

Public Document Pack

Date of meeting Tuesday, 8th December, 2015
Time 7.00 pm
Venue Council Chamber, Civic Offices, Merrial Street,
Newcastle-under-Lyme, Staffordshire, ST5 2AG
Contact Julia Cleary

Planning Committee

SECOND SUPPLEMENTARY AGENDA

PART 1 – OPEN AGENDA

- a Tree Preservation Order - Land at Fintry, Pinewood Road, (Pages 3 - 4)
Newcastle.TPO 172

Members: Councillors Braithwaite, Cooper, Fear, Hambleton, Heesom, Mancey,
Northcott, Owen, Proctor, Reddish (Vice-Chair), Simpson, Snell (Chair),
Turner, Welsh, Williams and Williams

PLEASE NOTE: The Council Chamber and Committee Room 1 are fitted with a loop system. In addition, there is a volume button on the base of the microphones. A portable loop system is available for all other rooms. Should you require this service, please contact Member Services during the afternoon prior to the meeting.

Members of the Council: If you identify any personal training/development requirements from any of the items included in this agenda or through issues raised during the meeting, please bring them to the attention of the Democratic Services Officer at the close of the meeting.

Meeting Quorums :- 16+= 5 Members; 10-15=4 Members; 5-9=3 Members; 5 or less = 2 Members.

FIELD_TITLE

Officers will be in attendance prior to the meeting for informal discussions on agenda items.

This page is intentionally left blank

Supplementary Information

Agenda Item 12

Tree Preservation Order 171

As members will be aware Mr Brookes's wrote to them by email on 3rd December 2015 raising certain concerns. For those members who have not yet seen this correspondence a copy will be displayed on the board. In summary in addition to providing a copy of his objection to the provisional Order (which it is unnecessary to repeat here given it is referred to in the agenda report), Mr Brookes refers in particular to issues concerning the impact of trees on his property, recent tree work that has been completed at Fintry (following an approval decision for these works), that the property is not visible from Jug Bank, and a request to committee members that that they refuse the confirmation of TPO171 or that they remove T2 from the confirmed order.

Your Officer would note that whilst this information is outside the 28 day period allowed for comment, particular issues are raised, including the impact of works already undertaken and Mr Brookes concern that the effect of the Order would be to deprive the property of the benefit of the works already permitted and undertaken. Your officers would like to assess these issues on site. In order to allow time for such a site visit to take place, your Officer's recommendation is now that this item be deferred to the next Planning Committee of Tuesday 5th January 2016.

The 6 month period for this Order expires on 7th January 2015. It should be noted that the deferral of this item to the planning committee of 5th January 2015 would not take the Order beyond the six month period by which a provisional Order must be confirmed. The decision on whether to defer a decision is for the Committee to make.

As members will also be aware, Mr Brookes copied them in on an email to your officer of 7th December 2105. Mr Brookes raises concerns about a procedural defect in the serving of the order whereby he states that insufficient copies of the order have been served, your Officer can confirm that two letters, with copies of the order enclosed were delivered to Mr Brookes home, one addressed to Mr Brookes, and one to the owner/occupier of Fintry. Following consultation with the council's Legal section, your officers can confirm that the correct procedure has been followed in the serving of this order.

The recommendation is accordingly now amended to one of deferral

This page is intentionally left blank