

## **PLANNING COMMITTEE**

Tuesday, 3rd February, 2015

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| <b>Present:-</b> | Councillor Sophia Baker – in the Chair  |
| Councillors      | Becket, Mrs Braithwaite, Cooper, Fear, Mrs Hambleton, Mrs Heesom, Miss Reddish, Mrs Simpson, Waring, Welsh and Williams |
| Apologies        | Apologies were received from Councillor(s) Mrs Bates and Northcott  |

### **1. APOLOGIES**

Apologies were received from Cllr Bates and Cllr Northcote.

### **2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **3. MINUTES OF PREVIOUS MEETING(S)**

**Resolved:** That the minutes of the previous meeting be agreed as a correct record.

### **4. APPLICATION FOR MAJOR DEVELOPMENT - NEWCASTLE BAPTIST CHURCH, LONDON ROAD, NEWCASTLE UNDER LYME; URBAN REGENERATION (STAFFS) LTD.; 14/00477/FUL**

#### **Resolved:**

That the application be permitted subject to:

A. The applicant entering into a Section 106 obligation by 17th March 2015 to require the review of the financial assessment of the scheme if there is no substantial commencement within a year of the grant of planning permission,

and conditions relating to the following matters:-

1. Time limit/Plans
2. Materials
3. Boundary treatments
4. Landscaping
5. Landscape management plan
6. Provision of parking and turning areas
7. Closure of existing access on Vessey Terrace
8. Details of gates to replace the rise and fall posts shown at the access
9. Construction method statement
10. Provision of cycle parking and shelter
11. Surface water drainage interceptor
12. Written scheme of archaeological investigation

13. Construction hours
14. Piling details
15. Details of ventilation system to ensure appropriate indoor air quality
16. Details of the materials of the acoustic barrier
17. Internal noise levels
18. Details of any fixed mechanical ventilation or air conditioning plant
19. Details of external artificial lighting
20. Television reception study
21. Contaminated land conditions
22. Sustainable Homes Code Level 3

B. Failing completion by 17th March 2015 of the above planning obligation, that the Head of Planning be given delegated authority to either refuse the application on the grounds that without such an undertaking, account would not be able to be taken of a change in market conditions and a development that could have made required contributions would not do so; or if he considers it appropriate, to extend the period of time within which the obligation can be secured.

5. **APPLICATION FOR MAJOR DEVELOPMENT - FORMER DIAMOND ELECTRONICS, WEST AVENUE, KIDSGROVE; REVELAN GROUP PLC; 14/0736/FUL**

**Resolved:**

A) Subject to the applicant entering into a S106 obligation, by 27th February to secure £2,200 towards travel plan monitoring costs and subject to the applicant providing additional information and the Environmental Health Division being able to recommend appropriate noise conditions to mitigate any noise impact

Permit the application, subject to conditions set out within the main agenda report with the following amendment/addition:

1. Prior approval and implementation of a detailed landscaping scheme, which is broadly in accordance with the landscape proposal submitted with additional shrub and tree planting on the frontage.
2. Any other appropriate conditions as recommended by the Environmental Health Division that the Head of Planning considers are reasonable and appropriate.

B) Should the travel plan monitoring fee not be secured within the above period, that the Head of Planning be given delegated authority to refuse the application on the grounds that without such matters being secured the development would be contrary to policy on sustainable transport measures; or if he considers it appropriate, to extend the period of time within which the obligation can be secured.

C) Should additional information not be submitted that enables to the EHD to recommend appropriate conditions to mitigate any noise impact the application be reported to the next meeting of Planning Committee (3rd March).

6. **APPLICATION FOR MAJOR DEVELOPMENT - LAND OFF NEW ROAD, WINDY ARBOUR FARM, MADELEY; KNIGHTS LLP; 14/00930/OUT**

A vote was taken, 1 member abstained, 1 voted against the recommendation and 8 voted in favour.

**Resolved:**

That the application be permitted subject to:

A. The applicant first entering into Section 106 obligations by agreement by 22nd February 2015, unless the applicant agrees to extend the statutory period to 17th March in which case by that date, such agreement to require:-

- 1) A contribution of £66,488 (on the basis that the development as built is for the full 32 dwellings and of the type indicated) or such other sum as appropriate on the basis of policy, towards school spaces at Madeley High School in the first instance;
- 2) Tenure Blind on site Affordable Housing provision; and
- 3) A contribution of £2,943 per dwelling towards Open space improvement/enhancement/ maintenance of the College Gardens Play Area

Permit the application subject to conditions concerning the following matters:

- Condition to reflect outline nature of application
- Time limit for submission of any approval of reserved matters and for commencement
- Approved plans and documents
- Reserved matters to follow the principles set out within the submitted Design and Access Statement
- Reserved matters application to include a Tree Survey (to BS5837:2012), Arboricultural Impact Assessment (to BS5837:2012), Root Protection Areas (RPAs) of retained trees shown on the proposed layout (to BS5837:2012), details of all special engineering within the RPAs and other relevant 'no dig' construction details, details of proposed boundary treatment, and full landscaping proposals including detail of hedgerow replacement behind the new sightline
- Recyclable materials and refuse storage details
- Reserved matters application to include existing and proposed ground levels, as well as slab levels
- Construction hours Internal noise levels in dwellings
- Construction management plan
- Dust mitigation during construction
- Protection from mud and debris on the highway
- Full details of the proposed site access construction including safety audit
- Visibility splays
- Off-site highway works
- Upgrading of two existing bus stop platforms
- Details of parking, turning, servicing & surface water drainage
- Construction Method Statement
- Recommendations of the ecological report should be adhered to
- Any reserved matter application should include biodiversity improvements

- Submission and approval of proposed surface water run-off flows, soakaway calculations, or attenuation design
- A scheme demonstrating that in vulnerable areas surface water flooding will not occur
- Submission and approval of a proposed maintenance regime for any sustainable drainage system

B. Failing completion of the above planning obligation by the date referred to in the above recommendation, that the Head of Planning be given delegated authority to either refuse the application on the grounds that in the absence of such obligations the proposal fails to make an appropriate contribution to provide an appropriate level of affordable housing which is required to provide a balanced and well-functioning housing market, the improvement, enhancement and maintenance of offsite open space provision, and an appropriate contribution towards school places provision to reflect the infrastructure needs of the development; or, if he considers it appropriate, to extend the period of time within which the obligation can be secured.

**7. APPLICATION FOR MAJOR DEVELOPMENT - OXFORD ARMS, MORETON PARADE, MAY BANK; A-Z DESIGNS; 14/00973/FUL**

**Resolved:**

That the application be permitted subject to:

- A. No adverse comments being received from consultees or in representations which cannot be dealt with by appropriate condition(s), and subject to the applicant entering into a planning obligation, by no later than 10th March 2015, to secure the following:
- A financial contribution of £29,430 for open space enhancement/improvements and maintenance

and conditions relating to the following: -

1. Standard Time limit for commencement of development
2. Approved plans
3. Materials
4. Boundary treatments
5. Contaminated land
6. Approval of recyclable materials and refuse storage
7. Landscaping scheme
8. Tree protection measures
9. Arboricultural method statement
10. Highway matters
11. Construction hours
12. Approval of amended gable design to provide more visual interest.

B. Failing completion by 10th March 2015 of the above planning obligation, that the Head of Planning be given delegated authority to either refuse the application on the grounds that without such matters being secured the development would be contrary to policy on the provision of open space within residential development, or, if he considers it appropriate, to extend the period of time within which the obligation can be secured.

**8. APPLICATION FOR MINOR DEVELOPMENT - FORMER GARAGES, GLOUCESTER ROAD, KIDSGROVE; NULBC (PROPERTY); 14/00890/DEEM3**

**Resolved:**

That the application be permitted subject to the following conditions;

1. Standard time limits for submission of applications for approval of reserved matters and commencement of development;
2. Approval of plans/ documents – site location plan and supporting information;
3. Construction hours;
4. Design measures for internal noise levels;
5. Waste storage and collection arrangements;
6. Contaminated land;
7. Tree report recommendations;
8. Any reserved matters application that involves landscaping shall include details of replacement trees

**9. APPLICATION FOR MINOR DEVELOPMENT; LAND ADJACENT TO SLATERS, STONE ROAD, HILL CHORLTONL; MR AND MRS SLATER/LES STEPHAN PLANNING LTD; 14/00875/OUT**

Cllr Loades spoke in favour of the Officer recommendation for refusal.

**Resolved:**

That the application be refuse for the following reasons:

1. The development of this greenfield site within the open countryside is contrary to specific policies within the National Planning Policy Framework as it is in an isolated location and would not materially enhance or maintain the viability of a rural community and is an unsustainable location for development. Notwithstanding that the Council cannot demonstrate an up to date 5 year plus 20% supply of deliverable housing sites, given the absence of special circumstances as referred to in paragraph 55, there is no presumption in favour of permitting this development. For these reasons the proposed development is contrary to the requirements and guidance of the National Planning Policy Framework (2012).
2. The development would consolidate the loose open pattern of development and would have an adverse impact on the character and appearance of the area.
3. The adverse impacts of the development, namely the harm to the character and appearance of the countryside - significantly and demonstrably outweigh the benefits of the development. The proposal therefore represents an unsustainable development that is

contrary to the guidance of the National Planning Policy Framework (2012).

4. The application fails to demonstrate satisfactorily that a safe access can be achieved without having an adverse impact on the protected oak tree on the northern boundary of the site.
5. In the absence of a secured planning obligation and having regard to the likely additional pupils arising from a development of this scale and the capacity of existing educational provision in the area, the development fails to make an appropriate contribution towards education provision.
6. In the absence of a secured planning obligation the development fails to make an appropriate contribution towards the provision of affordable housing which is required to provide a balanced and well-functioning housing market.

**10. APPLICATION FOR OTHER DEVELOPMENT - LAND ADJACENT TO FORMER RAILWAY EMBANKMENT, BIGNALL END ROAD, BIGNALL END; TELEFONICA LTD; 14/00888/FUL**

**Resolved:**

That the application be permitted subject to the following conditions:

- i) Standard Time limit
- ii) Approved plans

**11. APPEAL AND COSTS DECISION - GATEWAY AVENUE**

**Resolved:** That the report be received.

**12. REVIEW OF SCHEME OF DELEGATION WITH RESPECT TO PLANNING MATTERS**

A report was submitted requesting the Committee to consider an update to the current Planning Scheme of Delegation to reflect recommendations arising following the recent Planning Peer Review.

**Resolved:**

- (1) That the Planning Committee endorse proposals outlined in section 4 of the report and set out in the revised Planning Scheme of Delegation (attached as Appendix B)
- (2) That the Planning Committee recommend that the revised Planning Scheme of Delegation be adopted by the Council

**13. URGENT BUSINESS**

There was no urgent business.

**COUNCILLOR SOPHIA BAKER**  
**Chair**