

Public Document Pack

Date of meeting Thursday, 24th May, 2018
Time 7.00 pm
Venue Council Chamber, Civic Offices, Merrial Street, Newcastle-under-Lyme, Staffordshire, ST5 2AG
Contact Geoff Durham



**NEWCASTLE
UNDER LYME**
BOROUGH COUNCIL

Civic Offices
Merrial Street
Newcastle-under-Lyme
Staffordshire
ST5 2AG

Planning Committee

SUPPLEMENTARY AGENDA

PART 1 – OPEN AGENDA

- 5a APPLICATION FOR MAJOR DEVELOPMENT – ORME CENTRE, ORME ROAD, NEWCASTLE. ABODE RESIDENCIES. 18/00090/FUL & 18/00086/LBC (Pages 3 - 4)
- 6a APPLICATION FOR MAJOR DEVELOPMENT – LODGE FARM, NEWCASTLE ROAD, TALKE. MISS R LARGE. 18/00062/FUL (Pages 5 - 6)
- 8a APPLICATION FOR MINOR DEVELOPMENT - LAND AT WEDGWOOD AVENUE, WESTLANDS. MR R WHALLEY. 18/00167/REM (Pages 7 - 8)

Members: Councillors Burgess, Fear, Heesom, Northcott, Panter, Proctor (Chair), Reddish, Spence (Vice-Chair), Sweeney, S Tagg, G White, G Williams, J Williams and Wright

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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.



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

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ADVANCE SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
24th May 2018

Agenda item 5

Application Ref. 18/00090/FUL

The Former Orme Centre, Orme Road, Newcastle-under-Lyme

Further comments have been received from the **Environmental Health Division** on the planning application. They raise no objections subject to conditions regarding a construction environmental management plan, glazing specification, noise assessment, noise from plant and mechanical ventilation, details of ventilation, external artificial lighting, waste storage and collection, air quality and kitchen ventilation system and odour abatement.

As indicated in the main agenda report conditions on the previous planning consent require the submission of details regarding matters such as the nature of any plant to be located in the plant room. This also applies to the other matters referred to above with the exception of conditions sought by EHD with respect to air quality and kitchen equipment.

The RECOMMENDATION remains as set out in the main agenda report with additional conditions relating to air quality and kitchen equipment.

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ADVANCE SUPPLEMENTARY REPORT

TO THE PLANNING COMMITTEE

24th May 2018

Agenda item 6

Application ref. 18/00062/FUL

Lodge Farm, Newcastle Road, Talke

Since the preparation of the main agenda report additional tree impact and retention report information (including revised plans to avoid tree root damage in the area of the proposed manege) has been submitted along with a historical coal mining hazard risk assessment report.

In response the **Landscape Development Section** have assessed the tree impact information provided by the applicant and no longer object to the scheme given that the revised layout avoids all trees worthy of retention and as a consequence they have no objections subject to conditions requiring:-

1. The submission of a tree protection plan for the construction phase of the scheme.
2. The submission of a landscaping scheme, including tree, hedgerow and shrub planting, to integrate the scheme into its surroundings, its approval and implementation.

Your Officer's comments

With respect to tree impact concerns, the application, taking into account associated ground level changes in the area of the manege, now demonstrates that mature visually significant trees (worthy of retention & forming a valuable contribution to the character of the area and local landscape) will not be harmed or removed as a result of the development.

With respect to the assessment of risks posed from historical coal mining activity in this location – which is identified as a high risk area, the **Coal Authority** have been consulted on the new information provided by the applicant. They have yet to provide further comment. They have until the 30th May to do this. However it is anticipated their revised formal comments will be received in advance of the Committee. A further verbal update will be given if these comments are received.

In light of the information submitted by the applicant previous concerns to harm arising from tree loss have now been properly addressed. Overall the proposal whilst involving an element of inappropriate development within the Green Belt – the change of use of land to the keeping of horses – is considered acceptable as it would neither harm the openness of the Green Belt, or the purposes of including land within it nor would it now involve any other harm. Very special circumstances are considered to exist. The appearance of the scheme in landscape terms, the impact on trees, highway safety and to neighbouring residential amenity would all be acceptable subject to certain planning conditions. Confirmation is still required from the Coal Authority to support the positive conclusion that the risks to human safety arising from historical coal mining have been properly investigated, established and can be successfully mitigated. Kidsgrove Town Council are also entitled to have the opportunity comment upon the revised layout, but there are grounds to anticipate that they will have no such further comments

The RECOMMENDATION is altered to the following:-

A. That subject to there being no objections to the Planning Authority from the Coal Authority received by the 30th May and from Kidsgrove Town Council by 12th June, which cannot be addressed by appropriate conditions, delegated Authority be given to the Head of Planning to :-

PERMIT the application subject to conditions relating to:-

1. Time limit.
2. Plans.
3. Materials.
4. Tree protection measures.
5. Approval of a landscaping scheme.
6. External lighting levels.
7. Provision for the storage and disposal of stable waste.
8. Horse boxes, trailers and vehicles associated with the use of the site for a stables and manege shall not be moved on the shared access driveway between the hours of 10.00pm and 08.00 on any day.
9. Provision of the submitted parking and turning area and its retention for the lifetime of the development.
10. The development shall be restricted to a maximum of 9 horses.
11. The proposed manege shall only be used by horses which are stabled at the site.
12. Any conditions recommended by the Coal Authority or otherwise to deal with historical coal mining risk.

B. In the event of objections from the Coal Authority being received by the 30th May, which cannot be addressed by appropriate conditions, that delegated authority be given to the Head of Planning to REFUSE the application for the following reason:-

1. The application fails to demonstrate that the risks to human safety arising from historical coal mining are properly understood or can be properly safeguarded against.

C. In the event of objections being received from Kidsgrove Town Council by the 12th June, which cannot be addressed by appropriate conditions, the application be referred back to the Planning Committee for reconsideration.

SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
24th May 2018

Agenda item 8

Application ref. 18/00167/REM

Land at Wedgwood Avenue

Since the preparation of the report comments have been received from the Landscape Development Section (LDS).

It is noted that by them that a particular highway tree, assuming it is still present, appears to be missing from the Arboricultural Impact Assessment & its protection would be required as part of the development. A number of other tree protection and landscaping conditions are recommended by the LDS.

Your officer notes that the tree referred to is assessed as being of very poor quality and requiring felling so its protection would not be justified

The LDS have also requested a Section 106 contribution by the developer for capital development/improvement of off-site open space of £4,427 per dwelling in addition to £1,152 per dwelling for 60% of maintenance costs for 10 years. This money would be for improvements to the site at Whitfield Avenue, or at Three Parks, Howard Place (directly opposite), or towards footpath improvements at Thistleberry Parkway (670m walking distance).

Your Officer notes that this application is a Reserved Matters application where the principle of residential development has already been established under outline planning permission 16/01108/DEEM4 which was granted in April 2017. The issue of any contribution towards public open space is one that should have been addressed at outline stage and it would be inappropriate and unreasonable behaviour for the Local Planning Authority to now seek such a contribution.

To conclude, the Officer recommendation remains unchanged, subject to the following additional conditions;

- **Prior approval and implementation of Tree Protection proposals**
- **Prior approval and implementation of an Arboricultural Method Statement**
- **Prior approval and implementation of a schedule of works to retained trees**
- **Prior approval and implementation of full Landscaping proposals**

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