treatment stages from the resultant surface water in line with Table 4.3 of the CIRIA SuDS Manual C753. This type of development usually requires >2 treatment stages before outfall into surface water body/system which may help towards attainment of the downstream receiving watercourse's Water Framework Directive good ecological status.

The County Council would prefer the applicant to utilise existing landform to manage surface water in mini/sub-catchments. The applicant is advised to contact the County Council's Flood Risk Management team should any guidance on the drainage strategy for the proposed development be required.

The applicant should provide a flood evacuation plan which outlines;

- The flood warning procedure.
- A safe point of extraction.
- How users can safely evacuate the site upon receipt of a flood warning.
- The areas of responsibility for those participating in the plan.
- The procedures for implementing the plan.
- How users will be made aware of flood risk.
- How users will be made aware of flood resilience.

- Who will be responsible for the update of the flood evacuation plan?

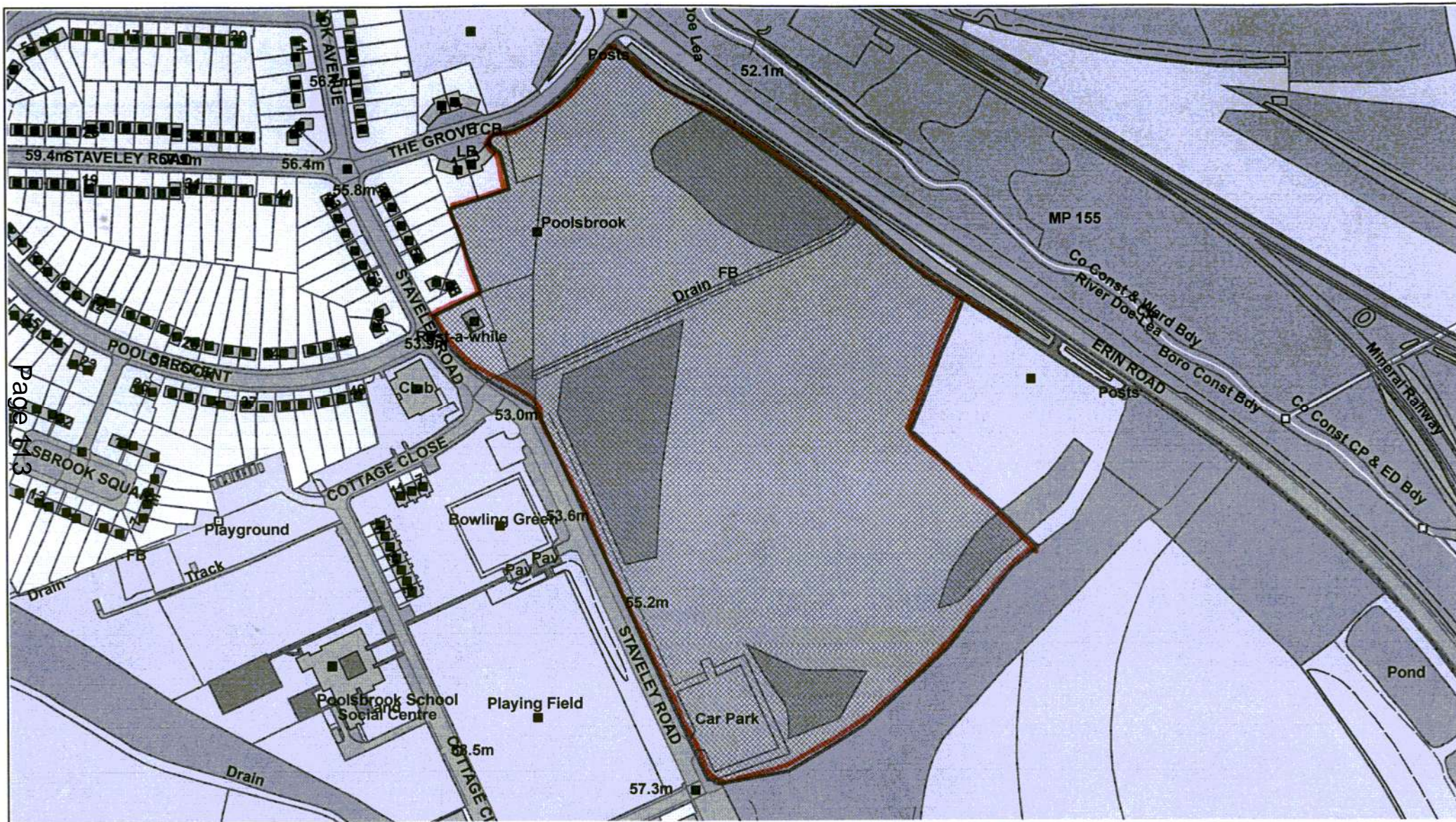
Highways

04. Pursuant to Section 38 and the Advance Payments Code of the Highways Act 1980, the proposed new estate roads should be laid out and constructed to adoptable standards and financially secured. Advice regarding the technical, financial, legal and administrative processes involved in achieving adoption of new residential roads may be obtained from the Strategic Director Economy, Transport and Communities at County Hall, Matlock (tel: 01629 580000 and ask for the Development Control Implementation Officer Mr I Turkington Ext 38578).
05. Pursuant to Section 278 of the Highways Act 1980 and the provisions of the Traffic Management Act 2004, no works may commence within the limits of the public highway without the formal written Agreement of the County Council as Highway Authority. It must be ensured that public transport services in the vicinity of the site are not adversely affected by the development works.
Advice regarding the technical, legal, administrative and financial processes involved in Section 278 Agreements may be obtained from Mr K Barton in Development Control at County Hall, Matlock (tel: 01629 538658). The applicant is advised to allow approximately 12 weeks in any programme of works to obtain a Section 278 Agreement.
06. Pursuant to Sections 219/220 of the Highways Act 1980, relating to the Advance Payments Code, where development takes place fronting new estate streets the Highway Authority is obliged to serve notice on the developer, under the provisions of the Act, to financially secure the cost of bringing up the estate streets up to adoptable standards at some future date. This takes the form of a cash deposit equal to the calculated construction costs and may be held indefinitely. The developer normally discharges his obligations under this Act by producing a layout suitable for adoption and entering into an Agreement under Section 38 of the Highways Act 1980.

07. Pursuant to Sections 149 and 151 of the Highways Act 1980, steps shall be taken to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.
08. Pursuant to Section 163 of the Highways Act 1980, where private site curtilages slope down towards the new estate street, measures shall be taken to ensure that surface water run-off from within the private areas is not permitted to discharge across the footway margin. This usually takes the form of a dish channel or gulley laid across the access immediately behind the back edge of the highway, discharging to a drain or soakaway within the site.

CIL

09. You are notified that you will be liable to pay the Community Infrastructure Levy (CIL) to Chesterfield Borough Council as CIL collecting authority on commencement of development. This charge will be levied under the Chesterfield Borough Council CIL charging schedule and s211 of the Planning Act 2008.



CHESTERFIELD
BOROUGH COUNCIL

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Case Officer: Eleanor Casper
Telephone No: 01246 345785
Report Date: 05.09.2018

File No: CHE/17/00867/FUL
Plot No: 2/705
Committee Date: 17.09.2018

ITEM 2

PROPOSED ERECTION OF A 3 BEDROOM DORMER BUNGALOW WITH GARAGE (REVISED PLANS RECEIVED 26.06.2018) AT LAND ADJACENT TO 19 BENTHAM ROAD CHESTERFIELD, S40 4EZ FOR MISS MICHELLE HARDY

Local Plan: Unallocated
Ward: Brockwell

1.0 CONSULTATIONS

DCC Highways Authority	No objection, subject to condition - see report
The Coal Authority	Objection withdrawn, subject to condition – see report
Design Services (Drainage)	Comments received, no objection – see report
Environmental Health	Comments received, no objection – see report
Forward Planning/Policy Team	Comments received, no objection- see report
Ward Members	No comments received
Yorkshire Water	No comments received
Neighbours	One representation received – see report

2.0 THE SITE

2.1 The application site is a vacant plot of land situated on the east side of Bentham Road highway. Planning permission was granted in 2015 for the erection of an almost identical scheme, this permission has subsequently lapsed and site investigations identified a mine shaft

within the site curtilage which required the siting of dwelling to be amended to meet the requirements of The Coal Authority.



2.2 The shape of the plot is unusual measuring 16m in width along the Bentham Road frontage and includes a narrow 'dog-leg' extending to the rear of No's 2 and 4 Barbon Close. The site is bound by a small-private cul-de-sac serving No's 7 to 15 Bentham Road to the east and south.

2.3 The surrounding streetscene on Bentham Road is formed of residential dwellings which are mixed in architectural style, age and character.

3.0 **RELEVANT SITE HISTORY**

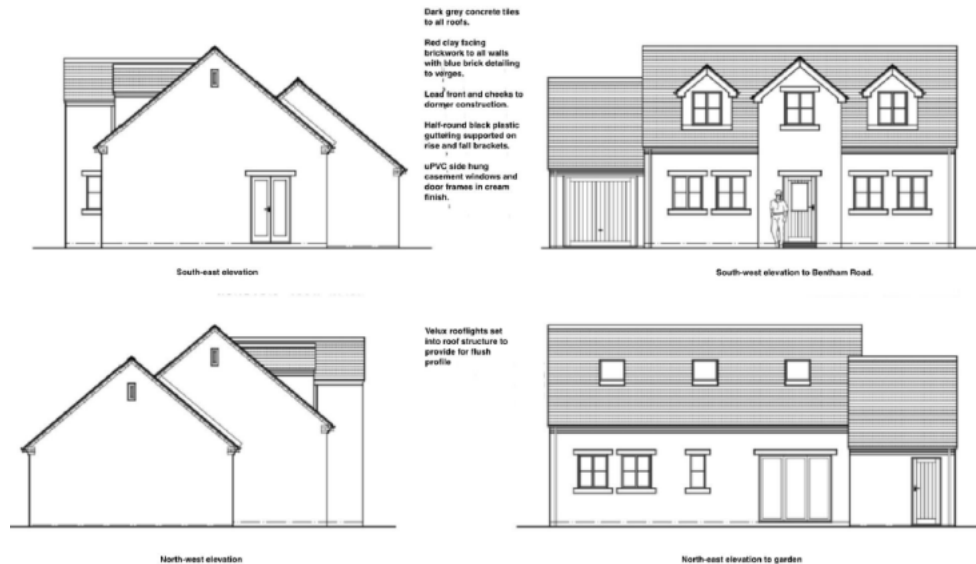
3.1 CHE/14/00837/FUL - Erection of detached dwelling and garage – **CONDITIONAL PERMISSION (24.02.2015)**

SURROUNDING SITE HISTORY

- 3.2 CHE/05/00433/OUT - proposed housing development – five units – **CONDITIONAL PERMISSION (13.09.2005)**
- 3.3 CHE/07/00916/REM - one detached dormer bungalow at Plot 1 - **CONDITIONAL PERMISSION (24.01.2008)**
- 3.4 CHE/08/00450/OUT - Proposed residential development of four detached dwellings - **CONDITIONAL PERMISSION (09.09.2008)**
- 3.5 CHE/12/00174/REM - Reserved matters application for CHE/08/00450/OUT - detached bungalow - **CONDITIONAL PERMISSION (10.05.2012)**
- 3.6 CHE/13/00715/FUL – Construction of a three bedroom bungalow on Plot 3 - **CONDITIONAL PERMISSION (05.02.2014)**
- 3.7 CHE/13/00787/FUL – Erection of a detached dwelling on Plot 1 - **CONDITIONAL PERMISSION (04.03.2014)**
- 3.8 CHE/13/00758/FUL - Erection of a detached dwelling on Plot 2 - **CONDITIONAL PERMISSION (14.03.2014)**
- 3.9 CHE/14/00837/FUL – Erection of a 4/5 bedroom bungalow with integral garage on Plot 3 - **CONDITIONAL PERMISSION (24.02.2015)**
- 3.10 CHE/16/00428/FUL - Detached house to Plot 4 - **CONDITIONAL PERMISSION (31.08.2016)**

4.0 THE PROPOSAL

- 4.1 The application submitted seeks full planning permission for the erection of a 3 bedroom detached dormer bungalow. The principle elevation of the proposed dwelling is orientated towards Bentham Road highway to the south west and incorporates off-street parking for one vehicle and an attached garage.
- 4.2 Internally the ground floor of the proposed dwelling consists of living accommodation with a separate kitchen/diner, utility and downstairs w.c. At first floor level the dwelling comprises of three bedrooms and a shared bathroom. Overall the proposal provides 131 sqm of internal living accommodation.



4.3 The proposed dormer bungalow is formed of a dual pitched roof with intersecting gable feature to the principle elevation. The proposal measures 9.6m x 7m in footprint at ground floor level and includes an attached garage measuring 3.5m x 6.4m in footprint. The proposed dwelling measures 3.5m to the eaves and 6.35m to the ridge.

4.4 The proposal includes four windows at ground floor level within the principle elevation and french/patio doors are proposed within the side (south) elevation to serve the kitchen/diner. Three windows and sliding/patio doors are proposed within the rear (east) elevation facing towards the rear garden of the site.

4.5 The first floor of the proposed bungalow is served by two symmetrical dual pitched dormer windows and a separate window within gable feature serving the family bathroom. Three roof lights are proposed within the eastern roof plane. No fenestration is proposed within the north elevation.

4.6 The application submission is supported by the following plans / documents:

- 'Site Plan Revision' Drawing number PES1807/Site Plan Revision (dated 25.06.2018)
- 'Elevations Revision' Drawing number PES1807/Elevs (dated 25.06.2018)
- 'Plans Revisions' Drawing number PES1807/Plans (dated 25.06.2018)

Background documents

- Capping details for 2m diameter mine shaft, drawing number 38800/002 revision B (dated 14.08.2018), produced by Eastwood & Partners
- Mine shaft cap details

- Revised Layout - Supporting statement produced by Graham Bradford of Planning & Environment Studio (dated 26.06.2018)
- Exploratory hole location plan, drawing number 38800/001 revision B (dated 17.09.2015) produced by Eastwood & Partners
- Geotechnical and geo-environmental site investigations land adjacent to 19 Bentham Road, Newbold chesterfield for M, Hardy, reference 38800-01 produced by Eastwood & Partners (dated September 2015)
- Design and access statement

5.0 CONSIDERATIONS

5.1 Planning Policy Background

5.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that, 'applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise'. The relevant Development Plan for the area comprises of the saved policies of the Replacement Chesterfield Local Plan adopted June 2006 (RCLP) and the adopted Chesterfield Borough Local Plan: Core Strategy (2011-2031).

5.2 Chesterfield Local Plan: Core Strategy 2011 – 2031 ('Core Strategy')

- CS1 Spatial Strategy
- CS2 Principles for Location of Development
- CS3 Presumption in Favour of Sustainable Development
- CS6 Sustainable Design
- CS7 Managing the Water Cycle
- CS8 Environmental Quality
- CS9 Green infrastructure and biodiversity
- CS10 Flexibility in delivery of Housing
- CS18 Design
- CS20 Influencing the demand for travel

5.3 Other Relevant Policy and Documents

- National Planning Policy Framework (July 2018)
- SPD 'Successful Places: A Guide to Sustainable Housing Layout and Design' (adopted July 2013)

5.4 Key Issues

- Principle of development (section 5.5)
- Design and appearance of the proposal (section 5.6)
- Impact on neighbouring residential amenity (section 5.7)
- Highways safety and parking provision (5.8)
- Flood risk and drainage (5.9)
- Land quality and Coal Mining Legacy (5.10)

5.5 Principle of Development

Relevant Policies

- 5.5.1 *Policy CS1 states that ‘The overall approach to growth will be to concentrate new development within walking and cycling distance of centres.’*
- 5.5.2 *Policy CS2 states that when ‘assessing planning applications for new development not allocated in a DPD, proposals must meet the following criteria / requirements:*
- a) adhere to policy CS1*
 - b) are on previously developed land*
 - c) are not on agricultural land*
 - d) deliver wider regeneration and sustainability benefits*
 - e) utilise existing capacity in social infrastructure*
 - f) maximise walking / cycling and the use of public transport*
 - g) meet sequential test requirements of other national / local policies’*
- ‘All development will be required to have an acceptable impact on the amenity of users or adjoining occupiers taking into account noise, odour, air quality, traffic, appearance, overlooking, shading or other environmental, social or economic impacts.’*
- 5.5.3 The Strategy Planning Team (Forward Planning Team) were consulted on the proposal and provided comments on the principle of development with respect to planning policy (see paragraphs 5.5.5 to 5.5.12 below) (*NPPF references relate to the 2012 version*).
- 5.5.4 ***‘Principle of Development: CS1, CS2 & CS10 – The proposal for a 3 bedroom bungalow in this location supports the Council’s strategy around the concentration of development in sustainable locations. The Newbold Local Centre is sufficiently close to allow opportunities for walking, cycling and the use of existing infrastructure and services***

(CS2 e) can be maximised. It is appropriate to encourage this particular development under the NPPF's "presumption in favour of sustainable development" given its adherence to policies CS1 & CS2.'

- 5.5.5 **'Flood Risk & Environment: CS7** - *As there is no risk of surface water flooding on the site (located in Flood Zone 1) a flood risk assessment will not be required. Commitment to the use of SuDs should be secured if possible to further minimise flood risk.'*
- 5.5.6 **'Design Matters: CS6** - *Although the government has removed the Code for Sustainable Homes, the proposal must still set out how the development will meet criteria a-d of this policy. The submitted Design & Access Statement refers to this issue but does not set out details of how it is proposed to be met.'*
- 5.5.7 **'Policy CS18 (Design)** *states that all development should identify, respond and integrate with the character of the site and its surroundings and development should respect the local character and the distinctiveness of its context. In addition it requires development to have an acceptable impact on the amenity of neighbours. The NPPF attaches 'great importance to the design of the built environment' (para 56). The proposal appears suitable in scale and density but comments from the Urban Design Officer should be sought in order to establish whether the design fulfils the requirements of Policy CS18.'*
- 5.5.8 **'Core Strategy policy CS20** *expects development such as that proposed to demonstrate the provision of opportunities for charging electric vehicles where appropriate. Provided there are no overriding material considerations such as heritage, tree protection or viability, a charging point should be secured by condition as required by policy CS20. Given that the proposal includes the provision of a garage, this should not be an onerous requirement.'*
- 5.5.9 **'CIL Requirement** – *The Council has adopted a Community Infrastructure Levy Charging Schedule. As new residential floorspace would be created, the gross internal floor space developed would be liable for Community Infrastructure Levy (CIL) at £50 per square metre (index linked) as it falls within the 'medium' CIL zone. Exemptions are available for self-build development, although there is a specific application process to be followed by the developer/applicant in order to benefit from this.'*

- 5.5.10 ***‘Summary: The principle of development is acceptable. Advice should be sought from the urban design officer on the suitability of the design in light of CS18.’***
- 5.5.11 The Strategy Planning Team (Forward Planning Team) stated that no further comments were required on the revised plans.

Principle of Development

- 5.5.12 The application site is situated within the built settlement of Brockwell. The area is predominantly residential in character therefore policies CS1, CS2, CS10 and CS18 of the Core Strategy and the wider National Planning Policy Framework (NPPF) apply. In addition, the Councils Supplementary Planning Document on Housing Layout and Design ‘Successful Places’ is also a material consideration.
- 5.5.13 The site is located within a reasonable walking distance of a centre, approximately 800m from the defined local centre of Newbold and close to bus routes in and out of Chesterfield. The site is therefore considered to be sustainably located and accords with the principles of policy CS1 and CS2.
- 5.5.14 Comments received from the Strategy Planning Team also reference policy CS6 and suggest that the applicant must set out how the proposed development will meet criteria a to d of this policy. Local Plan policy CS6 requires that residential development meets level four of the Code for Sustainable Homes (Level 5 will be required if built from 2017), however following the Deregulation Act and removal of the Code for Sustainable Home, this is no longer a requirement that can be applied. Criteria a to d of policy CS6 are now covered by different legislation, predominately Building Regulations. It is therefore not considered necessary to require the applicant to submit further information to satisfy policy CS6 to the proposal.
- 5.5.15 Consideration of the principle of development in respect of the design/appearance of the proposal and potential impact on neighbours (CS18 and CS2) will be covered in the sections 5.6 and 5.7. Electric charging points (CS20) will be discussed in section 5.8. Consideration of issues relating to drainage (CS7) will be covered in section 5.9

5.6 Design and Appearance of the Proposal

Relevant Policies

- 5.6.1 Policy CS18 (Design) states that *‘all development should identify, respond to and integrate with the character of the site and its surroundings and respect the local distinctiveness of its context’* and development should have *‘an acceptable impact on the amenity of users and neighbours.’*
- 5.6.2 Core Strategy Policy CS2 states that *‘all developments will be required to have an acceptable impact on the amenity of users or adjoining occupiers, taking into account things such as noise, odour, air quality, traffic, appearance, overlooking, shading or other environmental, social or economic impacts’.*
- 5.6.3 In addition to the above, in July 2013 the Council adopted ‘Successful Places’ which is a Supplementary Planning Document which guides Sustainable Housing Layout and Design. The development proposed should be assessed against the design principles set out in this supporting document.
- 5.6.4 The proposed development comprises the construction of a detached dormer bungalow with a projecting two storey gable to the front. The proposal is almost identical in design to the previously approved application CHE/14/00837/FUL, the main alteration is the proposed garage is now situated adjacent to the northern elevation.
- 5.6.5 Observation of the surrounding properties shows variation within the immediate streetscene, the proposal is considered to be acceptable with respect to its design, scale and siting and as such would not appear unduly prominent within the existing streetscene.
- 5.6.6 The application form and submitted drawing state that the proposal will be faced in red bricks with grey concrete roof tiles and cream uPVC windows. The proposed materials are considered to be acceptable.
- 5.6.7 Having consideration for the observations above the proposal is considered to be acceptable with respect to layout and design and would not result in significant adverse impacts on the visual amenity and character of the area. The proposal will therefore accord with the

design provisions of policy CS2 and CS18 of the Core Strategy and the wider NPPF.

5.7 Impact on Neighbouring Residential Amenity

5.7.1 Core Strategy Policy CS18 states that all development will be expected to *'have an acceptable impact on the amenity of users and neighbours'*

5.7.2 The application site is bound by the rear gardens of No's 2 and 4 Barbon Close to the north west. No 19 Bentham Road is situated to the southeast of the application site on the opposite side of the cul-de-sac serving No's 7 to 15 Bentham Road. No's 18, 20 and 22 Bentham Road are located to the west on the opposite side of Bentham Road highway.

5.7.3 It is necessary to note that the principle of dwelling in this location has previously been established and agreed in 2015. The current application proposes amendments to the layout of the site and proposes moving the garage to the north of the site to provide appropriate separation distance between the dwelling and the identified mineshaft.

Impact on No 19 Bentham Road

5.7.4 No 19 Bentham Road is a situated to the south of the application site. The dwelling appears to be served by two windows within the north (side) elevation of the dwelling facing towards the application site. The ground floor of the dwelling is screened by a large timber fence (see image below). The main habitable room windows occupy an elevated position with respect to the plot and appear at first and second floor level when viewed from the site.



5.7.5 The proposed side (south) elevation of the dwelling incorporates french doors, located approximately 12m from the side (north) elevation of No 19. The proposed french doors face towards the timber fence boundary treatment and as such have no direct line of sight to the elevated windows at No 19. It is recommended that a condition be attached to the decision requiring the submission of proposed boundary treatments prior to installation. Boundary treatments along the southern boundary are considered to screen the french doors and further prevent direct overlooking. It is not considered that the development would result in a harmful loss of privacy or appear unduly overbearing to the occupants of this dwelling.

Impact on all other boundary sharing neighbours

5.7.6 Due to the scale and orientation of the proposed development relative to the adjoining dwellings, it is not considered that the development would cause any significant injury to the residential amenity of the neighbours with respect to overshadowing and overlooking.

5.7.7 Having consideration for the observations above the proposal is considered to be appropriately designed and is not considered to cause significant adverse impacts on residential amenity of the adjoining neighbours. The proposal will therefore accord with the design provisions of policy CS18 of the Core Strategy.

5.7.8 In respect of other environmental considerations and impacts on the amenity of the adjoining occupiers it is considered reasonable to restrict the hours of construction to protect the amenity of the adjoining residential properties. It is therefore considered that an appropriate planning condition can be imposed on any consent given to restrict construction hours accordingly.

5.8 Highway Safety and Parking Provision

5.8.1 The application submission has been reviewed by the Local Highways Authority and the following comments were provided;

5.8.2 *'This application does not appear dissimilar to CHE/14/00837 to which the Highway Authority raised no objections subject to certain conditions and notes being included in any consent. It is considered that the same comments, conditions and notes are still applicable and are repeated below for your ease of reference.'*

5.8.3 *'The applicant should be aware that the area where vehicular access is proposed is currently the subject to an Agreement under Section 278 of the Highways Act 1980 and the developer is currently responsible for the works. They should, therefore, liaise with Orchard Properties (Chesterfield) Ltd regarding this matter.'*

5.8.4 *'It is recommended that the following conditions are included in any consent.*

- 1. Before any other operations are commenced a new vehicular and pedestrian access shall be created to Bentham Road in accordance with the application drawings.*
- 2. The access shall not be taken into use until a 2m x 2m x 45° pedestrian intervisibility splay has been provided on the north western side of the access at the back of the footway, the splay area being maintained throughout the life of the development clear of any object greater than 0.6m in height relative to footway level.*
- 3. 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 of vehicles, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.*
- 4. The garage hereby permitted shall be kept available for the parking of motor vehicles at all times. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and/or re-enacting that Order) the garage hereby permitted shall be retained as such and shall not be used for any purpose other than the garaging of private motor vehicles associated with the residential occupation of the property without the grant of further specific planning permission from the Local Planning Authority.*
- 5. The design and access statement indicates the provision of a vertically retractable garage door in view of the length of the driveway in front of the garage (Minimum 5.5m). This shall be provided and maintained for the life of the development.*
- 6. There shall be no gates or other barriers on the access/driveway.'*

5.8.5 *In addition, the following notes shall be included for the benefit of the applicant.*

1. *Pursuant to Section 184 of the Highways Act 1980 and Section 86(4) of the New Roads and Streetworks Act 1991 prior notification shall be given to the Department of Economy, Transport & Environment at County Hall, Matlock regarding access works within the highway. Information, and relevant application forms, regarding the undertaking of access works within highway limits is available via the County Council's website http://www.derbyshire.gov.uk/transport_roads/roads_traffic/development_control/vehicular_access/default.asp, e-mail highways.hub@derbyshire.gov.uk or telephone Call Derbyshire on 01629 533190.*
2. *The Highway Authority recommends that the first 5m of the proposed access driveway should not be surfaced with a loose material (i.e. unbound chippings or gravel etc.). In the event that loose material is transferred to the highway and is regarded as a hazard or nuisance to highway users, the Authority reserves the right to take any necessary action against the householder.*
3. *Pursuant to Sections 149 and 151 of the Highways Act 1980, steps shall be taken to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.*
4. *The applicant should be aware that the area where the vehicular access is proposed is currently the subject of an Agreement under Section 278 of the Highways Act 1980 and the developer is still responsible for the works. The applicant should, therefore, liaise with Orchard Properties (Chesterfield) Ltd regarding this matter.*

5.8.6 DCC Highways were re-consulted on the revised scheme and stated 'comments as previous'.

5.8.7 The Planning Policy Team have also highlighted requirements for electric charging points on all new dwellings (in accordance with Policy CS20). It is therefore recommended that a condition be

attached requiring the installation of electric charging points as part of the build phase.

- 5.8.6** **Comments – The above comments have been noted. Condition 2 requires the applicant to install a pedestrian intervisibility splay of 2m x 2m x 45°. It is necessary to note that the pedestrian visibility is restricted by the existing detached double garage within the curtilage of No 2 Barbon Close. The proposed garage and associated driveway is situated 1m from the southern elevation of the detached garage providing further separation and a degree of visibility for pedestrians. DCC Highways raised no objections to the revised scheme including the revised location of the garage and associated parking. Conditions 1, 3, 4, 5 and 6 are considered to be appropriate and it is recommended that are attached to the decision. The recommended informatives are considered to be appropriate and should be attached to the decision. The proposal will provide off-street parking for one vehicle and attached garage which constitutes a parking space, this is considered to be acceptable.**

5.9 **Flood Risk and Drainage**

- 5.9.1 Having regard to the provisions of policy CS7 (Managing the Water Cycle) of the Core Strategy the application submission was referred to Yorkshire Water Services (YWS) and the Council's Design Services (DS) team for comments in respect of drainage and flood risk.
- 5.9.2 Design Services (Drainage) were consulted on this application and provided the following comments; *'I refer to the above planning application; the site is not shown to be at risk of flooding according to the Environment Agency flood maps. Any connections to the public sewerage system will require approval from Yorkshire Water. It is noted the developer intends to dispose of surface water via soakaways. Infiltration tests should be carried out and calculations provided in accordance with BRE Digest 365 to ensure no flooding for a 1 in 30 year rainfall event and no flooding of properties for a 1 in 100 year event. In accordance with building regulations, soakaways must not be located within 5 metres of a building. The last sentence regarding soakaways in the previous paragraph must be emphasised to the applicant and furthermore the Coal Authority may object to these soakaways being in close proximity to the mineshaft.'*

- 5.9.3 On the basis of the above comments it is considered necessary to include a condition requiring the submission of surface water drainage details prior to commencement of development.
- 5.9.4 Yorkshire Water were consulted on the proposal, no comments were received.
- 5.9.5 Based on the comments listed above, the proposal is considered to accord with policy CS7 of the Core Strategy.

5.10 Land Quality and Coal Mining Legacy

- 5.10.1 Core Strategy Policy CS8 states that *'The quality of the environment will be recognised at all levels of the planning and development process with the aim of protecting and enhancing environmental quality.'* Having regard to land condition and the requirements of the NPPF and policy CS8 of the Core Strategy the planning application site lies in an area covered by the Coal Authority's referral area and as such it was necessary to consult The Coal Authority on the proposal.
- 5.10.2 The application site is located within an area defined as 'red referral' and as such requires consultation with The Coal Authority and the submission of a Coal Mining Risk Assessment. The Coal Authority were consulted and initially objected to the proposal due concern regarding the submitted information contained within Coal Mining Risk Assessment and the presence of a mine shaft within the site.
- 5.10.3 On the 4th September The Coal Authority provided the following comments; *'The applicant has now provided a cross section through the mine entry capping details. I have sought technical advice on the information submitted from my colleague on this information and that previously submitted in respect of the shaft capping details. My colleague has noted that he is now satisfied with the information submitted and the remedial works proposed and how these will interrelate to the foundations for the development. He has noted however that the 45 degree zone should be defined from the base of the shaft cap and not the top as indicated, although it has no detrimental impacts in this case.'*
- 5.10.4 **'The Coal Authority Recommendation to the LPA;** *The Coal Authority concurs with the recommendations set out in the information submitted by Eastwood & Partners. The Coal Authority*

recommends that the LPA impose a Planning Condition to require these remedial works to be carried out on site prior to commencement of the development.

A condition should therefore require prior to the commencement of development

** Implementation of the remedial works,*

** Submission of a Verification Report, or similar document, confirming the detail of the remedial works which have been carried out on site.*

*The Coal Authority therefore **withdraws its objection** to the proposed development **subject to the imposition of a condition or conditions to secure the above.***

5.10.5 The proposal is therefore considered to accord with policy CS8 of the Core Strategy subject to a condition requiring the implementation of remedial works and verification report prior to commencement of development.

5.11 Community Infrastructure Levy (CIL)

5.11.1 The application proposes the creation of new dwellings and the development is therefore CIL Liable.

5.11.2 The site the subject of the application lies within the medium CIL zone (£50/sqm) and therefore the CIL Liability would be based on the calculations of gross internal floor space on this basis.

		A	B	C	D	E
Development Type	Proposed Floor space (GIA in Sq.m)	Net Area (GIA in Sq.m)	CIL Rate	Index permission	Index charging schedule	CIL Charge
Residential (C3)	131	131	£50 Medium Zone	317	288	£7,210

Net Area (A) x CIL Rate (B) x BCIS Tender Price Index (at date of permission) (C) = CIL Charge (E)
BCIS Tender Price Index (at date of Charging Schedule) (D)

$$\frac{131 \times 50 \times 317}{288} = \text{£}7,210$$

6.0 **REPRESENTATIONS**

6.1 The application has been publicised by neighbour notification letters sent on 14.12.2017, deadline for responses 04.01.2018. On receipt of revised drawings neighbours were re-consulted on 03.07.2018, deadline for responses 24.07.2018.

6.2 As a result of the notification process one letter of representation has been received

6.3 **19 Bentham Road (24.07.2018)**

- The roadway serving the 5 properties to the rear of 19 Bentham Road is privately owned and maintained and as such the applicant will have no right to use this as an access or for delivery of plant and materials. We fail to see a viable alternative for delivery and storage of plant and materials when construction starts as the only access to the plot (without driving over the grass verge) would be via the new vehicular access. We think in practice delivery vehicles will either try to access the rear of the plot via the private road or either park or offload vehicles on the grass verge.
- The revised layout of the house now has the full gable end of the house closest to our lounge window which will cause loss of amenity to us.
- Exiting the new drive to turn down Bentham Road there will be no way of seeing pedestrians due to the proximity of the double garage at 2 Barbon Close.
- The position of the cap over the mineshaft on an earlier drawing (05.04.18) is shown encroaching onto our land although on the later drawing is shown within the applicants site. In either case we fail to see how the operation of capping the shaft can be done without encroaching as the later drawing indicates the cap at a depth in excess of 10 feet. Again as the capping will probably be done before the new vehicular access is in place we feel that vehicles and plant will try to gain entry to the site via the private road.

6.4 **Comments - The above comments have been noted.**

- **Potential issues with access on the adjacent private cul-de-sac is considered to be civil matter between the relevant parties and as such cannot be given any weight in the determination of this planning application.**

- The gable end of the dwelling will be situated closer to No 19, it is necessary to note that the main habitable room windows closet to the application site are at first and second floor level therefore potential impacts of overlooking and loss of privacy arising from the proposed french doors within the side elevation are considered to be minimal. It is also recommended that a condition be attached requiring the submission of boundary treatment details prior to installation. An appropriate boundary treatment along the southern boundary of the site is considered to screen the proposed french doors. The proposed dwelling is located approximately 12m from the north elevation of No 19, this is considered to be an acceptable separation distance and due to the orientation of the proposal with respect to No 19 potential adverse impacts of overshadowing are considered to be negligible.
- DCC highways were consulted on the proposal and raised no concerns regarding the revised location of the driveway with respect to the public footpath. No 2 Barbon Close already has a detached garage which opens directly onto the footpath.
- Concerns surrounding the location of the proposed mineshaft cap are also considered to be a civil matter between parties.

7.0 HUMAN RIGHTS ACT 1998

7.1 Under the Human Rights Act 1998, which came into force on 2nd October 2000, an authority must be in a position to show:

- Its action is in accordance with clearly established law
- The objective is sufficiently important to justify the action taken
- The decisions taken are objective and not irrational or arbitrary
- The methods used are no more than are necessary to accomplish the legitimate objective
- The interference impairs as little as possible the right or freedom

7.2 It is considered that the recommendation is objective and in accordance with clearly established law.

7.3 The recommended conditions are considered to be no more than necessary to control details of the development in the interests of

amenity and public safety and which interfere as little as possible with the rights of the applicant.

7.4 Whilst, in the opinion of the objector, the development affects their amenities, it is not considered that this is harmful in planning terms, such that any additional control to satisfy those concerns would go beyond that necessary to accomplish satisfactory planning control.

8.0 **STATEMENT OF POSITIVE AND PROACTIVE WORKING WITH APPLICANT**

8.1 The following is a statement on how the Local Planning Authority (LPA) has adhered to the requirements of the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 in respect of decision making in line with paragraph 38 of the July 2018 National Planning Policy Framework (NPPF).

8.2 Given that the proposed development does not conflict with the NPPF or with 'up-to-date' Development Plan policies, it is considered to be 'sustainable development' and there is a presumption on the LPA to seek to approve the application. The LPA has used conditions to deal with outstanding issues with the development and has been sufficiently proactive and positive in proportion to the nature and scale of the development applied for.

8.3 The applicant / agent and any objector will be provided with copy of this report informing them of the application considerations and recommendation / conclusion.

9.0 **CONCLUSION**

9.1 Overall the proposal is considered to be acceptable in design and appearance terms. The proposed dwelling is considered to be in keeping with the character of the surrounding area. The location of the proposed development site is relatively sustainable, sited within a residential area with access to local services. It is not considered that the proposal would result in significant impact on the residential amenity of the neighbouring properties. The proposal would not compromise parking arrangements or highway safety. Therefore, the proposal is considered to accord with policy CS1, CS2, CS7, CS8 and CS18 of the Chesterfield Local Plan: Core Strategy 2011 – 2031

and the wider National Planning Policy Framework. This application would be liable for payment of the Community Infrastructure Levy

10.0 **RECOMMENDATION**

10.1 That a CIL Liability Notice be served in line with paragraph 5.11 above.

10.2 That the application be **GRANTED** subject to the following conditions and notes:

Conditions

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

Reason - The condition is imposed in accordance with section 51 of the Planning and Compensation Act 2004.

02. All external dimensions and elevational treatments shall be as shown on the approved plans (listed below) with the exception on any approved non material amendment;

- 'Site Plan Revision' Drawing number PES1807/Site Plan Revision (dated 25.06.2018)
- 'Elevations Revision' Drawing number PES1807/Elevs (dated 25.06.2018)
- 'Plans Revisions' Drawing number PES1807/Plans (dated 25.06.2018)
- Capping details for 2m diameter mine shaft, drawing number 38800/002 revision B (dated 14.08.2018), produced by Eastwood & Partners
- Mine shaft cap details
- Revised Layout - Supporting statement produced by Graham Bradford of Planning & Environment Studio (dated 26.06.2018)
- Exploratory hole location plan, drawing number 38800/001 revision B (dated 17.09.2015) produced by Eastwood & Partners
- Geotechnical and geo-environmental site investigations land adjacent to 19 Bentham Road, Newbold, Chesterfield for M, Hardy, reference 38800-01 produced by Eastwood & Partners (dated September 2015)
- Design and access statement

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

- 03.** 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.

Reason - In the interests of residential amenities.

- 04.** Before construction works commence or ordering of external materials takes place, precise specifications or samples of the walling and roofing materials to be used shall be submitted to the Local Planning Authority for consideration. Only those materials approved in writing by the Local Planning Authority shall be used as part of the development unless otherwise agreed by the Local Planning Authority in writing.

Reason - The condition is imposed in order to ensure that the proposed materials of construction are appropriate for use on the particular development and in the particular locality.

- 05.** No development approved by this permission shall be commenced until a scheme for the provision and implementation of surface water run-off limitation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall incorporate sustainable drainage principles and shall be implemented in accordance with the approved programme and details

Reason – To prevent the increased risk of flooding

- 06.** Prior to the occupation of the development hereby approved, details of all boundary treatments shall be provided to the Local Planning Authority for written approval. The approved boundary treatments shall be maintained at all times in that position, unless written approval to any variation is given by the Local Planning Authority.

Reason- In the interests of the privacy and amenity of occupants of the neighbouring dwelling

07. Before any other operations are commenced a new vehicular and pedestrian access shall be created to Bentham Road in accordance with the application drawings.

Reason – In the interests of highway safety.

08. 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 of vehicles, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.

Reason – In the interests of highway safety

09. The garage hereby permitted shall be kept available for the parking of motor vehicles at all times. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and/or re-enacting that Order) the garage hereby permitted shall be retained as such and shall not be used for any purpose other than the garaging of private motor vehicles associated with the residential occupation of the property without the grant of further specific planning permission from the Local Planning Authority.

Reason – In the interests of highway safety

10. The Design and Access Statement indicated the provision of a vertically retractable garage door in view of the length of the driveway in front of the garage. This shall be provided and maintained in perpetuity.

Reason - There shall be no gates or other barriers on the access/driveway.

11. No gates or other barriers shall be erected across the driveway.

Reason – In the interests of highway safety.

12. An Electric Vehicle Charging Point shall be installed as part of the build phase and which shall be retained available for use for the life of the development.

Reason - In the interests of reducing emissions in line with policies CS20 and CS8 of the Core Strategy.

13. Prior to the commencement of development remedial works to cap the mine shaft shall be implemented in accordance with Capping details for 2m diameter mine shaft, drawing number 38800/002 revision B (dated 14.08.2018), produced by Eastwood & Partners. On completion of the approved remedial works a verification report or similar document confirming the detail of the remedial works which have been carried out on site, shall be submitted to the Local Planning Authority for written approval.

Reason – in the interests of remediating identified coal mining legacy and public safety

14. A. Development shall not commence 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 site 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 contamination. Ground gas, ground water and chemical analysis, identified as being appropriate 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.

Reason - To protect the environment and ensure that the redeveloped site is reclaimed to an appropriate standard

Notes

- 01. If work is carried out other than in complete accordance with the approved plans, the whole development may be rendered unauthorised, as it will not have the benefit of the original planning permission. Any proposed amendments to that which is approved will require the submission of a further application.
- 02. This approval contains condition/s which make requirements prior to development commencing. Failure to comply with such conditions will render the development unauthorised in its entirety, liable to enforcement action and will require the submission of a further application for planning permission in full.
- 03. You are notified that you will be liable to pay the Community Infrastructure Levy (CIL) to Chesterfield Borough Council as

CIL collecting authority on commencement of development. This charge will be levied under the Chesterfield Borough Council CIL charging schedule and s211 of the Planning Act 2008. A CIL Liability Notice will be issued at the time of a detailed planning permission which first permits development, in accordance with the Community Infrastructure Levy Regulations 2010 (as amended).

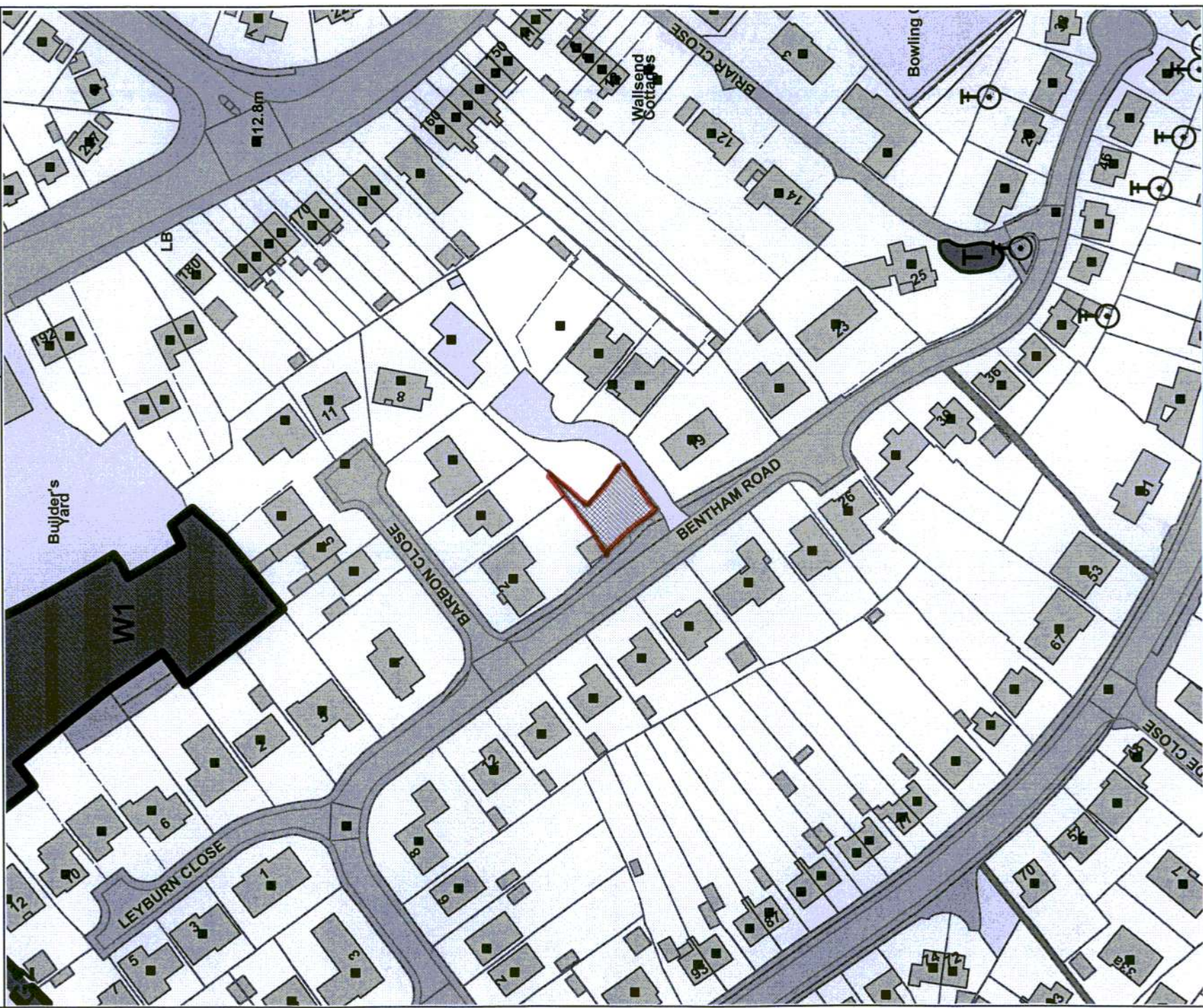
04. Pursuant to Sections 149 and 151 of the Highways Act 1980, steps shall be taken to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.
06. Pursuant to Section 184 of the Highways Act 1980 and Section 86(4) of the New Roads and Streetworks Act 1991 prior notification shall be given to the Department of Economy Transport & Environment at County Hall, Matlock regarding access works within the highway. Information, and relevant application forms, regarding the undertaking of access works within highway limits is available by email ETENetmanadmin@derbyshire.gov.uk, telephone Call Derbyshire on 01629 533190 or via the County Council's website http://www.derbyshire.gov.uk/transport_roads/roads_traffic/development_control/vehicular_access/default.asp
07. The Highway Authority recommends that the first 6m of the proposed access driveway should not be surfaced with a loose material (i.e. unbound chippings or gravel etc.). In the event that loose material is transferred to the highway and is regarded as a hazard or nuisance to highway users the Authority reserves the right to take any necessary action against the landowner.
08. The proposed access/driveway to Bentham Road shall be no steeper than 1:14 over its entire length.
09. Developers should be reminded that it is their duty to ensure that risks from soil contamination to the future occupants of the

development and neighbouring occupiers at neighbouring developments are minimised.

10. The developer should refer to the Council's 'Minimum Standards for Drainage' guidance in preparing any drainage proposals for submission /consideration

CHE/17/00867/FUL

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Agenda Item 5

COMMITTEE/SUB	Planning Committee
DATE OF MEETING	17 TH SEPTEMBER 2018
TITLE	DELEGATION
PUBLICITY	For Publication
CONTENTS	Items approved by the Group Leader, Development Management under the following Delegation references:- Building Regulations P150D and P160D, P570D, P580D
RECOMMENDATIONS	Not applicable
LIST OF BACKGROUND PAPERS	Relevant applications

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

Building Regulations	Stuart Franklin	345820
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Decisions made under the Building Regulations

Building Notices

BR Number	18/04098/DEXBN	Deposited Date	10/08/2018
Location	33 Netherleigh Road Ashgate Chesterfield S40 3QJ		
Proposal	Replacement windows		
Decision	Accepted BN, IN, RG, PRL	Commencement Date	
Decision Date	10/08/2018	Completion Date	
Applicant			
Agent			

BR Number	18/04131/DOBN	Deposited Date	15/08/2018
Location	Land Adjacent 45 Wythburn Road Newbold Chesterfield S41 8DP		
Proposal	Construction of a Two Bedroomed Detached Dwelling		
Decision	Accepted BN, IN, RG, PRL	Commencement Date	
Decision Date	15/08/2018	Completion Date	
Applicant			
Agent			

BR Number	18/04186/DEXBN	Deposited Date	15/08/2018
Location	247 Handley Road New Whittington Chesterfield S43 2ES		
Proposal	Removal of internal wall		
Decision	Accepted BN, IN, RG, PRL	Commencement Date	
Decision Date	15/08/2018	Completion Date	
Applicant			
Agent			

BR Number	18/04225/DEXBN	Deposited Date	16/08/2018
Location	24 Thornbridge Crescent Birdholme Chesterfield S40 2JH		
Proposal	Remove pantry wall		
Decision		Commencement Date	16/08/2018
Decision Date		Completion Date	
Applicant			
Agent			

BR Number	18/04237/DEXBN	Deposited Date	16/08/2018
Location	7 Church Street North Old Whittington Chesterfield S41 9QN		
Proposal	Installation of through floor lift for disabled person use		
Decision	Accepted BN, IN, RG, PRL	Commencement Date	21/08/2018
Decision Date	20/08/2018	Completion Date	
Applicant			
Agent			

BR Number	18/04321/DEXBN	Deposited Date	22/08/2018
Location	83 Spital Lane Spital Chesterfield S41 0HL		
Proposal	Garage Conversion		
Decision	Accepted BN, IN, RG, PRL	Commencement Date	
Decision Date	22/08/2018	Completion Date	
Applicant			
Agent			

BR Number	18/04335/DEXBN	Deposited Date	22/08/2018
Location	63 Old Road Chesterfield S40 2QZ		
Proposal	Knocking Wall Through - Kitchen through to Living Room		

Decision	Accepted BN, IN, RG, PRL	Commencement Date
Decision Date	22/08/2018	Completion Date
Applicant Agent		

BR Number	18/04366/DEXBN	Deposited Date	23/08/2018
Location	23 Little Brind Road Upper Newbold Chesterfield S41 8XW		
Proposal	Removal of load bearing wall, widening of opening installation of bi fold doors, two structural openings to form window and door and installation of 4 steel beams		
Decision	Accepted BN, IN, RG, PRL	Commencement Date	
Decision Date	23/08/2018	Completion Date	
Applicant Agent			

BR Number	18/04416/DEXBN	Deposited Date	28/08/2018
Location	Post Office Ltd 1 Future Walk Chesterfield S49 1PF		
Proposal	Replacement of two flat roofs		
Decision	Accepted BN, IN, RG, PRL	Commencement Date	
Decision Date	28/08/2018	Completion Date	
Applicant Agent			

BR Number	18/04495/DEXBN	Deposited Date	31/08/2018
Location	8 Nesfield Close Newbold Chesterfield S41 8DF		
Proposal	Sub Dividing bedroom		
Decision	Accepted BN, IN, RG, PRL	Commencement Date	
Decision Date	31/08/2018	Completion Date	
Applicant Agent			

Full Plans

BR Number	18/04103/OTHFP	Deposited Date	10/08/2018
Location	Multi Storey Car Park Saltergate Chesterfield S40 1UJ		
Proposal	Erection of a New Multi Storey Car Park		
Decision		Commencement Date	
Decision Date		Completion Date	
Applicant Agent			

BR Number	18/04136/DEXFP	Deposited Date	13/08/2018
Location	8 Langtree Avenue Old Whittington Chesterfield S41 9HP		
Proposal	Single storey rear extension		
Decision	Plans Approved FP PSI	Commencement Date	
Decision Date	17/08/2018	Completion Date	
Applicant Agent			

BR Number	18/04140/DEXFP	Deposited Date	13/08/2018
Location	Nursery Rhymes Day Nursery 619 Sheffield Road Sheepbridge Chesterfield S41 9DX		
Proposal	Removal of internal wall and installation of steel beam		
Decision		Commencement Date	
Decision Date		Completion Date	
Applicant Agent			

BR Number	18/04156/DEXFP	Deposited Date	13/08/2018
Location	31 Little Brind Road Upper Newbold Chesterfield S41 8XW		
Proposal	Extension		
Decision	Approved Conditionally FP PSI	Commencement Date	
Decision Date	17/08/2018	Completion Date	
Applicant			
Agent			

BR Number	18/04213/DEXFP	Deposited Date	16/08/2018
Location	1 Poplar Place St Johns Road Newbold Chesterfield S41 8TF		
Proposal	Ground floor extension (replacing conservatory)		
Decision	Plans Approved FP PSI	Commencement Date	
Decision Date	24/08/2018	Completion Date	
Applicant			
Agent			

BR Number	18/04285/DEXFP	Deposited Date	21/08/2018
Location	558 Chatsworth Road Chesterfield S40 3JS		
Proposal	Single storey rear extension		
Decision		Commencement Date	
Decision Date		Completion Date	
Applicant			
Agent			

BR Number	18/04330/DEXFP	Deposited Date	23/08/2018
Location	15 Cordwell Avenue Newbold Chesterfield S41 8BT		
Proposal	Two Storey Extension to form Kitchen/Dining Area with Bedroom above, Single Storey Utility Room and WC Extension and Formation of En-suite within Existing Bedroom		
Decision		Commencement Date	
Decision Date		Completion Date	
Applicant			
Agent			

BR Number	18/04375/DEXFP	Deposited Date	29/08/2018
Location	26 Oakley Avenue Brockwell Chesterfield S40 4DS		
Proposal	Single storey rear extension		
Decision		Commencement Date	
Decision Date		Completion Date	
Applicant			
Agent			

BR Number	18/04414/DEXFP	Deposited Date	28/08/2018
Location	17 Manor Road Brimington Chesterfield S43 1NG		
Proposal	Loft Conversion		
Decision		Commencement Date	
Decision Date		Completion Date	
Applicant			
Agent			

BR Number	18/04442/DEXFP	Deposited Date	30/08/2018
Location	Dunston Grange Barns Plot 2, 3 And 4 Dunston Lane Newbold Chesterfield		
Proposal	Barn conversions		
Decision		Commencement Date	
Decision Date		Completion Date	
Applicant			
Agent			

BR Number	18/04467/DEXFP	Deposited Date	30/08/2018
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Location	49 Circular Road Staveley Chesterfield S43 3QX		
Proposal	Two storey rear extension and internal alterations		
Decision		Commencement	
		Date	
Decision Date		Completion Date	
Applicant			
Agent	IG Architectural Services Ltd		

BR Number	18/04500/DEXFP	Deposited Date	31/08/2018
Location	257 Manor Road Brimington Chesterfield S43 1NS		
Proposal	Demolition of detached garage and construction of two storey side extension and part single/part two storey rear extension.		
Decision		Commencement	
		Date	
Decision Date		Completion Date	
Applicant			
Agent			

BR Number	18/04505/DEXFP	Deposited Date	31/08/2018
Location	196 Highfield Lane Newbold Chesterfield S41 8BA		
Proposal	Detached Garage		
Decision		Commencement	
		Date	
Decision Date		Completion Date	
Applicant			
Agent			

Partnership PI

Partnership PV

Regularisation

BR Number	18/03468/OTHRG	Deposited Date	28/08/2018
Location	Unit 1 - 5 Burley Close Chesterfield S40 2UB		
Proposal	Internal fit out works		
Decision	Accepted BN, IN, RG, PRL	Commencement	
		Date	
Decision Date	28/08/2018	Completion Date	
Applicant			
Agent			

BR Number	18/04106/DOMRG	Deposited Date	10/08/2018
Location	Phase 2 Ringwood Centre Victoria Street Brimington Chesterfield		
Proposal	Phase 2 - 11 new dwellings plot 12-22		
Decision	Accepted BN, IN, RG, PRL	Commencement	
		Date	
Decision Date	10/08/2018	Completion Date	
Applicant			
Agent			

BR Number	18/04161/DEXRG	Deposited Date	14/08/2018
Location	2 Rose Garth Close Spital Chesterfield S41 0GE		
Proposal	Removal of internal wall and installation of steel beam		
Decision	Accepted BN, IN, RG, PRL	Commencement	15/08/2018
		Date	
Decision Date	14/08/2018	Completion Date	16/08/2018
Applicant			
Agent			

BR Number	18/04303/DEXRG	Deposited Date	21/08/2018
Location	22 Endowood Road Somersall Chesterfield S40 3LX		
Proposal	Replacement Windows		

Decision	Accepted BN, IN, RG, PRL	Commencement Date	22/08/2018
Decision Date	21/08/2018	Completion Date	23/08/2018
Applicant			
Agent			

BR Number	18/04501/DEXRG	Deposited Date	31/08/2018
Location	3 Skeldale Drive Chesterfield S40 2UW		
Proposal	Replacement 4 Windows & two sets of Bi Fold Doors		
Decision	Accepted BN, IN, RG, PRL	Commencement Date	
Decision Date	31/08/2018	Completion Date	
Applicant			
Agent			

Initial Notices

BR Number	18/04166/IND	Deposited Date	14/08/2018
Location	4 Chestnut Close Hollingwood Chesterfield S43 2LZ		
Proposal	Two Storey Side		
Decision	Accepted BN, IN, RG, PRL	Commencement Date	
Decision Date	15/08/2018	Completion Date	
Applicant			
Agent			

BR Number	18/04169/IND	Deposited Date	14/08/2018
Location	1 Helston Close Hasland Chesterfield S41 0RJ		
Proposal	Replacement Conservatory Roof		
Decision	Accepted BN, IN, RG, PRL	Commencement Date	
Decision Date	15/08/2018	Completion Date	
Applicant			
Agent			

BR Number	18/04185/IND	Deposited Date	14/08/2018
Location	14 Manor Road Brampton Chesterfield S40 1HX		
Proposal	Single storey flat roof extension		
Decision	Accepted BN, IN, RG, PRL	Commencement Date	
Decision Date	15/08/2018	Completion Date	
Applicant			
Agent			

BR Number	18/04283/IN	Deposited Date	20/08/2018
Location	Mintdale Engineering Carrwood House Carrwood Road Chesterfield Trading Estate Chesterfield		
Proposal	Two storey extension to rear and two storey extension to side		
Decision	Accepted BN, IN, RG, PRL	Commencement Date	
Decision Date	21/08/2018	Completion Date	
Applicant		Mintdale Engineering Limited	
Agent			

BR Number	18/04295/IN	Deposited Date	20/08/2018
Location	Ark Tavern Chesterfield Road Brimington Chesterfield S43 1AD		
Proposal	Internal Alterations and Refurbishment of Existing Public House		
Decision	Accepted BN, IN, RG, PRL	Commencement Date	
Decision Date	21/08/2018	Completion Date	
Applicant		JSA Design	
Agent			

BR Number	18/04300/IND	Deposited Date	20/08/2018
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Location	4 Walgrove Road Walton Chesterfield S40 2DR		
Proposal	Two storey rear extension and first floor side extension with internal alterations		
Decision	Accepted BN, IN, RG, PRL	Commencement Date	
Decision Date	21/08/2018	Completion Date	
Applicant			
Agent			

BR Number	18/04337/IND	Deposited Date	22/08/2018
Location	8 Netherfield Road Somersall Chesterfield S40 3LS		
Proposal	Single Storey Rear Extension To An Existing 2 Storey Domestic Dwelling		
Decision	Accepted BN, IN, RG, PRL	Commencement Date	
Decision Date	23/08/2018	Completion Date	
Applicant			
Agent			

BR Number	18/04338/IND	Deposited Date	22/08/2018
Location	30 Newbridge Lane Brimington Chesterfield S43 1LY		
Proposal	Garage conversion		
Decision	Accepted BN, IN, RG, PRL	Commencement Date	
Decision Date	23/08/2018	Completion Date	
Applicant			
Agent			

BR Number	18/04339/IND	Deposited Date	22/08/2018
Location	3 Bank Wood Close Upper Newbold Chesterfield S41 8XQ		
Proposal	Single Storey Rear Extension And Associated Works To An Existing 2 Storey Domestic Dwelling		
Decision	Accepted BN, IN, RG, PRL	Commencement Date	
Decision Date	23/08/2018	Completion Date	
Applicant			
Agent			

BR Number	18/04340/IND	Deposited Date	22/08/2018
Location	38 Steeping Close Brimington Chesterfield S43 1ND		
Proposal	Single Storey Extension/Knock Through - Internal Structural Alterations To An Existing 2 Storey Domestic Dwelling		
Decision	Accepted BN, IN, RG, PRL	Commencement Date	
Decision Date	23/08/2018	Completion Date	
Applicant			
Agent			

BR Number	18/04417/IN	Deposited Date	28/08/2018
Location	Somero Enterprises Dunston Trade Park Dunston Road Chesterfield Derbyshire		
Proposal	Office and Warehouse Fit-Out		
Decision	Accepted BN, IN, RG, PRL	Commencement Date	
Decision Date	28/08/2018	Completion Date	
Applicant	Somero Enterprises, Inc		
Agent			

BR Number	18/04444/IND	Deposited Date	29/08/2018
Location	173 Boythorpe Road Boythorpe Chesterfield S40 2NB		
Proposal	Single storey extension to the rear of existing 2 storey dwelling. The work includes the removal of a chimney breast up the first floor and the removal of an existing external wall for access.		
Decision	Accepted BN, IN, RG, PRL	Commencement Date	
Decision Date	30/08/2018	Completion Date	
Applicant			

Agent

BR Number	18/04447/IND	Deposited Date	29/08/2018
Location	38 Steeping Close Brimington Chesterfield S43 1ND		
Proposal	Single Storey Extension/Knock Through - Internal Structural Alterations		
Decision	Accepted BN, IN, RG, PRL	Commencement Date	
Decision Date	30/08/2018	Completion Date	
Applicant			
Agent			

BR Number	18/04452/IND	Deposited Date	29/08/2018
Location	2 Sunny Springs Chesterfield S41 7NQ		
Proposal	Removal of internal walls and installation of three steel beams to an existing three storey dwellinghouse		
Decision	Accepted BN, IN, RG, PRL	Commencement Date	
Decision Date	31/08/2018	Completion Date	
Applicant			
Agent			

BR Number	18/04460/IN	Deposited Date	29/08/2018
Location	Turnoaks Business Park Turnoaks Lane Burley Close Chesterfield S40 2UB		
Proposal	Industrial Units 1-6		
Decision	Accepted BN, IN, RG, PRL	Commencement Date	
Decision Date	30/08/2018	Completion Date	
Applicant	Ace Retirement Benefit Scheme		
Agent			

BR Number	18/04463/IND	Deposited Date	29/08/2018
Location	303 Ashgate Road Chesterfield S40 4DB		
Proposal	Rear Extension, Garage Conversion & Removal of Load Bearing Walls to Kitchen & Bedrooms		
Decision	Accepted BN, IN, RG, PRL	Commencement Date	
Decision Date	30/08/2018	Completion Date	
Applicant			
Agent			

BR Number	18/04475/IND	Deposited Date	30/08/2018
Location	Land Adjacent 102 Brooke Drive Brimington Chesterfield S43 1PG		
Proposal	Construction of 3 bedroom detached house		
Decision	Accepted BN, IN, RG, PRL	Commencement Date	
Decision Date	31/08/2018	Completion Date	
Applicant			
Agent			

BR Number	18/04516/IN	Deposited Date	31/08/2018
Location	Precision Products Ltd 1 Cobnar Wood Close Chesterfield Trading Estate Chesterfield S41 9RQ		
Proposal	Single Storey Extension		
Decision	Accepted BN, IN, RG, PRL	Commencement Date	
Decision Date	04/09/2018	Completion Date	
Applicant	Precision Products UK Ltd		
Agent			

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Agenda Item 6

COMMITTEE/SUB	Planning Committee
DATE OF MEETING	17 TH SEPTEMBER 2018
TITLE	DELEGATION
PUBLICITY	For Publication
CONTENTS	Items approved by Development Management and Conservation Manager under the following Delegation references:- Planning Applications P020D, P200D to P250D, P270D to P320D, P350D to P370D, P390D, P420D to P440D Agricultural and Telecommunications P330D and P340D
RECOMMENDATIONS	Not applicable
LIST OF BACKGROUND PAPERS	Relevant applications

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

Planning Applications	Paul Staniforth	345781
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Delegated List
Planning Applications

Code No FileNo	Ward	Proposal	Decisio	Decision Date
CHE/18/00017/MA 902	Old Whittington	Material amendments to the layout and position of the MOT bay on application CHE/16/00732/FUL - Change of use and conversion of premises to create new car showrooms and workshops - Coal Mining Risk Assessment received 02.08.18 At Unit 9 Brimington Road North Industrial Park Sheffield Road Sheepbridge S41 8NQ For Stoneacre	CP	22/08/2018
CHE/18/00027/OUT 3815	Holmebrook	Outline application for a single dwelling (Revised coal mining risk assesment received 14.3.2018, topographical survey received 17.07.2018) At 21A Walton Crescent Boythorpe S40 2PJ For Mr Gary Fountain	REF	15/08/2018
CHE/18/00082/FUL 2404 3050	Lowgates And Woodthorp	Installation of external air handling units and sprinkler water tanks At Plot 13 Markham Lane Duckmanton For Great Bear Distribution Ltd	CP	30/08/2018
CHE/18/00127/FUL 392	Old Whittington	Conversion and extension to existing garage to form separate At 140 Church Street North Old Whittington S41 9QP For Mr R Gascoyne	CP	30/08/2018

CHE/18/00298/DOC k	Holmebrook	Discharge of planning condition 3 (ventilation system) of CHE/17/00758/COU - change of use of part of premises to fast food takeaway to run alongside existing shop	DPC	29/08/2018
3167		At 2A Springfield Avenue Chesterfield S40 1DB For Mr Ishmail Ali		
CHE/18/00306/RET	St Helens	Change of use from accountants to beauty salon including bar for use by guests/clients and bona fide guests of customers. Sequential assessment received 17.07.2018.	CP	13/08/2018
3470		At 42 Sheffield Road Stonegravels Chesterfield S41 7LL For Faceit Aesthetics		
CHE/18/00361/FUL	Hasland	Demolition of existing bungalow and erection of one detached dwelling	CP	31/08/2018
5772		At 93 Storforth Lane Chesterfield S41 0PZ For Mr Rickie Brunt		
CHE/18/00370/RET	Middlecroft And Poolsbrook	Retention of an automated teller machine	REF	15/08/2018
555		At Tasty Bites Chesterfield Road Staveley S43 3RX For Cardtronics UK Ltd, Trading As Cashzone		
CHE/18/00372/RE	Holmebrook k	Retention of an automated teller machine and installation of associated signage	REF	15/08/2018
6046		At 39 Chatsworth Road Chesterfield		

S40 2AH

For
Cardtronics UK Ltd, Trading As Cashzone

CHE/18/00378/FUL	Hasland	Rear extension and garage - revised drawing (plans as proposed - Rev 1) received on 02.08.2018	CP	22/08/2018
6587		At 108 Mansfield Road Hasland S41 0JF For Mr Alex Hall		
CHE/18/00385/FUL	Rother	Create a vehicular hardstanding and a new vehicular access	REF	22/08/2018
749		At 71 Kingsley Avenue Birdholme Chesterfield S40 2SZ For Mrs Aleyamma Stanley		
CHE/18/00394/FUL	Brockwell	Pitched roof, first floor extension to the rear, above an existing ground floor extension - revised drawings received 31/7/2018	REF	17/08/2018
3104		At 49 Highfield Avenue Newbold S41 7AU For Mr Martyn Ryan		
CHE/18/00413/DOC	Dunston	Discharge of condition 3 (contaminated land reports) of CHE/17/00528 FUL -Change of use of vacant industrial land to vehicle, plant and container storage yard. Site investigation report received 07.08.2018.	DPC	28/08/2018
208		At Unit 9 Sheepbridge Works Sheepbridge Lane S41 9RX For Hall Plant Hire Ltd		

CHE/18/00428/DOC	Hasland	Installation of external light and CCTV camera system At 58 Mansfield Road Hasland S41 0JF For Cardtronics UK Ltd	DPC	13/08/2018
2452				
CHE/18/00431/FUL	Old Whittington	Two storey extension to side At 3 Ashleigh Close Old Whittington S41 9NA For Mr Neil Smith	CP	23/08/2018
27				
CHE/18/00435/FUL	West	Change of use from estate agents to barber shop and existing forecourt to be used as additional seating for next door cafe At Fishwick Estate Agents 477 Chatsworth Road Chesterfield S40 3AD For Mr Robert Bray	CP	16/08/2018
158				
CHE/18/00437/FUL	Lowgates And Woodthorp	Two storey rear extension and as amended by revised plans received 3.9.18. At 16 Bridle Road Woodthorpe S43 3BY For Mr Paul Davies	CP	04/09/2018
685				
CHE/18/00441/FUL	West	Single storey rear extension, garage conversion and internal alterations - Revised drawing received At 303 Ashgate Road Chesterfield S40 4DB For Mr and Mrs Chris Booth	CP	23/08/2018
3261				

CHE/18/00444/MA	Brimington South	Material amendment to CHE/17/00189/FUL (Erection of 1 no. three bedroom bungalow and 3 no. two bedroom dwellings) to include additional parking for bungalow and general amendments to layout and elevations	CP	21/08/2018
5263 - 2925		At Land Adjacent 31 Manor Drive Brimington For Chesterfield Borough Council		
CHE/18/00446/ADV	St Leonards	2 replacement fascia signs	CP	29/08/2018
5735		At Superdrug 2 - 4 Vicar Lane Chesterfield S40 For Superdrug		
CHE/18/00448/FUL	Brockwell	Single storey rear and side extension	CP	21/08/2018
1667		At 55 Ashgate Road Chesterfield S40 4AG For Kate Chilton		
CHE/18/00449/FUL	Brockwell	Front kitchen extension	CP	22/08/2018
3626, 530		At 14 Prospect Terrace Brockwell Chesterfield S40 4HD For Mr J Mott		
CHE/18/00452/FUL	Old Whittington	Two storey side extension	CP	21/08/2018
366		At 38 Oak Bank Avenue Old Whittington S41 9PH For Mrs Zoe Brooks		

CHE/18/00453/TPO West		Fell sycamore (T29) due to excessive shading - replant with native species in different location At 44 Netherleigh Road Ashgate Chesterfield For Mr James Allsop	REF	15/08/2018
CHE/18/00458/TPO West		Crown lift to achieve maximum clearances of 5.2 and 2.5 metres over the road and foot-way. At Land At Netherleigh Road Ashgate Chesterfield For Mr Mark Wilson	CP	21/08/2018
CHE/18/00464/FUL Brockwell		Double storey extension to side of the property with a single storey extension to the rear (amended drawings received 18.07.2018) At 6 Beechdale Close Brockwell S40 4EQ For Mrs Jayne Henshaw	CP	30/08/2018
1439				
CHE/18/00467/FUL St Leonards		Demolition of existing garage to incorporate two story side extension. At 4 Barnes Road Hady Chesterfield S41 0BX For Mrs Winfield	CP	31/08/2018
5992				
CHE/18/00469/DOC Middlecroft And Poolsbrook		Discharge of conditions 3 (parking) 4 (bin storage) 6 (car parking spaces) 8 (site investigations) and 9 (permeability tests) - of CHE/18/00071/FUL (Two storey extension to the rear elevation and creation of 3 apartments) At	DPC	05/09/2018

Duke Street
Staveley
Derbyshire

For
Mr Alwyn Morris

CHE/18/00474/DOC	Lowgates And Woodthorp	Discharge of planning conditions No.10 (Construction Management Plan) and No.20 (Materials Layout) from application	DPC	30/08/2018
2057		At Land At Cranleigh Road Woodthorpe For Avant Homes (England) Limited		
CHE/18/00475/FUL	St Leonards	Replace existing windows - 4 windows on the first floor and 4 windows on the second floor.	CP	31/08/2018
4830		At 48 Glumangate Chesterfield S40 1TX For Mr Rami Khatib		
CHE/18/00481/DOC	West	Discharge of conditions 14 and 15 of CHE/17/00830	DPC	29/08/2018
319		At Land At Former Crispin Inn 240 Ashgate Road Chesterfield S40 4AW For Co -op Group		
CHE/18/00482/FUL	St Helens	Installation of decking to the rear of the property. The decking will be placed over a sloped section of the garden, 1.1m balustrade will surround the decking on 3 sides (school on one side, bus depot to the rear and number 78 Manor House Court to the other side). In order to retain privacy for both parties, we will also erect a trellis (at least 6ft high) on the side adjoining number 78 with bamboo planted as a screen.	CP	04/09/2018
		At		

76 Manor House Court
Stonegravels
Chesterfield
S41 7GX
For
Mr Kieran Sparks

CHE/18/00483/DOCHolmebrook Discharge of planning conditions 7 DPC 20/08/2018
(site investigations) and 10A (site
investigations) of CHE/17/00209/FUL

536

At
Former Perrys Garage
Chatsworth Road
Chesterfield
S40 2BJ
For
Lidl UK GmbH

CHE/18/00490/LBC Old Internal alterations to the property CP 13/08/2018
Whittington comprise the part removal of the

410

existing separating wall between the
kitchen & lounge area at ground
floor level to provide open plan
living accommodation & importantly
improve means of escape from first
floor level. Create natural stone
patio in front garden area to the

At
12 Church Street North
Old Whittington

For
Mr Gary Fletcher

Sweet Chestnut T17 - Crown uplift to 3m and deadwood to allow grass to recover and limit damage to lower branches and removal of branches resting on hedges to the north to allow for maintenance of hedges

Pine to the side of T17 not under a TPO to be fully removed to allow light and to benefit Sweet Chestnut T17 Removal of Dead Tree on right near to entrance point to property as dangerous

G4 mixture - Crown lift to 5m and deadwood of all trees along private roadway to property as is causing problems for traffic using road and deadwooding of trees within woodland area

North of G4 mixture of hedges and shrubs not under TPO to be reduced in height and tidied up

Copper Beech T12 - to be deadwooded and crown lifted to 5m to allow more light to area and not to catch or be damaged by vehicles

T15 Sycamore, T14 Sycamore, G3 group of trees Sycamore and Ash and any surrounding trees to be pruned to allow free run of telephone cable running from neighbouring property and to allow more light to woodland ground

G4 Lime near entrance to property and bordering with neighbouring property - to be crown lifted to 5m and removal of complete lower branch that spreads to the north as discussed with tree officer to aid light and balance the tree

Group of 3x Fruit trees in rear garden to be pruned or removed completely not

under TPO

Group of 5x Fruit trees in most northern/secret garden to be pruned or removed not under TPO

G4 lightning damaged tree in centre of woodland to be dead wooded and reduced in height considerably as not to cause any damage to property or other trees - substantially large and has not been scanned to assess if tree has recovered or if it is in danger of collapse

T16 on plan is listed as

Copper Beech however there is an old stump possibly from this tree and there are a number of trees and hedges in immediate vicinity that require reducing thinning out and tidying up

General tidy of all hedges shrubs and bushes to make the area look tidy and well ke...

At
Grove Hill
136 St Johns Road
Newbold
S41 8TW
For
Dalton Roofing

CHE/18/00506/TPO Linacre

T1 - Oak- crown reduce all round by approximately 2-3 metres to appropriate growth points to maintain the tree with reduced shading on the adjacent property

CP

04/09/2018

At
12 Harvest Way
Holme Hall
Chesterfield
S42 7JX
For
Henry Boot Estates

CHE/18/00510/TPO Dunston

Oak - crown lift, crown thin. Pull

CP

24/08/2018

313		away from 4 and 6 Ennerdale Crescent and lighting stand. At 4 Ennerdale Crescent Newbold Derbyshire S41 8HL For Mr Roland Hall		
CHE/18/00520/DOC	St Leonards Leonards	Discharge of condition 3 (details of extraction ducts/vents) for CHE/18/00291/FUL and Che/18/00292/LBC. Internal and external works, including refurbishment, and part change of use relating to the Winding Wheel, Chesterfield (revised drawing received 30.07.2018) At Winding Wheel 13 Holywell Street Chesterfield Derbyshire S41 7SA For Chesterfield Borough Council	DPC	30/08/2018
857				
CHE/18/00521/TPO	Lowgates And Woodthorp	Ash Tree - Crown lift to 5.2m: clean crown; remove ivy At 1 Meadow View Worksop Road Mastin Moor Derbyshire S43 3DN For Miss Rita Packwood	CP	13/08/2018
CHE/18/00523/TPO	Holmebrook k	Proposed rear extension At 50 Springfield Avenue Chesterfield S40 1HL For Mr Peter Darling	PANR	24/08/2018
CHE/18/00528/TPO	Brockwell	Page 165 Cut back lower branches.	CP	24/08/2018

6337		At 20 Fairfield Road Brockwell Chesterfield Derbyshire For Mr Ricki Kent		
CHE/18/00552/TPO 2673 2673	Lowgates And Woodthorp	Cut back dead branch of tree At Land To North Of 36 Bellhouse Lane Staveley Derbyshire For Mr Tom Connor	SC	03/09/2018
CHE/18/00563/NMA 04/09/2018	Linacre	Variation to CHE/18/00022/FUL (Two storey extension to rear of premises to form ground floor garden room and first floor extension to existing bedroom.) to install a high level window at ground floor level in the garden room facing 19 Hawthorne Way At 17 Hawthorn Way Holme Hall Chesterfield Derbyshire For Mr John Hamer	UP	
5913				
CHE/18/00566/TPO 308	West	Fell of Oak Tree at front of property. At 10 Pine View Ashgate Chesterfield Derbyshire S40 4DN For Mr Andrew Travis	CP	17/08/2018
CHE/18/00574/TP	Linacre	Crown clean and removal of dead branches of T45 T44 and T43 At Eyre Chapel Newbold Village Newbold Road Newbold S41 8RJ	CP	03/09/2018

For
Miller Homes Yorkshire

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Delegated List - Planning Applications

Key to Decisions

Code	Description
AC	Historic
AP	Historic
APPRET	Application returned to applicant
CI	Called in by secretary of state
CIRNO	Circular 18/84 no objection
CNOCO	Circular 18/84 no objs but conditions
CONCOM	Confirmation Compliance with Conditions
CP	Conditional permission
CPEOTZ	Conditional Permission Extension of Time
CPMAZ	Conditional consent for material amendment
CPRE1Z	Conditional Permission Vary Conditions
CPRET	Conditional Approval Retrospective
DPC	Discharge of Planning Conditions
FDO	Finally Disposed Of
GR CLOPUD	CLOPUD Granted
GRANT CLUD	CLUD Granted
GRNTEX	Permission Granted with Exemption
ND	Non Development
OBJ	Other Council objection
OC	Other Council no obj with comments
OW	Other Council no obj without comments
PA	Prior Notification Approval
PADEM	Prior Notification Demolition Approve
PD	Found to be Permitted Development
PR	Prior Notification Refusal
RAP	Retrospective Application Refused
RARETZ	Retrospective Application Approved
RC	Application Refused
REF	Refused
RETAP	DO NOT USE
RETRFZ	Retrospective Application Refused
RF CLODUP	CLOPUD Refused
RTN	Invalid Application Returned
S106	S106 Approved pending planning obligation
SC	Split decision with conditions
SU	Split decision - approval unconditional
UP	Unconditional permission
UPRET	Unconditional Approval Retrospective
WDN	Withdrawn
XXXXXX	Recommendation Pending

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COMMITTEE/SUB	Planning Committee
DATE OF MEETING	17 TH SEPTEMBER 2018
TITLE	DELEGATION
PUBLICITY	For Publication
CONTENTS	Items approved by the Development Management and Conservation Manager under the following Delegation references:- Felling and Pruning of Trees P100D, P120D, P130D
RECOMMENDATIONS	Not applicable
LIST OF BACKGROUND PAPERS	Relevant applications

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

Applications to Fell or Prune Trees	Steve Perry	345791
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SECTION 1**APPLICATION TO FELL OR PRUNE TREES**

<u>CODE NO</u>	<u>DESCRIPTION OF PROPOSAL</u>	<u>TERMS OF DECISION</u>
CHE/18/00566/TPO TPO 4901.7 17/08/18	The felling of one Oak tree reference T25 on the Order map for Heathscapes on behalf of Mr Travis of 10 Pine View, Ashgate.	Consent is granted to the felling of one Oak tree which is infested at the base with Inonotus fungus which causes the roots to become brittle and fail. There are also signs of decay in the stem. A condition to plant a new Oak tree in the first available planting season has been attached.
CHE/18/00458/TPO TPO 4901.10 21/08/18	The pruning of 11 trees reference T3 Lime, T4 London Plane, T6 Horsechestnut, 2 Horsechestnut and 4 Limes within G1 and 1 Lime and 1 Maple within G2 on the Order map which are located in the highway verge along Netherleigh Road for Derbyshire County Council Highways.	Consent is granted to the pruning of 11 trees to crown lift by 5.2 metres over the highway and 2.5 metres over the public footpath.
CHE/18/00510/TPO TPO 4901.112 24/08/18	The pruning of one Oak tree reference T11 on the Order map for Mr Roland Hall of 6 Ennerdale Crescent. The tree is close to the properties and low over the drive and roadway.	Consent is granted to the crown lifting of the tree over the driveway, garden and highway, the reduction of branches growing towards 4 & 6 Ennerdale Crescent to give a clearance of 2 metres from the structure and the crown thinning of the tree to allow light to filter through.

<p>CHE/18/00528/TPO TPO 4901.26 24/08/18</p>	<p>The pruning of one Oak tree reference T1 on the Order map for Mr Ricki Kent of Fairfield Villas, 20 Fairfield Road.</p>	<p>Consent is granted to the removal of epicormic growth (small suckers) on the main stem up to the height of the house guttering.</p>
<p>CHE/18/00498/TPO TPO 4901.34 28/08/18</p>	<p>The felling of one dead Lime tree within G4 and the pruning of one Horsechestnut reference T10, one Copper Beech reference T12, two Sycamore trees reference T14 & T15, one Sweet Chestnut reference T17, one Ash and two Sycamore trees within G3 and various trees within G4 on the Order Map and which are situated in the grounds of Grovehill, St John's Road for Mr & Mrs Dalton.</p>	<p>Consent is granted to the pruning of trees by crown lifting over the driveway and public highway and the removal of dead wood. Consent is also granted to the crown reduction of one Horsechestnut, the reduction of branches to clear the telephone wire and the crown lifting of one Sweet Chestnut. Consent has already been granted for the removal of one dead Lime tree within G4 application code CHE/16/16/00749/TPO.</p>
<p>CHE/18/00552/TPO TPO 4901.96 03/09/18</p>	<p>The pruning of one Poplar tree reference T1 on the Order map for Mr Andrew Pearson on land to the rear of 36 Bellhouse Lane, Staveley.</p>	<p>Consent is refused to the removal of one lower limb which was described as dead on the application form. Consent was refused on the grounds that the limb is not dead and its removal would leave a large wound on the trees main stem.</p> <p>Consent is granted to the removal of dead branches within the crown and the crown lifting of the tree by 5 metres from ground level with a condition attached that the large limbs are not</p>

		removed and the pruning is concentrated on the secondary branches. Consent is also granted to the reduction of the lower branches up to the fence boundary line of the adjacent land.
CHE/18/00574/TPO TPO 4901.266 03/09/18	The pruning of 3 Oak trees reference T43-T45 on the Order map for Sheffield Tree Services Ltd on behalf of Miller Homes on land at Eyre Chapel, Newbold.	Consent is granted to the removal of dead wood within the crowns of 3 Oak trees reference T43 – T45 on the Order map.
CHE/18/00506/TPO TPO 4901.69 04/09/18	The pruning of 1 Oak tree reference T1 on the Order map for Acme Tree Services Ltd on behalf of Henry Boots Estates. The tree is located to the north of 12 Harvest Way, Holmehall.	Consent is granted to a 2-3 metre crown reduction of one Oak tree to clear the adjacent properties and re-shape the crown.

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AGENDA ITEM

APPEALS REPORT

MEETING: PLANNING COMMITTEE
DATE: 17TH SEPTEMBER 2018
REPORT BY: DEVELOPMENT MANAGEMENT AND
CONSERVATION MANAGER

FOR PUBLICATION

BACKGROUND PAPERS FOR PUBLIC REPORTS

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

1.0 PURPOSE OF REPORT

- 1.1 To inform Members regarding the current status of appeals being dealt with by the Council.

PAUL STANIFORTH
DEVELOPMENT MANAGEMENT AND CONSERVATION
MANAGER

These are reported to Planning Committee for information only.
Anyone requiring further information on any of the matters

contained in this report should contact Paul Staniforth on 01246 345781.

APPEALS

<u>FILE NO.</u>	<u>WARD</u>	<u>APPELLANT</u>	<u>CASE</u>	<u>MEMBER OFFICER</u>	<u>DATE REC</u>	<u>TYPE AND DATE</u>	<u>DECISION AND DATE</u>
2/3991	Hasland ward	Mr N Chadwick	CHE/17/00800/FUL – Retention of external works at 2 York Street - Conditions	Planning Committee	26/04/18	Written Reps	
2/2126	St Leonards ward	Mr Paul Singh	CHE/18/00167/FUL – Replacement of windows to rear 9-21 Stephenson Place - Refusal	Officer delegation	29/06/18	Written Reps	
2/1497	West ward	D J Atkinson Construction Ltd	CHE/17/00725/FUL – Demolition of buildings and 2 dwellings at Proctors Nursery - Refusal	Planning Committee against officer advice	12/07/18	Written Reps	
2/5302	Lowgates and Woodthorpe ward	Mr and Mrs Needham	CHE/18/00230/OUT – Residential Development at 1 Bridle Road	Officer delegation	2/8/18	Written Reps	
2/3815	Holmebrook ward	Mr G Fountain	CHE/18/00027/OUT – Dwelling at 21a Walton Crescent Refusal	Officer delegation	5/9/18	Written Reps	

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ENFORCEMENT REPORT

MEETING: PLANNING COMMITTEE

DATE: 17TH SEPTEMBER 2018

REPORT BY: LOCAL GOVERNMENT AND REGULATORY LAW MANAGER
DEVELOPMENT MANAGEMENT & CONSERVATION MANAGER

WARD: As listed in the report

FOR PUBLICATION

TITLE: D255 and Non-exempt papers (if any) on relevant files

BACKGROUND PAPERS

LOCATION: LEGAL SERVICES

1.0 PURPOSE OF REPORT

1.1 To update members, and get further authority, on formal enforcement.

2.0 BACKGROUND

2.1 The table summarises formal planning enforcement by the Council.

3.0 INFORMAL ACTION

3.1 Formal enforcement is a last resort, with most planning problems resolved without formal action (in accordance with government guidance). More information on informal enforcement is available from the Planning Service.

4.0 MORE INFORMATION ABOUT THE TABLE

4.1 A summary of the main types of planning enforcement action available to the Council and penalties for non compliance is available from Legal Services.

5.0 RECOMMENDATION

5.1 That the report be noted.

GERARD ROGERS
LOCAL GOVERNMENT AND
REGULATORY LAW MANAGER

PAUL STANIFORTH
DEVELOPMENT MANAGEMENT
& CONSERVATION MANAGER

Further information on this report from Gerard Rogers, Legal Services
Tel 01246 345310 or email gerard.rogers@chesterfield.gov.uk

ENFORCEMENT REPORT

Enforcements currently Authorised: 9

07 September 2018

Address	Authorised <small>days from</small>	Breach	CHE/	Issued <small>days to issue</small>	Effective <small>days to (-) /from</small>	Comply <small>days to (-) /from</small>	Notes	<small>update last update</small>	Ward
Enforcement Notice		<i>Total currently Authorised: 6</i>			<i>Authorised to Issue Average: 66 days</i>				
Pottery Lane West	10 09/01/17 <small>606</small>	excavation - engineering works		25/01/17 <small>16</small>	13/12/17 <small>268</small>	13/03/18 <small>178</small>	Appeal dismissed. Filled in part of site and installed blocks to support adjoining land. Planning Committee resolved 28/08/18 that there was sufficient compliance.	<input checked="" type="checkbox"/> <small>29/08/18</small>	
Station Lane	03/04/18 <small>157</small>	importation of materials - creation of hard surfacing		03/07/18 <small>91</small>	08/08/18 <small>30</small>	08/08/19 <small>-335</small>	Issued. In effect - no appeal	<input type="checkbox"/> <small>03/07/18</small>	BHW
Station Lane	03/04/18 <small>157</small>	importation of materials - industrial use		03/07/18 <small>91</small>	08/08/18 <small>30</small>	08/08/19 <small>-335</small>	Issued. In effect - no appeal	<input type="checkbox"/> <small>03/07/18</small>	

Page 182

Address		Authorised <i>days from</i>	Breach	CHE/	Issued <i>days to issue</i>	Effective <i>days to (-) /from</i>	Comply <i>days to (-) /from</i>	Notes	update <i>last update</i>	Ward
Walton Works		27/06/16 802	use for war and horror style games					Cease war and horror style games at weekends and after 18:00 hours, and pyrotechnics at any time. 12/12/16 Committee approval for Section 106 planning obligation to regulate unauthorised use. In contact with operator to conclude agreement.	<input type="checkbox"/> 04/04/18	Wa
York Street	1	06/08/18 32	2 vending machines					2 unauthorised vending machines. Moved from 2 York Street. Awaiting instructions.	<input type="checkbox"/> 14/08/18	

Address		Authorised <i>days from</i>	Breach	CHE/	Issued <i>days to issue</i>	Effective <i>days to (-) /from</i>	Comply <i>days to (-) /from</i>	Notes	update <i>last update</i>	Ward
York Street	2	09/10/17 333	conversion and extension of roof space					Application for flat conversion CHE/17/00800/FUL approved 03/04/18 with condition requiring removal of balcony and canopy, but has appealed these. Consider further enforcement if not comply.	<input type="checkbox"/> 11/06/18	Ha

Stop Notice

Total currently Authorised: 1 Authorised to Issue Average: days

Walton Works		27/06/16 802	use for war and horror style games of game play					See notes for Enforcement Notice.	<input type="checkbox"/> 03/03/17	Wa
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TPA Prosecution

Total currently Authorised: 2 Authorised to Issue Average: days

Pomegranate Road (rear of)	51	02/05/18 128	wilful damage to limb of T7 (s.210(4)) on Avant Homes site					Instructed and discussing with Planning	<input type="checkbox"/> 02/05/18	N
Victoria Street	Ringwood Centre (former)	21/12/17 260	Damage to roots of T18 and T19					Trial 22 and 23/10/18.	<input type="checkbox"/> 13/08/18	BN

Address	Authorised <i>days from</i>	Breach	CHE/	Issued <i>days to issue</i>	Effective <i>days to (-) /from</i>	Comply <i>days to (-) /from</i>	Notes	update <i>last update</i>	Ward
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Action authorised by Committee except Breach of Condition, Planning Contravention, Section 215 Notices, Advertisement Discontinuance, prosecutions and urgent action which are authorised by officers

Key to Ward abbreviations: BNW Barrow Hill and New Whittington • BN Brimington North • BS Brimington South • B Brockwell • D Dunston • Ha Hasland • Hb Holmebrook • HI Hollingwood and Inkersall • L Linacre • LG Loundsley Green • LW Lowgates and Woodthorpe • MP Middlecroft and Poolsbrook • Mo Moor • N Newbold • OW Old Whittington • R Rother • SH St Helens • SL St Leonards • Wa Walton • We West

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