



Please ask for Charlotte Kearsey
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The Chair and Members of Planning
Committee
Councillor Rogers –
Site Visit 1

19 October 2018

Dear Councillor,

Please attend a meeting of the PLANNING COMMITTEE to be held on MONDAY, 29 OCTOBER 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 Town Hall Reception at 14:05pm. Ward members wishing to be present should attend on site as indicated below:-

1. 14:15 100 Highfield Lane, Newbold
CHE/18/00470/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 29 October, 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 - 26)
4. Applications for Planning Permission - Plans Determined by the Committee (Pages 27 - 52)
5. Applications for Planning Permission - Plans Determined by the Development Management and Conservation Manager (P140D) (Pages 53 - 74)
6. Applications to Fell or Prune Trees (P620D) (Pages 75 - 80)
7. Appeals Report (P000) (Pages 81 - 84)
8. Planning Agreement Report (Pages 85 - 106)
9. Enforcement Report (P410) (Pages 107 - 110)

Yours sincerely,



Local Government and Regulatory Law Manager and Monitoring Officer

PLANNING COMMITTEE**Monday, 17th September, 2018**

Present:-

Councillor Brittain (Chair)

Councillors	P Barr	Councillors	Davenport
	Bingham		Hill
	Brady		Simmons
	Callan		Miles

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

CHE/17/00867/FUL - 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.

Councillors Barr, Bingham, Brady, Brittain, Callan, Davenport, Dickinson (ward member), Hill, Miles, and Simmons.

CHE/18/00229/FUL – 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.

Councillors Barr, Bingham, Brady, Brittain, Callan, Davenport, Hill, Miles, Parsons (ward member) and Simmons.

*Matters dealt with under the Delegation Scheme

50 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Catt, Caulfield, Elliot, Gilby and Sarvent.

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

No declaration of interest were received.

52 **MINUTES OF PLANNING COMMITTEE**

RESOLVED -

That the Minutes of the meeting of the Planning Committee held on 28 August, 2018 be signed by the Chair as a true record.

53 **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/18/00229/FUL - 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

In accordance with Minute No. 299 (2001/2002) Helen Randerson of Gleesons (applicant) addressed the meeting.

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

(A) Time Limit 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 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

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
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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 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

Drainage

3. 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.

4. 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.

5. 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.

6. 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.

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

8. 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.

Environmental Health

9. 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.

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.

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.

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 an approved in writing by the Local Planning Authority. The works shall only be carried out on site in strict accordance with the approved strategy.

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.

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.

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.

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.

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.

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.

19. The agreed Employment and Training Management Plan – Revision 1 shall be implemented as part of the development hereby approved.

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.

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.

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

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.

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.

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.

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.

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

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.

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.

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.

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
- iii. 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.

(B) That a S106 agreement be negotiated as detailed in section 10.1 of the officers report, to cover:

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

(C) That a CIL Liability Notice be served for £296,395 as detailed in section 5.9.2 of the officer's report.

CHE/17/00867/FUL - 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

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 (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

3. 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.

4. 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.

5. 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

6. 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.

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

8. 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.

9. 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.

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.

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

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.

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.

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.

(B) That a CIL Liability Notice be served for £7,210 as detailed in section 5.11.2 of the officer's report.

54 **BUILDING REGULATIONS (P880D)**

*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

18/04098/DEXBN	Replacement windows at 33 Netherleigh Road Ashgate Chesterfield S40 3QJ
18/04131/DOBN	Construction of a two bedrooomed detached dwelling at land adjacent 45 Wythburn Road Newbold Chesterfield S41 8DP
18/04186/DEXBN	Removal of internal wall at 247 Handley Road New Whittington Chesterfield S43 2ES
18/04237/DEXBN	Installation of through floor lift for disabled person use at 7 Church Street North Old Whittington Chesterfield S41 9QN
18/04321/DEXBN	Garage conversion at 83 Spital Lane Spital Chesterfield

S41 0HL

18/04335/DEXBN	Knocking wall through - Kitchen through to living room at 63 Old Road Chesterfield S40 2QZ
18/04366/DEXBN	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 at 23 Little Brind Road Upper Newbold Chesterfield S41 8XW
18/04416/DEXBN	Replacement of two flat roofs at Post Office Ltd 1 Future Walk Chesterfield S49 1PF
18/04495/DEXBN	Sub dividing bedroom at 8 Nesfield Close Newbold Chesterfield S41 8DF
18/04136/DEXFP	Single storey rear extension at 8 Langtree Avenue Old Whittington Chesterfield S41 9HP
18/04156/DEXFP	Extension at 31 Little Brind Road Upper Newbold Chesterfield S41 8XW
18/04213/DEXFP	Ground floor extension (replacing conservatory) at 1 Poplar Place St Johns Road Newbold Chesterfield S41 8TF
18/03468/OTHRG	Internal fit out works at Unit 1 - 5 Burley Close Chesterfield S40 2UB
18/04106/DOMRG	Phase 2 - 11 new dwellings plot 12-22 at Phase 2 Ringwood Centre Victoria Street Brimington Chesterfield
18/04161/DEXRG	Removal of internal wall and installation of steel beam at 2 Rose Garth Close Spital Chesterfield S41 0GE
18/04303/DEXRG	Replacement windows at 22 Endowood Road Somersall Chesterfield S40 3LX
18/04501/DEXRG	Replacement of 4 windows and two sets of bi-fold doors at 3 Skeldale Drive Chesterfield S40 2UW
18/04166/IND	Two storey side extension at 4 Chestnut Close Hollingwood Chesterfield S43 2LZ
18/04169/IND	Replacement conservatory roof at 1 Helston Close Hasland Chesterfield S41 0RJ
18/04185/IND	Single storey flat roof extension at 14 Manor Road Brampton Chesterfield S40 1HX

- 18/04283/IN Two storey extension to rear and two storey extension to side at Mintdale Engineering Carrwood House Carrwood Road Chesterfield Trading Estate Chesterfield
- 18/04295/IN Internal alterations and refurbishment of existing Public House at Ark Tavern Chesterfield Road Brimington Chesterfield S43 1AD
- 18/04300/IND Two storey rear extension and first floor side extension with internal alterations at 4 Walgrove Road Walton Chesterfield S40 2DR
- 18/04337/IND Single storey rear extension to an existing two storey domestic dwelling at 8 Netherfield Road Somersall Chesterfield S40 3LS
- 18/04338/IND Garage conversion at 30 Newbridge Lane Brimington Chesterfield S43 1LY
- 18/04339/IND Single storey rear extension and associated works to an existing two storey domestic dwelling at 3 Bank Wood Close Upper Newbold Chesterfield S41 8XQ
- 18/04340/IND Single storey extension/knock through - internal structural alterations to an existing two storey domestic dwelling at 38 Steeping Close Brimington Chesterfield S43 1ND
- 18/04417/IN Office and warehouse fit-out at Somero Enterprises Dunston Trade Park Dunston Road Chesterfield Derbyshire
- 18/04444/IND Single storey extension to the rear of existing two 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 at 173 Boythorpe Road Boythorpe Chesterfield S40 2NB
- 18/04447/IND Single storey extension/knock through - internal structural alterations at 38 Steeping Close Brimington Chesterfield S43 1ND
- 18/04452/IND Removal of internal walls and installation of three steel beams to an existing three storey dwelling-house at 2 Sunny Springs Chesterfield S41 7NQ
- 18/04460/IN Industrial Units 1-6 at Turnoaks Business Park Turnoaks Lane Burley Close Chesterfield S40 2UB
- 18/04463/IND Rear extension, garage conversion and removal of load bearing walls to kitchen and bedrooms at 303 Ashgate

Road Chesterfield S40 4DB

18/04475/IND

Construction of three bedroom detached house at land adjacent 102 Brooke Drive Brimington Chesterfield S43 1PG

18/04516/IN

Single storey extension at Precision Products Ltd 1 Cobnar Wood Close Chesterfield Trading Estate Chesterfield S41 9RQ

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

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

(a) Approvals

CHE/18/00017/MA

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

CHE/18/00082/FUL

Installation of external air handling units and sprinkler water tanks at Plot 13 Markham Lane Duckmanton for Great Bear Distribution Ltd

CHE/18/00127/FUL

Conversion and extension to existing garage to form separate at 140 Church Street North Old Whittington S41 9QP for Mr R Gascoyne

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 S41 7LL for Faceit Aesthetics

CHE/18/00361/FUL

Demolition of existing bungalow and erection of one detached dwelling at 93 Storforth Lane Chesterfield S41 0PZ for Mr Rickie Brunt

CHE/18/00378/FUL

Rear extension and garage - revised drawing (plans as proposed - Rev 1) received on 02.08.2018 at 108 Mansfield Road Hasland S41 0JF for Mr Alex Hall

CHE/18/00431/FUL	Two storey extension to side at 3 Ashleigh Close Old Whittington S41 9NA for Mr Neil Smith
CHE/18/00435/FUL	Change of use from estate agents to barber shop and existing forecourt to be used as additional seating for next door café at Fishwick Estate Agents 477 Chatsworth Road Chesterfield S40 3AD for Mr Robert Bray
CHE/18/00437/FUL	Two storey rear extension as amended by revised plans received 3.9.18 at 16 Bridle Road Woodthorpe S43 3BY for Mr Paul Davies
CHE/18/00441/FUL	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
CHE/18/00444/MA	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 at land adjacent 31 Manor Drive Brimington for Chesterfield Borough Council
CHE/18/00446/ADV	2 replacement fascia signs at Superdrug 2 - 4 Vicar Lane Chesterfield S40 for Superdrug
CHE/18/00448/FUL	Single storey rear and side extension at 55 Ashgate Road Chesterfield S40 4AG for Kate Chilton
CHE/18/00449/FUL	Front kitchen extension at 14 Prospect Terrace Brockwell Chesterfield S40 4HD for Mr J Mott
CHE/18/00452/FUL	Two storey side extension at 38 Oak Bank Avenue Old Whittington S41 9PH for Mrs Zoe Brooks
CHE/18/00458/TPO	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
CHE/18/00464/FUL	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
CHE/18/00467/FUL	Demolition of existing garage to incorporate two storey side extension at 4 Barnes Road Hady Chesterfield S41 0BX for Mrs Winfield

- CHE/18/00475/FUL Replace existing windows - 4 windows on the first floor and 4 windows on the second floor at 48 Glumangate Chesterfield S40 1TX for Mr Rami Khatib
- CHE/18/00482/FUL 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 at 76 Manor House Court Stonegravels Chesterfield S41 7GX for Mr Kieran Sparks
- CHE/18/00490/LBC Internal alterations to the property comprising 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 for Mr Gary Fletcher
- CHE/18/00498/TPO 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-kept at Grove Hill 136 St Johns Road Newbold S41 8TW for Dalton Roofing

CHE/18/00506/TPO	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 at 12 Harvest Way Holme Hall Chesterfield S42 7JX for Henry Boot Estates
CHE/18/00510/TPO	Oak - crown lift, crown thin. Pull away from 4 and 6 Ennerdale Crescent and lighting stand at 4 Ennerdale Crescent Newbold Derbyshire S41 8HL for Mr Roland Hall
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/18/00528/TPO	Cut back lower branches at 20 Fairfield Road Brockwell Chesterfield Derbyshire for Mr Ricki Kent
CHE/18/00563/NMA	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

- CHE/18/00566/TPO Fell of Oak Tree at front of property at 10 Pine View Ashgate Chesterfield Derbyshire S40 4DN for Mr Andrew Travis
- CHE/18/00574/TP Crown clean and removal of dead branches of T45 T44 and T43 at Eyre Chapel Newbold Village Newbold Road Newbold S41 8RJ for Miller Homes Yorkshire
- (b) Refusal
- CHE/18/00027/OUT Outline application for a single dwelling (Revised coal mining risk assessment received 14.3.2018, topographical survey received 17.07.2018) at 21A Walton Crescent Boythorpe S40 2PJ for Mr Gary Fountain
- CHE/18/00370/RET Retention of an automated teller machine at Tasty Bites Chesterfield Road Staveley S43 3RX for Cardtronics UK Ltd, trading as Cashzone
- CHE/18/00372/RE Retention of an automated teller machine and installation of associated signage at 39 Chatsworth Road Chesterfield S40 2AH for Cardtronics UK Ltd, trading as Cashzone
- CHE/18/00385/FUL Create a vehicular hardstanding and a new vehicular access at 71 Kingsley Avenue Birdholme Chesterfield S40 2SZ for Mrs Aleyamma Stanley
- CHE/18/00394/FUL Pitched roof, first floor extension to the rear, above an existing ground floor extension - revised drawings received 31/7/2018 at 49 Highfield Avenue Newbold S41 7AU for Mr Martyn Ryan
- CHE/18/00453/TPO Fell sycamore (T29) due to excessive shading - replant with native species in different location at 44 Netherleigh Road Ashgate Chesterfield for Mr James Allsop
- (c) Discharge of Planning Condition
- CHE/18/00298/DOC 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 at 2A Springfield Avenue Chesterfield S40 1DB for Mr Ishmail Ali
- CHE/18/00413/DOC 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 at Unit 9 Sheepbridge Works Sheepbridge Lane S41 9RX for Hall Plant Hire Ltd

- CHE/18/00428/DOC Installation of external light and CCTV camera system at 58 Mansfield Road Hasland S41 0JF for Cardtronics UK Ltd
- CHE/18/00469/DOC 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 47 and 49 Duke Street Staveley Derbyshire for Mr Alwyn Morris
- CHE/18/00474/DOC Discharge of planning conditions No.10 (Construction Management Plan) and No.20 (Materials Layout) from application at land at Cranleigh Road Woodthorpe for Avant Homes (England) Limited
- CHE/18/00481/DOC Discharge of conditions 14 and 15 of CHE/17/00830 at land at former Crispin Inn 240 Ashgate Road Chesterfield S40 4AW for Co -op Group
- CHE/18/00483/DOC Discharge of planning conditions 7 (site investigations) and 10A (site investigations) of CHE/17/00209/FUL at former Perrys Garage Chatsworth Road Chesterfield S40 2BJ for Lidl UK GmbH
- CHE/18/00520/DOC 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

(d) Prior notification approval not required

- CHE/18/00523/TPO Proposed rear extension at 50 Springfield Avenue Chesterfield S40 1HL for Mr Peter Darling

(e) Split decision with conditions

- CHE/18/00552/TPO Cut back dead branch of tree at land to north of 36 Bellhouse Lane Staveley Derbyshire for Mr Tom Connor

*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/18/00566/TPO | Consent is granted to the felling of one Oak tree reference T25 on the Order map for Heathscapes on behalf of Mr Travis of 10 Pine View, Ashgate.

A condition to plant a new Oak tree in the first available planting season has been attached. |
| CHE/18/00458/TPO | Consent is granted to 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. |
| CHE/18/00510/TPO | Consent is granted to the pruning of one Oak tree reference T11 on the Order map for Mr Roland Hall of 6 Ennerdale Crescent. |
| CHE/18/00528/TPO | Consent is granted to the pruning of one Oak tree reference T1 on the Order map for Mr Ricki Kent of Fairfield Villas, 20 Fairfield Road. |
| CHE/18/00498/TPO | Consent is granted to 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 and 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 and Mrs Dalton. |

CHE/18/00552/TPO	Consent is granted to 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.
CHE/18/00574/TPO	Consent is granted to 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.
CHE/18/00506/TPO	Consent is granted to 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, Holme Hall.

57 **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.

58 **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.

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Agenda Item 4

COMMITTEE/SUB	Planning Committee
DATE OF MEETING	29 TH OCTOBER 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 29TH OCTOBER, 2018**

ITEM 1 - CHE/18/00470/OUT - Outline application with all matters reserved for a single detached dwelling with retention of existing two dwellings on land to the rear of 100-102 Highfield Lane, Newbold, Chesterfield (Revised on 03/09/18) for Mr Hopkinson

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Item 1

Case Officer: Chris Wright
Tel. No: (01246) 345787
Planning committee : 29th October 2018

File No: CHE/18/00470/OUT
Plot No: 2/1213

Description – Outline application with all matters reserved for a single detached dwelling with retention of existing two dwellings on land to the rear of 100-102 Highfield Lane, Newbold, Chesterfield (Revised on 03/09/18)

Local Plan - Unallocated
Ward - Moor

1.0 **CONSULTATIONS**

Ward Members	No representations received
Environmental Services	No objection, subject to condition.
Design Services	Additional information required in the reserved matters application.
Yorkshire Water Services	No comments to make.
DCC Highways	Requested changes, these changes have been received, but no further comments from the highways authority.
Coal Authority	comments received
Tree Authority	No objection, with additional comments
Urban Design Officer	No objections, subject to conditions
Neighbours/Site Notice	2 representations received – see report

2.0 **THE SITE**

- 2.1 This application site concerns an area of land to the north of 4 dwellings at 96 – 102 Highfield Lane. The application site includes the two dwellings at no.100 and 102 Highfield Lane together with the parcel to the rear. The four existing dwellings are set back in the street scene when compared with neighbouring properties which are set considerably more forwards. The properties have long slim front gardens, with many outbuildings in the gardens of no.96 and 98. To the front of the garden of no.102 there is also a café called Dottie's.
- 2.2 In-between no.98 and 100 there is an access drive with hedges either side. There is also a mature hedge to the front of no.96 and 98 together with a 1 metre stone wall.
- 2.3 The existing dwellings are 1900s two storey dwellings built in the style of Victorian terraces. The residents of no.96 and 98 park their vehicles to the rear of their dwellings, utilising the access drive. The previous owner of no.100 and 102 would utilise the land to the rear of the houses for multiple uses including for parking vehicles and to store a collection of things such as boats. On a site visit the land had a dilapidated boat and a single storey outhouse within it, as well as appearing to function as a garden for the previous residents of no.100 and 102. It also has a number of mature trees and hedges surrounding the site, as well as a protected tree.
- 2.4 To the north and east of the site there is a school and its grounds. It is within a residential area.

3.0 **RELEVANT SITE HISTORY**

- 3.1 No relevant applications.

4.0 **THE PROPOSAL**

- 4.1 The proposal is for an outline planning application with all matters reserved for one dwelling sited within land to the rear of no.100 and 102. An indicative layout was included but as

no other aspect of the scheme is being considered this is of no significance other than to show that the plot of land is of sufficient size to accommodate a single dwelling. Revised drawings were included which showed a wider access road and parking spaces for no.100 and 102.

5.0 **CONSIDERATIONS**

5.1 **Local Plan Issues**

5.2 The site is situated within the built settlement of Newbold. This area is predominantly residential in nature, and is situated within walking and cycling distance to many Local Centres within Chesterfield.

5.3 Having regard to the nature of the application, policies CS1, CS2, CS10 and CS18 of the Core Strategy and the wider revised National Planning Policy Framework (NPPF) apply. In addition, the Council's Supplementary Planning Document on Housing Layout and Design 'Successful Places' is also a material consideration.

5.4 Policy CS1 (Spatial Strategy) states that the overall approach to growth will be to concentrate new development within walking and cycling distance of centres, and to focus on areas that need regenerating.

5.5 Policy CS2 (Principles for Location of Development) 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

5.6 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.

5.7 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.

5.8 In addition to the above, the NPPF places emphasis on the importance of good design stating:

“In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in the area, so long as they fit in with the overall form and layout of their surroundings.” (para131)

“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents” (para 130).

5.9 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.

5.10 The proposed development site is situated within walking and cycling distance from several local centres within northern Chesterfield and is located on land that is currently utilised for parking and garden. The site is located within a built-up area where new housing development would be considered appropriate in principle. As such, this proposed development site is considered to be sufficiently sustainable for a development of an additional dwelling and which adheres to the policies CS1 and CS2 of the Core Strategy.

6.0 **Design and Appearance (Including Neighbour Effect)**

6.1 The proposal has been amended from the original scheme. The revised scheme shows a widened access drive to 5.25 metres and right angled parking for 4 vehicles within the front garden of no.100.

6.2 The Council's Urban Design Officer supports the scheme. It is accepted that widening the entrance and track will necessitate the removal of a section of front boundary wall, which is a characterful part of the existing streetscene and a locally distinctive detail. It is therefore recommended that the remainder of the wall is retained and details provided to confirm the length of existing stone wall to be retained and the formation of a suitable end pier. This could be managed by a suitably worded condition together with details of hard and soft landscape.

The subdivision of the front gardens to provide parking will reduce the size and utility of these garden areas, although the plan indicates the provision of rear gardens for these units. It is recommended that these are required to be provided by condition, as amenity space for the occupants of Nos. 100-102 to ensure that the existing dwellings are provided with an appropriate level of private outdoor amenity space. In addition, details of boundary treatments should be confirmed or required by condition.

6.3 Overall the principle of this scheme is considered to be of an appropriate size to accommodate 1 dwelling, but no further assessment can be made of the site until additional information is supplied in a reserved matters application. Overall the proposed development is considered to be appropriately sized to accommodate a dwelling with sufficient space standards and which responds to the provisions of policies CS2 and CS18 of the Core Strategy and the wider SPD.

7.0 **Environmental Services**

7.1 Environmental Services were consulted on this application and no objections have been made however they have

requested that conditions are included in terms of working hours, contaminated land and air quality.

8.0 **Drainage**

8.1 Design Services requested information in terms of surface water and foul drainage on site however this is a matter for consideration at a reserved matters stage and is a matter therefore dealt with by condition.

9.0 **Highways Issues**

9.1 The Highway Authority was consulted on the application as amended and they have advised:

“The main issue was the width of the access and the revised drawing has increased the width of this and clearly demonstrated off-street parking for the existing dwellings. In view of the above, there are no objections to the proposal and it is recommended that the following conditions are included in any consent”.

9.2 The proposal has been amended to increase the width of the access drive and to include 4 parking spaces for the future residents of no.100 and 102. The existing access drive and existing visibility is utilised by the residents of no.96-102. As the proposal would add to the usage of the access drive and would lead to the loss of the existing parking and turning area for the residents of no.100-102 the proposal to include new parking to the frontage and increased width of the drive, as amendments, are welcome and ensure that the development doesn't lead to an increase in risk to highway safety in the local area.

9.3 Having regard to the principles of policies CS2 and CS18 of the Local Plan in respect of highway safety it is not considered that the development proposals pose any adverse risk to highway safety. It is considered that sufficient space is available on site to provide an adequate level of turning and off street parking, subject to condition.

10.0 **Coal Mining Risk**

10.1 In respect of potential Coal Mining Risk, the site the subject of the application is situated within the high risk area, but subject to condition no objection has been suggested by the Coal Authority.

11.0 **Trees**

11.1 The following comments were provided by the Council's tree officer:

"I have no objection to the proposal in principle and in general the location of the dwelling is away from the protected tree of the above mentioned tree preservation order, however the dwelling should be moved further to the south away from the northern boundary with the school so that there is no conflict and perceived nuisance with the existing trees along this boundary.

The dwelling is at present 4 metres from the north boundary. This should be increased to 7 metres so that any overhang branches and rooting environment from the existing trees within the school grounds are not affected.

Conditions should also be attached to protect the trees and their rooting environment if consent is granted to the application".

11.2 The proposal is an outline application, so the exact placement of the dwelling on site is only indicative. The issue of the possible location of the dwelling can be dealt with at a reserved matters stage having regard to the relationship with trees on the boundary of the site.

11.3 It is unclear if some of the trees on the boundary of the site are under the ownership of the school or the owner of the application site. No information has been included which shows the ownership of the trees surrounding the site.

12.0 **Community Infrastructure Levy (CIL)**

12.1 Having regard to the nature of the application proposals the development comprises the creation of 1 no. new dwelling and the development is therefore CIL Liable. The site the subject of the application lies within the medium CIL zone and therefore the full CIL Liability would be determined at the

reserved matters stage on the basis of a cumulative charge of £50 per sqm (index linked) of gross internal floor area created.

13.0 **REPRESENTATIONS**

13.1 As a result of neighbour consultation 2 letters of representation were received from the residents of 2 houses; the residents were from 17 Pevensy Avenue and 96 Highfield Lane, and these were both provided prior to any amendments.

13.2 The comments received from the residents of 17 Pevensy Avenue included 4 questions:

1. What are the plans for the mature trees on the site?
2. How will the proposal impact on overlooking?
3. Will efforts be made to ensure that bats aren't impacted by the proposal?
4. Can any disruptions from the proposals be kept to a minimum?

13.3 The residents of 96 Highfield Lane also raise some questions/points regarding the proposal:

1. As the proposal would require the utilising of the narrow access road, the hedge may need to be removed to facilitate deliveries, if this occurs will it be replaced afterwards?
2. Who would be responsible for maintenance of the widened access road? Any increased liability costs associated to this would be unfair.
3. Is the lane suitable for increased traffic levels? There are no passing places on the lane. Also, the lane is not wide enough for emergency service vehicles or a bin lorry.
4. Will pedestrian sight lines be acceptable, with increased use of the lane, as existing visibility isn't good enough?

13.4 **Comments:**
Mature trees on site – One of the trees on site is protected and this will need to be considered as part of the reserved matters design. The other trees on site are not protected, but the applicant will be encouraged to retain the majority of the trees that are under their ownership.

Overlooking on site – As this is an outline application with all matters reserved this doesn't include the positioning of the building or its windows, so it is not possible to consider overlooking as part of this application.

Protecting bats – The trees are not affected by the scheme and any bat presence is therefore unlikely to be affected.

Working hours – A working hours condition is included as part of the recommendation, to ensure that the amenity of neighbours is safeguarded.

Replacement hedge – No information has been provided regarding what would replace the hedge that would be removed as part of the road widening on site. It is considered that a replacement hedge would take many years to grow, and that a fence or wall is more likely to be suitable on site.

Maintenance of the access road – This is a private matter between the property owners

Suitability for lane for increased traffic – The revised proposal includes the widening of the drive, which would allow for the passing of vehicles and access for emergency vehicles if required. The Highway Authority has no objection to the proposal.

Pedestrian visibility – It is accepted that the existing pedestrian visibility on site is not very good, but this is currently utilised by the residents of 4 dwellings, with the most negative aspect associated with the hedge on the southern boundaries of no.96 and 98. The residents could trim the hedge to ensure there is improved visibility. This is not a matter which leads to a planning problem.

14.0 **HUMAN RIGHTS ACT 1998**

14.1 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

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

14.3 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.

14.4 Whilst, in the opinion of the objectors, the development could affect 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

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

15.1 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).

15.2 Given that the proposed development subject to conditions would not conflict with the revised NPPF (July 2018) and 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 been sufficiently proactive and positive in proportion to the nature and scale of the development applied for.

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

16.0 **CONCLUSION**

16.1 The proposals are considered to be appropriate in principle, as it is considered that there is adequate space on site for 1 dwelling. The location of the proposed development site is sufficiently sustainable, is in a residential area and is adequately served by public transport and amenities. As such, the proposal accords with the requirements of policies CS1, CS2, CS18 and CS20 of the Core Strategy and the wider National Planning Policy Framework.

16.2 Furthermore subject to the imposition of appropriate planning conditions the proposals are considered to demonstrate wider compliance with policies CS7, CS8, CS9 and CS20 of the Core Strategy and the wider NPPF in respect of Highways, drainage, coal mining and air pollution. This application would be liable for payment of the Community Infrastructure Levy.

17.0 **RECOMMENDATION**

17.1 That the application be **GRANTED** subject to the following conditions:

Conditions

1. Approval of the details of the access, scale, layout, 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. Concurrent with a reserved matters application, drawings shall be provided which show the possibility of the proposed new driveway to have visibility splays of 2.4m x 43m over land the subject of the application/highway in both directions, and then agreed in writing with the Local Planning Authority. The area in advance of the sightlines shall be maintained throughout the life of the development clear of any object greater than 1m in height (0.6m in the case of vegetation) relative to adjoining nearside carriageway channel level.
8. 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.

9. Before any other works are commenced, the existing access to the site shall be widened to 5.25m from the highway boundary to the existing properties in accordance with the revised plan, Drawing 010 Revision A
10. Before any other operations are commenced (excluding demolition/site clearance and improvements to the access under Condition 9 above), space shall be provided within the site curtilage for storage of plant and materials, site accommodation and 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.
11. 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.
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.
13. The premises, the subject of the application, shall not be occupied until space has been provided within the site curtilage for the parking 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.
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.
15. 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.

16. To protect the trees during demolition and construction a root protection area (RPA) is to be created to form a construction exclusion zone around the trees on the site. A minimum Root Protection Area (RPA) of six metres from the northern boundary line is required to protect the roots and crowns of the trees. The protective fencing shall conform to BS 5837 and shall be retained during site clearance and whilst any construction is in progress. Notices should be attached to the fencing at regular intervals to this effect.
There shall be no excavations, storage, soil stripping and no grading of the site within the RPA.
The removal of any existing hard surfaces within the RPA should be carried out without the use of any heavy machinery and care must be taken not to disturb tree roots that may be present beneath it. Hand held tools or appropriate machinery should be used to remove the existing surface.
Once the protective fencing is installed, the fencing should be inspected by an officer of the Council before any demolition or construction commences. Once erected, barriers should not be removed or altered without prior approval of the local planning authority or until the development ends.
Any works not agreed within the Root Protection Area must be discussed with the LPA before any operations commence.
17. Prior to completion or first occupation of the development hereby approved, whichever is the sooner; details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:
 - a) a scaled plan showing vegetation to be retained and trees and plants to be planted:
 - b) proposed hardstanding and boundary treatment:
 - c) a schedule detailing sizes and numbers of all proposed trees/plants

d) Sufficient specification to ensure successful establishment and survival of new planting.

There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority. Any new tree(s) that die(s), are/is removed, become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Replacement planting shall be in accordance with the approved details (unless the Local Planning Authority gives its written consent to any variation).

Reasons for Conditions

1. The condition is imposed in accordance with article 3 (1) of The Town and Country Planning (General Development Procedure) Order 1995 (as amended).
2. The condition is imposed in accordance with sections 91, 56 and 93 of the Town and Country Planning Act 1990.
3. The condition is imposed in accordance with sections 91, 56 and 93 of the Town and Country Planning Act 1990.
4. In the interests of residential amenities.
5. 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.
6. In the interests of residential amenities.
7. In the interests of highway safety.
8. In the interests of highway safety
9. In the interests of highway safety
10. In the interests of highway safety
11. To ensure that the development can be properly drained.

12. In the interests of reducing emissions in line with policies CS20 and CS8 of the Core Strategy.
13. In the interests of highway safety.
14. To protect the environment and ensure that the redeveloped site is reclaimed to an appropriate standard.
15. To fully establish the presence and / or otherwise of any coal mining legacy affecting the application site.
16. Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with policies CS9 and CS18.
17. Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality in accordance with policies CS9 and CS18.

Notes

1. Any new drainage for the proposed building and any amendments to the existing building drainage may require Building Control approval. Consultations with Yorkshire Water will be required should the applicant wish to discharge to a public sewer.
2. 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 & Communities 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.

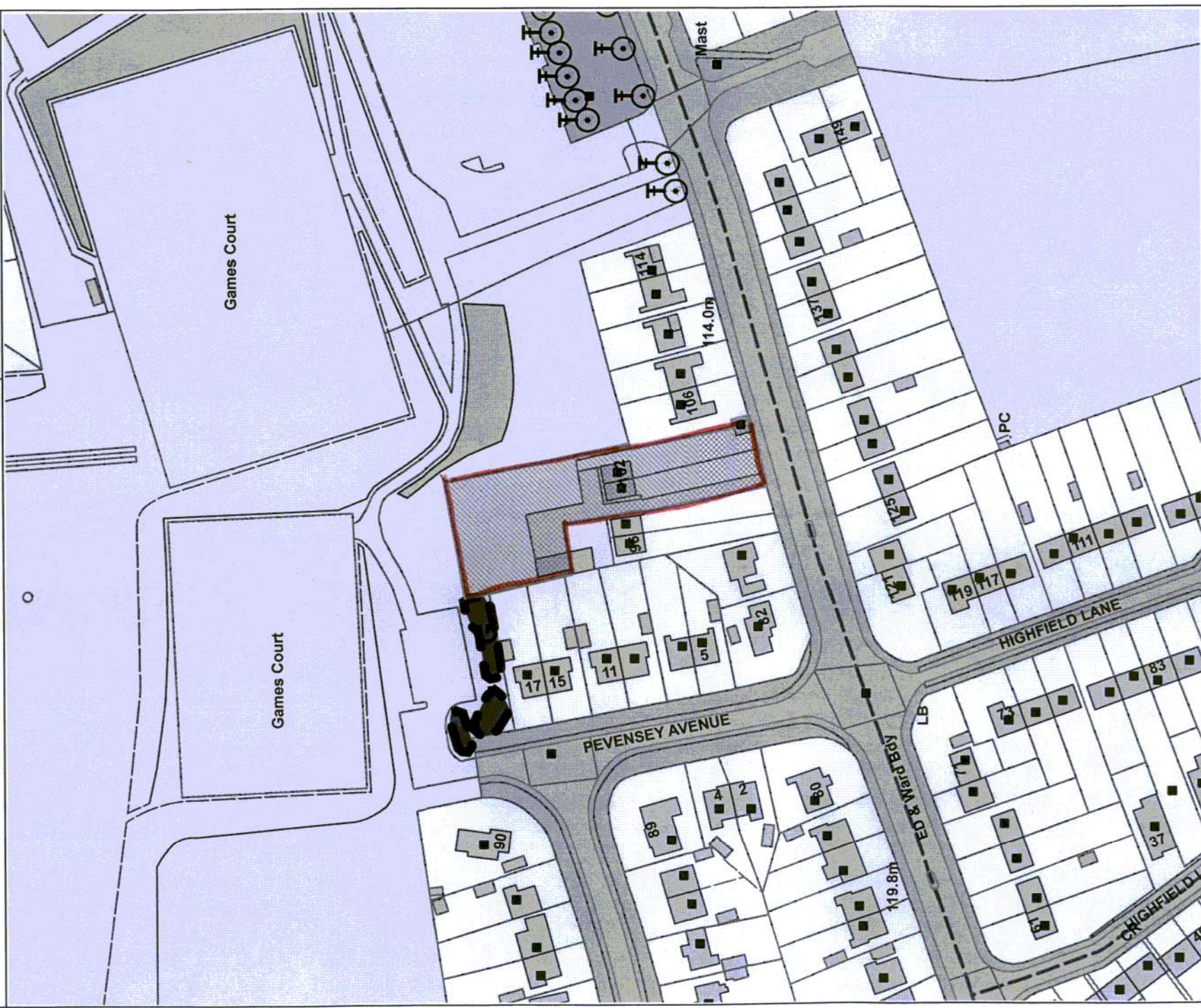
3. The Highway Authority recommends that the first 5m of the proposed access/driveway should not be surfaced with a loose material (i.e. unbound chippings or gravel etc.). In the event that loose material is transferred to the highway and is regarded as a hazard or nuisance to highway users, the Authority reserves the right to take any necessary action against the householder.
4. 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.
5. Ideally, car parking provision should be made on the basis of two spaces per two/three bedroom dwelling or three spaces per four/four plus bedroom dwelling. A single garage should have internal measurements of 3m x 6m, spaces in front of a garage should be 6m in length and other spaces 2.4m x 5.5m. There should be adequate space behind each space for manoeuvring.
6. Construction works are likely to require Traffic Management and advice regarding procedures should be sought from Dave Bailey, Traffic Management, 01629 538686. All road closure and temporary traffic signal applications will have to be submitted via the County Councils web-site; relevant forms are available via the following link -
http://www.derbyshire.gov.uk/transport_roads/roads_traffic/roadworks/default.asp
7. 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). The extent of liability will be dependent on the permitted Gross Internal Area. This will be calculated on the basis of information contained within a subsequent detailed planning permission.

Certain types of development may eligible for relief from CIL, such as self-build or social housing, or development by charities. Further information on the CIL is available on the Borough Council's website.

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CHE/18/00470/OUT

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CHESTERFIELD
BOROUGH COUNCIL

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COMMITTEE/SUB	Planning Committee
DATE OF MEETING	29 TH OCTOBER 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/18/00334/FUL 4326	West	Two storey side extension and erection of a boundary fence (revised drawings sent in 21/08/18) At 8 Brookfield Avenue Chesterfield S40 3NX For Mr and Mrs Hicken	CP	17/09/2018
CHE/18/00392/FUL 953	St Leonards	Removal of the rotating door at the front of the property and replace with glazing to match existing At Spire Walk Business Park, Unit 1 Spire Walk Chesterfield S40 2WG For Bronze Investments 2 Ltd	CP	01/10/2018
CHE/18/00403/FUL 208	Dunston	Use of land for LGV Parking Class C plus E. No storage and distribution of goods on site. At Unit 1 Plot 2 Sheepbridge Lane Sheepbridge S41 9RX For Lodge Farm Estates	CP	10/09/2018
CHE/18/00423/FUL 1506	Old Whittington	Erection of industrial unit with storage and spray painting facility in the main warehouse area with office, welfare, store facilities and plant room space - additional documents rec'd 16/07/2018 and revised plans rec'd 18/07/2018 At Titan Works 4 Bridge Way Chesterfield Trading Estate Chesterfield S41 9QJ	CP	28/09/2018

For
Weightron Bilanciai Ltd

CHE/18/00424/FUL	Hasland	Side extension to form additional bedroom and wet room (revised drawings received 04.09.2018)	CP	21/09/2018
22		At 53 Meadowhill Road Hasland S41 0BG		
		For Mr and Mrs Lown		
CHE/18/00445/FUL	Hollingwood And Inkersall	Construction of vehicular access and driveway and erection of boundary walls (with revised drawings as received 15/08/18)	CP	10/09/2018
1073		At 92 Sycamore Road Hollingwood S43 2LP		
		For Mr John White		
CHE/18/00451/FUL	Hollingwood And Inkersall	Two storey rear extension	CP	10/09/2018
1073 1073		At 27 Cedar Street Hollingwood S43 2LE		
		For Mr Stephen Bradbury		
CHE/18/00461/FUL	Hasland	Cladding to the front elevation (i.e. facing Storforth Lane) and for a short distance along the side elevations and installation of decorative/functional canopy to front entrance.	CP	10/09/2018
3978		At Hasland Playhouse 50 Storforth Lane Chesterfield S41 0PW		
		For Mr Andrew Aldred		
CHE/18/00463/FUL	West	Double open sided carport	CP	05/10/2018
4659		At Somersall Farm Somersall Hall Drive Somersall S40 3LH		

		For Mr Eike Wellhausen		
CHE/18/00465/FUL 17/09/2018	Brimington North	Single storey front and side extension (revised drawings received 13.09.2018) At 44 Rayleigh Avenue Brimington S43 1JP	CP	
5775		For Marie Jenkinson		
CHE/18/00468/COU	Dunston	Change of use from D1 non residential institution to mixed C2 (Residential institution) and D1 non residential institution to accommodate respite At Edmund Street Activity Centre Edmund Street Newbold S41 8TD	CP	06/09/2018
5489		For Mr Steve Ward		
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 47 and 49 Duke Street Staveley	DPC	05/09/2018
86		For Mr Alwyn Morris		
CHE/18/00472/FUL	Walton	Demolish existing conservatory and build two storey side extension, single storey rear extension and single storey front extension At 128 Moorland View Road Walton S40 3DF	CP	10/09/2018
5577		For Mr Richard Stuart		

CHE/18/00477/FUL	Hasland	Mixed Use B1, B2 and B8 Units with Car Parking - Re-submission of Planning Application CHE/17/00721/FUL. Amended plans received 23.08.2018, additional drainage details received	CP	12/09/2018
1277		At Unit 1 Turnoaks Industrial Estate Turnoaks Lane Birdholme S40 2HA For Trustees Of The Asprey Pension Scheme		
CHE/18/00478/LBC	St Leonards	Installation of new signage. Amended plans received 19.9.18.	CP	26/09/2018
		At 1 Market Place Chesterfield S40 1TW For Loungers Ltd		
CHE/18/00479/ADV	St Leonards	Installation of 1 hanging sign, 1 wall sign, and 1 logo sign. Amended plans received 19.9.18.	CP	26/09/2018
4701		At 1 Market Place Chesterfield S40 1TW For Loungers Ltd		
CHE/18/00480/FUL	Linacre	Two storey side extension and single storey rear extension - revised drawings received	CP	15/10/2018
5952		At 8 Loundsley Court Holme Hall Chesterfield S42 7PW For Mr and Mrs John Bowerman		
CHE/18/00484/FUL	St Leonards	Continuance of change of use from training centre to retail (A1) antiques and crafts approved under CHE/15/00424/FUL	CP	12/09/2018
2480		At Olympia House 29 Brimington Road Tapton S41 7UG		

For
Olympia House Antiques and Craft Centre

CHE/18/00485/FUL West 17/09/2018		Re-locate existing private boundary	CP	
		stone wall to property edge, closer to highway incorporating existing private land into back and side		
1901		At 1 Greengate Close Chesterfield S40 3SJ		
		For Mr Martin Fielder		
CHE/18/00486/FUL Rother 1664		Erection of a conservatory	CP	12/09/2018
		At 61 Boythorpe Crescent Boythorpe S40 2NX		
		For Darwent		
CHE/18/00489/ADV Holmebrook 536		2 pylon signs, 2 store signs, and 3 wall mounted advertising billboards - revised plans received 13/09/2018	CP	28/09/2018
		At Former Perrys Garage Chatsworth Road Chesterfield		
		For Lidl UK GmbH		
CHE/18/00494/FUL Walton 5570		Single storey replacement porch	CP	10/09/2018
		At 63 Moorland View Road Walton S40 3DD		
		For Mr and Mrs Scott Beresford		
CHE/18/00495/FUL St Leonards 3319		Proposed single storey side	CP	11/09/2018
		At 7 Spital Brook Close Spital Chesterfield		
		For Mr and Mrs Norman		
CHE/18/00496/FUL Walton 5577		Single storey side extension for lounge/tv room	CP	11/09/2018
		At 1 Holbrook Close Walton S40 3JP		

For
Mr J Bartle

CHE/18/00497/FUL 20/09/2018	St Leonards	Siting of 3 four stack dipole antenna on 3 tripod supports on the rooftop of the telephone exchange building. 1 0.6m transmission dish and 1 0.15m GPS dish each located on one of the proposed tripod supports. Provision of an equipment cabin with dimensions 2.71m x 2.71m x 2.8m high to be sited at ground level on the eastern side of the telephone exchange building. (iv) Minor ancillary works including handrailing. At Telephone Exchange Saltergate Chesterfield S40 1UH For Arqiva Ltd (for Airwave Solutions Limited)	CP	
1971				
CHE/18/00499/ADV 6285	St Leonards	Display of double sided digital advertising panels on a Bus shelter At Bus Shelter New Beetwell Street Chesterfield For Clear Channel UK	CP	12/09/2018
CHE/18/00500/ADV 6285	St Leonards	Display of double sided digital advertising panels on a Bus shelter At Bus Shelters Outside 1 New Beetwell Street Chesterfield For Clear Channel UK	CP	12/09/2018
CHE/18/00502/ADV 12/09/2018	St Leonards	Display of double sided digital advertising panels on a Bus shelter At Bus Shelter Outside Multistorey Car Park Beetwell Street Chesterfield For Clear Channel UK	CP	
6285				

CHE/18/00503/DOC	Hasland	Discharge of Condition 3 (revised parking plan) of CHE/17/00146/FUL - First floor extension for alterations to existing building to provide 4 additional GP consultation rooms and wheel chair hoist lift. Alterations to car park to provide 4 additional car parking spaces. Revised site plan received 25.07.2018	DPC	10/09/2018
4943		At Hasland Medical Centre 1 Jepson Road Hasland S41 0NZ For Hasland Medical Centre		
CHE/18/00504/DOC	St Leonards	Discharge of condition 3 (noise level of ventilation system) of CHE/18/00139/FUL - Internal fit out of ground floor unit to change use to a cafe bar including installation of commercial ventilation system	DPC	17/09/2018
4701		At 1 Market Place Chesterfield S40 1JW For Loungers Ltd		
CHE/18/00505/FUL	West	Erection of a single storey 'L' shaped extension to the side and rear and demolition of existing	CP	13/09/2018
2210		At 53 Somersall Park Road Chesterfield S40 3LD For Mr and Mrs Shepherd		
CHE/18/00508/COU	St Leonards	Change of use from A1 (retail) to A3 (cafe).	CP	17/09/2018
2106		At 30 Middle Pavement Chesterfield S40 1PA For Mamaccino Ltd		
CHE/18/00509/FUL	Barrow Hill	Erection of a detached double	REF	18/09/2018
5019	And New Whittington	At 18 Devonshire Avenue North New Whittington S43 9BB For		

Mr Derek Pratt

CHE/18/00511/FUL	West	Removal of existing conservatory and erection of a rear extension and garage to front of property	CP	20/09/2018
1370		At 258 Old Road Chesterfield S40 3QN For Mr and Mrs Barnes		
CHE/18/00512/FUL	Brockwell	Existing ancillary out building to be altered and greenhouse converted to kitchen with new roof	CP	17/09/2018
2686		At 13 Gladstone Road Chesterfield S40 4TE For Mr John Wreghitt		
CHE/18/00517/TPO	West	T1, T2, T3 and T4 - Lime Tree crown clean, remove deadwood crown and lift to 4 meters. T13 and T14 - Lime Tree crown clean, remove deadwood crown and lift to 4 meters and remove epicormic	CP	10/09/2018
		At 2 Somersall Willows Chesterfield S40 3SR For Mrs Priestnall		
CHE/18/00518/RET	Moor	Retrospective application for retention of an ATM installed through a composite security panel to the left side of the entrance door	CP	19/09/2018
2396		At The Cricketers Inn Stand Road Newbold S41 8SJ For Notemachine UK Ltd		
CHE/18/00519/ADV	Moor	Retention of internally illuminated	CP	19/09/2018
2396		ATM and associated signage At The Cricketers Inn Stand Road Newbold S41 8SJ		

		For Notemachine UK Ltd		
CHE/18/00522/FUL	Brimington South	Re-submission of Planning Application CHE/17/00888/FUL (Rear single storey extensions) -to increase kitchen/wc/garage by 1m	CP	02/10/2018
5163		At 30 Manor Avenue Brimington S43 1NQ For Mrs Vivienne Swift		
CHE/18/00525/COU	Holmebrook	Change of use from a store to a two bedroom house including demolition of existing rear extension to create a backyard and general refurbishment of property.	CP	05/10/2018
		At 218 Chatsworth Road Chesterfield S40 2AT For Mr Steven Gill		
CHE/18/00526/COU	Brockwell	Change of use from guest house to a 9 bed HMO (revised scheme to an 8 bed scheme as agreed on	CP	20/09/2018
1681		At 34 Clarence Road Chesterfield S40 1LN For Webster		
CHE/18/00530/FUL	Brockwell	Re-submission of application CHE/18/00285/FUL - Removal of section of front boundary wall to widen driveway entrance	CP	20/09/2018
2334		At 31 Spire Heights Chesterfield S40 4TG For Mr Neil Duffin		
CHE/18/00531/FUL	West	Two storey side extension and	CP	
20/09/2018		single storey and single storey rear extension		
38		At 253 Walton Back Lane Walton S42 7AA		

		For Mr Paul Redford		
CHE/18/00533/FUL 1691	Hollingwood And Inkersall	Extension to front of property At 38 Ashover Road Inkersall S43 3EG For Mr and Mrs Cockson	CP	02/10/2018
CHE/18/00534/RET 1604	St Leonards	Retention of car park management system At The Range Lordsmill Street Chesterfield For ParkingEye Ltd	UPRET	25/09/2018
CHE/18/00535/ADV 1604	St Leonards	17 signs mounted on lighting columns, signage poles or on the wall of the buildings At The Range Lordsmill Street Chesterfield For ParkingEye Ltd	CP	25/09/2018
CHE/18/00537/ADV 1017	Hollingwood And Inkersall	9 signs mounted on lighting columns or signage poles At The Little Castle Enterprise Way Duckmanton S44 5FD For ParkingEye Ltd	CP	25/09/2018
CHE/18/00538/RET 1017	Hollingwood And Inkersall	Retention of a Car Park Management system At Euro Garages Markham Vale Services Enterprise Way Duckmanton S44 5HS For ParkingEye Ltd	UPRET	25/09/2018
CHE/18/00539/ADV	Hollingwood And Inkersall	9 signs mounted on lighting columns, signage poles or on the wall of the buildings signage	CP	25/09/2018

1017		At Euro Garages Markham Vale Services Enterprise Way Duckmanton S44 5HS For ParkingEye Ltd		
CHE/18/00542/FUL	Lowgates And Woodthorp	Works to existing compound comprising of service access roads, parking, storage and assembling areas.	CP	02/10/2018
190		At Colliery House Colliery Close Staveley S43 3QE For Balfour Beatty Group Limited		
CHE/18/00543/ADV	Lowgates And Woodthorp	Retention of non-illuminated building sign	CP	02/10/2018
190		At Colliery House Colliery Close Staveley S43 3QE For Balfour Beatty Group Limited		
CHE/18/00544/FU	Walton	Two storey rear and side extension. At 4 Walgrove Road Walton S40 2DR For Mr and Mrs Forbes	CP	08/10/2018
CHE/18/00546/TPD 06/09/2018	Lowgates And Woodthorp	Proposed flat roof rear single storey extension At 22 Victoria Avenue Staveley S43 3UB For Mr and Mrs Wale	PANRZ	
CHE/18/00547/TPO	St Leonards	Crown reduction by 50%. of oak tree rear of Hady Hill At	CP	10/09/2018

Chesterfield And North Derbyshire Royal Hospital
 Chesterfield Road
 Calow
 S44 5BL
 For
 Ian Trueman STS Ltd

CHE/18/00551/TPO West		Pine (T1) - Fell close to ground level ,Pine (T2) - Fell close to ground level Pine (T3) - Fell close to ground level Pine (T4) - Fell	REF	02/10/2018
		At 392 Ashgate Road Chesterfield S40 4DD For OCA		
CHE/18/00555/DOC Walton		Discharge of condition s 2,(approved plans) 3 (materials and boundary treatments) ,4 (site investigation) ,6 (drainage works) ,7 (parking provision) and 8 (bin storage) of CHE/17/00240/FUL - Erection of single storey dwelling	DPC	28/09/2018
1286		At 2 Hazel Drive Walton S40 3EN For Mr S Donoghue		
CHE/18/00558/FUL West		Single storey side and rear	CP	15/10/2018
1518		At 97 Hucknall Avenue Loundsley Green Chesterfield Derbyshire S40 4BZ For Mrs Amy Heathaston		
CHE/18/00561/ADV St 05/10/2018	Leonards	Two new fascia signs	CP	
5539		At 16 Packers Row Chesterfield S40 1RB For The Entertainer		
CHE/18/00564/REM Brockwell		Variation of condition 16 (public art contribution) of CHE/18/00136/FUL - New multi-storey car providing 530no. spaces over five	CP	03/10/2018

storeys, including 2no late pay spaces, 32no. disabled parking spaces, 15no. parent and child spaces, 6no. active electric vehicle charging spaces and 10no. 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
Multi Storey Car Park
Saltergate
Chesterfield
For
Chesterfield Borough Council

1229

CHE/18/00568/TPO West

Remove one dead silver birch tree (G24 of TPO 43)

UP

10/09/2018

At
1 Somersall Close
Somersall
S40 3SG
For
Mr Philip Kirkham

CHE/18/00570/FUL Hollingwood And Inkersall

Demolition of existing single storey side extension and construction of a two storey extension

CP

10/10/2018

1709

At
23 Clumber Place
Inkersall
Derbyshire
S43 3EL
For
Mr and Mrs Jacques

CHE/18/00576/DOC
08/10/2018

Whittington

Old Discharge of planning conditions 5 (period of consent), 15 (post construction noise monitoring) and 17 (ecological monitoring) of CHE/14/00224/FUL - rection of a single wind turbine with a maximum tip height of 84 metres, a substation (5.5m x 3.7m), a crane hard standing (35m x 15m) and foundations (10m x 10m), improvements to an existing access track and some new access track and temporary widening of existing junction on to Station Lane

DPC

At
Whittington Sewage Works
Station Lane

916

	Old Whittington S41 9QU For Kelda Water Services		
CHE/18/00579/TPO Linacre	Remove dead wood from Oak tree T10 and re pollard to previous reduction cuts on Ash tree T17 At Land To Rear Of 3 Wheatfield Way Holme Hall Chesterfield S42 7PB For Taylor Wimpey Yorkshire	CP	20/09/2018
CHE/18/00580/NMA Old Whittington	Amendment to increase roof height to provide games room and bedroom with en suite of CHE/17/00188/FUL - Internal ground floor alterations to improve existing living accommodation. Increase roof height to provide space for games room and bedroom with en-suite (revised drawing At 8 Rodge Croft Old Whittington Derbyshire S41 9RE For Mr Bill Heard	UP	13/09/2018
391			
CHE/18/00581/TPO West 19/09/2018	T18(Willow) - Crown reduction/lift to leave a well-balanced crown and remove deadwood/clean. T39(Cypress) - Reshape crown/reduction by 0.1 metre to make good shape overall. T38(Birch) - Crown lift 0.4 metres to include removal of 5 lower branches, crown clean and At 17 Somersall Lane Somersall S40 3LA For Mr John Thompson	CP	
CHE/18/00583/CA West	Remove 3 self-set small trees and remove 1 diseased Apple tree,	UP	13/09/2018

		due to overcrowding of trees in very small area, excessive shading and very low amenity value		
		At Green Gables 19 Somersall Lane Somersall S40 3LA		
CHE/18/00584/TPO Walton 05/10/2018		1 Ash tree - 15% crown thin and remove straight upright growths	CP	
		At 29 Foxbrook Drive Walton S40 3JR		
CHE/18/00587/NMA Dunston 08/10/2018		Non material amendment to CHE/17/00351/REM (Reserved matters application Erection of 99 dwellings and associated public open space, landscaping and surface water balancing (Phase 1)) to alter doors, windows and chimney to plots 30 and 84 and move plots 42 and 43 by 300mm to accommodate retaining wall	UP	
218		At Land To The West Of Dunston Lane Newbold For William Davis Ltd		
CHE/18/00588/FUL 5837	St Leonards	Dig out front garden for a retaining wall for two parking spaces and dropped kerb	CP	10/10/2018
		At 13 New Houses Piccadilly Road Chesterfield S41 0EJ For Mr Colin Burton		
CHE/18/00595/CA West		Cherry Tree - Reduce the canopy by 1.5m, raise the canopy to 3m, clean by 5% clearing any dead, dying and crossing branches and Crown lift T26 Cherry of TPO 132	UP	25/09/2018
		At 528 Chatsworth Road Chesterfield S40 3BA		

		For Mrs S Banks		
CHE/18/00604/TPO	Lowgates And Woodthorp	Remove TPO to Fell Ash Tree At 9 Norbriggs Road Woodthorpe Derbyshire S43 3BW	REF	10/10/2018
		For Mr Peter Asquith		
CHE/18/00609/TPO	West 10/10/2018	Large Acer in front garden - crown lift and thin (lift to 4.5 m. Thinned 20%) to allow more light through the canopy and reduce leaf density. Some branches have dropped. To allow clearance of telephone wires and building and general maintenance. At 700 Chatsworth Road Chesterfield S40 3PB For Mr Edward Stephens	CP	
CHE/18/00621/NMA	Lowgates And Woodthorp	Non material amendment to CHE/18/00190/REM (residential development) to substitute Cotham plot type for Chesham to include addition of front canopy and bay window (residential development on 3.66 hectares of land up to 75 dwellings including means of access) At Land At Cranleigh Road Woodthorpe For Avant Homes Central	UP	08/10/2018
2057				
CHE/18/00635/TPO	Lowgates And Woodthorp	Twin stemmed Ash - to crown clean and removal of 2 branches over the bus stop At 9 Norbriggs Road Woodthorpe S43 3BW For Mrs Samantha Asquith	CP	10/10/2018
1908				

CHE/18/00654/TPO	Holmebrook	Crown lift and cut back trees obstructing the highway	CP	10/10/2018
	k	At Goytside / Dock Walk Highway Chesterfield For Robinson plc		
CHE/18/00655/CA	West	1 Norwegian Spruce - Remove due to other existing trees overcrowding and excess growth. No amenity value. Benefit other species in same	UP	05/10/2018
4747		At 3 Somersall Willows Chesterfield Derbyshire S40 3SR		
CHE/18/00663/EIA	Linacre	SCREENING OPINION FOR A FULL PLANNING APPLICATION FOR THE CONSTRUCTION OF APPROX. 300 DWELLINGS, TWO NEW ACCESS POINTS FROM LINACRE ROAD, HIGHWAYS AND DRAINAGE INFRASTRUCTURE, LANDSCAPING AND OPEN SPACE	EIANR	15/10/2018
962		At Land To The East Of Linacre Road Holme Hall Chesterfield For Cerde Planning		
CHE/18/00665/NMA	Walton	Non material amendment to CHE/18/00052/FUL (Two storey rear house extension, with a single storey aspect, and reconfiguration of the front entrance with new porch) to change window on rear elevation to juliet balcony, change pitched roof on single storey side extension to flat roof, amend stone and render treatments on side elevation and re-locate first floor	CPNMA Z	05/10/2018
3568		At Page 71 65 Foljambe Avenue		

Walton
S40 3EY
For
Mr and Mrs McCreadie

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	29 TH OCTOBER 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/18/00551/TPO TPO 4901.7 02/10/18	The felling of 4 Pine trees reference G2 on the Order map for OCA on behalf of 392 Ashgate Road. The application to fell the trees is in relation to alleged subsidence damage to the property.	Consent is refused to the felling of the 4 Pine trees due to insufficient monitoring data and other information to link the damage to the property from the trees at this stage. Further investigations and monitoring is recommended.
CHE/18/00584/TPO TPO 4901.174 05/10/18	The pruning of one Ash tree reference T18 on the Order map for Westside Landscapes on behalf of 29 Foxbrook Drive, Walton.	Consent is granted to the crown thinning by 15% of one Ash tree and the reduction of the branches which are protruding from the main crown to reshape the tree.
CHE/18/00604/TPO TPO 4901.319 10/10/18	The felling of one Ash tree reference T1 on the Order map for Mr Asquith of 9 Norbriggs Road, Woodthorpe. The tree has allegedly outgrown its location, is dangerous and could become diseased.	Consent is refused to the felling of one Ash tree. The tree has been inspected and found to be in good health and no visible defects other than dead wood within the crown. Correspondence from a tree and garden company has been received with the application however the health and condition is not mentioned and the only reasons for the removal is its height, branches over the bus stop and outgrowing its location. The tree does have large pieces of dead wood in the crown but these can be pruned out without the need

		to fell the tree.
CHE/18/00635/TPO TPO 4901.319 10/10/18	The pruning of one Ash tree reference T1 on the Order map for Ken Portas Tree Services on behalf of Mr Asquith of 9 Norbriggs Road, Woodthorpe.	Consent is granted to the crown cleaning of one Ash tree to remove dead wood and any obviously weak branches. Consent is also granted to the removal of two low branches overhanging the bus stop.
CHE/18/00654/TPO TPO 4901.201 & 222 10/10/18	The pruning of 26 trees on the Order map for Mr Guy Robinson on behalf of Robinson PLC for trees at Dock Walk and Goyt Side. The trees are allegedly low over the highway.	Consent is granted to the crown lifting of trees along Goyt Side and Dock Walk to give access to high sided car transporters. Consent is also granted to clear street signage and overhead cable and to rectify unauthorised pruning works.
CHE/18/00609/TPO TPO 4901.159 10/10/18	The pruning of one Maple tree reference T36 on the Order map for Mr Stephens of 700 Chatsworth Road.	Consent is granted to the crown lifting and crown thinning of one Maple tree and includes the reduction of branches growing towards the property to give a 2 metre clearance and the pruning of branches to clear the telephone wires.

SECTION 2**NOTIFICATION OF INTENT TO AFFECT TREES IN A CONSERVATION AREA**

<u>CONTENTS OF NOTICE</u>	<u>SUMMARY OF CONSIDERATIONS</u>	<u>TERMS OF DECISION</u>	<u>DATE OF DECISION</u>
CHE/18/00655/CA The felling of one Spruce tree for Westside Landscapes at 3 Somersall Willows, Somersall.	The tree is within the Somersall Conservation Area and the applicant wishes to remove the Christmas tree because it has out grown its situation and is not a suitable species within the conservation area.	Agreement to the felling of 1 Spruce tree. The felling of the tree will have no adverse effect on the amenity value of the area.	05/10/18

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AGENDA ITEM

APPEALS REPORT

MEETING: PLANNING COMMITTEE
DATE: 29TH OCTOBER 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.

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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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Agenda Item 8 FOR PUBLICATION

PLANNING AGREEMENT REPORT

MEETING: PLANNING COMMITTEE
DATE: 29TH OCTOBER 2018
REPORT BY: LOCAL GOVERNMENT AND REGULATORY LAW
MANAGER
DEVELOPMENT MANAGEMENT AND
CONSERVATION MANAGER
WARD: As listed in the report

FOR PUBLICATION

TITLE: D1229

Copy planning

agreements: Non

exempt documents:

BACKGROUND PAPERS

LOCATION: LEGAL SERVICES

on Planning Register (Regeneration Directorate)

on planning/legal files

1.0 PURPOSE OF REPORT

1.1 To inform members about progress on authorised planning agreements and to summarise terms of completed agreements.

2.0 BACKGROUND

2.1 A planning agreement is sometimes needed before planning permission can be granted, because of local plan policies or to overcome particular issues. The agreements bind the land and can be enforced in court.

2.2 Planning agreements are authorised by this committee (Delegation Reference P340), or officers following an application determined by an officer (P345D). Drafting often begins prior to the decision on the application, but is subject to the outcome of the application. Details are negotiated by officers (P355D and P360D).

3.0 RECOMMENDATION

3.1 That the report be noted.

GERARD ROGERS
LOCAL GOVERNMENT AND
REGULATORY LAW MANAGER

PAUL STANIFORTH
DEVELOPMENT MANAGEMENT
AND CONSERVATION
MANAGER

Further information on this report from Gerard Rogers, Local Government and Regulatory Law Manager, Legal Services Tel 01246 345310 or gerard.rogers@chesterfield.gov.uk

Agreements currently Authorised: 16

PLANNING AGREEMENT REPORT

25 September 2018

Address	Developer	Authorised	CHE/	%	AH	HS	MCO	MCS	OS	OP	P	H	FP	CT	TC	TH	ED	GT	note update	Wd	CF
Date Completed	Other terms/notes	days from																			
Days Authorised to Completed																					

Planning Obligation

Total currently authorised: 12 Authorised to Completed Average: 143.8 days

Carpenter Avenue - Land West of	Norbriggs Partnership	08/08/16 779	16/00114/OUT	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	LW	07/12/16
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Percent for Art value and Affordable Housing Scheme to be agreed.

Title information still awaited. No progress

Chatsworth Road Perrys Site 12/04/18 164	Lidl UK GMBH	30/10/17 331	17/00209/FUL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Ho	15/01/18
Highways contributions (£12,500 maximum)																					
£25,000 Percent for Art is maximum contribution. COMPLETED																					

Discovery Way Vertu Landrover 19/09/18 140	Vertu Morors PLC	30/10/17 331	17/00327/FUL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	OW	15/01/18
Percent for Art (£10,000)																					
COMPLETED																					

Eastside Road 30/08/18 234	Pendragon PLC	08/01/18 261	17/00647/FUL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	OW	15/01/18
Percent for Art (£10,000)																					
Also subsequent consideration by Planning Committee. COMPLETED																					

Address	Developer	Authorised days from	CHE/	%	AH	HS	MCO	MCS	OS	OP	P	H	FP	CT	TC	TH	ED	GT	note update	Wd	CF
Date Completed	Other terms/notes																				last update
Days Authorised to Completed																					
Factory Street / Walton Works and Boythorpe Works	Robinsons PLC	09/01/17 625	15/0832/FUL and CHE/15/0843/LB C	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Wa	
Repair of listed building, highways and traffic related contributions. Awaiting discussions.																					
Hasland Road Banc Close House	Vital Balance Ltd	10/10/16 716	16/00229/OUT and CHE/16/00225/L BC	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SL	15/01/18
Percent for Art value to be agreed. Application of sale proceeds towards refurbishment of listed building Awaiting return of signed document. No recent contact from developer.																					
Rother Way 17/05/18 37	Sainsbury	10/04/18 169		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BS	14/06/18
Discharge of old Section 52 inconsistent with subsequent appeal decision relating to goods sold. Approved by Cabinet Member - Economic Growth. COMPLETED																					
Saltergate Former NEDDC Offices	Your Life Managemen t Services Ltd	29/01/18 240	17/00769	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	B	
£20,000 percent for art, £14,760 towards GP services. Awaiting completion of document and payment of costs.																					

Address	Developer	Authorised days from	CHE/	%	AH	HS	MCO	MCS	OS	OP	P	H	FP	CT	TC	TH	ED	GT	note update	Wd	CF
Date Completed	Other terms/notes																			last update	
Days Authorised to Completed																					

Sheffield Road 79 (Rear of)	Beauchief Homes Limited	28/08/18 29	17/00722/OUT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	SH
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Offsite compensation for biodiversity. Awaiting instructions

Sheffield Road Former Firestation site	Blue Deer Limited	29/01/18 240	17/00612/FUL	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	SH	25/09/18
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Percent for Art. Document returned for sealing.

The Grove Erin Road Junction (South of)	Gleeson Regeneratio n Ltd	17/09/18 9	18/00229/FUL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	MP
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£47,000 compensatory habitat and woodland planting and 5 years maintenance contribution. Affordable housing contribution.

Walton Works	Tan House Spartan Ltd	12/12/16 653		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Wa	15/01/18
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Regulation of unlawful use (war and airsoft games) pending redevelopment
Seeking confirmation on who now acts for operator.

Unilateral Undertaking Total currently authorised: 1 Authorised to Completed Average: days

Address	Developer	Authorised days from	CHE/	%	AH	HS	MCO	MCS	OS	OP	P	H	FP	CT	TC	TH	ED	GT	note update	Wd	CF
Date Completed	Other terms/notes																			last update	
Days Authorised to Completed																					

Dunston Way	Suon Limited	10/09/17 381	16/00779/FUL	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	D	15/01/18
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Developer to enter into agreement with DCC (highway authority) at later phase for phased contribution for highways work. Update from DCC in due course.

Variation of Planning Obligation

Total currently authorised: 3 Authorised to Completed Average: 215.3 days

Beynon Drive	Wildgoose Homes	13/03/17 562	16/00800/FUL and CHE/15/00755	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	HI	10/09/18
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Modification of 29/03/16 deed. To remove affordable housing requirement unless market conditions improve and/or increase in housing units on site. COMPLETED

Saltergate	Woodall Homes Ltd	14/02/18 224	17/00263/FUL	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	B	
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Variation to mortgagee's covenants. COMPLETED

Wheeldon Mill	Harron Homes	08/01/18 261	17/00685/REM	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	BS	15/01/18
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Change to overall width of regeneration route (reduced from 17.3 to 14.3 metres, combined pedestrian/cycleway) COMPLETED

Address	Developer	Authorised	CHE/	%	AH	HS	MCO	MCS	OS	OP	P	H	FP	CT	TC	TH	ED	GT	note update	Wd	CF
Date Completed	Other terms/notes	days from																		last update	
Days Authorised to Completed																					

Agreements: Planning Obligation: under S.106 of the Town and Country Planning Act 1990 • Variation of Planning Obligation: modifies a planning obligation. • Variation of Section 52 Agreement: modifies an older planning agreement.) • Unilateral Undertaking: a legal undertaking usually made by a landowner at appeal
Policies: % Percent for Art (EVR27)• AH Affordable Housing (HSN7)• OS Open space/Play area (POS3) • TH Turning Head (TRs1) • OP Off-Site Play (POS3) • ED Education Contrib. (Struct Plan) • P Parking, Walking etc (TRS1,12) • GT Green Travel Scheme (TRS11) • H Highway Improvements (TRS1) • FP Footpath (TRS1,12) • Other Other requirements • HS Health Service Contribution • MCS Management Company - SuDS MCO Managerment company - Open Spaces) • Other Other requirements
Forums and Wards: BHW Barrow Hill and Whittington: BNW Barrow Hill and New Whittington, OW Old Whittington • BT Brimington and Tipton: BN Brimington North, BS Brimington South • DMS Dunston, Moor and St Helens: D Dunston, Mo Moor, SH St Helens • HSL Hasland and St Leonards: Ha Hasland, SL St Leonards • HR Holmebrook and Rother: Hb Holmebrook, R Rother • NB Newbold and Brockwell: B Brockwell, L Linacre, LG Loundsley Green, N Newbold • St Staveley: HI Hollingwood and Inkersall, LW Lowgates and Woodthorpe, MP Middlecroft and Poolsbrook • WW Walton and West: Wa Walton, We West.
Information in the report and summary sheets compiled from records available at time report prepared and may not be complete.

**Planning Agreement Completion Delegation Report and Summary Sheet
Variation of Planning Obligation Bevan Drive Chesterfield**

Ward: Hollingwood & Inkersall

Application Ref: 16/00800/FUL and CHE/15/00755
Homes

Applicant/Landowner: Wildgoose

Authorised: 13/03/17

Completed: 10/09/18

Discontinued etc:

Terms of Deed:

- Notes (1) Requirements are imposed by Planning Committee when the agreement is authorised (P450), unless the document is a Unilateral Undertaking. Officers negotiate details of the agreement (P460D).
(2) This is a summary only - for exact terms please see the Deed

<u>Requirement</u>	<u>Applied</u> * = applied	<u>Contribution</u>	<u>When</u>	<u>Other information</u>
Percent for Art				
Social Housing	*			Affordable housing requirement removed unless market conditions improve
<ul style="list-style-type: none"> • On site provision (Units) • Value/Off site contribution 				
Education Contribution				
Health Service Contribution				
Play Area/Open Spaces				
<ul style="list-style-type: none"> • On Site • Maintenance • Off Site Provision 				
Parking etc				
Highway Improvement				
Footpath Improvement				
Cycleway Improvement				
Turning Head				
Management Scheme: Sustainable Drainage				
Management Scheme: Green Spaces				
Other Requirements				
Legal Costs on Deed				575
Total Contributions				£
Notes	COMPLETED			

**Planning Agreement Completion Delegation Report and Summary Sheet
Planning Obligation Perrys Site Chatsworth Road Chesterfield**

Ward: Holmebrook

Application Ref: CHE/17/00209/FUL **Applicant/Landowner:** Lidl UK GMBH

Authorised: 30/10/17

Completed: 12/04/18

Discontinued etc:

Terms of Deed:

- Notes (1) Requirements are imposed by Planning Committee when the agreement is authorised (P450), unless the document is a Unilateral Undertaking. Officers negotiate details of the agreement (P460D).
(2) This is a summary only - for exact terms please see the Deed

<u>Requirement</u>	<u>Applied</u> * = applied	<u>Contribution</u>	<u>When</u>	<u>Other information</u>
Percent for Art	*	25,000		maximum
Social Housing				
<ul style="list-style-type: none"> • On site provision (Units) • Value/Off site contribution 				
Education Contribution				
Health Service Contribution				
Play Area/Open Spaces				
<ul style="list-style-type: none"> • On Site • Maintenance • Off Site Provision 				
Parking etc				
Highway Improvement		12,500		
Footpath Improvement				
Cycleway Improvement				
Turning Head				
Management Scheme: Sustainable Drainage	*			
Management Scheme: Green Spaces	*			
Other Requirements				Highways contributions (£12,500 maximum)
Legal Costs on Deed		1,500		
Total Contributions		£37,500+		
Notes	£25,000 Percent for Art is maximum contribution. COMPLETED			

31 August 2018

2087

**Planning Agreement Completion Delegation Report and Summary Sheet
Planning Obligation Vertu Landrover Discovery Way Chesterfield**

Ward: Old Whittington

Application Ref: CHE/17/00327/FUL **Applicant/Landowner:** Vertu Morors PLC

Authorised: 30/10/17

Completed: 19/03/18

Discontinued etc:

Terms of Deed:

*Notes (1) Requirements are imposed by Planning Committee when the agreement is authorised (P450), unless the document is a Unilateral Undertaking. Officers negotiate details of the agreement (P460D).
(2) This is a summary only - for exact terms please see the Deed*

<u>Requirement</u>	<u>Applied</u> * = applied	<u>Contribution</u>	<u>When</u>	<u>Other information</u>
Percent for Art	*	10,000		maximum
Social Housing				
<ul style="list-style-type: none"> • On site provision (Units) • Value/Off site contribution 				
Education Contribution				
Health Service Contribution				
Play Area/Open Spaces				
<ul style="list-style-type: none"> • On Site • Maintenance • Off Site Provision 				
Parking etc				
Highway Improvement				
Footpath Improvement				
Cycleway Improvement				
Turning Head				
Management Scheme: Sustainable Drainage				
Management Scheme: Green Spaces				
Other Requirements				
Legal Costs on Deed		1,500		
Total Contributions		<u>£10,000</u>		
Notes	COMPLETED			

31 August 2018
2088

**Planning Agreement Completion Delegation Report and Summary Sheet
Planning Obligation Eastside Road Chesterfield**

Ward: Old Whittington

Application Ref: CHE/17/00647/FUL **Applicant/Landowner:** Pendragon PLC

Authorised: 08/01/18¹

Completed: 30/08/18

Discontinued etc:

Terms of Deed:

- Notes (1) Requirements are imposed by Planning Committee when the agreement is authorised (P450), unless the document is a Unilateral Undertaking. Officers negotiate details of the agreement (P460D).
(2) This is a summary only - for exact terms please see the Deed

<u>Requirement</u>	<u>Applied</u> * = applied	<u>Contribution</u>	<u>When</u>	<u>Other information</u>
Percent for Art	*	10,000		
Social Housing				
<ul style="list-style-type: none"> • On site provision (Units) • Value/Off site contribution 				
Education Contribution				
Health Service Contribution				
Play Area/Open Spaces				
<ul style="list-style-type: none"> • On Site • Maintenance • Off Site Provision 				
Parking etc				
Highway Improvement				
Footpath Improvement				
Cycleway Improvement				
Turning Head				
Management Scheme: Sustainable Drainage				
Management Scheme: Green Spaces				
Other Requirements				
Legal Costs on Deed		1,000		
Total Contributions		£10,000		
Notes	¹ Also subsequent consideration by Planning Committee. COMPLETED			

31 August 2018
2093

**Planning Agreement Completion Delegation Report and Summary Sheet
Planning Obligation Sainsbury Rother Way Chesterfield**

Ward:

Application Ref: **Applicant/Landowner:** Sainsbury

Authorised: 10/04/18 **Completed:** 17/05/18 **Discontinued etc:**

Terms of Deed:

*Notes (1) Requirements are imposed by Planning Committee when the agreement is authorised (P450), unless the document is a Unilateral Undertaking. Officers negotiate details of the agreement (P460D).
(2) This is a summary only - for exact terms please see the Deed*

<u>Requirement</u>	<u>Applied</u> * = applied	<u>Contribution</u>	<u>When</u>	<u>Other information</u>
Percent for Art				
Social Housing				
<ul style="list-style-type: none"> • On site provision (Units) • Value/Off site contribution 				
Education Contribution				
Health Service Contribution				
Play Area/Open Spaces				
<ul style="list-style-type: none"> • On Site • Maintenance • Off Site Provision 				
Parking etc				
Highway Improvement				
Footpath Improvement				
Cycleway Improvement				
Turning Head				
Management Scheme: Sustainable Drainage				
Management Scheme: Green Spaces				
Other Requirements				
Legal Costs on Deed			1,250	
Total Contributions			£	
Notes	Discharge of old Section 52 inconsistent with subsequent appeal decision relating to goods sold. Approved by Cabinet Member - Economic Growth (EG350L). COMPLETED			

**Planning Agreement Completion Delegation Report and Summary Sheet
Variation of Planning Obligation Saltergate Chesterfield**

Ward:

Application Ref: 17/00263/FUL **Applicant/Landowner:** Woodall Homes Ltd

Authorised: 14/02/18 **Completed:** 13/03/18 **Discontinued etc:**

Terms of Deed:

*Notes (1) Requirements are imposed by Planning Committee when the agreement is authorised (P450), unless the document is a Unilateral Undertaking. Officers negotiate details of the agreement (P460D).
(2) This is a summary only - for exact terms please see the Deed*

<u>Requirement</u>	<u>Applied</u> * = applied	<u>Contribution</u>	<u>When</u>	<u>Other information</u>
Percent for Art				
Social Housing				
<ul style="list-style-type: none"> • On site provision (Units) • Value/Off site contribution 				
Education Contribution				
Health Service Contribution				
Play Area/Open Spaces				
<ul style="list-style-type: none"> • On Site • Maintenance • Off Site Provision 				
Parking etc				
Highway Improvement				
Footpath Improvement				
Cycleway Improvement				
Turning Head				
Management Scheme: Sustainable Drainage				
Management Scheme: Green Spaces				
Other Requirements				
Legal Costs on Deed			500	
Total Contributions			£	
Notes	Variation to mortgagee's covenants			

31 August 2018
2116

**Planning Agreement Completion Delegation Report and Summary Sheet
Variation of Planning Obligation Wheeldon Mill Chesterfield**

Ward: Brimington South

Application Ref: 17/00685/REM **Applicant/Landowner:** Harron Homes

Authorised: 08/01/18 **Completed:** 22/03/18 **Discontinued etc:**

Terms of Deed:

- Notes (1) Requirements are imposed by Planning Committee when the agreement is authorised (P450), unless the document is a Unilateral Undertaking. Officers negotiate details of the agreement (P460D).
 (2) This is a summary only - for exact terms please see the Deed

<u>Requirement</u>	<u>Applied</u> * = applied	<u>Contribution</u>	<u>When</u>	<u>Other information</u>
Percent for Art				
Social Housing				
<ul style="list-style-type: none"> • On site provision (Units) • Value/Off site contribution 				
Education Contribution				
Health Service Contribution				
Play Area/Open Spaces				
<ul style="list-style-type: none"> • On Site • Maintenance • Off Site Provision 				
Parking etc				
Highway Improvement				
Footpath Improvement				
Cycleway Improvement				
Turning Head				
Management Scheme: Sustainable Drainage				
Management Scheme: Green Spaces				
Other Requirements				Change to overall width of regeneration route (reduced from 17.3 to 14.3 metres, combined pedestrian/cycleway)
Legal Costs on Deed		750		
Total Contributions		£		
Notes	COMPLETED			

**Planning Agreement Completion Delegation Report and Summary Sheet
Variation of Planning Obligation Bevan Drive Chesterfield**

Ward: Hollingwood & Inkersall

Application Ref: 16/00800/FUL and CHE/15/00755
Homes

Applicant/Landowner: Wildgoose

Authorised: 13/03/17

Completed: 10/09/18

Discontinued etc:

Terms of Deed:

- Notes (1) Requirements are imposed by Planning Committee when the agreement is authorised (P450), unless the document is a Unilateral Undertaking. Officers negotiate details of the agreement (P460D).
(2) This is a summary only - for exact terms please see the Deed

<u>Requirement</u>	<u>Applied</u> * = applied	<u>Contribution</u>	<u>When</u>	<u>Other information</u>
Percent for Art				
Social Housing	*			Affordable housing requirement removed unless market conditions improve
<ul style="list-style-type: none"> • On site provision (Units) • Value/Off site contribution 				
Education Contribution				
Health Service Contribution				
Play Area/Open Spaces				
<ul style="list-style-type: none"> • On Site • Maintenance • Off Site Provision 				
Parking etc				
Highway Improvement				
Footpath Improvement				
Cycleway Improvement				
Turning Head				
Management Scheme: Sustainable Drainage				
Management Scheme: Green Spaces				
Other Requirements				
Legal Costs on Deed				575
Total Contributions				£
Notes	COMPLETED			

**Planning Agreement Completion Delegation Report and Summary Sheet
Planning Obligation Perrys Site Chatsworth Road Chesterfield**

Ward: Holmebrook

Application Ref: CHE/17/00209/FUL **Applicant/Landowner:** Lidl UK GMBH

Authorised: 30/10/17

Completed: 12/04/18

Discontinued etc:

Terms of Deed:

- Notes (1) Requirements are imposed by Planning Committee when the agreement is authorised (P450), unless the document is a Unilateral Undertaking. Officers negotiate details of the agreement (P460D).
(2) This is a summary only - for exact terms please see the Deed

<u>Requirement</u>	<u>Applied</u> * = applied	<u>Contribution</u>	<u>When</u>	<u>Other information</u>
Percent for Art	*	25,000		maximum
Social Housing				
<ul style="list-style-type: none"> • On site provision (Units) • Value/Off site contribution 				
Education Contribution				
Health Service Contribution				
Play Area/Open Spaces				
<ul style="list-style-type: none"> • On Site • Maintenance • Off Site Provision 				
Parking etc				
Highway Improvement		12,500		
Footpath Improvement				
Cycleway Improvement				
Turning Head				
Management Scheme: Sustainable Drainage	*			
Management Scheme: Green Spaces	*			
Other Requirements				Highways contributions (£12,500 maximum)
Legal Costs on Deed		1,500		
Total Contributions		£37,500+		
Notes	£25,000 Percent for Art is maximum contribution. COMPLETED			

31 August 2018
2087

**Planning Agreement Completion Delegation Report and Summary Sheet
Planning Obligation Vertu Landrover Discovery Way Chesterfield**

Ward: Old Whittington

Application Ref: CHE/17/00327/FUL **Applicant/Landowner:** Vertu Morors PLC

Authorised: 30/10/17

Completed: 19/03/18

Discontinued etc:

Terms of Deed:

- Notes (1) Requirements are imposed by Planning Committee when the agreement is authorised (P450), unless the document is a Unilateral Undertaking. Officers negotiate details of the agreement (P460D).
(2) This is a summary only - for exact terms please see the Deed

<u>Requirement</u>	<u>Applied</u> * = applied	<u>Contribution</u>	<u>When</u>	<u>Other information</u>
Percent for Art	*	10,000		maximum
Social Housing				
<ul style="list-style-type: none"> • On site provision (Units) • Value/Off site contribution 				
Education Contribution				
Health Service Contribution				
Play Area/Open Spaces				
<ul style="list-style-type: none"> • On Site • Maintenance • Off Site Provision 				
Parking etc				
Highway Improvement				
Footpath Improvement				
Cycleway Improvement				
Turning Head				
Management Scheme: Sustainable Drainage				
Management Scheme: Green Spaces				
Other Requirements				
Legal Costs on Deed		1,500		
Total Contributions		<u>£10,000</u>		
Notes	COMPLETED			

31 August 2018
2088

**Planning Agreement Completion Delegation Report and Summary Sheet
Planning Obligation Eastside Road Chesterfield**

Ward: Old Whittington

Application Ref: CHE/17/00647/FUL **Applicant/Landowner:** Pendragon PLC

Authorised: 08/01/18¹

Completed: 30/08/18

Discontinued etc:

Terms of Deed:

- Notes (1) Requirements are imposed by Planning Committee when the agreement is authorised (P450), unless the document is a Unilateral Undertaking. Officers negotiate details of the agreement (P460D).
(2) This is a summary only - for exact terms please see the Deed

<u>Requirement</u>	<u>Applied</u> * = applied	<u>Contribution</u>	<u>When</u>	<u>Other information</u>
Percent for Art	*	10,000		
Social Housing				
<ul style="list-style-type: none"> • On site provision (Units) • Value/Off site contribution 				
Education Contribution				
Health Service Contribution				
Play Area/Open Spaces				
<ul style="list-style-type: none"> • On Site • Maintenance • Off Site Provision 				
Parking etc				
Highway Improvement				
Footpath Improvement				
Cycleway Improvement				
Turning Head				
Management Scheme: Sustainable Drainage				
Management Scheme: Green Spaces				
Other Requirements				
Legal Costs on Deed		1,000		
Total Contributions		£10,000		
Notes	¹ Also subsequent consideration by Planning Committee. COMPLETED			

31 August 2018
2093

**Planning Agreement Completion Delegation Report and Summary Sheet
Planning Obligation Sainsbury Rother Way Chesterfield**

Ward:

Application Ref: **Applicant/Landowner:** Sainsbury

Authorised: 10/04/18 **Completed:** 17/05/18 **Discontinued etc:**

Terms of Deed:

- Notes* (1) *Requirements are imposed by Planning Committee when the agreement is authorised (P450), unless the document is a Unilateral Undertaking. Officers negotiate details of the agreement (P460D).*
 (2) *This is a summary only - for exact terms please see the Deed*

<u>Requirement</u>	<u>Applied</u> * = applied	<u>Contribution</u>	<u>When</u>	<u>Other information</u>
Percent for Art				
Social Housing				
<ul style="list-style-type: none"> • On site provision (Units) • Value/Off site contribution 				
Education Contribution				
Health Service Contribution				
Play Area/Open Spaces				
<ul style="list-style-type: none"> • On Site • Maintenance • Off Site Provision 				
Parking etc				
Highway Improvement				
Footpath Improvement				
Cycleway Improvement				
Turning Head				
Management Scheme: Sustainable Drainage				
Management Scheme: Green Spaces				
Other Requirements				
Legal Costs on Deed		1,250		
Total Contributions		£		
Notes	Discharge of old Section 52 inconsistent with subsequent appeal decision relating to goods sold. Approved by Cabinet Member - Economic Growth (EG350L). COMPLETED			

**Planning Agreement Completion Delegation Report and Summary Sheet
Variation of Planning Obligation Saltergate Chesterfield**

Ward:

Application Ref: 17/00263/FUL **Applicant/Landowner:** Woodall Homes Ltd

Authorised: 14/02/18 **Completed:** 13/03/18 **Discontinued etc:**

Terms of Deed:

*Notes (1) Requirements are imposed by Planning Committee when the agreement is authorised (P450), unless the document is a Unilateral Undertaking. Officers negotiate details of the agreement (P460D).
(2) This is a summary only - for exact terms please see the Deed*

<u>Requirement</u>	<u>Applied</u> * = applied	<u>Contribution</u>	<u>When</u>	<u>Other information</u>
Percent for Art				
Social Housing				
<ul style="list-style-type: none"> • On site provision (Units) • Value/Off site contribution 				
Education Contribution				
Health Service Contribution				
Play Area/Open Spaces				
<ul style="list-style-type: none"> • On Site • Maintenance • Off Site Provision 				
Parking etc				
Highway Improvement				
Footpath Improvement				
Cycleway Improvement				
Turning Head				
Management Scheme: Sustainable Drainage				
Management Scheme: Green Spaces				
Other Requirements				
Legal Costs on Deed			500	
Total Contributions			£	
Notes	Variation to mortgagee's covenants			

31 August 2018
2116

**Planning Agreement Completion Delegation Report and Summary Sheet
Planning Obligation Former Firestation site Sheffield Road Chesterfield**

Ward: Moor

Application Ref: CHE/17/00612/FUL **Applicant/Landowner:** Blue Deer Limited

Authorised: 29/01/18

Completed: 10/10/18

Discontinued etc:

Terms of Deed:

- Notes (1) Requirements are imposed by Planning Committee when the agreement is authorised (P450), unless the document is a Unilateral Undertaking. Officers negotiate details of the agreement (P460D).
 (2) This is a summary only - for exact terms please see the Deed

<u>Requirement</u>	<u>Applied</u> * = applied	<u>Contribution</u>	<u>When</u>	<u>Other information</u>
Percent for Art	*			Value TBC
Social Housing				
<ul style="list-style-type: none"> • On site provision (Units) • Value/Off site contribution 				
Education Contribution				
Green Travel Plan				
Play Area/Open Spaces				
<ul style="list-style-type: none"> • On Site • Maintenance • Off Site Provision 				
Parking etc				
Highway Improvement				
Footpath Improvement				
Cycleway Improvement				
Turning Head				
Management Scheme: Sustainable Drainage				
Management Scheme: Green Spaces				
Other Requirements				
Legal Costs on Deed		1,000		
Total Contributions		£ +		
Notes		Percent for Art value to be agreed. COMPLETED		

16 October 2018
2095

**Planning Agreement Completion Delegation Report and Summary Sheet
Variation of Planning Obligation Wheeldon Mill Chesterfield**

Ward: Brimington South

Application Ref: 17/00685/REM **Applicant/Landowner:** Harron Homes

Authorised: 08/01/18 **Completed:** 22/03/18 **Discontinued etc:**

Terms of Deed:

- Notes (1) Requirements are imposed by Planning Committee when the agreement is authorised (P450), unless the document is a Unilateral Undertaking. Officers negotiate details of the agreement (P460D).
(2) This is a summary only - for exact terms please see the Deed

<u>Requirement</u>	<u>Applied</u> * = applied	<u>Contribution</u>	<u>When</u>	<u>Other information</u>
Percent for Art				
Social Housing				
<ul style="list-style-type: none"> • On site provision (Units) • Value/Off site contribution 				
Education Contribution				
Health Service Contribution				
Play Area/Open Spaces				
<ul style="list-style-type: none"> • On Site • Maintenance • Off Site Provision 				
Parking etc				
Highway Improvement				
Footpath Improvement				
Cycleway Improvement				
Turning Head				
Management Scheme: Sustainable Drainage				
Management Scheme: Green Spaces				
Other Requirements				Change to overall width of regeneration route (reduced from 17.3 to 14.3 metres, combined pedestrian/cycleway)
Legal Costs on Deed		750		
Total Contributions		£		
Notes	COMPLETED			

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ENFORCEMENT REPORT

MEETING: PLANNING COMMITTEE
DATE: 29TH OCTOBER 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

Enforcements currently Authorised: 8

ENFORCEMENT REPORT

25 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	<input type="checkbox"/> <small>update last update</small>	Ward
Enforcement Notice		<i>Total currently Authorised: 5</i>			<i>Authorised to Issue Average: 91 days</i>				
Station Lane	03/04/18 <small>176</small>	importation of materials - creation of hard surfacing		03/07/18 <small>91</small>	08/08/18 <small>49</small>	08/08/19 <small>-316</small>	Issued. In effect - no appeal	<input type="checkbox"/> <small>03/07/18</small>	BHW
Station Lane	03/04/18 <small>176</small>	importation of materials - industrial use		03/07/18 <small>91</small>	08/08/18 <small>49</small>	08/08/19 <small>-316</small>	Issued. In effect - no appeal	<input type="checkbox"/> <small>03/07/18</small>	
Walton Works	27/06/16 <small>821</small>	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"/> <small>04/04/18</small>	Wa

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	1	06/08/18 51	2 vending machines					2 unauthorised vending machines. Moved from 2 York Street. Awaiting instructions.	<input type="checkbox"/> 14/08/18	
York Street	2	09/10/17 352	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 appeal dismissed and not comply.	<input type="checkbox"/> 11/06/18	Ha
Stop Notice			<i>Total currently Authorised: 1</i>		<i>Authorised to Issue Average: days</i>					
Walton Works		27/06/16 821	use for war and horror style games of game play					See notes for Enforcement Notice.	<input type="checkbox"/> 03/03/17	Wa
TPO Prosecution			<i>Total currently Authorised: 2</i>		<i>Authorised to Issue Average: days</i>					

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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
Pomegranate Road (rear of)	51	02/05/18 <i>147</i>	wilful damage to limb of T7 (s.210(4)) adjacent to Pomegranate Park					In court (single justice procedure).	<input type="checkbox"/> <i>24/09/18</i>	N
Victoria Street	Ringwood Centre (former)	21/12/17 <i>279</i>	Damage to roots of T18 and T19					Trial 22 and 23/10/18. Joint experts report being prepared.	<input type="checkbox"/> <i>13/08/18</i>	BN

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 • Hl 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