

Public Document Pack

Date Tuesday, 11th March, 2014
Time 7.00 pm
Venue Council Chamber, Civic Offices, Merrial Street,
Newcastle-under-Lyme, Staffordshire, ST5 2AG
Contact Julia Cleary 01782 742227

Supplementary Agenda Planning Committee

PART 1- OPEN AGENDA

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|-----------|---|-----------------------|
| 5 | Application for Major Development - Land Adjacent to 31 Banbury Street, Butt Lane; Browns (Shopfitting and Construction limited); 14/00027/FIL | (Pages 1 - 2) |
| 8 | Application for Minor Development - Land Rear of 24 to 36 Heathcote Road, Miles Green; Millwood Ltd; 14/00081/FUL | (Pages 3 - 4) |
| 9 | Application for Minor Development - Land South of Netherleys, Former Allotment Gardens; Mr and Mrs Wakelin; 13/00822/OUT | (Pages 5 - 6) |
| 11 | Application for Minor Development -61 to 63 High Street, Alsagers Bank; Mr P Dawson; 14/00014/FUL | (Pages 7 - 8) |
| 12 | Application for Financial Assistance (Historic Buildings Grant) - St Thomas Butterton; 13/14013/HBG | (Pages 9 - 10) |

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ADVANCE SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
11th March 2014

Agenda item 5 **Application ref** 14/00027/FUL

Land adjacent to 31 Banbury Street, Butt Lane

An amended plan has been received which increases the amount of private garden area for plot 4 resulting in the loss of a parking space as indicated under the residential amenity and highway safety headings of the key issues section of the report.

The recommendation remains to permit subject to the applicant entering into a Section 106 obligation to secure the matters set out in the main agenda report, and subject to the conditions listed therein.

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ADVANCE SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
11th March 2014

Agenda item 8

Application ref 14/00081/FUL

Land rear of 24 – 36 Heathcote Road Miles Green

Since the publication of the agenda report the following have been received:-

Audley Parish Council objects to the proposal due to;-

- Drainage problems
- Increase in traffic levels and speed limits being ignored on a school route
- Insufficient width of the access
- Undesirable back fill
- The availability of brownfield sites to be developed before greenfield sites

Waste Management are recommending a condition requiring prior approval of full and precise details of recyclable materials and refuse storage, including designated areas to accommodate sufficient receptacles to service the residential development including collection days and the collection arrangement.

22 letters of representation have been received objecting to the proposal on the following grounds:-

- Residential development of this site has been previously refused and dismissed at appeal on the grounds the site is a greenfield site.
- The site is not in the village envelope
- The availability of brownfield sites to accommodate future housing demand.
- Increase of traffic levels
- The use of a “private” drive
- Highway safety concerns including emergency vehicle access, width of the proposed access and existing parked vehicles.
- Restricted visibility on Heathcote Road frontage.
- Heathcote Road was subject to road traffic accident within 10 metres of the proposed site entrance.
- Construction traffic accessing the site
- How the applicant describes the current state of the site.
- The presence of wildlife and their habitats on the site.
- Ground stability and drainage problems
- Loss of trees
- The development being visible from surrounding areas
- The collection point for recycled and refuse material
- Disturbance of the development including the construction period to elderly residents

A **petition containing 23 signatures** raising concerns regarding highway safety around the proposed access to the site, a series of photographs accompany this petition.

Your Officers' comments

The suggested condition raised by Waste Management had already been partially anticipated in the main report recommendation (condition 17) however it is considered prudent to extend the condition to include the requirement to gain approval for, and implement, a storage area on collection days.

A number of the concerns raised by both the residents and the Parish Council have already been addressed in the main agenda including those relating to the principle of the proposed development in light of the current local housing position and matters of highway safety.

Those matters which have not been specifically addressed in the report are the loss of fauna and flora on the site, ground stability and drainage which are addressed below:-

Loss of fauna and flora

Whilst the application was supported by a tree survey which is considered acceptable subject to a number of recommended conditions, no wider ecological survey was submitted. In the determination of previous applications such a survey was not sought or considered to be necessary and it is considered that such a survey is not justified in this case either. If there are any protected species on the site the applicant/developer is responsible for ensuring those are dealt with in an appropriate manner (under licence in some cases). It is considered therefore that any permission is accompanied by an informative note advising the applicant/developer of their responsibility to appropriately address any protected species on the site and failure to do so is a criminal offence.

Ground Stability

The issues of ground stability have not been identified as a material planning consideration in the previous applications on the site and it is not considered that there has been any material change in circumstances to consider that this is a concern to be addressed in respect of the current application. It is the responsibility of the developer to ascertain and employ appropriate construction methods/ measures to overcome such issues, if they exist, and as such this is not considered to be a material planning consideration in the determination of this application.

Drainage

As reported in the agenda United Utilities have been consulted on this application and they have provided a response advising they have no objections subject to conditions relating to the following:-

- No build within a 3 metre buffer either side of public sewer
- No deep rooted trees./ shrubs to be planted within the vicinity of the public sewer
- No surfaced water to discharge into the combined sewer

Whilst a general drainage condition (21) is being suggested within the recommendation, on reflection it is considered appropriate to include the above conditions into the recommendation

The recommendation remains as set out within the main agenda report with an amended condition 17 to include the storage area on collection days and additional conditions as set out in the United Utilities consultation response and an advisory note regarding the protection of any protected species and their habitat on application site.

ADVANCE SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
11th March 2014

Agenda item 9

Application ref 13/00822/OUT

Land South of Netherleys, Former Allotment Gardens

Since the publication of the agenda report the following have been received:-

- A letter of representation has been received which states that it is not in support or objection of the application. The letter highlights that representations received indicate that the building of the dwelling will set a precedent and will lead to four or five houses, all requiring access off Mill Lane. The letter indicates that the curtilage of Dunnocksfold House has no right of access at any point of its boundary from Mill Lane and that any application that may or may not occur to build within the curtilage of that property has no relevance to Mill Lane. Reservations are expressed regarding the adverse effect and/or alternative use for the land if the application is refused.
- The applicant has submitted a supporting letter the main points of which are summarised below:
 - The applicant's have run a business locally for a number of years and is keen to stay in the village long term.
 - They know it is important for any building to be in keeping with the surrounding area and will take steps to ensure that it is complementary to its surrounds and in keeping with other homes in close proximity.
 - They are aware of the concerns about access onto Mill Lane and indicate that they are prepared to pay a proportionate amount to repair the road and maintain it.
 - Plans have been made for a temporary construction access.
 - They have known some residents of Madeley for many years and are keen to stay on good terms and with this in mind will listen to any points raised and consider these carefully.
- A letter has been received indicating that permission has been given for the applicant to use a track across Brookhouse Farm land for the purpose of conveying building materials to the site.

The above does not raise any fresh issues that haven't been addressed within the report, other than the construction traffic route. This is across land to Brookhouse Farm and does not involve any access onto Mill Lane. This can be secured by a condition.

The recommendation remains as set out within the main agenda report with an additional condition requiring the prior approval of the details of the construction traffic route prior to any commencement of development, and full implementation of the approved details at all times during the construction phase.

SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
11th March 2014

Agenda item 11

Application ref 14/00014/FUL

61 & 63 High Street, Alsagers Bank

Since the publication of the agenda report comments have been received from **Audley Parish Council**. The Parish Council object to the proposal on the basis that the new access is directly on a bus stop and turning out of the site is not acceptable in highway safety terms.

Your Officer advises that the new access proposed immediately south of the existing access, which will serve number 63 has already gained approval under a previous extant planning application. It is to be located on a relatively straight section of High Street where adequate visibility can be achieved. There is a bus stop on the same side of the road as the application site in close proximity to the new access. However there are also considerable benefits arising from the provision of off road car parking serving both dwellings in a location where the problems associated with on street car parking are prevalent. Vehicle users regularly have to travel on the wrong side of High Street in order to pass parked vehicles on either side of the highway. The Highway Authority have advised that the proposal is acceptable in highway safety terms. Subject to the conditions recommended by the Highway Authority the objection cannot be sustained.

The recommendation remains as set out within the main agenda report.

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SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
11th March 2014

Agenda item 12

Application ref 13/14013/HBG

Application for Financial Assistance (Historic Buildings Grants) from the Conservation and Heritage Fund – St Thomas’s Church, Butterton Road, (Ref: 13/14013/HBG) and proposed alteration to the terms of grants awarded from the Conservation and Heritage Fund

Since the publication of the agenda report the following has been received:-

The Conservation Advisory Working Party at their meeting on 4th March resolved to recommend to the Planning Committee that:-

- 1) A £5,000 upper limit on future grants from the Conservation and Heritage Fund be introduced with immediate effect
- 2) A grant of £5,000 for the stone repair, replacements and reroofing of part of St. Thomas’s Church, Butterton, be agreed subject to the appropriate standard conditions.

and it expresses concern that the actual current level of the Conservation and Heritage fund, after commitments agreed by the Planning Committee and then offered to applicants, are taken into account, and the limited funds therefore now available could have significant adverse consequences for the heritage assets within the Borough. The Working Party urges that the Conservation and Heritage Fund should get its funding renewed in 2015/16

Your Officer’s recommendations with respect to this item remain unaltered.

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