

PLANNING COMMITTEE

Thursday, 3rd April, 2014

Present:- Councillor Michael Clarke – in the Chair

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

15. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

16. **MINUTES OF PREVIOUS MEETING**

Resolved: That the minutes of the meeting held on 11th March 2014 be agreed as a correct record.

17. **APPLICATION FOR MAJOR DEVELOPMENT - LAND OFF WATERMILLS ROAD, CHESTERTON; GARDEN DEVELOPMENT LIMITED/ LES STEPHAN PLANNING; 13/00974/OUT**

Resolved:

That the application be refused for the following reasons:

1. In the context of the shortage of employment land in the Borough and in the absence of any convincing evidence to demonstrate that it is unlikely that the site will be developed for employment, the loss of this good quality employment site would have an adverse impact upon the economic growth of the Borough. This adverse impact would significantly and demonstrably outweigh the benefits of the contribution to housing supply.
2. In the absence of a secured planning obligation the development fails to make an appropriate contribution to the Newcastle (urban) Transport and Development Strategy (NTADS) which seeks to improve local accessibility and promote the most sustainable modes of travel.
3. In the absence of a secured planning obligation and having regard to the likely additional pupils arising from a development of this scale and the capacity of existing educational provision in the area, the development fails to make an appropriate contribution towards primary school provision.
4. In the absence of a secured planning obligation the development fails to make an appropriate contribution towards the provision of affordable housing which is required to provide a balanced and well functioning housing market.
5. In the absence of a secured planning obligation the development would not make an appropriate financial contribution towards the development, improvement and maintenance of off-site public open space.

18. **APPLICATION FOR MAJOR DEVELOPMENT - LAND TO REAR OF ROWLEY HOUSE, MADELEY; IAN MORETON / PETER JACKSON ASSOCIATES; 13/00990/OUT**

Resolved: That there be a site visit.

19. **APPLICATION FOR MAJOR DEVELOPMENT - LAND OFF GATEWAY AVENUE, BALDWINS GATE; RICHBOROUGH ESTATES / HOURIGAN CONNOLLY; 13/00426/OUT**

Resolved:

That the Committee confirm:

- 1) That it wished officers to now write to the applicant, without prejudice to the Local Planning Authority's case that the proposal is unacceptable (for the reasons indicated in its decision notice), to confirm that the obligations referred to in the recommendation that was provided to the Planning Committee were required by the Local Planning Authority, except that with respect to affordable housing;
- 2) That officers commence immediate enquiries with those parties who sought such obligations to establish that evidence of the nature indicated in the report below exists so as to justify these requirements; and should your officer, upon receipt of that evidence, no longer consider this to be the case, that a further report be brought back to the Planning Committee, if necessary as an item of urgent business, or in the event that there is not sufficient time to do that, your officer resolves the position of the Local Planning Authority, in consultation with the Chairman and Vice Chairman;
- 3) That with respect to the matter of affordable housing that officers write to the applicant confirming that the Borough Council's position is that it is seeking the provision of 25% on site affordable housing and that it considers that such a matter can and should be addressed by an appropriate Section 106 obligation, the terms of which it is willing to discuss with the applicants agents;
- 4) That in preparing the Council's full Statement of Case that officers, or the Council's agents, include reference to these above requirements;
- 5) That should the applicant seek before the appeal is determined to enter under Section 106 of the Town and Country Planning Act, 1990 as amended, into an agreement with the Council containing such obligations, officers have the appropriate authority to enter into such an agreement;
- 6) That, for the avoidance of any doubt, your officers have authority to agree a Statement of Common Ground that takes into account the authority's' reasons for refusal of the application; and

20. **APPLICATION FOR MINOR DEVELOPMENT - LAND ADJACENT TO SAINSBURYS STORE, LIVERPOOL ROAD; MARSTON INNS AND TAVERNS & WILDGOOSE CONSTRUCTION / PEACOCK AND SMITH; 13/00807/FUL**

Resolved:

That the application be permitted subject to conditions concerning the following matters:

1. Commencement within three years.
2. Approved plans.
3. Prior approval of materials.
4. Levels to be in accordance with approved plans unless otherwise agreed.
5. Provision of a fence or other barrier to prevent access between the proposed development and the rear of properties on Ashfields New Road in accordance with details to be agreed. The barrier should be from the corner of the building to the corner of the rear boundary of 1 Ashfields New Rd (with any gate necessary to achieve appropriate means of emergency exit from the premises to be alarmed to prevent unauthorised use)
6. Hard and soft landscaping to be carried out in accordance with the approved details. Landscaping to include additional planting to the rear of the development behind Ashfields New Road.
7. Provision of access, parking, servicing and turning areas before the development is brought into use.
8. Prior approval of surfacing materials, surface water drainage, and delineation of parking and servicing areas.
9. Any gates to be a minimum of 10m rear of the Sainsbury's access road and shall open away from the highway.
10. Prior approval of a Construction Method Statement to include details of the site compound; access for construction vehicles; the parking of vehicles of site operatives and visitors; loading and unloading of plant and materials; storage of plant and materials; and wheel wash facilities.
11. Prior approval and provision of secure weatherproof cycle parking.
12. Implementation of noise mitigation measures as set out in the submitted Noise Assessment, and/or as recommended by the Environmental Health Division.
13. That bottles are not emptied outside beyond 19:00hrs,
14. Prior approval of details of facilities to prevent the deposition of extraneous matter (mud, debris, etc.) on the public highway before commencement of development and implementation in accordance with the approved details.
15. No machinery to be operated or process to be carried out in the construction of the development, and no construction traffic to enter or leave the site between 1800 hours and 0700 hours Monday to Friday, and not at any time on Sundays, Bank Holidays or after 1300 hours in Sundays.
16. The residential element shall remain in the same ownership as the commercial activity unless otherwise approved by the Local Planning Authority (LPA).
17. Construction, glazing and ventilation of the residential element to be in accordance with the Noise Report.
18. Noise mitigation measures for the mechanical services servicing the development to be in accordance with the Noise Report.
19. Installation of a noise limiting device, to be maintained thereafter, to control internal noise levels from amplified music to the level agreed by the LPA.
20. Deliveries restricted to between 0700 and 2100 hours on any day.
21. Acoustic screen to be erected prior to commencement of commercial activities in accordance with the details in the Noise Report.
22. Noise mitigation measures for deliveries as set out in the Noise Report shall be employed.
23. Empty bottles to be stored and handled, and presented for collection as set out in the Noise Report.
24. Means to prevent grease, fat and food debris from entering the foul drainage system to be implemented in accordance with approved details.
25. Prior approval of an odour abatement system for the kitchen before commencement of development and implementation in accordance with the

approved details. Cooking process to cease at any time the extraction system fails to operate.

26. Submission and implementation of a lighting assessment.

21. **APPLICATION FOR MINOR DEVELOPMENT -TADGEDALE QUARRY, MUCKLESTONE ROAD, LOGGERHEADS; MALCOLM HARRISON / DEP; 14/00080/FUL**

Resolved:

That the application be refused for the reason that the intended use of the building would have an unacceptable impact on residential amenity by virtue of noise dust and odours due to the proximity of the building to the neighbouring property

22. **APPLICATION FOR OTHER DEVELOPMENT -LAND OFF PINWOOD DRIVE, LOGGERHEADS; MR R NEWTON CROSS; 14/00053/OUT**

Resolved:

That the application be Refused as the size of the plot and dwelling would be out of keeping with the character and appearance of the area. Such harm would demonstrably and significantly outweigh the benefits of the development on the supply of housing land and as such there was not a presumption in favour of this development.

23. **APPLICATION FOR OTHER DEVELOPMENT - SWIFT HOUSE, LIVERPOOL ROAD; AUTO ACCEPT FINANCE; 14/00055/FUL AND 14/00056/ADV**

Resolved:

Application 14/00055/FUL

Permit subject to the following conditions:

- 1. Development to be carried out in accordance with the approved, amended plan.**
2. Conditions of 12/00770/FUL continuing to apply

Application 14/00056/ADV

Permit with no conditions.

24. **APPLICATION FOR OTHER DEVELOPMENT; FORMER SAINSBURYS SITE; NULBC; 14/00188/DEEM4**

Cllr Turner declared an interest in relation to this item due to his capacity as Portfolio Holder for Economic Development, Regeneration and Town Centres.

Resolved:

- (a) That prior approval is required
- (b) That details of the method of demolition and restoration of the site be approved

25. **APPLICATION FOR FINANCIAL ASSISTANCE (HISTORIC BUILDINGS GRANT) -13/14015/HBG AUDLEYS CROSS FARM, LOGGERHEADS - GRANT APPLICATION FOR REINSTATEMENT OF TIMBER WINDOWS**

Resolved:

1. That a grant of £2,334 be approved for the reinstatement of timber windows at Audleys Cross Farm, Loggerheads.
2. That in addition to the standard conditions, a specific condition be added that the windows should be replaced and the grant offer taken up within 3 months of the date of the decision to award the grant (3rd April 2014).

26. **COMMITTEE SITE VISIT DATES 2014/2015**

Resolved: That the list of dates and times for possible Planning Committee site visits for 2014/2015 be agreed

27. **CONFIRMATION OF TPO 151 - FORMER VICARAGE, HAWKSTONE CLOSE**

Resolved: That Tree Preservation Order No 151 (2013) for the Oak tree identified as T1, at the Vicarage, Hawkstone Close Newcastle Road, Staffordshire be confirmed as made and that the owners of the trees be informed accordingly.

28. **CONFIRMATION OF TPO 149 - LAND TO NORTH OF 41 BOON HILL ROAD, BIGNALL**

Resolved: That Tree Preservation Order No 149 (2013), land to the north of 41 Boon Hill Road, Bignall End be confirmed as made and that the owners of the site be informed accordingly.

29. **TPO 150 - LAND ADJACENT TO 31 BANBURY STREET, TALKE**

Resolved: That Tree Preservation Order No 150 (2013), Land adjacent to 31 Banbury Street Talke, be confirmed as made and that the owners of the tree be informed accordingly.

COUNCILLOR MICHAEL CLARKE
Chair