

PLANNING COMMITTEE

Monday, 15th November, 2021

Present:-

Councillor Simmons (Chair)

Councillors D Collins
Barr
Bingham
Brady
Caulfield

Councillors Miles
Marriott
Borrell
G Falconer
T Gilby

*Matters dealt with under the Delegation Scheme

56 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Callan, Catt, Davenport and Mann.

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

No declarations of interest were received.

58 **MINUTES OF PLANNING COMMITTEE**

RESOLVED -

That the Minutes of the meeting of the Planning Committee held on 25th October, 2021 be signed by the Chair as a true record.

59 **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/21/00231/FUL - INSTALLATION OF NEW SECURITY FENCING AND GATES TO THE EXISTING SCHOOL GROUNDS (REVISED PLANS RECEIVED 28.07.2021 AND 20.09.2021, REVISED WITH PLANS OF THE 21.09.2021 SHOWING A RAILING AT 1.5M HEIGHT) AT HASLAND HALL COMMUNITY SCHOOL, BROOMFIELD AVENUE, HASLAND FOR MRS C FOLEY-PALMER

In accordance with Minute No. 299 (2001/2002) Mr Jerry Stevenson (local resident) addressed the meeting

In accordance with Minute No. 299 (2001/2002) Mr Stephen Roberts (applicant) addressed the meeting

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

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

Proposed plan PL02 Rev C received 21.09.2021

Proposed site plan PL01 Rev A received 28.07.2021

Proposed fencing bin store area PL03 received 28.07.2021

3. Within 2 months of the commencement of the development hereby approved, a scheme for biodiversity and ecological enhancement measures shall be installed and/or planted on site. The ecological enhancement measures shall thereafter be retained and maintained throughout the life of the development.
4. Prior to the commencement of the development hereby approved (including all preparatory work), a scheme for the protection of the retained trees in close proximity to the proposed fence line, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.

Specific issues to be dealt with in the TPP and AMS:

a) Details of the Root Protection areas (RPA) of trees on a TPP adjacent to the school Kitchen/bin store area and from the school reception at the main building to the sports hall as defined in BS 5837: 2012.

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

5. Notwithstanding the submitted details the proposed gate fronting onto Broomfield Avenue shall open into the site only and not over the existing footway area.

6. Notwithstanding the details shown on Proposed Plan PL02 Rev C received 21.09.2021, the bow top railing detail to the frontage of Broomfield Avenue to the front of the Dining Hall shall be to a height of no more than 1.2m.

CHE/20/00601/FUL - EXTENSION TO EXISTING RESIDENTIAL CARE HOME FOR THE ELDERLY TO INCLUDE AN EXTENDED DINING/LOUNGE AND 3 EXTRA BEDROOMS. (AMENDED PLANS RECEIVED 27TH JULY 2021 ALONG WITH COAL MINING RISK ASSESSMENT) AT LANGDALE LODGE, 56 SELHURST ROAD, NEWBOLD FOR MR NADEEM SADIQ

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

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

Proposed block and site plan 9210/01

Proposed elevations 9210/07

Proposed ground floor 9210/03

Proposed first floor 9210/05

Proposed roof plan 9210/06

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

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

4. 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 but not necessarily be restricted to the following as appropriate:

Parking of vehicles of site operatives and visitors

Routes for construction traffic, including abnormal loads/cranes etc

Hours of operation

Method of prevention of debris being carried onto highway

Pedestrian and cyclist protection

Proposed temporary traffic restrictions

Arrangements for turning vehicles

5. No development shall commence until;

a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and

b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

6. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

7. Within 2 months of the commencement of the development hereby

approved, a scheme for biodiversity and ecological enhancement measures shall be submitted to and agreed in writing by the Local Planning Authority. The agreed ecological enhancement measures shall thereafter be installed, retained and maintained throughout the life of the development.

8. a) Prior to work commencing on site, the application site shall be subjected to a detailed scheme for the investigation and recording of contamination, specifically potential for mine gas and a report shall be submitted to and approved in writing by the Local Planning Authority;

b) Prior to works commencing on site, detailed proposals in line with current best practice for the removal, containment or otherwise rendering harmless such contamination (the 'Contamination Proposals') shall be submitted to and approved in writing by the Local Planning Authority;

c) For each part of the development, 'Contamination Proposals' relevant to that part shall be carried out either before or during such development as appropriate;

d) If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the 'Contamination Proposals' then the revised 'Contamination Proposals' shall be submitted to and approved in writing by the Local Planning Authority;

e) If during development work site contaminants are found in areas previously expected to be clean then their remediation shall be carried out in line with the agreed 'Contamination Proposals';

f) Prior to the commencement of any construction works in any area that has been subject to remediation, a verification report shall be submitted to and approved in writing by the Local Planning Authority.

60 **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

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|------------------|---|
| CHE/20/00790/FUL | First floor side extension above existing garage and rear two storey extension (amended plans received 05.09.2021) at 31 Storrs Road Chesterfield Derbyshire S40 3QA for Mr and Mrs Pogson |
| CHE/21/00202/FUL | Two storey side extension at 10 Endowood Road Somersall S40 3LX for Mr Andrew Bostock |
| CHE/21/00324/FUL | Proposed residential development of 9 bungalows with associated infrastructure, roadway, garaging and parking (Revised scheme of CHE/17/00421/FUL) (Revised plans and description reducing the number of units on 06 and 07.09.2021) at land at 46 Newbold Road Newbold Derbyshire for Peppermint Grove Ltd |
| CHE/21/00372/FUL | Demolition of existing garage and erection of a two storey side and single storey rear extension (revised drawings and description received 10/06/21, 28/09/2021 and 14.10.2021) at 12 Endowood Road Somersall Chesterfield S40 3LX for Mr James Wilkins |
| CHE/21/00374/LBC | Replacement of existing roof, removal of garage doors, and installation of new French windows to create a wedding ceremony venue at Dunston Hall Dunston Road Chesterfield S41 9RL for Mr David Harrison |
| CHE/21/00425/FUL | Two storey rear extension at 76 Sycamore Road Hollingwood S43 2HH for Mr and Mrs G Jones |
| CHE/21/00456/FUL | Replacement windows at 5 Station Road Barrow Hill S43 2PG for Miss Fabienne Styles |

- CHE/21/00497/FUL Two storey side extension at 40 Lilac Street Hollingwood S43 2JG for Mr and Mrs Bennett
- CHE/21/00523/FUL Two storey and single storey extension to rear and front porch at 20 Newby Road Newbold S41 8HG for Mrs Helen Lenton
- CHE/21/00534/FUL Single storey side and rear extension and conversion of garage into living accommodation (revised description and drawing received 23/08/21) at 93 Newbold Back Lane Chesterfield S40 4HH for Mr and Mrs Karl Green
- CHE/21/00569/OUT Construction of a building for storing light goods vehicles/public carrier vehicles and associated goods at 10 Station Road Barrow Hill S43 2NL for Mr Adrian Taylor
- CHE/21/00572/REM Variation of condition 2 (approved plans) of CHE/20/00079/FUL (Construction of new parts hub building and separate valet/photo building and provision of new compound to the south of the motor store site with wash building) to allow alterations to valet/photo building at Arnold Clark Motorstore Meltham Lane Chesterfield S41 7LG for Arnold Clark Automobiles
- CHE/21/00594/FUL Replacement porch to the front elevation at 10 Kirby Close Hasland S41 0UY for Stormclad
- CHE/21/00603/FUL Proposed single storey side extension at 101 Brearley Avenue New Whittington S43 2DZ for Mr Robert Preece
- CHE/21/00621/FUL Demolition of existing garage and erection of rear kitchen extension with a small wrap around including a small WC and utility and double garage to the side of the property at 64 Lindale Road Newbold S41 8JH for Mr David Irwin
- CHE/21/00639/FUL Proposed replacement 20m streetpole and associated equipment at verge adjacent to

Donkey Derby Lockoford Road Whittington Moor
for Cornerstone

- CHE/21/00666/COU Change of use of Council-owned land to allow for hardstanding and lowered kerb as part of a disabled adaptation at 44 Churston Road Chesterfield S40 1HS for Chesterfield Borough Council
- CHE/21/00685/TPO T22 Sweet Chestnut- Pruned T21 Lawson Cypress- Crown Lifted T20 Felled Replaced- Excessive Shading Replaced with Rowan Sorbus Aucuparia Autumn Spire at 2 Park Hall Gardens Walton S42 7NQ for Mrs R Kemp
- CHE/21/00731/TPO T1 Cherry - Reduce back to suitable growth points lowest limb overhanging boundary by no more than 3m at 140 High Street Old Whittington S41 9LE for Fortem Solutions Ltd
- CHE/21/00739/TPO T1 Horse Chestnut - Mature, single stem, structural condition poor. Decay section on stem from basal area to canopy, callous wood present. Significant dead wood present within Crown secondary branches over highways and footpaths by 5.5m. Remove epicormic growth. Remove Dead wood at West Garth 27 Church Street North Old Whittington S41 9QN for Oakbrook Services Ltd
- CHE/21/00765/CA Felling of two dead trees at 33 Church Street North Old Whittington S41 9QN for Mark Whatley
- CHE/21/00788/TPO Felling of a Weeping Willow at Tesco Petrol Station Newbold Road Newbold S41 7AL for Tesco Chesterfield Express
- (b) Refusals
- CHE/21/00529/FUL Single storey side and rear extension at 52 Curbar Curve Inkersall S43 3HZ for Mr and Mrs Sokolowska

- CHE/21/00613/FUL Side dormer loft conversion at 72 The Green Hasland S41 0JU for Mr and Mrs Griffin
- CHE/21/00630/FUL Proposed replacement 20m streetpole and associated equipment at Vodafone 63659 Telecommunications Mast at junction of Storrs Road Chatsworth Road Chesterfield S40 3JX for Cornerstone
- CHE/21/00645/TEL Proposed 15.0m Phase 8 Monopole and associated works at land at Worksop Road Mastin Moor S43 3BN for CK Hutchison Networks (UK) Ltd

(c) Discharge of Planning Condition

- CHE/21/00403/DOC Discharge of condition 22 (contamination validation report) of CHE/20/00254/DOC - demolition of existing garages and erection of 6 self-contained single storey complex behavioural bungalows and 6 self-contained assisted living apartments over 2 storeys and new tarmac through road linking Bank Street and Chester Street at Garage Sites Bank Street Chesterfield for Factor 9 Design Co Ltd
- CHE/21/00533/DOC Discharge of planning conditions 12 and 13 (site investigation) of CHE/19/00514/FUL - Erection of two new three bedroom dwellings at site of 10-12 Rowsley Crescent Staveley for Chesterfield Borough Council
- CHE/21/00637/DOC Condition 5 and 19 of CHE/20/00695/FUL at development land opposite Hazlehurst Avenue Sheffield Road Stonegravels Chesterfield for Derbyshire County Council, Chesterfield Borough Council
- CHE/21/00646/DOC Discharge of condition 11 (landscaping and boundary treatments) of CHE/20/00456/FUL - Erection of a detached dwelling at 58A Coronation

Road Brimington Chesterfield S43 1EX for Mr Andrew Doherty

(d) Partial Discharge of Conditions

CHE/21/00175/DOC Discharge of planning conditions 8 (Site compound), 10 (desk top study) and 11 (landscaping, boundary treatments etc) of CHE/20/00456/FUL - Erection of a detached dwelling at 58A Coronation Road Brimington Chesterfield S43 1EX for Mr Andrew Doherty

(e) Conditional Consent for Non-material Amendment

CHE/21/00676/NMA Non-material amendment to CHE/20/00695 (New warehouse unit with trade counter, staff facilities, external materials yard, surface car parking for staff and customers, new vehicular entrances onto highway and the provision of a substation with associated works) for alterations to photovoltaic layout to roof at development land opposite Hazlehurst Avenue Sheffield Road Stonegravels Chesterfield for Derbyshire County Council, Chesterfield Borough Council

(f) Environmental Impact Assessment not required

CHE/21/00743/EIA EIA screening opinion for new 54 bed mental health facility at Chesterfield and North Derbyshire Royal Hospital Chesterfield Road Calow S44 5BL for Derbyshire Healthcare NHS Foundation Trust

61 APPLICATIONS TO FELL OR PRUNE TREES (P620D)

*The Development Management and Conservation Manager reported that pursuant to the powers delegated to him he had determined the under-mentioned applications in respect of:-

(a) The felling and pruning of trees:-

CHE/21/00685/TPO Consent is granted to the pruning of one Lawson Cypress reference T21 and one

Sweet chestnut reference T22 on the Order map for Mrs Kemp of 2 Park Hall Gardens, Walton.

- CHE/21/00788/TPOEXP Consent is granted to the felling of one Willow tree within G1 on the Order map for Premier Forecourts construction Ltd at Tesco Express, Newbold Road, with a condition to plant one new Silver Birch tree in the first available planting season after felling.
- CHE/21/00731/TPO Consent is granted to the pruning of one Cherry tree reference T2 on the Order map for Ulyett Landscapes on behalf of 140 High Street, Old Whittington.
- CHE/21/00739/TPO Consent is granted to the pruning of one Horsechestnut tree reference T41 on the Order map for Oakbrook Services on behalf of 27 Church Street North, Old Whittington.

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

- CHE/21/00765/CA
The felling of two dead trees at 33 Church Street North, Old Whittington
- Agreement to the felling of two dead trees. The felling of the trees will have no adverse effect on the amenity value and character of the area.
- The trees are within the Old Whittington Conservation Area and the applicant wishes to fell the trees because they are dead and safety concerns.

62 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.

63 **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.