

## **PLANNING COMMITTEE**

Tuesday, 24th May, 2016

**Present:-** Councillor Bert Proctor – in the Chair

Councillors Burgess, Fear, Hambleton, Loades, Mancey, Northcott, Panter, Pickup, Reddish, Simpson, Turner, Williams and Williams

Apologies Apologies were received from Councillor(s)

### **1. APOLOGIES**

There were no apologies received

### **2. COUNCILLOR EILEEN BRAITHWAITE**

Members stood in silent tribute to Councillor Eileen Braithwaite who had recently passed away.

### **3. DECLARATIONS OF INTEREST**

Councillor Loades declared an interest as a ward member in item 4, Tadgedale Quarry, Mucklestone Road, Loggerheads and Councillor S Hambleton declared an interest in item 7, land west of Ravens Close, Bignall End as a board member of the Aspire Housing Group.

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

**Resolved:** That the minutes of the meeting held on 26 April 2016 be agreed as a correct record.

### **5. APPLICATION FOR MAJOR DEVELOPMENT - TADGEDALE QUARRY, MUCKLESTONE ROAD, LOGGERHEADS. RENEW LAND DEVELOPMENTS LTD. 16/00202/OUT**

**Resolved:** That the application be refused for the following reasons:

*(Proposed by Councillor Loades and seconded by Councillor Fear)*

Refused on same grounds as 15/00015/FUL that the development would constitute unsustainable development by reason of its location and lack of accessibility to services and facilities including Mucklestone Primary School there being no suitable and safe footpath access to that school from the development. The development would result in a high level of private car use having regard to its location and limited bus services with additional reasons relating to the following:

- (i) In the absence of a planning obligation securing the long term maintenance and management of public open space on the site, the development would not be acceptable
- (ii) In the absence of a planning obligation, and having regard to the likely additional pupils arising from a development of this scale and the capacity of existing educational provision in the area, the development fails to

make an appropriate contribution towards primary school provision, contrary to policy.

- (iii) In the absence of a planning obligation the development fails to provide 25% of the total number of proposed dwellings as affordable dwellings which are required to provide a balanced and well-functioning housing market.
- (iv) In the absence of a planning obligation towards Travel Plan monitoring costs, the required contribution to sustainable transport measures would not be secured in accordance with policy.
- (v) In the absence of a planning obligation towards the provision of a travel plan for St. Mary's CE Primary School, the required contribution to sustainable transport measures, would not be secured in accordance with policy.

**6. APPLICATION FOR MAJOR DEVELOPMENT - SITE OF FORMER JUBILEE BATHS, NELSON PLACE, NEWCASTLE. WESTLANDS ESTATES LTD. 16/00244/FUL**

**Resolved:** That the application be refused for the following reasons:

*(Proposed by Councillor Fear and seconded by Councillor Northcott)*

Loss of amenity as a result of on street parking arising from inadequate on-site parking provision.

**7. APPLICATION FOR MAJOR DEVELOPMENT - FORMER ST GILES' & ST GEORGE'S PRIMARY SCHOOL, BARRACKS ROAD, NEWCASTLE. STAFFORDSHIRE COUNTY COUNCIL. 16/00362/FUL**

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

*(Proposed by Councillor Fear, seconded by Councillor S Hambleton)*

The colour of the proposed material is not in keeping with and would be harmful to the character and appearance of the Conservation Area.

**8. APPLICATION FOR MINOR DEVELOPMENT - LAND WEST OF RAVENS CLOSE, BIGNALL END. ASPIRE HOUSING GROUP. 16/00273/FUL**

*(Proposed by Councillor Turner, seconded by Councillor Burgess)*

**Resolved:** That consideration of this item be deferred for a site visit.

**9. APPLICATION FOR MINOR DEVELOPMENT - LAND NORTH OF BAR HILL ROAD, ONNELEY. MR D JOHNSON. 16/00336/OUT**

*(Proposed by Councillor Loades, seconded by Councillor Mancey)*

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

- (i) Approval of details of appearance, landscaping, layout and scale (hereinafter called "the reserved matters" and as defined in the Town and Country Planning (Development Management Procedure) Order 2015, as amended, or any Order revoking and re-enacting that Order) shall be obtained from the Local Planning Authority in writing before any development hereby approved is commenced.
- (ii) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.
- (iii) The development hereby permitted shall be carried out in accordance with the following approved plans and supporting information unless superseded by plans approved for outstanding reserved matters applications;
  - Location plan (scale 1/2500), received by the Local Planning Authority on 21 April 2016
  - Drawing no. 4224-01-03, received by the Local Planning Authority on 21 April 2016
  - Transport Planning Paper dated the 23 February 2016
  - Preliminary Risk Assessment (Desk Study) dated the 8<sup>th</sup> June 2015
  - Extended Phase 1 Habitat Survey by Rachel Hacking Ecology
- (iv) Development should not commence until sufficient site investigation works have been undertaken to adequately assess the nature and extent of any land contamination on the site. The scope of site investigation works should be submitted to, and approved in writing by, the local planning authority. The works must be undertaken by competent persons and in accordance with the requirements of:
  - BS10175 (2011) + A1 (2013) Investigation of Potentially Contaminated Sites – Code of Practice
  - BS8576 (2013) Guidance on Investigations for Ground Gas - Permanent Gases and Volatile Organic Compounds

The findings of the site investigation should be used to assess the potential risks from land contamination to:

- Human health
- Controlled water
- Property
- Ecological systems
- Archaeological sites and ancient monuments

A report of the results of the site investigation works, together with a risk assessment should be submitted to, and approved in writing by, the local planning authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with National Planning Policy Framework 2012.

- (v) Development shall not commence until a detailed remediation scheme to bring the site to a condition suitable for its intended use by removing unacceptable risks has been submitted to, and approved in writing by, the local planning authority. The scheme must include:
  - All remediation works to be undertaken
  - Proposed remediation objectives and remediation criteria
  - Site management procedures
- (vi) The approved remediation scheme must be carried out in accordance with the approved remediation statement prior to the commencement of development, unless otherwise agreed in writing by the local planning authority.

The local planning authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of the approved remediation scheme, a verification report that demonstrates its effectiveness must be submitted to, and approved in writing by, the local planning authority.

- (vii) In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition (4), and where remediation is necessary, a remediation scheme must be prepared in accordance with the requirements of condition (5), which is subject to the approval in writing of the local planning authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the local planning authority in accordance with the requirements of condition (6).

- (viii) No soils (or soil forming materials) are to be imported to the site until information on their source, the results of any soil analysis, and an assessment of their suitability for use has been submitted to and agreed in writing by the local planning authority. Prior to their import onto site, a suitable methodology for testing soils following their import and placement on the site should be submitted to and agreed in writing by the local planning authority. The methodology should include:
  - The sampling frequency

- Soil analysis schedules
- The criteria against which the analytical results will be assessed

The agreed methodology shall then be carried out, the results of which should be submitted to, and approved in writing by, the local planning authority.

- (ix) The development hereby permitted shall not be occupied until the access to the site within the limits of the public highway has been completed in accordance with the submitted plans.
- (x) Notwithstanding the submitted plans the reserved matters application shall include details indicating a minimum access width of 4.2m for the first 5m rear of the highway boundary.
- (xi) The development hereby permitted shall not be brought into use until the visibility splays, as broadly indicated on drawing no: 243-01/GA-01, have been provided. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level.
- (xii) The development hereby permitted shall not be occupied until the existing site access, which shall include the access crossing between the site and carriageway edge made redundant as a consequence of the development hereby permitted is permanently closed and the access crossing reinstated as verge / hedgerow to Local Planning Authority approval.
- (xiii) The vehicular access shall remain un-gated
- (xiv) The development hereby permitted shall not be commenced until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
  - i) a site compound with associated temporary buildings;
  - ii) the parking of vehicles for site operatives and visitors;
  - iii) loading and unloading of plant and materials;
  - iv) storage of plant and materials used in constructing the development;
  - v) measures to prevent the discharge of deleterious material and surface water onto the highway.
- (xv) Any application for the approval of reserved matters shall include an Arboricultural Impact Assessment and Tree Protection Plan, both to BS5837:2012, with particular reference

to the high quality mature trees at the eastern end of the site.

**10. APPLICATION FOR OTHER DEVELOPMENT - 20 MELROSE AVENUE, NEWCASTLE. MR R MANDLEY. 16/00255/FUL**

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

- (i) Time limit.
- (ii) In accordance with the approved plans.
- (iii) Materials as per application.

**11. APPLICATION FOR OTHER DEVELOPMENT - OLD HALL, POOLSIDE, MADELEY. MR G WHITE. 16/00252/LBC**

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

- (i) Time limit condition.
- (ii) Development to be carried out in accordance with the approved plans and submitted details.

**12. APPLICATION FOR OTHER DEVELOPMENT - BUDDILEIGH FARM, BACK LANE, BETLEY. MR ALEXANDER. 16/00185/COU**

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

- (i) Time limit.
- (ii) In accordance with the approved plans.
- (iii) No more than 9 wedding ceremonies shall be held in the barn and the garden (combined) in any calendar year.
- (iv) Compliance with the recommended mitigation measures of the noise management plan at all times that a wedding is taking place.
- (v) Car parking to be within the field – accessed from Main Road as per existing arrangements.
- (vi) Removal of the marquee within the residential curtilage when not in use.

**13. APPEAL DECISION - ROWNEY FARM, MARKET DRAYTON ROAD, LOGGERHEADS**

**Resolved:** That the decision be noted.

**14. ARTICLE 4 DIRECTION FOR WHITMORE CONSERVATION AREA**

**Resolved:** That agreement be given to the making of Article 4 Directions

**15. ARTICLE 4 DIRECTIONS FOR MADELEY AND AUDLEY CONSERVATION AREAS**

**Resolved:** That agreement be given to the making of Article 4 Directions

16. **HALF YEARLY REPORT ON PLANNING OBLIGATIONS**

**Resolved:** That the recommendations be accepted

17. **QUARTERLY ENFORCEMENT MANAGEMENT REPORT**

**Resolved:** That the information be received

18. **OPEN ENFORCEMENT CASES**

**Resolved:** That the recommendations be accepted.

19. **URGENT BUSINESS**

There was no Urgent Business.

**COUNCILLOR BERT PROCTOR**  
**Chair**