

PLANNING COMMITTEE

Tuesday, 11th March, 2014

Present:- Councillor Michael Clarke – in the Chair

Councillors Miss Baker, Hambleton, Mrs Hambleton, Matthews,
Miss Reddish, Stringer, Studd, Sweeney, Turner, Williams and
Mrs Williams

1. DECLARATIONS OF INTEREST

There were no declarations of interest.

2. APOLOGIES

Apologies were received from Cllr Howells, Cllr Cairns and Cllr Fear.
The Committee sent their best wishes to Cllr Cairns.

3. MINUTES OF PREVIOUS MEETING

Resolved: That the minutes of the meeting held on 18th February 2014 be agreed as a correct record.

4. APPLICATION FOR MAJOR DEVELOPMENT - LAND BETWEEN APEDALE ROAD AND PALATINE DRIVE, CHESTERTON; LANDS IMPROVEMENT HOLDINGS LANDMATCH/SAVILLS; 13/00525/OUT

Resolved:

A. That subject to the applicant first entering into a Section 106 obligation by 29th May 2014 to require:-

- 1) A contribution of phased payments towards the Newcastle (urban) Transport and Development Strategy (NTADS) in a total sum of £193,313;
- 2) A contribution of phased payments towards an extended bus service in a total sum of £350,000;
- 3) A contribution of phased payments towards school spaces in a total sum of £816,294;
- 4) Affordable Housing provision at a minimum level of 10% on site provision together with a further 5% on site provision or the equivalent (5%) financial contribution for off site affordable housing provision.
- 5) EITHER a contribution of £672,000 towards Open space maintenance provision OR the entering into of a Management agreement to secure the long term maintenance of the public open space;
- 6) A Travel Plan monitoring fee in the sum of £6,200;

7) That a financial viability reappraisal be undertaken EITHER if phase 1 of the development has not been substantially commenced within 28 months of the grant of this outline planning permission (substantial development being defined in this case by completion of all earthworks and remediation as identified in an already received development programme) OR if a continual delivery of housing development is not thereafter maintained, and appropriate adjustments be made, on the basis of such reappraisal(s) to the level of affordable housing referred to in 4) above with a floor of 10% and a cap of 25%;

The application be permitted, subject to conditions concerning the following matters:

- Condition to reflect outline nature of application
- Time limit for submission of any approval of reserved matters and for commencement conditions
- Approved plans and documents
- Phasing plan to including engineering works, open space provision, and infrastructure works including non vehicular links
- Reserved matter submission to be informed by the principles within the submitted Design and Access Statement
- The proposed dwellings to be built to minimum Code for sustainable homes Level 3 standard.
- Tree protection measures
- Landscaping reserved matters to include replacement tree planting
- Reserved matters to include details relating to surface water drainage and road specification
- Provision of the new access onto Apedale Road
- Off Site traffic management details including new signage
- Provision of details relating to movement framework, connection to surrounding areas for all modes of transport, connection for pedestrian and cyclists through the site.
- Provision of details of residential street layout and character
- Mitigation measures prevent debris being deposited on the Highway
- Construction traffic routeing
- Site and construction compound details
- Contaminated Land Conditions
- Construction hours restriction where appropriate
- Construction management plan
- Dust mitigation measures
- Internal noise levels in dwellings
- External noise levels
- Waste storage and collection arrangements
- Archaeological evaluation and subsequent mitigation measures
- Ecological mitigation
- Flood Risk Assessment
- Residential Travel Plan

B. Failing completion by 29th May 2014 of the above planning obligation, that the Head of Planning be given delegated authority to either refuse the application on the grounds that in the absence of such obligations the proposal fails to make an appropriate contribution to improve local accessibility and to promote the most sustainable modes of travel; and provide appropriate level of affordable housing which is required to provide a balanced and well functioning housing market, the on-

going maintenance of on site open space provision , and an appropriate contribution towards school provision; or, if he considers it appropriate, to extend the period of time within which the obligation can be secured.

5. APPLICATION FOR MAJOR DEVELOPMENT - LAND ADJACENT TO 31 BANBURY STREET, BUTT LANE; BROWNS (SHOPFITTING AND CONSTRUCTION LIMITED); 14/00027/FIL

Resolved:

Subject to the applicant first entering into Section 106 Obligations by no later than 14th April 2014, to secure the following:

- I. A financial contribution of £38,259 for open space enhancement/improvements and maintenance.
- II. A contribution of £8,000 towards the Newcastle (urban) Transport and Development Strategy (NTADS).
- III. A contribution of £33,093 towards primary school provision.

The application be permitted subject to conditions concerning the following matters:-

- Standard time limit for commencement
- Approved plans, to include reference to revised site layout plan received.
- Prior approval of facing materials and implementation of approved details.
- Prior approval and implementation of approved ground levels and finished floor levels.
- Prior approval and implementation of a detailed Arboricultural site monitoring schedule, and appropriate Arboricultural works to the sycamore tree.
- Prior approval of plans detailing 6m radius kerbs; a pedestrian crossing point including tactile paving; visibility splays of 2.4m by 43m; and an access gradient not exceeding 1:10 for the first 5m rear of the highway boundary. The access shall be completed before occupation of plots 7 to 14 and thereafter the visibility splays kept free of obstruction.
- Prior approval and implementation of the widening of the footway to 2m on Banbury Street and the permanent closure of the existing site access and its reinstatement as footway.
- No occupation until the access road, parking and turning areas have been provided in accordance with the approved plans.
- Submission, approval and implementation of surfacing materials for the access road, parking and turning areas; surface water drainage for such areas; and delineation of parking bays.
- Prior to occupation of plot 1 the parking spaces 1 and 2 shall be completed.
- Any gates to be a minimum of 5m from the site boundary and open away from the highway.
- Prior approval and implementation of a Construction Method Statement to include site compound; routing of construction vehicles; parking of vehicles; loading and unloading of plant and materials; storage of plant and materials; control of noise, vibration and dust; and wheel wash facilities.
- Provision of an access strip width of 6m, 3m either side of the centre line of the sewer crossing the site.
- The site to be drained on a separate system.
- Contaminated land conditions.

2. Should the matters referred to in I-III above not be secured by 14th April 2014, that the Head of Planning be given delegated authority to refuse the application on the

grounds that without such matters being secured the development would fail to secure an appropriate level of provision of adequate public open space; would not achieve sustainable development outcomes; and would not mitigation against the impact of additional pupils arising from a development of this scale in a location that has no capacity within primary schools or, if he considers it appropriate, to extend the period of time within which the obligations can be secured.

6. APPLICATION FOR MAJOR DEVELOPMENT -LINLEY TRADING ESTATE, LINLEY ROAD; REALTY ESTATES; 13/00625/OUT

Resolved: That the Head of Planning have authority to conclude an agreement based upon the broad principles set out in the supplementary report to the Committee.

2. That subject to the Section 106 agreement (securing the obligations agreed by the Committee on 7th January 2014) being concluded by no later 22nd April 2014, planning permission be granted subject to the conditions indicated in the agenda report to the 7th January Planning Committee; and

3. Should the agreement not be secured by 22nd April 2014 that the Head of Planning have delegated authority to refuse the application on the grounds that without such matters being secured the development would fail to secure appropriate provision for required education facilities, an appropriate level of affordable housing, the provision of adequately maintained public open space, and measures to ensure that the development achieves sustainable development outcomes, and that without such an undertaking, account would not be able to be taken of a change in market conditions and a development that could have made required contributions would not do so; or, if he considers it appropriate, to extend the period of time within which the obligation can be secured.

7. APPLICATION FOR MINOR DEVELOPMENT - LAND ADJACENT TO FARCROFT, MANOR ROAD, BALDWINS GATE; MR G ADAMS; 14/00037/OUT

Resolved:

That the application be refused on the following grounds:

- The development is contrary to specific policies within the NPPF as it is in an isolated location that would not enhance or maintain the vitality of a rural community. Notwithstanding that the Council cannot demonstrate a 5 year housing land supply, in the absence of special circumstances there is no presumption in favour of permitting this development.
- The adverse impacts of the development arising from its isolated location - the dwellings having a greater carbon footprint whilst also harming the intrinsic character of this part of the countryside - significantly and demonstrably outweigh the benefits of the development. The proposal therefore represents an unsustainable development that is contrary to the guidance of the National Planning Policy Framework (2012)

8. APPLICATION FOR MINOR DEVELOPMENT - LAND REAR OF 24 TO 36 HEATHCOTE ROAD, MILES GREEN; MILLWOOD LTD; 14/00081/FUL

Cllr David Becket spoke against the application.

Resolved:

That the application be refused on the grounds that the development is of a design that is not in keeping with the character of the village; the affordable housing proposed is contrary to the CSP6 of the Core Spatial Strategy by reason of design not being tenure blind; and the applicant has not demonstrated that the design and layout of the development can achieve appropriate provision for the storage and collection of waste and recyclable materials.

9. APPLICATION FOR MINOR DEVELOPMENT - LAND SOUTH OF NETHERLEYS, FORMER ALLOTMENT GARDENS; MR AND MRS WAKELIN; 13/00822/OUT

Resolved:

That the application be permitted subject to conditions relating to the following matters:-

1. Time limit for submission of applications for approval of reserved matters and commencement of development;
2. Approved documents;
3. Contaminated land conditions;
4. Prior approval of parking and turning within the site curtilage;
5. Prior approval of surface water drainage for the driveway and parking areas;
6. Prior approval of surfacing materials for the driveway and parking areas;
7. The development should not be commenced until Mill Lane has been resurfaced for a minimum distance of 5m from the junction with Newcastle Road.
8. That the land used for site construction be restored to its original condition following completion of the build.

10. APPLICATION FOR MINOR DEVELOPMENT -MAER HALL, MAER; MR BARRY J FRADLEY; 14/00077/FUL

Resolved:

(a) Subject to the applicant first completing a planning obligation by 24th March 2014 that restricts the ownership of the buildings to the same ownership as the curtilage of Maer Hall; restricts external alteration to the premises; prevents any items or equipment from being brought onto the premises without the owner's consent; prevents use that in any way causes damage, a nuisance or annoyance; specifies that the owner will require the lessee to enter into a direct covenant with the Local Planning Authority in a specified form should the premises be leased for a term in excess of six months the obligation; and sets a limit on the lease of the property to a maximum period of 60 years.

The application be permitted subject to the following conditions:-

- Notwithstanding the provisions of the Town and County Planning (Use Classes) Order 1987 (or any Order revoking and re-enacting that Order with or without modification), Bothy Cottage, but not Gardeners or Blacksmiths Cottages, shall be occupied as short term holiday accommodation and shall be occupied by any individual or group of people for no more than twenty-eight days in any calendar year.
- Removal of permitted development rights for the erection of boundary treatments and outbuildings etc.
- This consent grants permission only for the variation of condition 1 of planning permission 06/00723/FUL. All other conditions of that permission shall apply.

b) Should the matter referred to in (a) above not be secured within the above period, that the Head of Planning be given delegated authority to refuse the application on the grounds that without the obligation the development could have an adverse impact on the integrity of the curtilage of the Hall, the core of its Registered Historic Parkland and Garden and the setting of its Listed buildings, or, if he considers it appropriate, to extend the period of time within which the obligation can be secured.

11. APPLICATION FOR MINOR DEVELOPMENT -61 TO 63 HIGH STREET, ALSAGERS BANK; MR P DAWSON; 14/00014/FUL

Resolved:

PERMIT subject to conditions relating to the following:-

- Standard time limit.
- Approved Plans.
- Materials in accordance with those specified.
- Tree protection measures.
- Retention of trees.
- Landscaping.
- Contaminated land remediation.
- Amended pedestrian access and egress path to plot 2.
- Provision of parking, access, surfacing, drainage and visibility requirements.
- Retention of the approved garage for parking.
- Removal of permitted development rights for outbuildings.

12. ALTERATION TO TERMS OF GRANTS AWARDED FROM THE CONSERVATION AND HERITAGE FUND AND APPLICATION FOR FINANCIAL ASSISTANCE (HBG) - ST THOMAS BUTTERTON 13/14013/HBG

Resolved:

- a) That the Planning Committee agrees with immediate effect to bring in a £5,000 upper limit on future grants from the Conservation and Heritage Fund

- b) That the Planning Committee approves a grant of £5,000 for the stone repair, replacements, and reroofing of part of St. Thomas's Church, Butterton, subject to the appropriate standard conditions.

13. STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT 2013/2014

A report was submitted to present the Strategic Housing Land Availability Assessment ('the Assessment') (2013/14) for information.

Resolved:

- a) That members note the contents of the Strategic Housing Land Availability Assessment (2013/14).
- b) That training be provided to elected members on aspects of the SHLAA following the elections in May.

14. THE PLAN FOR STAFFORD

A report was submitted to update members on progress of the Stafford Borough Local Plan, as a neighbouring authority, and to set out a suggested response as part of their Main Modifications consultation exercise.

Resolved:

That the Borough Council support the Schedule of Main Modifications prepared by Stafford Borough and respond by stating that it has no further comments to make.

COUNCILLOR MICHAEL CLARKE
Chair

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