

Public Document Pack

Date of meeting Tuesday, 15th September, 2015
Time 7.00 pm
Venue Council Chamber, Civic Offices, Merrial Street,
Newcastle-under-Lyme, Staffordshire, ST5 2AG
Contact Julia Cleary

Planning Committee

AGENDA

PART 1 – OPEN AGENDA

- 1 DECLARATIONS OF INTEREST**
To receive Declarations of Interest from Members on items included on the agenda.
- 2 MINUTES OF PREVIOUS MEETING(S)** (Pages 3 - 8)
To consider the minutes of the previous meeting(s).
- 3 Application for Major Development - Land NE of Eccleshall Road, SE of Pinewood Road and NW of Lower Road, Hook Gate. Design Construction Management Services Ltd. 15/00448/OUT** (Pages 9 - 24)
- 4 APPLICATION FOR MAJOR DEVELOPMENT - FORMER MAXIMS, LOWER STREET / STANIER STREET, NEWCASTLE. 15/00498/FUL AND 15/00499/LBC**
Report to follow.
- 5 Application for Major Development - Plot 9 and Part Plot 10 Keele University Science and Business Park, Keele University. Caudwell Children and Keele University. 15/00542/FUL** (Pages 25 - 32)
- 6 APPLICATION FOR MAJOR DEVELOPMENT - THE KING'S SCHOOL, FOURTH AVENUE, KIDSGROVE. THE GOVERNORS, KING'S SCHOOL. 15/00577/FUL**
Report to follow.
- 7 Application for Major Development - Upper House Farm, Alington. Mr D Eardley. 15/00602/FUL** (Pages 33 - 38)
- 8 Application for Other Development - Yew Tree Cottage, Deans Lane, Balterley. Mr S Lane. 15/00567/FUL** (Pages 39 - 46)
- 9 Application for Other Development - Bar Hill Villa, Bar Hill Road, Onneley. Mr D Johnson. 15/00638/FUL** (Pages 47 - 54)

- 10 Interim Planning Policy Statement; Mid-year 5-year Housing Land Supply statement and; Local Plan timetable (Pages 55 - 64)
- 11 List of Local Validation Requirements for planning and listed building consent applications (Pages 65 - 72)
- 12 The Business, Membership and Frequency of the Council's Strategic Planning Consultative Group (Pages 73 - 74)
- 13 Application for Financial Assistance (Historic Buildings Grant) - Smithy House. 4 Highway Lane, Keele and Churchyard wall at St Thomas' Church (Pages 75 - 78)
- 14 **URGENT BUSINESS**

To consider any business which is urgent within the meaning of Section 100B(4) of the Local Government Act, 1972

Members: Councillors Baker (Chair), Braithwaite, Cooper, Fear, Hambleton, Heesom, Mancey, Northcott, Owen, Proctor, Reddish (Vice-Chair), Simpson, 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.

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

PLANNING COMMITTEE

Tuesday, 18th August, 2015

Present:- Councillor Marion Reddish – in the Chair

Councillors Braithwaite, Cooper, Hambleton, Heesom, Northcott, Owen, Proctor, Simpson, Welsh, Williams and Williams

Apologies Apologies were received from Councillor(s) Baker, Fear and Turner

1. DECLARATIONS OF INTEREST

Councillor Mrs Braithwaite declared an interest in application number 15/00448/OUT as a relative of the speaker on this item. Councillor Braithwaite left the room during its consideration.

Councillor Welsh declared an interest in application number 15/00556/OUT as a relative of some residents of May Street. Councillor Welsh remained in the room but took no part in the discussion.

2. MINUTES OF PREVIOUS MEETING(S)

Resolved: That the revised minutes of the meeting held on 21 July, 2015 be agreed as a correct record. The revision related to item 13, to include the following sentence:

‘Councillors’ Fear, Mancey and Northcott requested that it be recorded that they voted against the recommendations’.

3. DISCLOSURE OF EXEMPT INFORMATION.

Resolved:- That the public be excluded from the meeting during consideration of the following matter because it is likely that there will be disclosure of exempt information as defined in paragraph 5 in Part 1 of Schedule 12A of the Local Government Act, 1972

The Committee went into closed session whilst legal advice was given to Members in respect of the Five Year Housing Land Supply Statement.

Members of the public were invited to return to the Public Gallery after the briefing.

4. APPLICATION FOR MAJOR DEVELOPMENT - LAND N.E. OF ECCLESHALL ROAD / S.E. OF PINWOOD DRIVE / N.W. OF LOWER ROAD, HOOK GATE. DESIGN CONSTRUCTION MANAGEMENT SERVICES LTD. 15/00448/OUT

Resolved: That the application be deferred for a site visit.

5. APPLICATION FOR MAJOR DEVELOPMENT - LAND AT DODDLESPool, MAIN ROAD, BETLEY. MR M OULTON. 15/00521/FUL

Resolved: That the application be permitted subject to the undermentioned conditions:

- (i) The removal of soil from the site shall cease within nine months from the date of the decision notice.
- (ii) All conditions of planning permission 14/00610/FUL and previously agreed details shall continue to apply other than condition 3 as varied by the grant of this permission.

6. APPLICATION FOR MAJOR DEVELOPMENT - DAVID WEATHERALL BUILDING, KEELE UNIVERSITY, KEELE. KEELE UNIVERSITY ESTATES DEPARTMENT. 15/00583/FUL

Resolved: That the application be permitted subject to the undermentioned conditions:

- (i) Time limit
- (ii) Approved drawings
- (iii) Materials
- (iv) Implementation of landscaping
- (v) Car parking provision plus permeable areas
- (vi) Glazing transition details

7. APPLICATION FOR MAJOR DEVELOPMENT - LAND AT ETRURIA VALLEY, STOKE ON TRENT. 348/228 (SOTCC REF 58580/FUL)

Resolved: That the City Council be informed that the Borough Council has no objections to the proposed development.

8. APPLICATION FOR MINOR DEVELOPMENT - 1-2 MOSS COTTAGES, MOSS LANE, BALDWINS GATE. MR & MRS QUINN. 15/00319/FUL

Resolved: That the application be permitted subject to the undermentioned conditions:

- (i) Time limit
- (ii) Plans
- (iii) Materials
- (iv) Landscaping scheme (inclusive of open water channel to be created.
- (v) Tree protection measures
- (vi) Vehicle parking, turning and access provision
- (vii) Contaminated land remediation

9. APPLICATION FOR MINOR DEVELOPMENT - WORKSHOP, MAY STREET, SILVERDALE. DARWENT PROPERTIES. 15/00556/OUT

Councillor Rout spoke on this application

Resolved: That the application be permitted subject to the undermentioned conditions.

- (i) Standard time limit
- (ii) Approved plans
- (iii) Approval of reserved matters
- (iv) Reserved matters landscape details shall include replacement tree planting through removal of existing trees on site.
- (v) Tree protection measures
- (vi) Contamination remediation
- (vii) Highway matters

10. APPLICATION FOR MINOR DEVELOPMENT - NEWCASTLE BOROUGH COUNCIL DEPOT, KNUTTON LANE, KNUTTON. NEWCASTLE BOROUGH COUNCIL. 15/00615/DEEM3

- Resolved:**
- (a) That the decision be delegated to the Head of Planning for approval subject to the undermentioned conditions:
 - (i) Time limit
 - (ii) Approved plans
 - (iii) Provision of access, parking, servicing and turning prior to the use commencing.
 - (iv) Construction hours restrictions
 - (v) Implementation of noise mitigation measures in accordance with submitted Noise Assessment prior to the use commencing.
 - (vi) The permission is for the benefit of the Borough Council only.
 - (vii) Any additional conditions that the Head of Planning considers appropriate having regard to any comments received, within fourteen day of the date of this meeting, from the Waste Planning Authority,
 - (b) Should the Waste Planning Authority raise objections which cannot be addressed by such conditions, the application would be brought back to a future Planning Committee for consideration.

11. APPLICATION FOR MINOR DEVELOPMENT - LAND ADJACENT COTSWOLD, NEWCASTLE ROAD, LOGGERHEADS. MS J CHAMBERS. 15/00525/OUT

Resolved: That the application be refused for the following reason:

The development would appear cramped owing to the resultant small plot size for Cotswold and also the proposed new dwelling, which is not in keeping with the surrounding properties and is harmful to the character of the area.

12. APPLICATION FOR MINOR DEVELOPMENT - SILVER BIRCH. BIRKS DRIVE, ASHLEY HEATH. MR & MRS FROST. 15/00435/FUL

Resolved: That the application be permitted subject to the undermentioned conditions:

- (i) Standard Time limit for commencement of development
- (ii) Approved plans
- (iii) Materials
- (iv) Boundary treatments
- (v) Construction to be carried out in accordance with the submitted tree report
- (vi) Approval of construction details of all new surfacing within Root Protection Areas of existing trees
- (vii) Landscaping proposals to include tree planting to mitigate the loss of trees
- (viii) Provision of access, parking and turning areas prior to occupation
- (ix) Gates to be in the position shown on the approved plans and to open away from Birks Drive.
- (x) Implementation of the recommendations of the Bat and Nesting Bird Survey
- (xi) Removal of permitted development rights

13. APPLICATION FOR OTHER DEVELOPMENT - 7 OLDCOTT CRESCENT, KIDSGROVE. MR K DEEGAN. 15/00518/FUL

Resolved: (i) That the application be refused for the following reason:

The antenna and mast unacceptably reduces the living conditions of neighbouring properties due to their oppressive and overbearing effect.

- (ii) That the Head of Business Improvement, Central Services and Partnerships be authorised to issue enforcement and all other notices and to take, and institute on behalf of the Council all such action and prosecution proceedings as are authorised by and under the Town and Country Planning Act 1990 for the removal of the radio antenna and ,mast within three months.

14. EXPEDIENCY OF ENFORCEMENT ACTION. 5 BOGGS COTTAGES, KEELE. 14/00036/207C3

Councillor Kearon spoke on the following application.

Resolved: (i) That Mr & Mrs Edwards be provided the opportunity to make an application to remove or vary the occupancy condition attached to planning permission N21428

- (ii) In the event of such an application not being received by the Local Planning Authority within the next three months, the issue of the expediency of enforcement action with respect to the current breach to be brought back to the Planning Committee for reconsideration
- (iii) In the event of such an application being submitted, that it be brought to the Planning Committee for determination and that officers make arrangements for a site visit to be held prior to its consideration by the Planning Committee.

15. SHOP FRONT DESIGN GUIDE

Consideration was given to a report on the Shop Front Guidance Design Document which could be used to improve the quality of development of commercial premises. Members were asked to agree to the document going out for public consultation.

- Resolved:**
- (i) That the submitted draft document be approved for consultation purposes.
 - (ii) That a further report be brought back to the Committee on the outcome of the consultation before the guidance is approved.

16. DEVELOPMENT MANAGEMENT PERFORMANCE ACTION PLAN

Consideration was given to a report addressing a request made at the Planning Committee of 23 June to provide an Action Plan indicating how shortfalls in performance against targets would be addressed.

- Resolved:** That the Development Management Performance Action Plan be noted.

17. URGENT BUSINESS

There was no Urgent Business.

COUNCILLOR MARION REDDISH
Chair

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**LAND TO THE NORTH EAST OF ECCLESHALL ROAD, SOUTH EAST OF PINWOOD ROAD
AND NORTH WEST OF LOWER ROAD, HOOK GATE
DESIGN CONSTRUCTION MANAGEMENT SERVICES LTD 15/00448/OUT**

The Application is for outline planning permission for the erection of up to 16 dwellings. Vehicular access from the highway network to the site is for consideration as part of this application with all other matters (appearance, landscaping, layout, scale and internal access details) reserved for subsequent approval.

The application site lies within the open countryside and an Area of Active Landscape Conservation as indicated on the Local Development Framework Proposals Map. It comprises three fields and is approximately 1.13 hectares in total.

A decision on the application was deferred at the meeting of the Committee held on 18th August to enable the Committee to visit the application site. This report has been revised principally to take into account new material received since the previous report was prepared on the 5th August.

The 13 week period for the determination of this application expired on 2nd September 2015 but the applicant has agreed to extend the statutory period until 18th September 2015, although they have indicated that no further extension will be agreed.

RECOMMENDATION

Permit subject to conditions concerning the following matters:

- 1. Standard time limits for submission of applications for approval of reserved matters and commencement of development**
- 2. Reserved matters submissions**
- 3. Contaminated land**
- 4. Implementation of recommendations of noise assessment**
- 5. Construction hours**
- 6. Construction management plan**
- 7. Waste storage and collection arrangements**
- 8. Arboricultural Impact Assessment**
- 9. Arboricultural Method Statement**
- 10. Tree Protection Plan**
- 11. Boundary treatments**
- 12. Landscaping scheme to include retention of existing trees and hedgerows**
- 13. Layout of site including disposition of buildings and provision of adequate parking, turning and servicing within the curtilage**
- 14. Completion of accesses**
- 15. Provision of visibility splays**
- 16. Widening of the carriageway on Pinewood Road and provision of 2m wide footway on both Pinewood Rd and Lower Road**
- 17. Provision of dropped kerb pedestrian crossings**
- 18. Closure of existing access crossings made redundant**
- 19. Surface water drainage scheme**
- 20. Dwellings to be a maximum of 2 storeys**
- 21. Retention of hedgerows that currently divide the site into 3**
- 22. Mitigation measures for protected species**
- 23. Submission of details of waste collection points**

Reason for Recommendation

In the context of the Council's inability to robustly demonstrate a 5 year plus 20% supply of deliverable housing sites given that it does not have a full objective assessment of the area's housing

needs, it is not considered appropriate to resist the development on the grounds that the site is within the rural area outside of a recognised Rural Service Centre. The adverse impact of the development - principally some limited local impact on the character and appearance of the area – does not significantly and demonstrably outweigh the benefits of this relatively sustainable development which would make a contribution towards addressing the undersupply of housing in the Borough and the provision of some affordable housing in the rural area. By means of a Unilateral Undertaking the contributions required by policy have been secured. Accordingly permission should be granted.

Statement as to how the Local Planning Authority has worked in a positive and proactive manner in dealing with the planning application

No amendments were considered necessary during the course of the application. Additional information has been requested and provided where necessary to progress the determination of the application.

Key Issues

1.1 Outline planning permission is sought for residential development of up to 16 dwellings. Access from the highway network (but not the internal access within the development itself) is for consideration as part of this application with all other matters (appearance, landscaping, layout, scale and other access details) reserved for subsequent approval. Notwithstanding this, an indicative layout has been submitted together with a Design and Access Statement. The layout plans are for illustrative purposes only and such details would be for consideration at the reserved matters stage if outline permission were granted.

1.2 The application site, of approximately 1.13 hectares in extent, is within an Area of Active Landscape Conservation as indicated on the Local Development Framework Proposals Map, in the open countryside outside the village envelope of Loggerheads. Contrary to the view expressed in many representations, the site is not within the Green Belt.

1.3 The National Planning Policy Framework (NPPF) is a material consideration in the determination of applications. Paragraph 215 of the NPPF states that following a 12 month period from the publication of the NPPF (i.e. post 29th March 2013) due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given to them).

1.4 Reference has been made in representations to the Loggerheads Parish Council Neighbourhood Statement. This is a document produced by the Parish Council with no input from the Borough Council and although it has been through a process of consultation with the local community and gained the consensus of the community, it has not been subject to the rigorous procedures of wider consultation, justification and challenge which a Supplementary Planning Document has to go through, has not been adopted by the Borough Council, and accordingly has no formal status in the planning system so it must be considered to be of very limited weight. As referred to above, a further factor that has a bearing on what weight could be given to it is the question of how much it complies with the NPPF. It appears to your officer that it far from accords with the NPPF – for example in its approach to housing development, and its lack of an evidence based approach. It is useful as a statement of local opinion but no more.

1.5 Taking into account the development plan, the other material considerations indicated below and the consultation responses received, it is considered that the main issues for consideration in the determination of this application are:-

- Is this an appropriate location for residential development in terms of current housing policy and guidance on sustainability?
- Would the proposed development have a significant adverse impact on the character and appearance of the village or the wider landscape?
- Is best and most versatile agricultural land lost as a result of the proposal?
- Would the proposed development have any adverse impact upon highway safety and does it provide appropriate pedestrian access to village facilities?
- Would there be any significant impact upon any protected species?

- Would there be any issue of flood risk?
- What planning obligations are considered necessary and lawful?
- Do the adverse impacts of the development significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole?

2.0 Is the principle of residential development on the site acceptable?

2.1 The application site lies within the Rural Area of the Borough, outside of the village envelope of Loggerheads, in the open countryside.

2.2 CSS Policy SP1 states that new housing will be primarily directed towards sites within Newcastle Town Centre, neighbourhoods with General Renewal Areas and Areas of Major Intervention, and within the identified significant urban centres. It goes on to say that new development will be prioritised in favour of previously developed land where it can support sustainable patterns of development and provides access to services and service centres by foot, public transport and cycling.

2.3 CSS Policy ASP6 states that there will be a maximum of 900 net additional dwellings of high design quality primarily located on sustainable brownfield land within the village envelopes of the key Rural Service Centres, namely Loggerheads, Madeley and the villages of Audley Parish, to meet identified local requirements, in particular, the need for affordable housing.

2.4 Furthermore, Policy H1 of the Local Plan seeks to support housing within the urban area of Newcastle or Kidsgrove or one of the village envelopes.

2.5 As indicated above this site is not within a village envelope nor would the proposed dwellings serve an identified local need as defined in the CSS. As such its development for residential purposes is not supported by housing policies in the Development Plan.

2.6 The Local Planning Authority (the LPA), by reason of the NPPF, is however required to identify a supply of specific deliverable sites sufficient to provide 5 years' worth of housing against its policy requirements (in the Borough's case as set out within the CSS) with an additional buffer of 5% to ensure choice and competition in the market for land. Where, as in the Borough, there has been a record of persistent underdelivery of housing, the LPA is required to increase the buffer to 20%. The Local Planning Authority, in the opinion of your Officer, is currently unable to robustly demonstrate a five year supply of specific, deliverable housing sites (plus an additional buffer of 20%) as required by paragraph 47 of the Planning Policy Framework (NPPF), because that it does not have a full objective assessment of housing need, and its 5 year housing land supply statement is only based on household projections.

2.7 Hookgate Residents' Group (HRG) has made reference to a letter that has been received by the Council from Loggerheads Residents' Action Group (LRAG) regarding the conduct of the Planning Committee meeting held on 21st July 2015. That letter requests a number of actions including that the Council issues a public statement confirming that it does in fact have a five year land supply and gives proper direction to the Planning Committee to treat all future planning applications in light of the existence of that land supply. HRG request that such "proper direction" to the Planning Committee be given or, if that is not immediately possible, that determination of the application is postponed. Your officers are of the view that the complaints and concerns of LRAG are not justified, as members will be aware from the response that was sent to LRAG on the 14th August (which they have been provided with a copy of), and furthermore that LRAG's concerns are not a basis for a further deferment of the determination of this application.

2.8 Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. It also states that relevant policies for the supply of housing cannot be considered up-to-date if the LPA cannot demonstrate a five-year supply of deliverable housing sites (as defined in paragraph 47). Paragraph 14 of the NPPF details that at the heart of the Framework is a presumption in favour of sustainable development and that this means, unless material considerations indicate otherwise, where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed

against the policies in the NPPF as a whole, or specific policies in the Framework indicate development should be restricted.

2.9 The examples given of 'specific policies' in the footnote to paragraph 14 indicate that this is a reference to area specific designations such as Green Belts, Areas of Outstanding Natural Beauty and similar. The application site is not subject to such a designation.

2.10 The site lies approximately 790m from the village envelope of Loggerheads which is identified within the CSS as being one of the three Rural Service Centres which are detailed as providing the most comprehensive provision of essential local services. The Borough's Rural Services Survey (2008) which provided the evidence base for the designation, states that Loggerheads, one of the borough's larger rural settlements, "*has a wide range of local services and is located within a very sustainable and accessible location along the A53*". At that time it confirmed that within the village there was a post office, 2 food shops, a school, a pub, a cash point, a library and other local amenities. It went on to conclude that Loggerheads and the other settlements defined as Rural Service Centres were the best served with a wide range of local services and amenities that ensured the settlements were generally sufficiently equipped to meet the needs of the residents they served.

2.11 Currently Loggerheads has a food store, a primary school, a public house, a pharmacy, a library, a cash point, a post office, a restaurant, a takeaway, a hairdresser, a veterinary surgery and a bus service linking the towns of Newcastle, Hanley, Market Drayton and Shrewsbury.

2.12 Although this site lies outside the village envelope, it would still be relatively close to existing facilities. The village centre of Loggerheads, i.e. the food store, post office and library, would be approximately 900m walking distance from the site, and the primary school – often a key destination for pedestrians – is quite a bit closer. The nearest bus stop is located on Eccleshall Road adjacent to the site frontage which provides a limited service to such locations as Stafford and Market Drayton. The bus stops in Loggerheads which provide an hourly service linking the towns of Newcastle, Hanley, Market Drayton and Shrewsbury, are located on the A53 in the vicinity of the double mini roundabouts. These bus stops would be approximately 950m from the site and therefore fall outside of the 400m national recommended distance for a suitable walking distance from a property to a bus stop). However, it is the case that the occupiers of the proposed dwellings will be able to access certain services and facilities within walking distance and will also have a choice of modes of transport. Top-up shopping for example, would be obtainable from within the village and accessible from the application site by foot or cycle. The site is actually closer to such services than some of the existing properties within the Loggerheads Village Envelope boundary. Given the limitations to the bus service, it is acknowledged that accessibility to employment is likely to be primarily by car. However there is the opportunity for the use of public transport for some work and/or leisure trips and given that this is not a remote, rural location, distances to higher order settlements and facilities are relatively short. In terms of sustainability therefore, it is considered that the site is in a relatively sustainable location.

2.13 These points undoubtedly weigh in favour of a conclusion that in terms of access to some facilities and a choice of mode of transport, the site can be described as being in a sustainable location. Paragraph 7 of the NPPF states that there are three dimensions to sustainable development: economic, social and environmental.

2.14 In terms of the implications of the development on the economy, the development would undoubtedly create associated construction jobs and the construction of housing in the rural area in a district that does not have a five year supply of housing. The development would fulfil a social role by delivering a mix of market housing and affordable housing in the rural area, The issue of the environmental impact of the scheme will be considered fully below.

2.15 As paragraph 14 of the NPPF states, the test that has to be applied is whether any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole.

3.0 Would the proposed development have a significant adverse impact on the character and appearance of the area?

3.1 CSS Policy CSP1 states that new development should be well designed to respect the character, identity and context of Newcastle and Stoke-on-Trent's unique townscape and landscape and in particular, the built heritage, its historic environment, its rural setting and the settlement pattern created by the hierarchy of centres. It states that new development should protect important and longer distance views of historic landmarks and rural vistas and contribute positively to an area's identity and heritage (both natural and built) in terms of scale, density, layout, use of appropriate vernacular materials for buildings and surfaces and access. This policy is considered to be consistent with the NPPF.

3.2 The Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance SPD (2010) has been adopted by the Borough Council and it is considered that it is consistent with the NPPF and therefore, can be given weight. Section 10.1 of the SPD indicates that the aims for development within, or to extend, existing rural settlements are

- a. *To respond to the unique character and setting of each*
- b. *Development should celebrate what is distinct and positive in terms of rural characteristics and topography in each location*
- c. *Generally to locate new development within village envelopes where possible and to minimise the impact on the existing landscape character*

It goes on to state that new development in the rural area should respond to the typical forms of buildings in the village or locality.

3.3 Although an indicative layout has been submitted to show how the site may be developed, layout, scale and appearance are all matters reserved for subsequent approval, and therefore, it is not considered necessary to comment in detail on or consider the layout submitted. Up to 16 dwellings are proposed, and it is suggested within the Design and Access Statement that the dwellings would comprise a mix of two and three storey houses. The density of the proposed scheme would be approximately 17.7 dwellings per hectare.

3.4 There is a mix of dwelling size and style in the area. There are primarily detached bungalows to the north on Heathcote Avenue and Birch Rise, relatively modern detached two-storey properties to the south-west on the opposite side of Eccleshall Road as well as some more traditional two-storey cottages in the vicinity.

3.5 Paragraph 58 of the NPPF states that decisions should aim to ensure that developments optimise the potential of the site to accommodate development and respond to local character and reflect the identity of local surroundings.

3.6 Section 10.5 of the Urban Design SPD states that new development in the rural area should respond to the typical forms of buildings in the village or locality. It states that in doing so, designers should respond to the pattern of building forms that helps create the character of a settlement, for instance whether there is a consistency or variety.

3.7 It is considered that the number of dwellings indicated could be accommodated within the site satisfactorily and subject to details, would not have any significant adverse impact upon the character and appearance of the village. Although objections have been raised on the grounds that the density of 17.7 dwellings per hectare would be approaching three times the existing densities in the area, it is the case that there is a variety of density currently in the village. In allowing the appeal at land off Gateway Avenue (Ref. 13/00426/OUT), the Inspector stated that density alone is not a good indicator of the character and appearance of a development. He went on to acknowledge that "*The Council would have control over the detailed design, form and materials of the development at reserved matters stage...*" and that he had no reason to doubt that a development of suitably high design quality could be achieved. In this case, it is considered that the layout of the proposed scheme, as shown on the indicative layout drawing respects local character and that the density proposed would strike an acceptable balance between reflecting the character of the village housing and optimising the potential of the site to accommodate development. Although the applicant suggests that the development could comprise both 2 and 3 storey dwellings, given the style of dwellings in the vicinity, it is considered that 3-storey houses would be unacceptable. On this basis a condition limiting the dwellings to a maximum of 2 storeys is considered necessary.

3.8 A scheme for 14 dwellings with a very different layout to the illustrative layout now submitted was commented on by MADE Design Review Panel at the pre-application stage. In commenting on that layout, MADE recommended that the houses be arranged in three small cul-de-sacs with houses facing each other in a horse-shoe arrangement. It was considered that this would create small communities of neighbours and a sense of arrival into each of these cul-de-sacs. The comments of MADE have been taken on board by the applicant and it is considered that the scheme as now shown on the indicative layout drawing would respect local character and create a sense of place.

3.9 CSS Policy CSP4 indicates that the location, scale, and nature of all development should avoid and mitigate adverse impacts (on) the area's distinctive natural assets and landscape character. This policy is considered to be consistent with the NPPF which states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.

3.10 This site is within an Area of Active Landscape Conservation and NLP Policy N18 states that development that will harm the quality and character of the landscape will not be permitted. Within these areas particular consideration will be given to the siting, design, scale, materials and landscaping of all development to ensure that it is appropriate to the character of the area.

3.11 The site is bounded by hedgerows and trees. Loggerheads Parish Council has objected on the grounds that the applicant intends to destroy most of the hedge on the Eccleshall Road frontage. This is not the case however and other than the removal of a small section of the frontage hedge to increase the width of the vehicular access, the hedgerow could be retained if the indicative layout were adopted. There is a substantial grass verge and a footway to the front of the hedge and therefore it would not be necessary to remove any of the hedge to provide the required visibility splay. Although not clear on the indicative layout, the applicant has confirmed that the hedgerows that currently divide the site into 3 would be retained. The retention of these hedgerows could be secured via a condition.

3.12 Due to the topography of the surrounding area, and the existing hedgerows, views of the site would be limited to those gained in the short distance. Although the development would encroach into the open countryside, it would not extend beyond the built development that currently exists on the opposite side of Eccleshall Road. Subject to a good quality layout and design and subject to conditions, it is not considered that the development would have such an adverse impact on the character or quality of either the village or the wider landscape to justify a refusal.

4.0 Is best and most versatile agricultural land lost as a result of the proposal?

4.1 The applicant has advised that the application site comprises some 1.13ha of 'horsicultural' land which is land that has been developed for pasturing or exercising horses. The land was purchased in 1977 and has been used since that date for the keeping of horses. It is the case that if horses are given supplemental feed and kept in a field for exercise and accommodation, then the use of the land is not regarded as agricultural. No planning permission has been granted for the change of use of the land for the purposes of keeping horses but there is a field shelter on the site that is evident on an Ordnance Survey plan of 2002. The applicant's claim that the land has been used for many years for the keeping of horses has not been disputed in any representations and indeed, reference has been made in at least one objection letter to the land being used for the grazing of Shetland ponies. It does appear that the land has not comprised agricultural land for many years and on this basis, no assessment of whether it comprises best and most versatile agricultural land is required.

5.0 Would the proposed development have any adverse impact upon highway safety?

5.1 The site is bounded by Lower Road to the south-east, Pinewood Road to the north-west and the B5026 Eccleshall Road to the south-west. Vehicular access to the development would be provided at three points: from Eccleshall Road to serve six dwellings, via a private driveway off Pinewood Road approximately 40m east of the junction with Eccleshall Road to serve a maximum of five dwellings and a further private driveway onto Lower Road approximately 30m east of the junction with Eccleshall Road to serve a maximum of a further five dwellings. A 2m wide footway would be provided on the southern side of Pinewood Road which would provide a link between the private

driveway and the existing footway on Eccleshall Road. In addition Pinewood Road would be widened to a minimum of 4.8m along the site frontage to accommodate 2-way traffic movement.

5.2 Concerns have been raised by residents on the grounds that the locations of the proposed entrances are dangerous. It is stated that Pinewood Road and Lower Road are both narrow resulting in cars having difficulties passing and the location of the access on Lower Road is on a bend. Although Eccleshall Road recently had the speed limit reduced to 30mph, it is suggested that the majority of vehicles still speed and evidence to this effect has been provided.

5.3 The application is accompanied by a Transport Statement (TS) which states that visibility requirements have been assessed and are achievable and that the increase in traffic from 16 dwellings would be imperceptible when having regard to the daily fluctuations in traffic and will not have a material impact on the operation or safety of the local highway network. It concludes that there is no highway-related reason to withhold planning permission for the scheme.

5.4 The Highway Authority (HA) has no objections to the application subject to the imposition of conditions.

5.5 The NPPF indicates (in paragraph 32) that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are *severe*. Noting that the Highway Authority does not raise objections to the application, your Officer's view is that subject to the imposition of conditions the impact of the proposed development on transport grounds would not be severe and therefore an objection on such grounds could not be sustained.

5.6 Although the Waste Management Section have concerns that the entrances from Pinewood Drive, Lower Road and Eccleshall Road don't appear to have sufficient space for residents to bring their waste containers down for presentation on collection day without causing a traffic hazard and blocking visibility, this is an outline application with all matters other than access reserved for subsequent approval. On that basis, it is considered that the dwellings could be sited in such a way to include the provision of a bin collection point at each access. Details of the waste collection points could be required by condition.

6.0 Would there be any significant impact upon any protected species?

6.1 Representations have been received stating that the development will have an adverse impact on wildlife. Particular reference is made to the location of the site adjacent to the Turner Hodgkiss nature reserve, although the agent casts doubt upon the status of that reserve. Your officer considers the possible implications of the development on the SWT affiliated reserve to be an appropriate material consideration notwithstanding the comments received. However, it is not the case that the application site is adjacent to the nature reserve. It is approximately 75m to the south west of the nature reserve, separated by an area of green space.

6.2 An Ecological Survey submitted to accompany the application has assessed the site for bats, breeding birds, mammals and amphibians. In relation to bats, foraging habitat could be provided by hedgerows and the woodland edge could hold some importance for colonies of roosting bats in close proximity to the site. Mitigation is therefore recommended in the landscape proposals and the proposed buildings. It states that the potential of the site for bird species is relatively low but because of the possible presence of nesting birds, it is recommended that any necessary removal of vegetation takes place outside of the bird-breeding season. No badger activity was recorded and therefore it is considered that direct impact on badgers is unlikely. In relation to Great Crested Newts (GCNs), two ponds within 250m of the site were subject to amphibian surveys and a small population of GCNs was recorded in one of the ponds. Mitigation is therefore considered necessary.

6.3 Subject to the imposition of a condition requiring the agreement of mitigation measures, it is not considered that a refusal could be sustained on the grounds of adverse impact on protected species.

7.0 Would there be any issue of flood risk?

7.1 Concerns have been expressed by objectors referring to groundwater problems which manifests as poor drainage and water run off onto local roads. A Flood Risk Assessment (FRA) has been

submitted to accompany the application which concludes that there will be a low risk of groundwater flooding across the site and a very low surface water/sewage flooding risk across the site. It proposes that surface water is infiltrated using permeable paving and soakaways.

7.2 Staffordshire County Council as Lead Local Flood Authority (LLFA) has no objections subject to a condition requiring submission of a detailed surface water drainage scheme for the site.

7.3 Subject to the imposition of conditions, it is not considered that an objection could be sustained on the grounds of flood risk therefore.

8.0 What planning obligations are considered necessary and lawful?

8.1 A signed Unilateral Undertaking has been submitted by the applicant that provides for 25% affordable housing and for financial contributions towards education and the enhancement and maintenance of public open space. These are considered to meet the tests identified in paragraph 204 of the NPPF and are compliant with Section 122 of the Community Infrastructure Levy Regulations. However, it is also necessary to consider whether the financial contributions comply with Regulation 123 of the CIL Regulations, which came into force on 5th April 2015. Regulation 123 stipulates that a planning obligation may not constitute a reason for granting planning permission if it is in respect of a specific infrastructure project or a type of infrastructure and five or more obligations providing for the funding for that project or type of infrastructure have already been entered into since 6 April 2010. Affordable housing provision is not subject to this restriction

8.2 No obligations have been entered into since April 2010 providing for improvements to Burntwood View/Hugo Way play area as requested by the Landscape Development Section. Staffordshire County Council has requested an education contribution towards the provision of spaces at Madeley High School. Including the Unilateral Undertaking now received no more than 5 obligations have been entered into since April 2010 providing for a contribution to places at Madeley High School. On this basis, it is considered that the education and public open space obligations would comply with CIL Regulation 123 and are lawful considerations.

8.3 As already indicated the applicant has submitted a signed Unilateral Undertaking that is accordingly "on the table" and must be taken into account by the authority in its decision. Your officers and those of the County Council have considered the contents of the Undertaking and are satisfied that it achieves the contributions required by policy.

8.4 Concerns have been expressed by residents that the local doctor's surgery and schools are full and that there are no community centre or sports facilities locally. Similar concerns were expressed by Loggerheads Parish Council regarding application Ref. 15/00202/OUT (for the site off Mucklestone Road) and in relation to that application your Officer sought the views of Staffordshire Public Health and the Council's Leisure Strategy Section. Whilst Public Health confirmed that there is an ageing population in Loggerheads and Whitmore Ward, they did not provide any evidence of a need for improvement of the existing health facilities in the area and Leisure Strategy did not provide any evidence of a need for sports or community facilities to be improved. On this basis, it is not considered that the contributions requested by Loggerheads Parish Council would comply with Section 122 of the CIL Regulations.

9.0 Do the adverse impacts of the development significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole?

9.1 In consideration of the above points, the development would result in some limited local impact on the character and appearance of the area. However, the proposal represents sustainable development and would make a not insignificant contribution towards addressing the undersupply of housing in the Borough. It would also provide affordable housing for the rural area, albeit relatively few in number. It is considered therefore that the adverse impacts would not significantly and demonstrably outweigh the benefits of the proposal. Accordingly the proposal accords with the requirements of paragraph 14 of the NPPF as well as the overarching aims and objectives of the NPPF. On this basis planning permission should be granted provided the required contributions are obtained to address infrastructure and affordable housing requirements and appropriate conditions are used, as recommended.

Policies and proposals in the approved development plan relevant to this decision:-

Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy (CSS) 2006-2026

Policy SP1:	Spatial Principles of Targeted Regeneration
Policy SP3:	Spatial Principles of Movement and Access
Policy ASP6:	Rural Area Spatial Policy
Policy CSP1:	Design Quality
Policy CSP3:	Sustainability and Climate Change
Policy CSP4:	Natural Assets
Policy CSP5:	Open Space/Sport/Recreation
Policy CSP6:	Affordable Housing
Policy CSP10:	Planning Obligations

Newcastle-under-Lyme Local Plan (NLP) 2011

Policy H1:	Residential Development - Sustainable Location and Protection of the Countryside
Policy N3:	Development and Nature Conservation – Protection and Enhancement Measures
Policy N4:	Development and Nature Conservation – Use of Local Species
Policy N17:	Landscape Character – General Considerations
Policy N18:	Areas of Active Landscape Conservation
Policy T16:	Development – General Parking Requirements
Policy C4:	Open Space in New Housing Areas
Policy IM1:	Provision of Essential Supporting Infrastructure and Community Facilities

Other Material Considerations include:

National Planning Policy Framework (NPPF) (2012)

Planning Practice Guidance (PPG) (2014) – as amended following the West Berks and Reading BC v SoS High Court judgement on 31st July 2015

Community Infrastructure Levy Regulations (2010) as amended and related statutory guidance

Supplementary Planning Guidance/Documents

Developer Contributions SPD (September 2007)

Affordable Housing SPD (2009)

Space Around Dwellings SPG (SAD) (July 2004)

Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document (2010)

Planning for Landscape Change – SPG to the former Staffordshire and Stoke-on-Trent Structure Plan

Waste Management and Recycling Planning Practice Guidance Note (January 2011)

Staffordshire County Council Education Planning Obligations Policy approved in 2003 and updated in 2008/09

Relevant Planning History

None

Views of Consultees

The **Environmental Health Division** has no objections subject to conditions regarding noise levels, hours of construction, construction method statement, protection of highway from mud and debris, dust mitigation during construction, waste storage and collection arrangements and contaminated land.

The **Landscape Development Section** has no objections subject to conditions regarding retention of trees and hedgerows, provision of a layout specific Arboricultural Impact Assessment, Tree Protection Plan and Arboricultural Method Statement, agreement of a landscaping scheme and a financial contribution of £2,943 per dwelling for improvement and development of the Burntwood View/Hugo Way play area and open space.

The **Education Authority** states that the development falls within the catchments of Hugo Meynell CE (VC) Primary School and Madeley High School. A development of 16 dwellings could add 3 primary-aged pupils and 2 of secondary age. Madeley High School is projected to be full for the foreseeable future and therefore a contribution of £33,244 (2 x £16,622) is requested towards Secondary provision. Hugo Meynell CE (VC) Primary School is currently projected to have sufficient space to accommodate the likely demand from pupils generated by the development and therefore no request is made towards Primary School provision.

The **Housing Strategy Section** states that the applicant will need to provide 25% of the dwellings for affordable housing with 60% being social rented and 40% being shared ownership. The types of properties sought will be based on the principle that the affordable housing should be proportionately reflective of the development as a whole and the design and standard of construction should as a minimum be the same as the open market dwellings.

The **Crime Prevention Design Advisor** has no objections to the outline proposals. Although only illustrative, the layout indicates that crime prevention principles have been considered and a development built accordingly would incorporate elements aimed at 'designing out crime'.

The **Lead Local Flood Authority** having received further information during the course of the applications has no objection subject to a condition requiring a detailed surface water drainage scheme for the site.

The **Highway Authority** has no objections to the proposal subject to the imposition of conditions regarding submission of details of layout, surface water drainage and surfacing materials, completion of access from Eccleshall Road and provision of visibility splays at that access, completion of access from Pinewood Road, widening of the carriageway on Pinewood Road frontage and provision of a 2m wide footway and provision of visibility splays at that access, completion of access from Lower Road, provision of a 2m wide footway and provision of visibility splays at that access, submission of details of off-site highway works, closure of existing site accesses on Lower Road and Pinewood Road and submission of a Construction Method Statement.

The **Waste Management Section** state that although the turning heads seem a suitable size, the surfaces within the development are block paved and thus unsuitable for their lorries to drive across to make collections due to the insurance risks. The entrances from Pinewood Drive, Lower Road and Eccleshall Road don't appear to have sufficient space for residents to bring their containers down for presentation on collection day without causing a traffic hazard and blocking visibility. For some properties the pulling distance exceeds the 10m that the Council's own staff would pull bins on a level surface in order to make collections.

Stafford Borough Council neither objects to nor supports the proposal. They comments as follows:

- The development appears to score poorly in terms of sustainability but only Newcastle can assess whether there are other factors such as housing need/supply that outweigh such concerns.
- Their records indicate protected species and BAP species within 100m of the site.
- Any land contamination and drainage could affect the nearby land drain.

- Neighbours within Stafford Borough as well as those within Newcastle may require safeguards in terms of noise/dust arising during any development.

Loggerheads Parish Council objects on the following grounds:

- Three-storey houses are totally out of keeping with the surrounding area.
- The Borough Council has recently demonstrated that it has a 5 year supply of land for housing and this should be used to refuse this application as the Saved Local Plan Policies and the Core Spatial Strategy now still apply under paragraph 49 of the NPPF.
- The applicant has overlooked the fact that there are up to 100 properties for sale within 2 miles of this site.
- The applicant intends to destroy most of the hedge on the Eccleshall Road frontage.
- The visibility splays may have to be enlarged as the Community Speed Watch has recorded 50% of drivers exceeding 30mph, 37mph was the average speed with a maximum of 74mph recorded.
- In a recent refusal of a scheme in Baldwin's Gate it was stated that the bus service is inadequate. This is the same bus service that operates once an hour on weekdays through Loggerheads. The bus service to Stafford only operates on 2 days each week. There is no effective bus route to the north or south. This will result in even more unsustainable single-occupancy car trips than there is at present.
- The reference to a housing density of 17.7 dwellings per hectare is approaching three times the existing densities in the area.
- It is considered that some of the proposed planning conditions should actually be matters to be resolved before any consideration of the application by the Planning Authority.
- The Ecological Report raises a number of issues when read in conjunction with the other documents. Most of the hedgerow will be destroyed yet there is no reference to mitigation measures for birds.
- The Parish Council agrees with the comments of MADE that the layout appears very contrived and confusing. It is not considered that the proposal reflects the character of rural development in this area. The Council is pleased to note that MADE agree with its view that even 14 units is too many for the site and the layout is poor.
- It is considered that a detailed application should have been submitted.
- The application should be refused for the many reasons set out above as it is totally out of keeping with this rural area, it does not comply with the policies in force following confirmation of a robust 5 year housing land supply and above all it is a wholly unsustainable proposal due to its major dependency on the car as the only reliable means of transport available.

Representations

Approximately 70 letters of objection and a petition of 260 signatories have been received. Objection is made on the following grounds:

- The site is outside the development zone for Loggerheads.
- Impact on wildlife – the site is adjacent to the Turner Hodgkiss nature reserve
- Precedent for further development
- No infrastructure to support the development – doctors and school are full
- There is no bus service and the nearest bus stop is half a mile away in Loggerheads along a narrow dimly lit pavement or at the other end of Pinewood Road along which there is no lighting or pavement. The service is infrequent and only serves Newcastle or Market Drayton.
- There are no community centre or sports facilities.
- There is no main drainage (many houses are served by septic tanks).
- This is Green Belt and so should be protected from development.
- Extending the outer edge of the village
- There are no opportunities for employment in the village.
- There is no demand for housing in this bracket and there are many houses in the area already on the market.
- The locations of the proposed entrances are dangerous. Pinewood Road and Lower Road are both narrow resulting in cars having difficulties passing. The location of the access on Lower

Road is on a bend. Eccleshall Road recently had the speed limit reduced to 30mph but the majority of vehicles still speed. The volume of traffic is already too much for this road.

- Impact on the character of the area.
- Impact on privacy
- Light pollution
- Contrary to the suggestion in the Tree Report, the hedgerow along Pinewood Road is not in poor condition. It is an ancient hedge and should be preserved.
- The area suffers from groundwater problems which manifests as poor drainage and water run off onto local roads. The envirocheck report is not considered to be accurate.
- Three storey houses are not in keeping with the local housing.
- The proposed development is not in accordance with the Parish Council's Development Plan.

Sir Bill Cash M.P. objects to the proposal for the following reasons:-

- The proposals, in particular the three-storey houses, are out of keeping with this rural area.
- The Borough Council has recently demonstrated that it has a 5 year supply of land for housing and therefore Saved Local Plan Policies, in particular H1 and the Core Spatial Strategy now still apply.
- There are up to 100 properties for sale within 2 miles of this site providing a choice of accommodation and tenure. The "one market segment" referred to is already adequately catered for by existing properties for sale. This concept seems to preclude the 25% affordable housing content required.
- The proposals will destroy most of the hedge on the Eccleshall Road frontage. There is reference to a replacement hedge but this will take many years to establish.
- There is no effective bus service.
- The additional traffic will add to the congestion on all local roads
- The proposed density is approaching 3 times higher than the densities that apply in most of the area, particularly to the north of the site.
- There is a history of foul drainage problems.
- There is a need for a Protected Species License to deal with Great Crested Newts but no evidence that Natural England will actually approve a license.
- There are likely to be surface water problems given the type of soil.
- There is a Nature Reserve bordering the site which would be significantly affected.
- Fourteen units is too many for the site.

A letter has been received from **Hookgate Residents' Group**. It refers to a letter that has been received by the Council from Loggerheads Residents' Action Group regarding the conduct of the Planning Committee meeting held on 21st July 2015. That letter requests the following actions:

1. That the Council issues a public statement confirming that it does in fact have a five year land supply.
2. The Council will give proper direction to the Planning Committee to treat all future planning applications in light of the existence of that land supply.
3. The Council will use its powers under section 97 of the Town and Country Planning Act 1990 to revoke the planning consents that were made in error at the meeting on the 21st July 2015, applications 15/00202/OUT and 15/00353/FUL.

Approximately 14 letters of support have been received stating the following:

- The development would help the Council in its 5 year housing targets.
- The development would benefit the locality in providing affordable housing in a rural area.
- The area will benefit from the widening of the end of Pinewood Road which has been required for a long time.
- The hedges will remain intact thus reducing the aesthetic impact.
- The houses will not be highly visible due to topography and landscaping.
- Traffic flow will be split into three so should not be a significant factor.
- The development will contribute to the local economy.
- Many of those submitting objections are doing so from properties that have been built on green fields.

- It is ideal infill development and will complete a run of properties along Eccleshall Road on both sides.

Applicant's/Agent's submission

The application is accompanied by the following documents:

- Design & Access Statement
- Tree Survey
- Transport Statement
- Contaminated Land Risk Assessment
- Ecological Report
- Noise Survey
- Flood Risk Assessment
- MADE Design Review Report

These documents are available for inspection at the Guildhall and on www.newcastle-staffs.gov.uk/planning/1500488OUT

Background papers

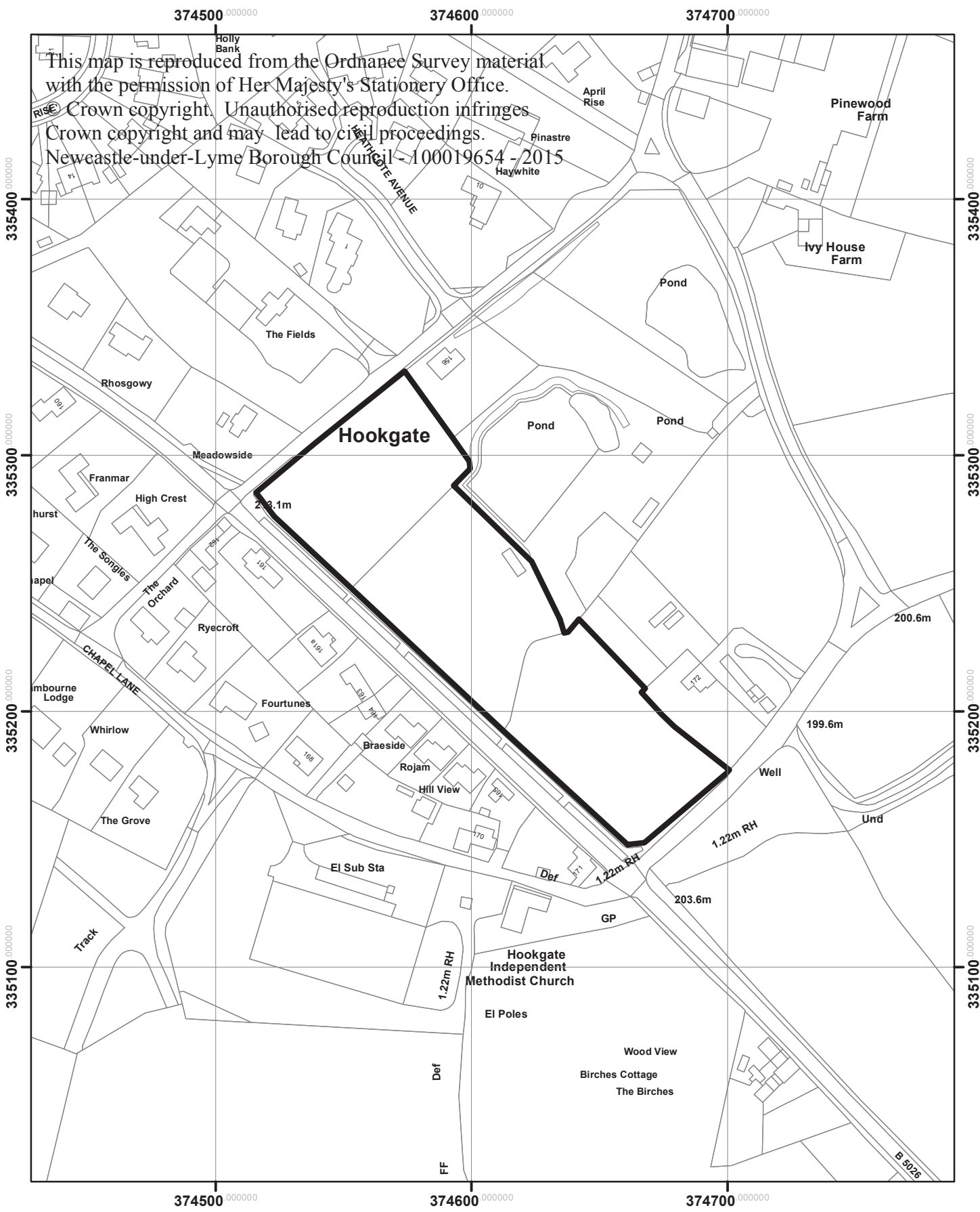
Planning files referred to
Planning Documents referred to

Date report prepared

27th August 2015

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Land NE of Eccleshall Road,
Hookgate
15/00448/OUT



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**PLOT 9 & PART PLOT 10, KEELE UNIVERSITY SCIENCE AND BUSINESS PARK
CAUDWELL CHILDREN & KEELE UNIVERSITY**

15/00542/FUL

The Application seeks full planning permission for the construction of a building for use as a treatment, assessment and research facility for children with autism with associated car parking and landscaping.

The site is part of that allocated on the Local Development Framework Proposals Map for employment/higher education-led development (Local Plan Proposal E8) and it also lies within an Area of Landscape Maintenance. The site is close to the Grade II Registered Parkland and Garden of Special Historic Interest at Keele Hall.

The 13 week period for the determination of this application expires on 5th October 2015.

RECOMMENDATIONS

1) Permit, subject to conditions relating to the following: -

- 1. Time Limit**
- 2. Approved drawings**
- 3. Prior approval of all facing and surfacing materials (including the boundary wall and timber cladding of the cycle store, bin store, staff break out area etc), and implementation of approved details.**
- 4. Prior approval of the external appearance of the smoking shelters and implementation of the approved details.**
- 5. Prior approval of landscaping and implementation of approved details.**
- 6. Prior approval and implementation of methods to protect existing vegetation to the eastern and southern boundaries during the construction phase.**
- 7. Prior approval of any external lighting and implementation of approved details.**
- 8. Prior approval and implementation of methods to prevent mud and debris being deposited on the highway during construction.**
- 9. Contaminated land conditions.**
- 10. Provision of parking, servicing and turning areas prior to occupation.**
- 11. Prior approval and implementation of cycle parking facilities.**
- 12. Prior approval and provision of bird and bat boxes in accordance with the recommendation of the Ecological Assessment.**

2) That the Committee resolve that, for the avoidance of any doubt, it would not consider it expedient to take any enforcement action with respect to any breach of the obligation of the 1997 Section 106 agreement which this particular development might represent, without prejudice to its position should Caudwells Charity subsequently vacate the premises.

Reason for Recommendation

The principle of the development on this site is acceptable and is supported by local and national policy. The design and appearance of the proposal is of high quality and should be fully supported. Subject to conditions, the development does not raise any highway safety concerns and includes adequate parking provision.

Statement as to how the Local Planning Authority has worked in a positive and proactive manner in dealing with the planning application

The proposal is considered to be a sustainable form of development in compliance with the provisions of the National Planning Policy Framework and no amendments were considered necessary.

Key Issues

Full planning permission is sought for the construction of a building on plot 9 of the University Science and Innovation Park. The proposed building is up to three storeys in height and is designed as two intersecting sections each with an internal courtyard in a 'butterfly' (or figure of 8) shape. The building is to be used as a Children Centre of Excellence involving treatment, assessment and research facility for children with autism.

An Ecological Appraisal has been submitted in support of the application which indicates that there is very limited ecological interest identified on the site.

It is considered that the main issues to address are as follows:

- The principle of the proposed development on this site.
- The acceptability of the design of the proposed development and the associated landscaping.
- Parking and highway safety.

Principle of the development

Saved policy E8 of the Newcastle-under-Lyme Local Plan (NLP) states that development will be permitted on this site and land adjoining so long as it is limited to one or more of the following uses:

- i) Academic functions
- ii) Staff and student residences
- iii) Employment uses directly related to or complementary to the University's core activities including conference, training, retail and leisure for use of students, staff, conference delegates and their visitors and in the case of leisure facilities the wider community.
- iv) Class B1 uses directly related to the university's functional activities but excluding manufacturing or storage of large tonnages or mass production of goods.

Policy SP1 of the Core Spatial Strategy (CSS) indicates that one of the spatial principles of targeted regeneration is that Keele University and Science Park will continue to be the focus for high value business growth in a range of knowledge based industries. Policy SP2 of the CSS indicates that one of the spatial principles of economic development is harnessing the creative and knowledge assets of North Staffordshire to develop high value business growth, in particular investment in Keele University and Keele Science Park. Such policies are considered to be consistent with the NPPF and therefore should be afforded considerable weight.

The proposed treatment, assessment and research facility falls either within Class Class D1 (non-residential institutions) or perhaps more appropriately should be considered a 'hybrid' use. The development is for the Caudwell Charity and will provide a purpose built facility to support children and young people with Special Education Needs by providing accessible school buildings, and occupation, speech and language, and complimentary therapies together with access to medical specialists. The facilities will also enable research into autism and other disabilities and will incorporate technology and an IT infrastructure that will enable therapists to reach families through remote or online access. The full extent of the uses proposed on the site does not fully align with the uses identified in NLP policy E8. In addition it is not a business/economic development as encouraged by CSS policies SP1 and SP2. The proposed use would, however, complement the Medical School with its research into autism and related children's disorder and provide an opportunity for collaborative work with the University. As such it is considered that the proposal does have a close relationship with the research activities of the University which was the reasoned justification for policy E8 of the NLP.

The development of the site as proposed would not prevent the development of the remaining plots of the Science and Innovation Park for purposes intended within the Development Plan and could, potentially, be a catalyst for further development on such plots.

Overall it is considered that the proposal accords with the spirit of Development Plan policy and should be supported in principle.

It should be noted that the site is bound by a S106 obligation entered into in 1997 which includes an obligation that the land is used exclusively for all or any of a number of identified purposes which are similar, but not identical to, the uses referred to in Policy E8. The purposes listed in the S106 include academic functions; employment uses directly related to the University and uses complementary to it, and uses within Class B1 including research and development activities. To some extent, therefore the proposed use does accord with this obligation, however it is debatable as to whether the medical services and the access to therapists aspect of the development accord with the obligation. Notwithstanding this it is considered that planning permission could be granted in principle without amendment of the S106. Enforcement of the requirements of the obligation would not be justified, in the public interest, in response to the development proposed.

Design of the proposed development and the associated landscaping

Paragraph 56 of the NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Policy CSP1 of the CSS under the heading of 'Design Quality' advises new development should be well designed to respect the character, identity and context of Newcastle and Stoke-on-Trent's unique townscape.

The design provides two distinctive courtyard areas within an organic curved butterfly form. The proposed parabolic curved roofs overhang the elevations to provide shade to minimise solar gain. The lower plinth of the building will be faced with stone with elements of glazing, with the remainder of the elevations clad in timber and metal with glazed elements. In addition metal standing seam roofs are proposed. The proposed Statement building is considered to be of high quality and inclusive design which will set a high bar and will serve to encourage development of a similar high quality on the remaining plots.

The building and the two areas of parking and accesses are set within a hard and soft landscaped plot. Within the landscaped area there will be, amongst other things, a bike store, a staff seating area, and bin store, all shown to have a circular form and to be timber clad externally and will, subject to careful choice of materials, provide visual interest. Two smoking shelters are also proposed, one for staff and a smaller one for the public. These are shown to be sited in front of the elevations facing the two Science Park roads that the site adjoins. Concern has been expressed by Urban Vision about the prominence of the siting of these shelters but the applicant has justified them on the basis that they may not be used in other locations resulting in people smoking in places which are not ideal for that purpose. It is considered that if their design is carefully selected they should not be harmful to the overall appearance of the proposed development and the wider site context. The precise details of the external appearance of the smoking shelters can be agreed by condition.

A 600m high brick retaining wall, with landscaped mound to the rear, is proposed along the longest western boundary, and along approximately half of the length of the shorter northern boundary both adjoining Science Park roads. The long eastern boundary and the remainder of the northern boundary is to be bound by a 2.4m high weld mesh fence. The use of a weld mesh fence along the northern boundary has been questioned by Urban Vision who suggests that an alternative less visually intrusive boundary treatment is included. The comments of the applicant have been sought to this suggestion and further information will be provided on the acceptability or otherwise of this element of the boundary treatment in advance of the Committee meeting.

Overall it is considered that the development is of a high quality and should be supported in this location.

Parking and highway safety

Two points of access to the development are proposed along the western boundary providing one being an entrance only and the second being the point of exit from the site. A staff only parking area of 23 spaces, including 4 disability access spaces, is proposed to the north of the building and a

further parking area of 85 spaces, including 11 disability access spaces, is proposed to the south of the building. A drop of layby is proposed directly in front of the building.

In accordance with the maximum parking levels specified at Appendix 3 of the NLP, the maximum parking provision for this development is acknowledged by the applicant to be 70 spaces. The proposal therefore exceeds the maximum by 38 spaces. This is justified by the applicant on the basis of the need to provide a large number of disability access spaces, because of the need to accommodate additional family members and visitors who also frequent the centre during assessments, and finally to allow for future growth of the charity. Whilst the proposal significantly exceeds the maximum parking standards as set out in policy it is considered that there is no basis upon which to object to the applicant's case as to the operational parking needs of the development given its highly specialised nature even in a location which has a very good bus service. Furthermore members are reminded that the Secretary of State in March gave a statement on maximum parking standards indicating that the government is keen to ensure that there is adequate parking provision in new developments

Subject to conditions ensuring the provision of the parking, access, servicing and turning facilities it is considered that the development is acceptable in this regard.

Other matters

The Environmental Health Division has recommended a number of conditions. Whilst most of the conditions are considered reasonable, given the relatively remote location of the site to residential properties it is considered that restrictions on the hours of construction could not be justified in this case and as such this condition is not recommended.

Policies and proposals in the approved development plan relevant to this decision:-

Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy (CSS) 2006-2026

Policy SP1: Spatial Principles of Targeted Regeneration
Policy SP2: Spatial Principles of Economic Development
Policy SP3: Spatial Principles of Movement and Access
Policy ASP6: Rural Area Spatial Policy
Policy CSP1: Design Quality
Policy CSP2: Historic Environment
Policy CSP3: Sustainability and Climate Change
Policy CSP4: Natural Assets

Newcastle-under-Lyme Local Plan (NLP) 2011

Policy E8: Keele University and Keele Science Park
Policy T18: Development – Servicing Requirements
Policy T16: Development – General Parking Requirements
Policy N17: Landscape Character – General Considerations
Policy N19: Landscape Maintenance Areas

Other Material Considerations include:

National Planning Policy Framework (NPPF) (2012)

National Planning Practice Guidance (PPG) (2014)

Supplementary Planning Guidance/Documents

Planning for Landscape Change – Supplementary Planning Guidance to the Structure Plan

Relevant Planning History

- 05/01146/OUT Outline planning permission for development for (a) academic functions; (b) staff and student residences; (c) employment uses directly related to or complementary to the University's core activities including conference, training, retail and leisure – for use of students, staff, conference delegates and their visitors and in the case of leisure facilities for the wider community; (d) Class B1 uses directly related to the University's functional activities but excluding manufacturing or storage of large tonnages or mass production of goods; and full planning permission for works including formation of development plateaux, roads, footpaths, cycleways and other infrastructure – Approved December 2006 following completion of Section 106 agreement.
- 10/00631/REM Approval of siting, design and external appearance of a conference, training and leisure hotel on plot 1a (outline permission for which was granted under reference 05/01146/OUT), the means of access to its site from the road network and the internal landscaping of its site – Refused in 2011 and subsequent appeal allowed later that year (permission now lapsed)
- 11/00058/FUL Full planning permission for the construction of three-storey business accommodation to be known as Innovation Centre 5 (IC5) with the provision of workshops on the ground floor and offices on the first and second floors, with associated parking and landscaping – Approved April 2011.
- 11/00655/FUL Variation of condition 2 of planning permission 11/00058/FUL for the construction of three-storey business accommodation to be known as Innovation Centre 5 (IC5) with the provision of workshops on the ground floor and offices on the first and second floors, with associated parking and landscaping so as to permit amendments to proposed elevations of Wing B and Wing C – Approved February 2012.
- 11/00058/NMA Application for a non-material amendment to provide additional floorspace and flues relating to planning permission 11/00058/FUL – Approved 2014.
- 15/00190/FUL Variation of Condition 2 of planning permission 11/00058/FUL for the construction of a three storey business accommodation (IC5) involving amended elevations to those previously approved – Approved 2015.

Views of Consultees

Keele Parish Council strongly welcomes this development design which they consider to be an iconic building.

The **Highway Authority** has no objections subject to conditions requiring the provision of the access, parking, servicing, turning areas prior to occupation; and prior approval and implementation of cycle parking facilities. They note that the level of parking provision exceeds that listed in the Local Plan, but they consider that acceptable.

The **Landscape Development Section** has no objection subject to provision of detailed landscaping proposals and protection of the existing vegetation to the eastern and southern boundaries during the construction phase.

The **Environmental Health Division** has no objections subject to conditions restricting construction hours; approval of external lighting, protection of the highway from mud and debris; and contaminated land.

The **Urban Vision Design Review Panel** was consulted by the applicant prior to the submission of the application. The Panel were supportive of the design concept and the use which the building is to be put. Given the innovative nature of the design they emphasised that efforts should be made to ensure that the construction is carefully detailed in order to enable the aspirations to be fully realised, and in this regard the budget should be carefully reviewed to ensure that compromise is not necessary at a later stage. The same detailed consideration is required for the landscaping as for the main building.

Issues of particular concern are the need to break up the extent of the black-top parking area and the replacement of the weld mesh fencing on the northern boundary with a treatment less visually intrusive, and to move the smoking shelter to a more discrete position.

No comments have been received from the **Lead Local Flood Authority** and the **Waste Management Section** by the due date and therefore it must be assumed that they have no observations to make upon the application.

Representations

A letter in support of the application has been received. The main comments are summarised as follows:

- Architecturally the proposed development is the most exciting since Keele Chapel and adds a significant building to the Keele estate.
- Its location is ideal and will complement the existing established woodland behind it.
- The Caudwell charity provides a valuable social service and by locating at the University there will be opportunities for collaborative research on autism and other disabilities.

Applicant's/Agent's submission

The application is supported by the following:

- Planning Statement
- Design and Access Statement
- Phase 1 Preliminary Risk Assessment
- Ecological Appraisal.

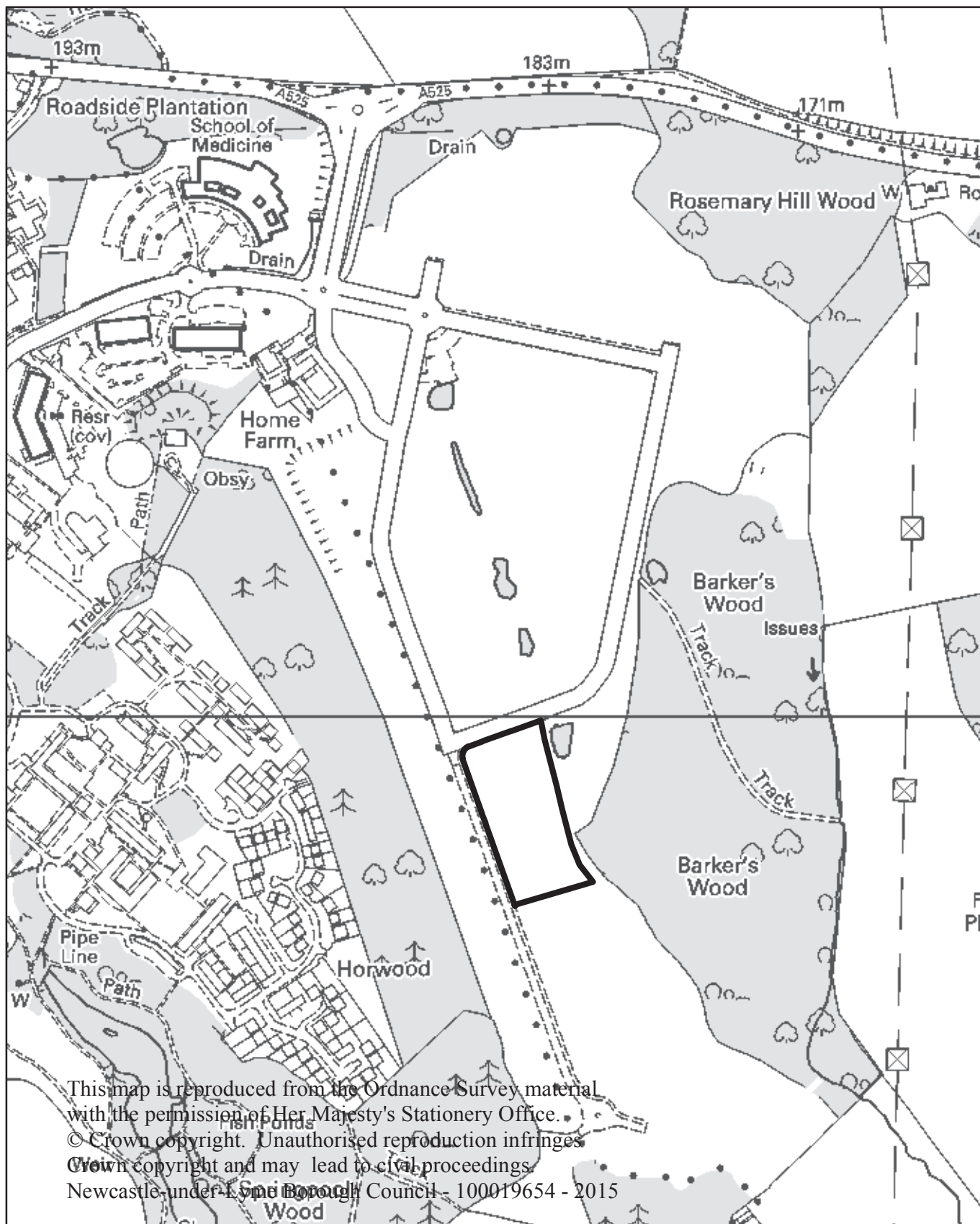
These documents are available for inspection at the Guildhall and on www.newcastle-staffs.gov.uk/planning/1500542FUL

Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

2nd September 2015



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UPPER HOUSE FARM, PINFOLD LANE, ALMINGTON
MR D EARDLEY

15/00602/FUL

The application seeks full planning permission for the construction of an agricultural building measuring approximately 18 metres by 85 metres in footprint and 8.6 metres in overall roof ridge height. The building is to be used for the keeping of cattle.

The application site lies in an Area of Landscape Restoration as specified on the Local Development Framework Proposals Map.

The 13 week period for the determination of this application expires on the 5th October 2015.

RECOMMENDATION

Permit subject to conditions relating to:

- 1. Time Limit**
- 2. Plans.**
- 3. External facing materials.**

Reason for Recommendation

Considerable weight by planning policy is afforded to the benefits of supporting proposals linked to rural enterprise which includes farming uses. The proposal is an agricultural building of a typical appearance. It is appropriately positioned within the existing farmstead and will not result in significant harm to the character of the landscape or residential amenity levels.

Statement as to how the Local Planning Authority has worked with the applicant in a positive and proactive manner in dealing with this application

The development is considered a sustainable form of development and complies with the aims and objectives of the National Planning Policy Framework.

Key Issues

The proposed agricultural building measures approximately 18 metres by 85 metres in footprint by 8.6 metres in overall roof ridge height. The building is open sided with a grey coloured cement roof and timber 'Yorkshire Board' elevations.

The applicant states that the agricultural business at Upper House Farm controls 350 acres of land. They also state that the development is required to eradicate the need to rent buildings on another farm where existing cattle are housed.

The key issues to assess are the acceptability of the impact to the character of the landscape and to neighbouring living conditions.

1. Is the impact to the character and appearance of the surrounding landscape acceptable?

Paragraph 56 of the NPPF puts great emphasis on design and details that "The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."

Policy CSP1 of the CSS states that new development should be designed to respect the character, identity and context of the Boroughs landscape. It outlines the design criteria to

which new development is assessed against, which includes the requirement to protect important and longer distance views of historic landmarks and rural vistas.

Saved Local Plan Policy N21 states that within these areas the Council will support, subject to other plan policies, proposals that will enhance the character and quality of the landscape. Within these areas it will be necessary to demonstrate that the development will not further erode the character or quality of the landscape.

Upper House Farm sits in an elevated position in the landscape with levels falling to the south and west. There is a large historical boundary wall and mature hedgerows which screens the farm from roadside views. The proposed building is closely positioned against existing farmstead buildings. The design of the building is typical to that associated with a farming use. The impact to the surrounding landscape would be acceptable.

2. Is the impact to neighbouring living conditions acceptable?

The Environmental Health Division has assessed the application and has no objections taking into account odour and noise considerations. There is adequate separation between the proposed building and neighbouring residential properties as to not result in harm to living conditions.

Policies and Proposals in the Approved Development Plan relevant to this decision:-

Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 -2026 (adopted 2009) (CSS)

Policy SP1	Spatial principles of Targeted Regeneration
Policy SP3	Spatial principles of Movement and Access
Policy ASP6	Rural Area Spatial Policy
Policy CSP1	Design Quality
Policy CSP3	Sustainability and Climate Change

Newcastle-under-Lyme Local Plan 2011 (NLP)

Policy N17	Landscape Character – General Considerations
Policy N21	Areas of Landscape Restoration

Other Material Considerations

National Planning Policy Framework (March 2012)

National Planning Practice Guidance (March 2014)

Supplementary Planning Documents/Guidance

Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance SPD

Relevant Planning History

15/00236/FUL	Construction of new agricultural slurrystore	Permitted 2015
10/00348/FUL	Erection of a portal frame agricultural building (building A) for use as cattle shed	Permitted 2010
10/00349/FUL	Erection of a portal frame agricultural building (building B) for use as cattle shed	Permitted 2010
99/00290/FUL	Proposed slurry tank	Permitted 1999
99/00291/FUL	Bay One - Portal framed agricultural building to house straw bedded cattle	Permitted 1999
99/00292/FUL	Bay Two - Portal framed agricultural building to house straw bedded cattle and feed areas	Permitted 1999
99/00293/FUL	Bay Three - Portal framed agricultural building	Permitted 1999

to be used as milking parlour and office/auxiliary accommodation

Views of Consultees

Loggerheads Parish Council no objections.

The **Environmental Health Division** no objections.

Representations

None received.

Applicant/agent's submission

A Design and Access Statement has been submitted. These documents are available for inspection at the Guildhall and via the following link www.newcastle-staffs.gov.uk/planning/1500602FUL

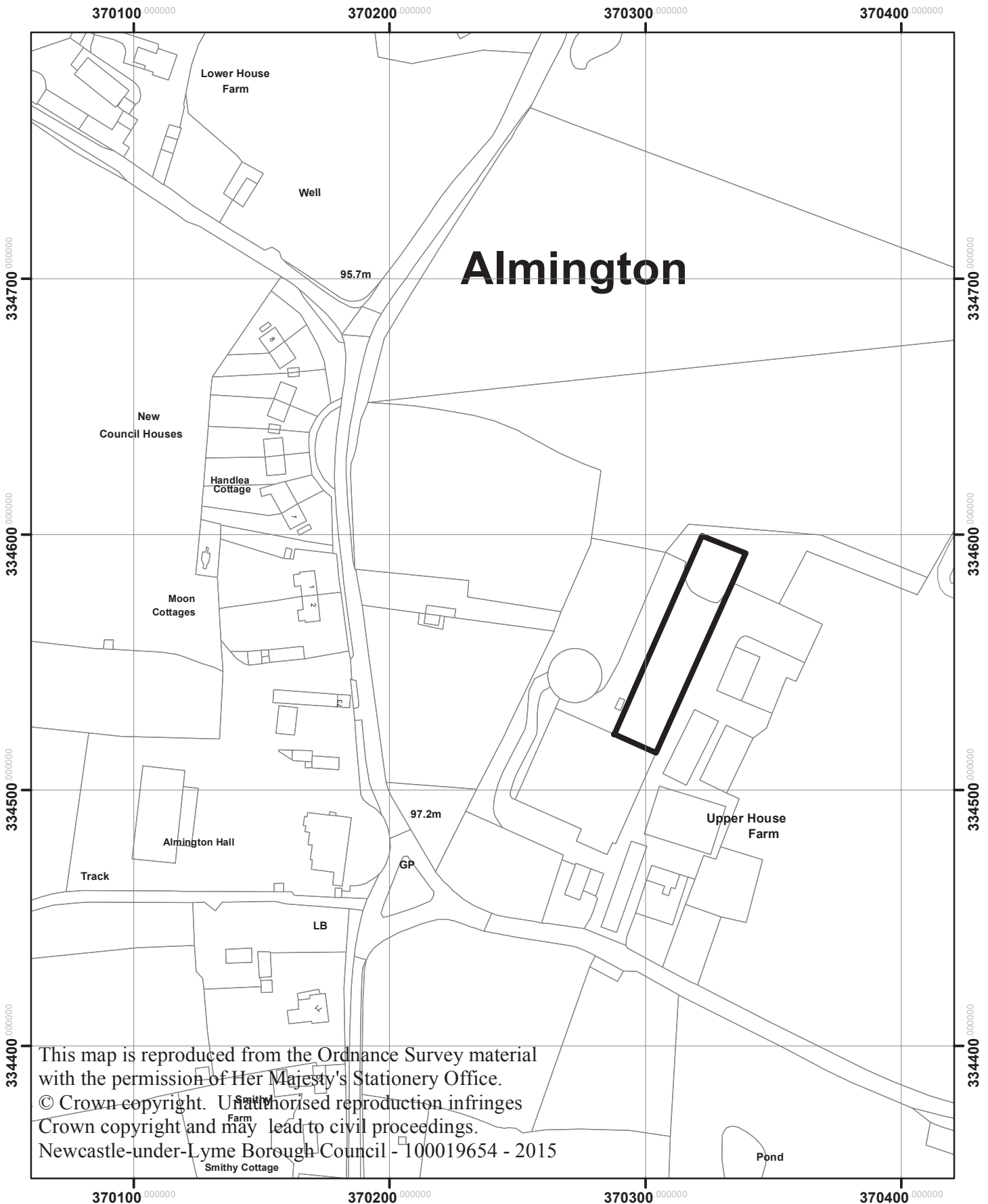
Background Papers

Planning File
Planning Documents referred to

Date Report Prepared

28 August 2015.

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YEW TREE COTTAGE, DEANS LANE, BALTERLEY
MR S LANE

15/00567/FUL

The application is for full planning permission for a two storey side extension at Yew Tree Cottage, Deans Lane, Balterley

The site is located within the rural area, Green Belt, and within an area of Landscape Enhancement

The 8 week period for the determination of this application expired on the 1st September 2015.

RECOMMENDATION

Permit with conditions relating to the following:

- **Standard time limit for implementation of permission**
- **Approved plans**
- **Tree protection fencing to BS5837:2012 should be installed around any tree that is to be retained, and maintained throughout construction.**
- **Removal of Permitted Development Rights for extensions and external alterations**
- **The existing conservatory to be demolished and appropriately disposed of prior to the occupation of the development**

Reason for recommendation

The proposed development by virtue of its size is a disproportionate addition to the dwelling and would constitute inappropriate development in the Green Belt, which would be, by definition, harmful to the character and openness of the Green Belt. However, it is likely that the applicant would, in the event of a refusal, implement an existing planning permission for extensions of a similar volume to that proposed. This fallback position and the acceptable design of the proposals would amount to the very special circumstances required to outweigh the harm to the openness of the Green Belt. Furthermore, it is considered that the proposed extension would not harm the appearance of the original dwelling, the visual amenity of the area or nearby trees. Subject to conditions removing permitted development rights and requiring the removal of the existing conservatory, the proposed development accords with Policies S3, N12, N17 and N19 of the Local Plan and policy CSP1 of the Core Spatial Strategy and the requirements of the National Planning Policy Framework.

Statement as to how the Local Planning Authority has worked in a positive and proactive manner in dealing with this application

This is considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework.

Key Issues

Full planning permission is sought for a two storey side and rear extension at a detached dwelling located in the Green Belt, and within an area of Landscape Enhancement, as indicated by the Local Development Framework Proposals Map.

Planning permission was granted under reference 13/00032/FUL for a two storey side and rear extension on the 29th April 2013. A further planning application was submitted for a larger extension, however this was withdrawn as it was considered to represent a disproportionate increase in size over the original size of the dwelling amounting to what would have been a 77% increase over the original dwelling and as such was likely to have been refused.

The key issues in the determination of the application are:

- Is the extension appropriate or inappropriate development in the Green Belt?
- The design of the extension
- The impact upon the Area of Landscape Enhancement
- The impact upon trees
- The impact upon residential amenity
- If inappropriate development, do the very special circumstances exist, which outweigh the harm caused to the openness of the Green Belt by the inappropriate development?

Is the extension appropriate or inappropriate development in the Green Belt?

The National Planning Policy Framework states that the extension or alteration of a building in the Green Belt, provided that it does not result in disproportionate additions over and above the original size of the original building, can be considered to be appropriate development.

The Newcastle-under-Lyme Local Plan saved policy S3 states that the well designed extension or alteration of an existing dwelling, or its replacement, may be acceptable as long as it does not result in disproportionate additions over and above the size of the original dwelling.

The original dwelling measures 316.2 cubic metres. The proposed extensions would measure approximately 175 cubic metres. The proposed extensions have therefore been calculated as a 55% increase over and above the original size of the dwelling.

A 55% increase in volume over the size of the original dwelling is considered to represent a disproportionate increase in size in this Green Belt location, and therefore is considered inappropriate development in the Green Belt.

The extension is therefore considered to conflict with Policy S3 of the Local Plan and the aims and objectives of the NPPF as it represents inappropriate development and should not be approved except in very special circumstances. Whether the required very special circumstances exist will be addressed later in the report.

The design of the extension

Paragraph 56 of the NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Policy H18 of the Local Plan relates specifically to the design of residential extensions and considers that the form, size and location of the extension should be subordinate in design to the original dwelling, the materials and design of each extension should fit in with those of the dwelling to be extended and the extension should not detract materially from the character of the original dwelling or from the integrity of the original design of the group of dwellings that form the street scene or setting.

The dwelling is a two storey detached dwelling set back 15 metres from the road behind a well established border of trees and hedgerows. It is traditional in appearance, with outbuildings to the rear.

The proposed two storey side extension would be to the north side of the dwelling, and would project approximately 4.3 metres from the side elevation of the dwelling. The eaves height and ridge height would be slightly lower than the existing eaves and ridge height of the dwelling and the extension would be stepped back slightly from the front elevation of the dwelling. The existing outrigger would be replaced with a new larger outrigger and single storey extension.

It is considered that the proposed extension would relate well to the existing dwelling in terms of its proposed design, size and bulk. Whilst the extensions would be visible from the street, they would not be harmful to the overall character of the street scene.

Materials are proposed to match the existing, which is acceptable.

Overall the extension is considered to be in accordance with Policy H18 of the Local Plan and the aims and objectives of the NPPF.

The impact upon the Area of Landscape Enhancement

The NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. The site is within an Area of Landscape Enhancement and Policy N20 of the Local Plan states that within these areas, the Council will support, subject to other plan policies, proposals that will enhance the character and quality of the landscape. Within these areas, it will be necessary to demonstrate that development will not further erode the character or quality of the landscape.

It is considered that the extension to the dwelling would not erode the character or quality of the landscape, and overall the proposal is considered to have an acceptable impact upon the area of Landscape Enhancement.

The Impact upon trees

Policy N12 of the Local Plan states that the Council will resist development that would involve the removal of any visually significant tree, shrub or hedge, whether mature or not, unless the need for the development is sufficient to warrant the tree loss and the loss cannot be avoided by appropriate siting and design.

A tree removal plan and tree protection plan have been submitted with the application. The Landscape Development Division has previously considered the information provided, and had no objections to the works and protection plans specified in the submitted information. Therefore, in terms of the impact of the development upon trees, the application is acceptable, provided a condition is included to protect those trees to be retained, in accordance with the submitted tree protection plan.

The impact upon residential amenity

It is important to assess how a proposed development will impact upon residential amenity in terms of loss of light or privacy.

The property is located some distance from the nearest dwelling and on that basis it is considered that the proposals would not materially impact upon residential amenity.

Overall, the proposed development is in compliance with the Borough Council's Space Around Dwellings Supplementary Planning Guidance.

If inappropriate development, do the very special circumstances exist, which outweigh the harm caused to the openness of the Green Belt by the inappropriate development?

Paragraph 79 of the recently published NPPF states that "The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence."

The NPPF indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It goes on to state that very special circumstances (to justify inappropriate development) will not exist unless potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

In the consideration of the proposal permitted under reference 13/00032/FUL the extensions were calculated to amount to a 47% increase over the size of the original dwelling and it was concluded that it represented appropriate development in the Green Belt. However the

volume of the proposed extension has now been recalculated and it has been established that this was incorrect and in fact it represents a 57% increase which would normally be considered to be inappropriate development in the Green Belt.

As indicated above the current proposed two storey side and rear extensions would result in approximately 55% increase in volume over the original size of the dwelling, which is less than the permitted scheme.

The existence of the planning permission, which remains extant and capable of implementation, is considered to represent a genuine fall-back position as it is very probable that the permission would be implemented if the current proposal was refused. The current proposal is considered to be a well designed extension that would have no greater impact on the openness of the Green Belt than the permitted development.

The existence of the fall back position, and that the proposed extension would have a materially greater impact on the Green Belt amounts to the very special circumstances required to justify the proposed development in this instance.

Given the nature of the very special circumstances demonstrated it is necessary and appropriate to remove permitted development rights for further extensions and require the removal of an existing conservatory which is shown to be removed on the submitted plans.

Policies and Proposals in the Approved Development Plan relevant to this decision:-

Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 -2026 (adopted 2009) (CSS)

Policy ASP6: Rural Area Spatial Policy
Policy CSP1: Design Quality
Policy CSP3: Sustainability and Climate Change
Policy CSP4: Natural Assets

Newcastle Under Lyme Local Plan 2011 (NLP)

Policy S3: Development in the Green Belt
Policy H18: Design of residential extensions, where subject to planning control
Policy N17: Landscape character – general considerations
Policy N12: Development and the protection of Trees
Policy N13: Felling and pruning of trees
Policy N20: Area of Landscape Enhancement

Other Material Considerations

National Planning Policy Framework (March 2012)

Supplementary Planning Guidance

Space around dwellings Supplementary Planning Guidance

Relevant Planning History

13/00032/FUL	Approved	29.4.13	Two storey side and rear extension
13/00670/FUL	Withdrawn	28.10.13	Single storey and two storey side extensions
13/00862/FUL	Withdrawn	6.1.2014	Proposed two storey side extension to existing cottage

Views of Consultees

Betley, Balterley and Wrinehill Parish Council has no objections to the application

The **Landscape Division** has no objections subject to tree protection and removals in accordance with the information provided

Representations

None received

Applicant/agent's submission

A tree survey, tree protection plan and tree removal plan have been submitted with the application. These, and all other documents associated with the application can be viewed at the Guildhall or by following this link

www.newcastle-staffs.gov.uk/planning/1500567FUL

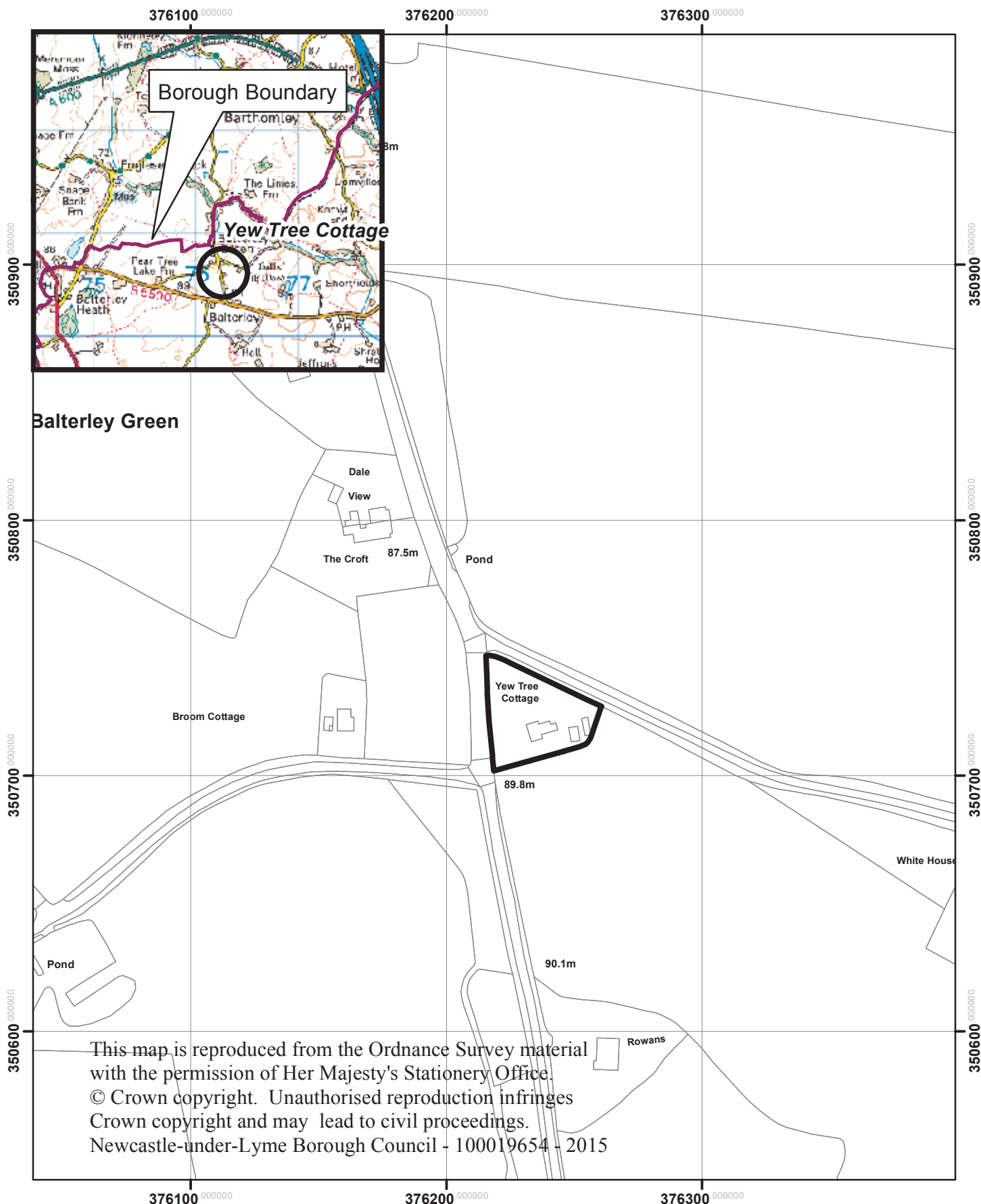
Background Papers

Planning File and previous planning files relating to this property
Planning Documents referred to

Date Report Prepared

28th August 2015

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**BAR HILL VILLA, BAR HILL ROAD, ONNELEY
MR D JOHNSON**

15/00638/FUL

The application is for full planning permission for the retention of an extension to an existing caravan park. The extension is used for a maximum of 18 caravans, for both storage and as an extension to the existing caravan holiday park.

The application site lies within the open countryside and within an area of Landscape Maintenance, as indicated by the Local Development Framework Proposals Map.

The application has been called in to Committee by two Councillors as the site would help to promote help to promote visitors to the area, supporting many visitor attractions in the area. In addition many people have difficulty finding suitable local storage facilities for their caravan after the summer season.

The 8 week period for the determination of this application expired on the 9th September 2015.

RECOMMENDATION

(a) REFUSE for the following reason:

- 1. The proposed development is not in a sustainable location and it has not been demonstrated that the proposal will provide enhanced economic benefits through the provision of employment or the support of local rural business. In addition the proposal would adversely harm the landscape quality of the area and as such there is no justification to set aside local and national policies which seek to safeguard the countryside for its own sake. The proposal is therefore contrary to Policies ASP6, CSP1, CSP3, CSP4 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006 -2026; Policies N17 and N19 of the Newcastle under Lyme Local Plan 2011 and the aims and objectives of the National Planning Policy Framework 2012.**

- (b) The Head of Business Improvement, Central Services and Partnerships be authorised to issue enforcement and all other notices and to take and institute on behalf of the Council all such action and prosecution proceedings as are authorised by and under the Town and Country Planning Act 1990 for the removal of the caravans from the site within three months.**

Reason for Recommendation

The proposed development is not in a sustainable location and it has not been demonstrated that the proposal will provide enhanced economic benefits through the provision of employment or the support of local rural business. In addition the proposal would adversely harm the landscape quality of the area and as such there is no justification to set aside local and national policies which seek to safeguard the countryside for its own sake. The proposal is therefore contrary to Policies ASP6, CSP1, CSP3, CSP4 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006 - 2026; Policies N17 and N19 of the Newcastle under Lyme Local Plan 2011 and the aims and objectives of the National Planning Policy Framework 2012.

As the use has already commenced it is considered appropriate, given the harm that has been identified, to take appropriate enforcement action to secure the removal of the caravans from the site.

Statement as to how the Local Planning Authority has worked in a positive and proactive manner in dealing with the planning application

Discussions were held with the applicant, however the application is considered to be an unsustainable form of development and is therefore contrary to the aims of the National Planning Policy Framework 2012.

Key Issues

This application is for full planning permission for the retention of an extension to the existing caravan site at Bar Hill Villa, Bar Hill Road, Onneley. The applicant states that a limited number of 18 caravans for touring and storage purposes are sited on the extended part of the site.

The site is located behind an existing touring caravan site which fronts the main A525. The existing caravan site was granted planning permission in 1999 and provides a touring site and winter storage for 24 caravans.

There is an existing access to the site, therefore no further access point from the A525 is proposed. The applicant proposes to plant Silver Birch and Mountain Ash trees on the mounds surrounding the site to provide screening.

Planning permission was refused in 2010 for a storage area for 47 caravans on the site. This application was refused for the following reason:

The proposed development is not in a sustainable location and it has not been demonstrated that the proposal will provide enhanced economic benefits through the provision of employment or the support of local rural business. In addition the proposal would adversely harm the landscape quality of the area and as such there is no justification to set aside local and national policies which seek to safeguard the countryside for its own sake. The proposal is therefore contrary to Policies D1, D2, D4, T1A, NC1 and NC2 of the Staffordshire and Stoke on Trent Structure Plan 1996 - 2011; Policies SP1, ASP1, CSP1, CSP3, CSP4 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006 -2026; Policies N17 and N19 of the Newcastle under Lyme Local Plan 2011; the guidance in the Supplementary Planning Guidance to the Staffordshire and Stoke on Trent Structure Plan "Planning for Landscape Change", and the aims and objectives of PPS1, PPS7 , PPG13 and the Good Practice Guide on Planning for Tourism 2006.

The Inspector dismissed the appeal, concluding that the proposal would unacceptably harm the character and appearance of the countryside, and there were no material considerations that would outweigh this harm.

Since the appeal was dismissed, National Planning Policy Statements have been replaced with the National Planning Policy Framework, and the Staffordshire and Stoke on Trent Structure Plan has been revoked. This report will consider the effect of these changes in policy and whether this now makes the development, which is of a similar nature, acceptable, along with taking into account the reduction in the number of caravans being stored and used on the touring park.

The main issues in the consideration of the application are:

- Is the proposal acceptable in terms of its impact on the form and character of the area and area of Landscape Maintenance?
- Would there be any adverse impact on residential amenity?
- Is the proposal acceptable in terms of highway safety?
- Do the adverse impacts of the development significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole?
- Recommended enforcement action

Is the proposal acceptable in terms of its impact on the form and character of the area and the impact on the Area of Landscape Maintenance

The caravans are already being stored and used at the site, in addition to the existing site adjacent to Bar Hill Road. The site is an area of crushed stone and is enclosed by low grassed mounds. The site lies within the open countryside and a Landscape Maintenance Area, as indicated by the Local Development Framework Proposals Map.

The National Planning Policy Framework states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. Policy N19 of the Local Plan states that, in Landscape Maintenance Areas, the Council will seek to maintain the high quality and characteristic landscape, and where development can be permitted, it will be expected to contribute to this aim, with it being necessary for development not to erode the character or harm the quality of the landscape.

Prior to being used for the storage of caravans and as a holiday park, the site was used for general storage, parking for haulage vehicles with plant and equipment, maintenance of these vehicles and other vehicles and equipment such as earth moving vehicles, tractors and equipment, storage of building equipment and materials, laying of hardstanding and access roads. This use was granted in 2012 under reference 12/00333/ELD via an Existing Lawful Development Certificate, as the applicant was able to demonstrate that this use had been carried out for at least 10 years. It is important to note that the site would have been being used for this use during the application and planning appeal for the caravan storage in 2010/2011, so the Planning Inspector would have seen the site being used as such but still found the proposed use for storage of caravans to be unacceptable.

The reduction in the number of caravans since the previous application will reduce the overall impact of the use on the wider landscape, however the caravans would still be conspicuous, being generally white/ light coloured and would still have a detrimental impact, detracting unacceptably from the character and appearance of the countryside. It is very difficult to incorporate caravans into the countryside and landscape due to their light colour. Landscaping would take time to establish, and the existing low bunds do not fully screen the caravans from wider views. The site has restricted visibility from the road, however there are public rights of way which run adjacent to the site and the caravans are visible to users of the public right of way.

The area is rural in character, and it is considered that the reduction in the number of caravans would not overcome the reasons for dismissal of the appeal in 2011. This site is viewed within the context on the existing lawful touring caravan site which is visible from the highway as well as the public right of way. The Inspector, in dismissing the appeal in 2011, concluded that the proposal would serve only to erode the rural character further and consolidate the cluster of non agricultural operations. It is considered that, despite the potential for additional landscaping, the proposed development would have a detrimental impact on the landscape qualities of the area and as such there is no justification to set aside the policies which seek to safeguard the countryside for its own sake and therefore the proposal should be resisted.

For these reasons, it is considered that the development harms the character of the landscape, and conflicts with Policies N17 and N19 of the Local Plan, and with the aims and objectives of the National Planning Policy Framework.

Would there be any adverse impact on residential amenity?

Supplementary Planning Guidance (SPG) Space about Dwellings provides advice on environmental considerations such as light, privacy and outlook.

There are some residential properties to the south east of the site approximately 30 – 35 metres from the caravan site, however there are trees and vegetation that provides a good level of screening to ensure that the caravans would not lead to a material loss of amenity to these residential properties.

Is the proposal acceptable in terms of highway safety?

The development for up to 18 caravans to be stored or used as holiday accommodation at the site will lead to increased trips to the site. As it is for holiday accommodation, the trips to and from the site would be likely to be more frequent than if it was just for storage. These trips would be added to the existing trips generated by the permitted holiday park with winter storage at the front of the site.

The Highway Authority has no objections to the application and no conditions are recommended.

Overall, the application would have an acceptable impact on highway safety and the application should not be resisted on these grounds.

Do the adverse impacts of the development significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole?

Letters of support have been received stating that the caravan site supports the local economy and that it is a well used site.

The Planning Inspector took these issues into consideration on the previous application. The National Planning Policy Framework supports economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. The Framework states that local plans should support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside, and promote the development and diversification of agricultural and other land based rural businesses.

There is a permitted touring park and winter storage at Bar Hill Villa, and this application seeks retrospective permission to expand the use. However, the benefits to the local economy that arise from the caravans on the extension to the existing caravan site have not been quantified, and the arguments concerning support for local businesses could be applied to most new development in the countryside. Any benefits to the local economy would not outweigh the harm caused by the development to the open countryside.

Recommended enforcement action

As the proposal is considered to be harmful to the countryside, it is recommended that the application is refused, and as the use is already in operation it will be necessary to take appropriate enforcement action to seek the removal of these caravans from this part of the site which is harming the character of the countryside.

This would involve serving an enforcement notice to seek removal of the caravans from the new site within a specified time frame. 3 months is considered an acceptable length of time for the owners of the caravans to seek alternative storage solutions and remove them from the site.

In terms of the raised bunding, this would not need to be removed as part of the enforcement proceedings as this in itself is not harmful.

Policies and proposals in the approved development plan relevant to this decision:-

Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy (CSS) 2006-2026

Policy ASP6:	Rural Area Spatial Policy
Policy CSP1:	Design Quality
Policy CSP3:	Sustainability and Climate Change
Policy CSP4:	Natural Assets

Newcastle-under-Lyme Local Plan (NLP) 2011

Policy T16:	Development – General Parking Requirements
Policy N17:	Landscape Character: General Considerations
Policy N19:	Landscape Maintenance Areas

Other Material Considerations include:

National Planning Policy Framework (NPPF) (2012)

Planning Practice Guidance (PPG) (2014)

Supplementary Planning Guidance/Documents

Space Around Dwellings SPG (SAD) (July 2004)

Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance SPD (2010)

Relevant Planning History

00/00616/FUL	Refused	Siting of residential caravan for security purposes (appeal dismissed)
01/00243/FUL	Refused	Engineering and earth moulding operations to form ornamental pool and associated landscaping
01/00881/FUL	Permitted	Engineering and earth moulding operations to form ornamental pool and associated landscaping
10/00227/FUL	Refused	Storage of domestic caravans (appeal dismissed)
11/00025/ELD	Refused	Application for a certificate of lawfulness for existing use as General storage, parking of haulage vehicles also plant and equipment together with maintenance, including agricultural equipment. The storage of timber and building materials
12/00333/ELD	Permitted	Use of site for general storage; parking of haulage vehicles with plant and equipment; maintenance of such vehicles and other vehicles and equipment such as earth moving vehicles, tractors and equipment. Storage of building equipment and materials. Laying of hardstanding and access roads

Views of Consultees

The **Environmental Health Division** comments that the proposal is to use the existing waste storage and disposal arrangements to service the proposed extension. Waste from an additional 18 caravans may result in the current arrangements leading to an impact on the surrounding area. Therefore request a condition requiring prior approval of waste storage and collection arrangements. The Caravan Sites and Control of Development Act 1960 requires that caravan sites hold a licence issued by the local authority. There are a large number of exemptions from the requirement to hold such a licence and the applicant should satisfy himself that he qualifies for such an exemption or obtain a caravan site licence by calling the Housing Team on (01782) 717717.

This may have implications for the layout and facilities on site, including the provision of waste storage and refuse disposal

Also recommend external lighting is prohibited, and to seek prior approval of any external lighting. Recommend an informative regarding the importation of waste materials to facilitate construction

The **Landscape Development Section** has not got capacity to provide comments on the application

The **Highway Authority** has no objections

The **County Footpaths Officer** states that the proposal does not appear to directly affect the public footpaths.

Madeley Parish Council has no objections to the application providing that evergreen screening is adequate for neighbours and from the public footpath, including from lower down the hill. This should ensure that the white caravans will not dominate the landscape

Representations

12 letters of representation have been received, in addition to 3 letters of support submitted with the application submission. These are summarised below:

- Ideal caravan site close to Stoke on Trent
- Clean and welcoming site
- Frequently spend weekends at the camp site
- Easily accessible site and plenty of space between the vans
- The caravan site supports the local area including the Wheatsheaf Public House, the farm shop, cricket and golf clubs
- The caravans are hardly noticeable to any cars driving past and not visible to many houses
- The site facilitates the enjoyment of the area and contributes to the local economy

Applicant's/Agent's submission

The requisite plans and application form have been submitted, along with three letters of support. These documents are available to view on the Council's website at www.newcastle-staffs.gov.uk/planning/1500638FUL

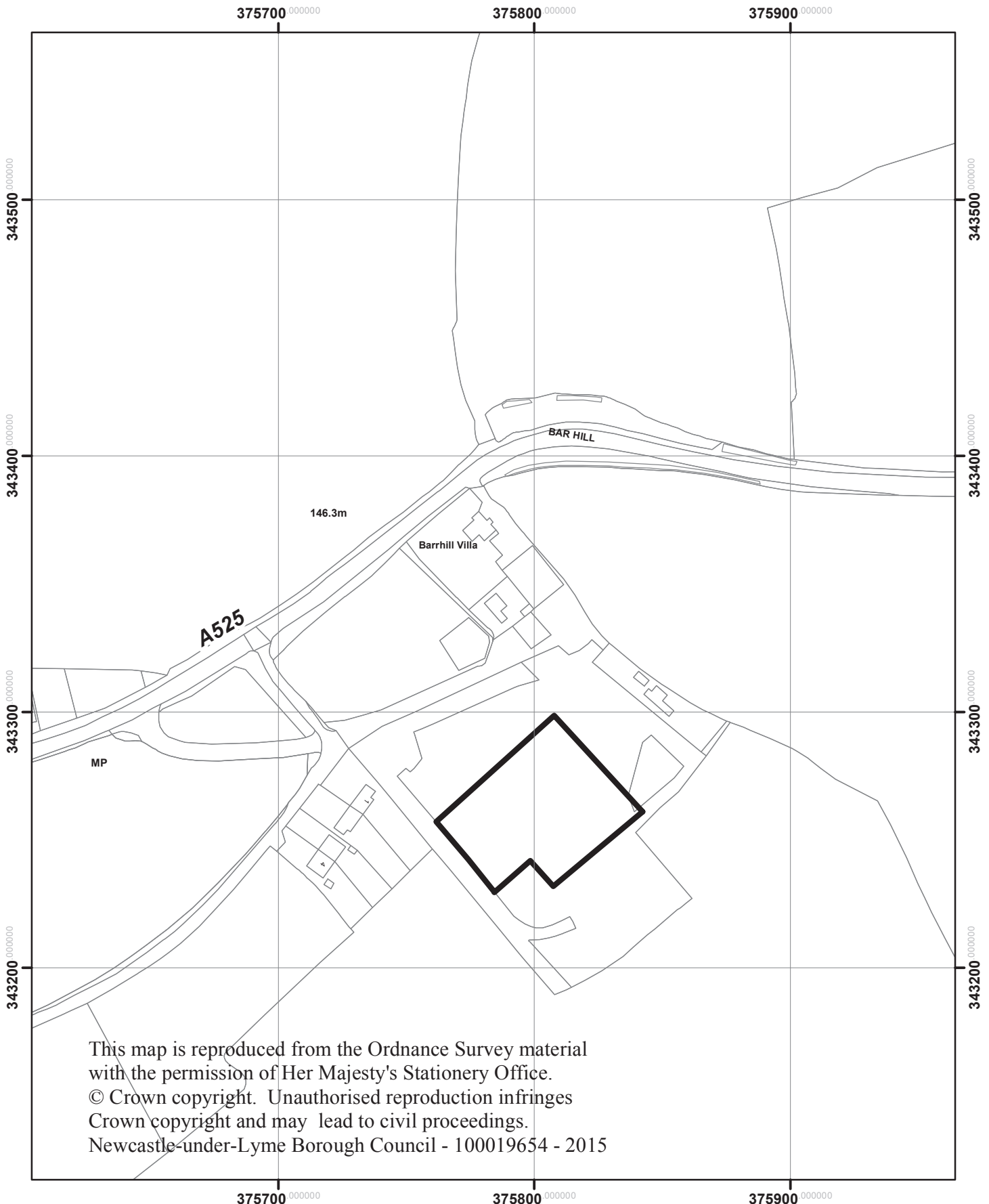
Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

28th August 2015

Bar Hill Villa,
Bar Hill Road,
Onneley
15/00638/FUL



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Interim Planning Policy Statement; Mid-year 5-year Housing Land Supply statement and; Local Plan timetable

Purpose :

To provide Members of the Planning Committee with the opportunity to inform Cabinet of their views on:

- (a) Preparation of an Interim Planning Policy Statement;
- (b) Production of a mid-year 5-year housing land supply statement and;
- (c) A refreshed process and timetable for preparation of the Joint Local Plan.

Recommendation :

That should the Planning Committee wish to make any comments to Cabinet on the appended report which gives consideration to a) the preparation of an Interim Planning Policy Statement; b) the Production of a mid-year 5-year housing land supply statement and; c) A refreshed process and timetable for preparation of the Joint Local Plan that it does so now, so that they can be taken into account by Cabinet at its meeting on the 16 September.

Reason :

To provide the Planning Committee with the same report on the matters outlined above as is being submitted to Cabinet on 16 September.

1.0 Background

- 1.1 Members will recall that at its meeting on the 21 July the Planning Committee were provided with an opportunity to submit comments to the 22 July Cabinet meeting on the progress made in implementing the Action Plan agreed by the Council in response to the report of the Planning Peer Review Team. Members are reminded that Action 3a) of the updated Action Plan includes a proposal to develop an Interim Planning Policy Statement. Planning Committee resolved not to make any comments.
- 1.2 At its meeting on the 22 July Cabinet agreed that officers should bring a report on the development of an Interim Planning Policy Statement to Cabinet on the 16 September with comments from an earlier Planning Committee.
- 1.3 At the same July meeting of the Planning Committee Members also gave consideration to a report presenting the information and the results of the latest calculation of the five year housing land supply and it was resolved that Officers give active consideration to the preparation of a revised supply statement following the publication of the Strategic Housing Market Assessment.

- 1.4 A report for Cabinet has now been prepared on the preparation of some form of Interim Planning Policy Statement as a response to the Planning Peer Review process. In so doing it is appropriate to consider the current five-year housing land supply context for such action including the preparation of evidence for the forthcoming Local Plan and to advise members of the most efficient process for addressing relevant matters. This report is due to be considered at its meeting on the 16 September. A copy of this Cabinet report is attached.

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL
EXECUTIVE MANAGEMENT TEAM'S REPORT TO THE
CABINET

16 SEPTEMBER 2015

Interim Planning Policy Statement; Mid-year 5-year Housing Land Supply statement; and Local Plan timetable

Submitted by: Executive Director – Regeneration & Development

Portfolio: Planning and Housing

Ward(s) affected: All

Purpose of the Report

To provide Members with updates and advice to enable consideration of:

- (a) Preparation of an Interim Planning Policy Statement;
- (b) Production of a mid-year 5-year housing land supply statement and;
- (c) A refreshed process and timetable for preparation of the Joint Local Plan; and
- (d) To consider the views of the Planning Committee in respect of the above matters.

Recommendations

- (a) That officers be authorised to prepare a Housing Clarification Statement on the basis set out in the report.**
- (b) That officers take the necessary steps to prepare a mid-year 5-year housing land supply statement.**
- (c) That the revised Local Plan process be approved.**

Reasons

It is necessary for members to consider whether to prepare some form of Interim Planning Policy Statement as a response to the Planning Peer Review process. In so doing it is appropriate to consider the current five-year housing land supply context for such action including the preparation of evidence for the forthcoming Local Plan and to advise members of the most efficient process for addressing relevant matters.

1. Background

- 1.1 On 22 July 2015 Cabinet received a report on the progress made in implementing the Action Plan agreed by the Council in response to the report of the Planning Advisory Service (PAS) following its Planning Peer Review of the Planning Service in 2014. Members are reminded that the PAS report contained a recommendation that the Council should consider developing an interim local planning policy statement. This proposal arose from the consequences of the Council not being able to demonstrate five year supply of deliverable housing sites (as required by Paragraph 49 of the National Planning Policy Framework) (NPPF).
- 1.2 The advice of the Planning Review Team was that **'Interim guidance offers clearer potential to make consistent decision making processes and to provide longer term land allocations to support new jobs and houses. Stronger spatial guidance based on objectively assessed needs would also encourage councillors to look beyond the**

short term local ward issues and inspire vision among their communities for long term quality of life improvements in terms of income, opportunities and homes.' The Review Team considered that *"the more specific the Council is able to be on the locations of growth and restraint, the greater the prospect that the Council will be able to address and maintain a five year housing land supply and thereby guide and control development while the full plan is being developed. Establishing a firm position on the need for and broad scale of any green belt review will also be a key milestone"*

- 1.3 The Planning Review Team did not go on to offer any further advice on the form or content of the interim guidance or comment on the weight that any such guidance could be given in decision making.
- 1.4 The Council's Action Plan subsequently contained an action to bring forward a report on the development of an Interim Planning Policy Statement. Cabinet in July agreed that officers should bring a report on the development of an Interim Planning Policy Statement to Cabinet on the 16 September with comments from an earlier Planning Committee.
- 1.5 The contents of this report will be considered by the Planning Committee on the 15 September so their views can be taken into account by Cabinet.
- 1.6 In accordance with agreed Action 3a) from the Action Plan the report is required to consider **the benefits and costs of such an approach including its implications for the existing Local Plan timetable and the weight such a statement could have in development management decisions.**
- 1.7 For this matter to be considered properly it is necessary for Members to contextualise the Action Plan requirement with the current position regarding both the Council's 5-year housing land supply and the progress being made with preparation of the Local Plan.

2. **Issues**

A. Interim Planning Policy Statement (IPPS)

- 2.1 Since the decision to agree what actions should be taken in response to the Planning Peer Review Team's report a further 5 year housing land supply statement has been presented to the Planning Committee. Whilst the Statement, reflecting the position as at 1st April 2015, indicates that the Council has 5.07 years of supply, taking into account the appropriate buffer, the advice of officers has been that the Council cannot demonstrate a five-year supply of deliverable housing sites.
- 2.2 This position was initially reported to the Planning Committee at its meeting on the 3rd June. The Committee deferred consideration of the item and further information was provided to them at their meeting on the 21st July and they resolved as follows:
 - (i) That, the results of the 5 year housing supply report to 3rd June 2015 Planning Committee be noted.
 - (ii) That, Officers give active consideration to the preparation of a revised supply statement following the publication of the Strategic Housing Market Assessment.
 - (iii) That, the significance of the 5 year supply position in Development Management decision making as described in report to 3rd June 2015 Planning Committee be noted.
- 2.3 The primary function of any interim planning policy statement is to bridge the gap between the Council's pre-NPPF planning policies (i.e. saved policies from the Local Plan 2011 and Core Spatial Strategy) and the post-NPPF Joint Local Plan. The objective would be to assist transparent decision making and to provide a consistent basis for making decisions, until we are able to adopt a new Local Plan, which will provide greater clarity over how decisions ought to be made locally.

- 2.4 It is quite clear from the Local Planning Regulations that the setting or creation of policy is the role of a Local Plan. The implications of this are that any document the Council prepares to 'bridge the gap' outside the regulatory framework cannot seek to produce new policy. It is therefore unrealistic to consider developing a statement which seeks either to control the location of development or to restrain it (as appears to have been envisaged by the Planning Peer Review Team) and in this respect it is important to manage expectations of all stakeholders. Any statement would, in your officer's view, be most appropriately framed as a "Housing Clarification Statement".
- 2.5 In the light of the above officers have given consideration to the idea of developing a Statement which seeks firstly to provide clarification on interpretation of existing policy and the emerging local plan evidence base and secondly for the purposes of interpreting paragraph 55 of the NPPF i.e. the promotion of sustainable development in rural areas.

B. Five-year housing land supply implications

- 2.6 It is appropriate to review the current position with regard to the five year housing land supply because whilst the Clarification Statement will not change this it can seek to manage some of its effects.
- 2.7 Currently the Council can only use the national household projections to assess whether it has a five year housing land supply (see paragraph 2.1).
- 2.8 The PPG indicates that household projections can be given only limited weight in the calculation of any area's 5 year housing land supply. For this reason Government make it clear that without adjustment the household projections are not an accurate or reliable picture of local housing need. The same position has, it is understood, been adopted by Inspectors in appeal decisions.
- 2.9 A more accurate picture is provided by an 'Objectively Assessed Need' (OAN) for housing because this takes into account local factors across the housing market area and limited weight can be attached to a 5-year housing land supply calculation on this basis. Of course the most watertight housing requirement is that published in a Local Plan and is much less open to challenge at appeal.
- 2.10 An accurate picture of local housing need is, therefore, required both for a robust five year housing land supply and the Joint Local Plan. To begin providing a clearer picture the Council is preparing a Strategic Housing Market Assessment (SHMA) and Employment Land Review (ELR). These set out the demands on the area in terms of housing and the economy. The SHMA is the starting point for calculating the OAN. It will present a range of housing need figures, (rather than recommending a single figure) which the ELR will help to narrow down. The aim will then be to narrow this range down further to a single figure through consultation on the Joint Local Plan. In other words it will not be until the Draft Local Plan is prepared that the Council will have all the pieces of the puzzle in place to be able to prepare a robust five year housing land supply calculation.
- 2.11 In the meantime to assist development management decisions and to inform the development of strategic issues to consult the public on, as part of the Joint Local Plan process, it is considered appropriate to prepare a revised mid-year housing land supply statement using the housing need figures from the SHMA and ELR. Members will recall that it was a recommendation of the 21st July Planning Committee that officers gave active consideration to doing this. The SHMA and ELR once signed off by both authorities would constitute a significant change in the evidence used to calculate the housing land supply and would justify such a revision. Planning Practice Guidance makes it clear that updates should only be done annually unless significant new evidence comes to light, particularly when this

is more up to date and reliable than existing evidence (in this case the household projections).

- 2.12 The SHMA and ELR are at an advanced stage and are on track to be signed off by mid-November. It is considered that this could coincide with the preparation of an updated five year housing land supply statement, with a view to this being published towards the end of November.

C. Local Plan Implications

- 2.13 The Planning Peer Review Team recommended that an Interim Planning Policy Statement was prepared in parallel with the consideration of key elements of the Local Plan. This was because they acknowledged the importance of avoiding any significant delays in preparing the Local Plan. In addition they envisaged that key pieces of evidence, such as the SHMA and ELR would inform the Statement. This report suggests that the proposed Clarification Statement would rely on different evidence, namely an update of the 2011 Rural Services Study and Rural Accessibility Mapping (as set out in Appendix1) and the mid-year five year housing land supply calculation will use information contained in the SHMA and the ELR.
- 2.14 However, the preparation of this evidence including the revised housing land supply statement are necessary pieces of work for the Joint Local Plan. They will play a key role in informing the identification of strategic issues (key demands on the area), which will then be the subject of public consultation. The SHMA and ELR have experienced some delay but will be completed late-autumn when the Rural Accessibility Mapping is also expected to be completed. The update of the 2011 Rural Services Study is not likely to be completed until the end of the year. This indicates that a Clarification Statement could be published early in the New Year.
- 2.15 According to the agreed Local Plan timetable, public consultation on an Issues and Options paper was scheduled for the third quarter of 2015, but in part due to the delay in finalising the SHMA and the ELR this is now not possible. Officers at both authorities have considered the impact of this on the overall timetable and have considered options for moving onto the Strategic Issues and Options stage in the most expedient way.
- 2.16 There are considered to be a number of key pieces of work which need to be completed before options can be prepared on where development can be located. However the more strategic pieces of work regarding the projections for growth are considered to be at an advanced stage of production and robust enough to consult on these as issues.
- 2.17 It is proposed therefore that the original timetable to consult on Strategic Issues and Options should be amended to split these two elements of work into separate consultations, provided momentum can be maintained between consultations.
- 2.18 This approach would allow the frontloading of key issues (demands on the area) to be consulted on during January / February 2016 (with the decision making process starting in November/December 2015) and follow up with consultation on the Strategic Options (land supply in response to the issues) in the middle of next year (July/August 2016).
- 2.19 Postponing the consultation on strategic issues until early next year is likely to be less problematic than if the Strategic Issues and Options consultation is kept together and delayed.
- 2.20 The effect on the overall timetable (published as to be adopted end 2018) is likely to be minimal as this front loading will ensure key issues are recognised early before more detailed work is carried out on the Draft Plan. The Draft Plan would also be developed on a sounder footing having been through two previous consultations and this revised timetable provides time for any additional supporting work to be completed. The delay to the options

element (of the consultation) is therefore anticipated to be made up during the later production phases of the plan.

- 2.21 This issue has been the subject of extensive discussion at the Joint Advisory Group (JAG) upon which senior Members from both Councils sit.
- 2.22 If the approach set out above is accepted by Members it is suggested that your officers work with officers at Stoke-on-Trent City Council to take this forward and to also reach agreement on a revised timetable for the preparation of the Local Plan, which takes account of the need for a mid-year five year housing land supply statement and Clarification Statement and for this to form a separate report submitted with the proposed Issues consultation paper for consideration by Cabinet at its meeting in December.

3. **Proposals**

- A. It is recommended that officers be instructed to prepare a Housing Clarification Statement including the broad content as set out in Appendix 1.
- B. It is recommended that officers take the necessary steps to prepare a mid-year 5-year housing land supply statement to assist decision-making in Development Management.
- C. It is recommended that members note the update in respect of the Local Plan timetable and approve the proposed changes to the process.

4. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

- 4.1 The matters referred to in this report contribute towards the achievement of objectives relating to creating a Borough h of Opportunity.

5. **Legal and Statutory Implications**

- 5.1 In preparing an interim planning policy statement it's necessary to consider the requirement of the Local Planning Regulations. The Town and Country Planning (Local Planning) (England) Regulations 2012 (Part 3 Section 5 (1) (a) (i) and Section 5 (1) (a) (iv)) set out what documents can contain development management policies on sites in a local authority area. These Regulations are explicit that a document can only contain policies on acceptable land uses and development management if it is prepared as a Local Plan in accordance with the relevant regulations and acts.
- 5.2 Therefore, if a document is not a properly prepared Local Plan, it cannot form the basis of development management decisions. Section 70 (2) of the Town and Country Planning Act indicates that in dealing with applications (development management) the local planning authority shall have regard to:
- (a) the provisions of the development plan, so far as material to the application
- (b) any local finance consideration so far as material to the application and
- (c) any other material consideration.
- 5.3 An interim planning policy statement (Housing Clarification Statement) would not have the status that the development plan does, and could not be given any significant weight in development management decisions because of this. Nevertheless it would assist transparent and consistent decision making, until such time as the Council is able to adopt a new local plan.

6. **Financial and Resource Implications**

- 6.1 There are no significant additional financial implications arising from the proposals in this report. The assumption is based upon existing officer capacity being utilised to undertake the tasks referred to and this may require some re-prioritisation of workloads, particularly in preparing the mid-year 5-year housing land supply statement.

7. **Major Risks**

- a) An interim planning policy statement wouldn't carry the same weight in decision making as development plan policy and therefore there is potential for such a statement to confuse decision making rather than to guide it.
- b) The lack of weight that could be attributed to any such statement means that it cannot be seen as a panacea for the consequences of the lack of a five year housing land supply.
- c) Because the statement can't control development it may not affect the outcome of what sites come forward and it won't stop development from happening.
- d) Ultimately the statement might reinforce/support the current rural settlement hierarchy as set out in the Core Spatial Strategy and again not change anything thereby failing to improve public perceptions.
- e) It could however provide an early indication of what the new Joint Local Plan strategy may be when informed by up to date evidence.
- f) It could provide evidence to support professional judgements of development management officers in determining whether a proposal is in a sustainable rural location. However, this won't necessarily prevent/reduce public criticism, particularly if the evidence doesn't indicate a change in the rural settlement hierarchy, or indicates that this should change and development should be directed to new parts of the rural area.
- g) It will aid transparency in decision making and clarify the Council's policy position.

8. **Key Decision Information**

- 8.1 This is a key decision.

9. **Earlier Cabinet/Committee Resolutions**

- 9.1 There have been a number of reports considered by Cabinet over the past 18 months in relation to both the Planning Peer review and the Local Plan preparation.

10. **List of Appendices**

- 10.1 Appendix 1 - Summary content of Housing Clarification Statement

APPENDIX I – Content of Housing Clarification Statement

1. *Scope of the Statement*

The Statement, in accordance with the legislative framework, would emphasise that it cannot create new policies to either restrict or direct development in the rural area, as new policy can only be created by a new Local Plan.

However, it would seek to provide a consistent and up-to-date evidence base that Development Management and Planning Policy can use to support professional judgements on what is a sustainable location.

2. *Policies relating to the supply of housing and sustainability*

The Statement would list all policies together with a statement on whether the policy relates to the supply of housing for the purposes of paragraph 49 of the NPPF or not. A commentary on the implications for decision making would also be provided. This would help to clarify the weight that any policy can be given. The Statement could serve a purpose in reiterating that Green Belt policy still stands and has significant weight in decision making. Beyond policies relating to the supply of housing land the Statement could provide further definition of what constitutes ‘sustainable development’ – i.e. the national and local policies which are unaffected by the 5-year housing land supply issue and still carry sufficient weight to guide decision making. For example: heritage; ecology; landscape and design policies.

This aspect of the Statement is not intended to bring about a significant change in decision making rather it is intended to provide a clear and transparent basis for decision making. The Clarification Statement would offer further clarity over which policies would be capable of being given weight in determining planning applications in the rural area. It is considered that this would aid transparency by setting this out in a single easy-to-access document. This ultimately may have the added benefit of assisting the preparation of less technical, more focussed, development management reports.

3. *Key evidence which will inform judgements about sustainable locations for development in the rural area*

The Statement would set out key evidence which the Council will use to judge the relative sustainability of a development’s location in the rural area both in the development management process and in the preparation of the Joint Local Plan. The aim will be to offer some clarification as to how the Council will use new evidence emerging from the Local Plan process to determine if a development proposal is in accordance with relevant national policies, such as the need to promote sustainable development in rural areas set out in paragraph 55 of the NPPF. This will assist in a consistent appraisal of proposals.

These could include:

(a) Rural Services update 2015/16

A review of the Planning Policy Team’s 2011 Rural Services Study will be updated as part of the Local Plan process to record the level of local facilities available in each of our rural settlements. This study will identify the presence of key local facilities within walking distance of a proposed scheme and can help to demonstrate, or otherwise, the sustainability of a

scheme. The study would have limitations as it would not consider the capacity of key services as this is the role of the Infrastructure Delivery Plan (IDP), which will not be available until the Draft Plan stage of the Local Plan process.

(b) Rural access to services mapping 2015

The objective would be to present evidence which is being used in the preparation of the Local Plan to help identify sustainable locations so that this can be factored into the decision making process in the interim period before the Local Plan is adopted. This evidence involves accessibility mapping showing access to key facilities from settlements in the rural area and includes consideration of factors such as walking distances to local schools, public transport distances to employment and town centres etc. The County Council's Accessibility Team would also provide a summary of each settlement's access to facilities but it would not state whether the accessibility of a development proposal is acceptable or not. This type of information is important as access via sustainable transport measures to wider facilities, particularly employment, appears to be a consideration in Inspectors' decisions regarding sustainability, although it is by no means the only consideration given the three dimensions of sustainability – economic, environmental and social factors.

List of Local Validation Requirements for planning and listed building consent applications

Purpose of the Report

The purpose of this report is to seek approval of a revised List of Local Validation Requirements for the following reasons:-

- The existing List of Local Validation Requirements was published almost two years ago and must be reviewed if it is to continue to form part of the validation of planning applications process from 1st October 2015.
- To ensure that the approved List of Local Validation Requirements reflects changes to statutory requirements, policies in the National Planning Policy Framework and the Development Plan, or published guidance following the publication of the current list.
- To provide applicants with more certainty as to what will be required when submitting a planning/listed building consent application,
- To enable the Council as the Local Planning Authority to make proportionate requests for additional information to assist in the consideration of development proposed within a planning/listed building consent application, and
- To enable the Council to refuse to register an application which is not supported by information that is identified on the List of Local Validation Requirements as being necessary in the consideration of the development proposed.

Recommendation

That Committee approves the revised List of Local Validation Requirements, to be circulated before the meeting, for publication on its website and use in the validation process.

Reasons

A revised List of Local Validation Requirements (LLVR) has been prepared by your Officer and has been amended in response to comments received through consultation. The adoption of such a List will enable the Council to continue to require the provision of information, over and above the submission of application forms, certificates of ownership and plans (i.e. the national validation requirements), to support a planning application for the purposes of validation.

1.0 Introduction

- 1.1 The purpose of this report is to advise members of revisions to the LLVR reflecting changes to policy and in response to comments received through consultation; and to seek Committee approval of the List so that it can be published on the Council's website and become part of the validation process. A copy of the revised List will be circulated before the meeting which includes all amendments arising from the consultation (as the consultation period had not ended when this report was prepared)

2.0 Background

- 2.1 Validation simply represents a decision by a local planning authority as to what information must be provided within an application prior to the determination as to whether to grant or refuse planning permission/listed building consent. A 'valid' application is not necessarily an acceptable application. Since 6th April 2008, when mandatory standard planning application forms were introduced, national statutory requirements for validating applications have been in place. At the same time an option was introduced for local planning authorities to adopt a List of additional 'local' requirements as part of the process of validating applications. The Borough Council has, since 1st October 2011, published such a LLVR. Local Validation requirements only apply to applications for planning permission, they do not apply to applications for the approval of the reserved matters of an outline planning permission.
- 2.2 Current guidance on local validation requirements is set out in national Planning Practice Guidance (PPG) under the heading 'local information requirements' in the 'Making an application' section. It indicates that anything that is specified on a local list must be
- reasonable having regard, in particular, to the nature and scale of the proposed development, and
 - about a matter which it is reasonable to think will be a material consideration in the determination of the application.
- 2.3 The key purpose of stipulating what a planning application must comprise is to ensure its validity and so LPAs have up front the information that is essential for a sound, timely and confident decision. It also means that statutory consultees and other third parties who look at and comment on applications can have a better understanding as to what permission is being sought, and what the impacts (both positive and negative) are likely to be.
- 2.4 The Town and Country Planning (Development Management Procedure) (England) Order 2015 reiterates the requirement, which initially came into force on 31 January 2013, the effect of which is that for a LLVR to carry any weight and form part of the validation process it must have been published or republished during the 2 years period immediately before the date the planning application is made.
- 2.5 With respect to applications for listed building consent the LPA can similarly publish on its website a list of its Local requirements, and if it has done so it can then require the submission of an item of information as a requirement of validation. The Borough Council has used a single list to cover both applications for planning permission and listed building consent and the intention is to continue to do so. Although there is no statutory requirement to regularly review the Local List of information requirements for Listed building consent applications the opportunity has been taken to do so

3.0 The List of Local Validation Requirements

- 3.1 The List, attached as an Appendix, has been set out in a matrix as previously. It is important to note that if an application submitted lacks the necessary information specified in the Council's List, the Council will be entitled to invalidate the application and so decline to determine it, but it will still need to take a **proportionate** approach when validating, so that applications are not rendered invalid by the omission of an item of

information that would add little to the Council's understanding of the development proposal. Pre-application discussion is strongly encouraged so that where possible the information sought by the Council at application stage is proportionate to the nature of the scheme, and if applicants do not agree with the Council's requirement or an item, they are encouraged to discuss it with the Council.

- 3.2 It is important to note that the quality of the information submitted has no bearing on the decision as to whether the application is a valid one. Applicants are encouraged to submit information to a good standard, and the Council does have the ability to request clarification and further information during the determination process. Procedures are in place within the Council to ensure that officers at an appropriately senior level are involved where disagreements with an applicant about the validity of an application arise, and training has been and will continue to be provided to all officers involved in the validation process.
- 3.3 A validation dispute process was introduced in 2013 together with the ability to appeal against non-validated applications after the normal determination period ends. At an appeal if the Inspector considered that the Authority had unreasonably concluded that further information was required in support of the application and unnecessarily delayed the decision an award of costs could be made. To date no appeals have been lodged on this basis.

4.0 Consultation Process

- 4.1 The consultation took place over a period of 6 weeks ending on 4th September 2015. The Authority wrote to 39 agents and 26 of the groups and bodies that are consulted as part of the determination of planning applications (consultees). The draft revised List of Local Validation Requirements and details of the consultation were published on the Council's website and comment was invited.
- 4.2 The main change proposed is the removal of information item 16 (Planning Obligations/Draft Heads of Terms) from the List of LVRs. Published guidance on LVRs, set out in the PPG states that the purpose of planning obligations is to make development acceptable in planning terms. The guidance states that this is about mitigation, rather than just identification of impact (that being the purpose of LVRs). While it can be good practice to submit information about planning obligations or heads of terms alongside an application it should not, according to the Guidance, normally be a requirement for validation of a planning application. If such a requirement is to be included in a List of LVR the guidance states that the local planning authority should be able to justify their inclusion in relation to any particular development. It has not been possible to identify any particular type of development where this requirement is justified in light of such Government Guidance.
- 4.3 Other changes proposed are removal of references to Local Plan policies which are no longer saved, and of references to planning practice guidance that was superseded by the publication of the Planning Practice Guidance in March 2014. In addition a change to the threshold in rural areas where an Affordable housing statement is required, at information item 1, was included in the consultation - to reflect the Government policy changes set out in the Ministerial Statement of 28th November 2014 (as reported to the Planning Committee at its meeting on 31st March 2015). However, as there has been a successful legal challenge to the changes as set out in the Statement it is necessary to revert back to the thresholds that are set out within the Development Plan.
- 4.4 The consultation period had not ended at the time this report was prepared and it will therefore be necessary to report any further comments that may be received by means of

a Supplementary Report. The Council has, however, received 3 responses from consultees to date.

- 4.5 The comments received to date and your officer's suggested response to them are summarised in the Table below. Amendments reflecting the suggested responses received to date have been made to the original draft and the proposed final document will be circulated within a Supplementary report, with all amendments arising from the consultation process highlighted in grey, prior to the meeting.

Consultee	Comments received	Proposed response
Peter Jackson (Agent)	<p>1. Documents that are highlighted and can be accessed through links are sometimes out of date. The example given is that the Affordable Housing SPD referred to makes reference to out of date national policy guidance. It is suggested that notes should be added to confirm which document is current guidance or list what has been changed in that document by Central Government.</p> <p>2. Can a link be added to the correct chapter of the Planning Practice Guidance in each case.</p> <p>3. A Phase 1 habitat survey should be required on all applications for Major development (information item 4 Biodiversity survey and report).</p> <p>4. Design Reviews should not be required for outline applications.</p>	<p>1. The documents referred to within the list are all current and are material to the determination of planning applications. The weight that can be given to each document in decision making is dependent on their level of conformity to the NPPF. It would not be possible, within the list, to try to identify the weight that should be given to each document. These matters should be addressed through pre-application submission. As such no amendment proposed.</p> <p>2. A link to the relevant chapter will be provided in the published list. A similar approach will be taken to references to Planning Practice Guidance</p> <p>3. It would not be a proportionate approach to require a Phase 1 habitat survey on all applications for Major development. The types of applications identified are in accordance with guidance and do cover the majority of applications involving major development.</p> <p>4. Whilst there is limited information on design to review in outline applications there are some such applications where Design Review is justified at the 'Master Plan' stage. The requirement should not be amended but consideration will be given at validation stage of applications as to the benefits of Design Review of outline proposals and this requirement will not be required if it does not meet the tests referred to at paragraph 2.2 above. Applications for approval of reserved matters are exempt from the requirements of the LLVR, however it is possible to impose a required</p>

	<p>5. The Local Plan Proposals Map is not interactive.</p> <p>6. The Government introduced some streamlining in 2013 regarding the validation process</p> <p>7. If the information requirement involves the input of a statutory consultee then a link should be provided to that organisation.</p> <p>8. There should be separate criteria for outline applications in some sections.</p>	<p>through condition that any reserved matters application has undergone Design Review before submission.</p> <p>5. Noted, no amendments proposed.</p> <p>6. The Government's approach to validation has been taken into consideration in the preparation of the list. No amendment proposed.</p> <p>7. It is sometimes more appropriate for Planning Officers to liaise with consultees in the validation process. Where it is appropriate for the applicant to discuss validation matters directly with consultees, contact details are provided. No amendment proposed.</p> <p>8. It is considered that the list identify different criteria for outline applications where appropriate. In the absence of any specific suggestions by Mr Jackson, no amendments are proposed.</p>
Urban Design and Conservation Officer.	<p>1. There is an error, and 'statutorily' should be replaced with 'statutory' under information item 8 (Heritage Asset Statement).</p> <p>2. Reference should be to 'Registered' Parks and Gardens.</p> <p>3. A link to Historic England's website and Staffordshire County Council's Historic Environment Record should be added to information column.</p>	<p>1. Typo corrected.</p> <p>2. 'Registered' will be inserted in place of 'historic' when referred to parks and gardens.</p> <p>3. Links have been added.</p>
The Minerals and Waste Planning Authority (Staffordshire County Council)	<p>1. Could a link be provided to the Defra Construction Code of Practice for the Sustainable Use of Soil on Development Sites (information item 2).</p> <p>2. Can the reference to under information item 3 to the Air Quality Management areas, Action Plan and AQS (Air Quality Statements) being added when confirmed now be updated.</p> <p>3. The need for an assessment of air quality may be required in proposals that include quarrying/extraction of minerals and landfill however as this is not a District matter it should not be mentioned in the list.</p> <p>4. The Coal Authority website should be a link under information item 5 (Coal Mining Risk</p>	<p>1. Link added.</p> <p>2. Whilst Air Quality Management Areas have been identified work has not been completed on the Action Plan and AQS and at this time there is no up to date information published on the website. As such it is not possible to provide a link.</p> <p>3. Agreed, reference to quarrying etc removed from list.</p> <p>4. Link added</p>

	<p>Assessment).</p> <p>5. Insert 'originally published by' before English Partnerships in the reference to the document 'Car parking: What works where' at information item 14 (Parking Provision Details).</p> <p>6. The paragraph "Applicants are advised to seek specialist expertise and to discuss their proposals with Staffordshire County Council's Highway Authority or the Highways Agency..." Included at information items 22 and 23 (Transport Assessment and Travel Plan) should read "Applicants are advised to seek specialist expertise and to discuss their proposals with the Highway Authority (Highways England for motorways and trunk roads/Staffordshire County Council for all other roads)..." The correct title for BS5837:2012 referred to at information item 24 (Tree Survey/ Arboricultural Implications Assessment) 'Trees in relation to design, demolition and construction'</p> <p>7. Amend title of information item 27 (to refer to non-waste related development).</p> <p>8. Reference to PPS10 at information item 27 should be replaced by the National Planning Policy for Waste (NPPW).</p> <p>9. The reference of the SSJWL, which is referred to at information item 27 (Site Waste Management Plan (SWMP)), has been incorrectly deleted from the list of abbreviations at the end of the document.</p> <p>10. The requirements as to type of application when information item 27 as referred to in the list and the regulations referred to was revoked as part of the Government's red tape challenge. All major applications should be subject to the requirements of the NPPW.</p> <p>11. In light of the revocation of the regulations referred to in information item 27, the information section what information is required should be set out as follows: " Major development proposals should: i. Use /Address waste as a resource; ii. Minimise waste as far as possible; iii. Demonstrate the use of sustainable design and construction techniques, i.e.: resource-efficiency in terms of sourcing of materials, construction methods, and demolition; iv. Enable the building to be easily decommissioned or reused for a new purpose; and enable the future recycling of the building fabric to be used for its constituent material; v. Maximise on-site management of construction, demolition and excavation waste arising during construction;</p>	<p>5. Agreed, amendment made.</p> <p>6. Agreed, amendment made.</p> <p>7. Agreed, amendment made.</p> <p>8. Agreed, amendment made.</p> <p>9. Agreed, amendment made.</p> <p>10. Amendment made.</p> <p>11. Agreed, amendment made.</p>
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	<p>vi. Make provision for waste collection to facilitate, where practicable, separated waste collection systems; and,</p> <p>vii. Be supported by a site waste management plan.”</p> <p>12. The Smart Waste website referred to in information item 27 should be a web link.</p> <p>13. Links should be provided to the documents referred to in the list of abbreviations where applicable.</p> <p>14. Suggest reference to National in the reference to PPG in the list of abbreviations as this does not appear in the acronym.</p>	<p>12. Link added.</p> <p>13. Links to the documents referred to under the heading 'list of abbreviations' are provided in the main body of the document against the relevant information item. It is not considered necessary to provide the additional links suggested.</p> <p>14. Suggestion noted, but amendment not necessary as it is considered that the reference to 'National' clarifies it is the Government's guidance for the avoidance of doubt and would not create confusion.</p>
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6.0 Next Steps

- 6.1 Once the List has been approved it will be necessary to publish it on the Council's website and at that point it will become part of the validation process. This must be done before 1st October 2015.

Background Papers

Planning Practice Guidance (March 2014)
Town and Country Planning (Development Management Procedure) (England) Order 2015

Date report prepared 3rd September 2015

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The Business, Membership and Frequency of the Council's Strategic Planning Consultative Group

Purpose :

To provide the Planning Committee with the opportunity to inform Cabinet of the Committee's views on the business, membership and frequency of the Council's Strategic Planning Consultative Group and in particular on the proposals contained within the report on the agenda of Cabinet on the 16th September.

Recommendation :

That should the Planning Committee wish to make any comments to Cabinet on the report and its proposals that it does so now, so that they can be taken into account by Cabinet at its meeting on the 16 September.

Reason :

To provide the Planning Committee with the same report on the matters outlined above as is being submitted to Cabinet on 16 September.

1.0 Background

- 1.1 Members may recall that at its meeting on the 21 July the Planning Committee was provided with an opportunity to submit comments to the 22 July Cabinet meeting on the progress made in implementing the Action Plan agreed by the Council in response to the report of the Planning Peer Review Team. Action 6 of the updated Action Plan includes a proposal that Cabinet should receive a report at its meeting on the 16th September reviewing the remit, membership and business of the Strategic Planning Consultative Group.
- 1.2 The report for Cabinet has now been prepared and members of the Committee are asked to refer to this report which they will find in the agenda for the 16th September Cabinet. Given that it was Planning Committee that requested that the Strategic Planning Consultative Group be set up in the first place, due to perceived problems at the Committee at the time, that both the Chair and Vice Chair of the Committee are members of the Group, and the Group is chaired by the Chair of the Planning Committee, it is considered appropriate that the Committee have an opportunity to provide its views to Cabinet.

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**Applications for Financial Assistance from the Conservation and Heritage Fund for,
1) Smithy House, 4 Highway Lane, Keele (Ref: 15/16003/HBG) and
2) Churchyard wall at St Thomas Church, Mow Cop (Ref: 15/16004/HBG)**

RECOMMENDATION:

That the following grants are approved:-

- 1. £210 for the replacement of 2 timber windows at Smithy House, Highway Lane, Keele, subject to the appropriate standard conditions**
- 2. £3,834, for the conservation repair of the churchyard wall, St Thomas Church, Mow Cop, subject to the appropriate standard conditions**

Purpose of report

To enable members to consider two applications for financial assistance.

1. Smithy House, 4 Highway Lane, Keele

An application has been received from the owner of the property which is on the Council's Register of Locally Important Buildings and within the Keele Conservation Area. The application is for replacement of 2 windows. The windows are timber with a painted finish and will be replaced like for like. The total cost of this work is £2,100 including VAT.

The property has taken up two previous grants –one of £1,664 in August 2013 for repair to the roof, walls, downspouts, etc and a second of £297 in October 2014 for work to 4 of the timber windows. All of this work has been completed and the grants claimed.

The current works are eligible for grant up to 10% of the total costs which comes to £210.

2. Churchyard wall at St Thomas's Church, Mow Cop

The churchyard wall surrounds the church matches the stone in the church and is a curtilage structure to the Grade II Listed church. As the churchyard is classified as a "closed" churchyard, the Borough Council take on the responsibility of any future maintenance. The wall was poorly repointed in a hard cement mortar in the 1980's and this causing further degradation of the stone. The proposal is to repoint the wall in a hydraulic lime mortar to preserve the wall for the future.

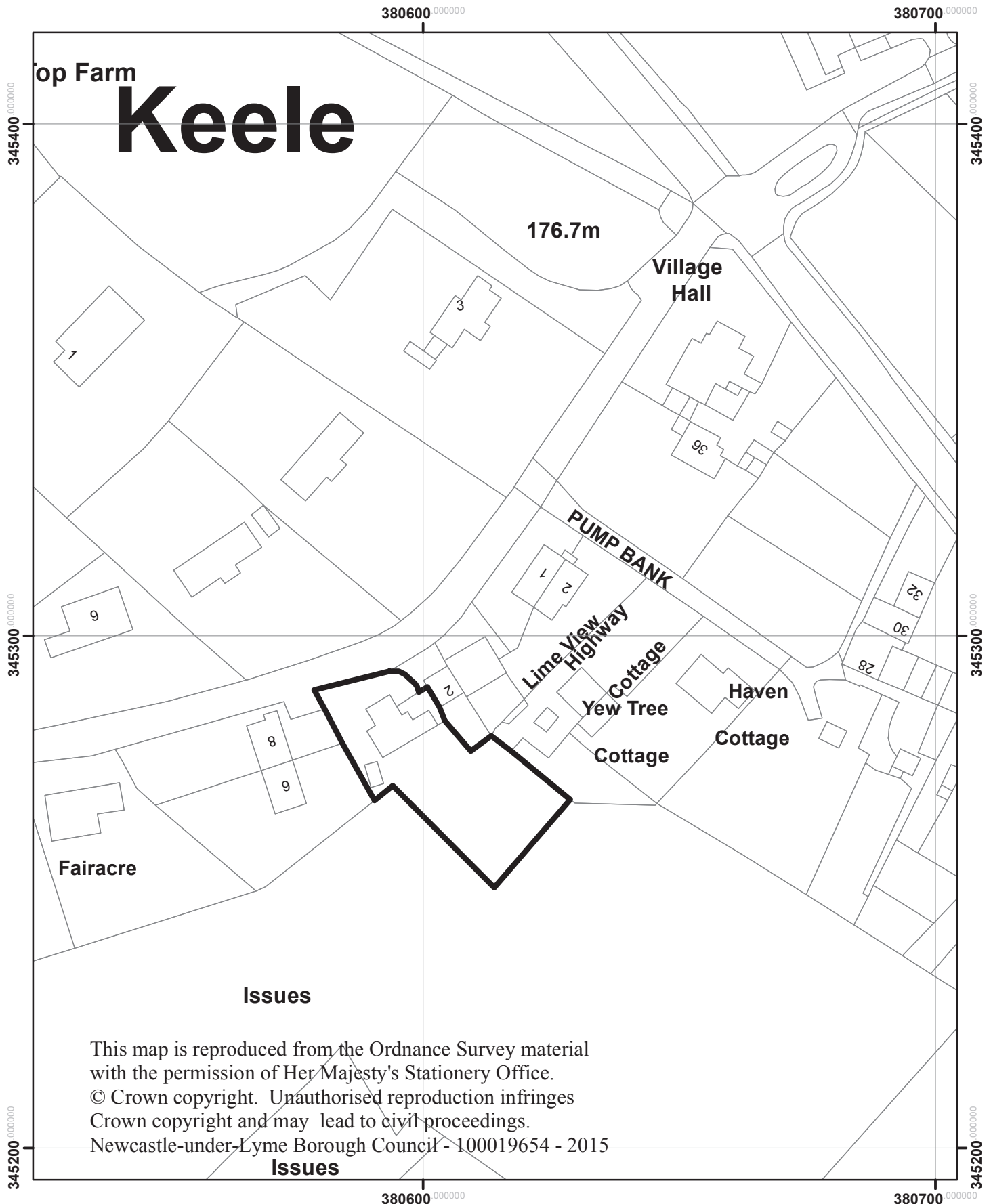
The lowest quotation for the work is £19,170 including VAT. The work is eligible for grant up to 20% of the total cost which comes to £3,834.

The views of the Conservation Advisory Working Party on both applications are being sought and will be reported to the Planning Committee.

Financial Implications

There is sufficient funding to meet both grant applications with £33,000 in the Fund allowing for current commitments.

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