

**PLANNING COMMITTEE**

Tuesday, 18th November, 2014

**Present:-** Councillor Sophia Baker – in the Chair

Councillors Mrs Bates, Becket, Fear, Mrs Heesom, Northcott,  
Miss Reddish, Waring, Welsh and Williams

**1. APOLOGIES**

Apologies were received from Cllr Proctor, Cllr Sandra Hambleton, Cllr Simpson, Cllr Mrs Braithwaite and Cllr John Cooper.

**2. DECLARATIONS OF INTEREST**

Cllr John Williams declared an interest in item 9 on the agenda as he sat on the management committee for the community centre.

Cllr Becket declared a personal interest in item 9 on the agenda regarding St Johns Ambulance.

**3. MINUTES OF PREVIOUS MEETING**

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

**4. APPLICATION FOR MAJOR DEVELOPMENT - BLACKBURN HOUSE, THE MIDWAY, NEWCASTLE UNDER LYME; MORSTON ASSETS LTD AND LADSON KEELE LTD/ADS STRUCTURAL; 14/00778/COUNOT**

**Resolved:**

- 1) That Prior approval is required and
- 2) That the Head of Planning be authorised to take into account any comments received by 19th November in determining whether such prior approval should be given.

**5. APPLICATION FOR MAJOR DEVELOPMENT - CLOUGH HALL TECHNOLOGY COLLEGE, FOURTH AVENUE, KIDSGROVE; STAFFORDSHIRE COUNTY COUNCIL; 14/00770/CPO**

**Resolved:**

That the County Council be advised that the Borough Council objects to the application on the grounds that it is not a comprehensive and sustainable solution that provides the school and community with access to fit for purpose recreation facilities, and is thus contrary to the objective of the National Planning Policy Framework

Should the County Council be minded to permit the application then the Borough Council would recommend the following matters should be addressed by conditions:-

1. Contaminated land,
2. Hours of construction,
3. Construction Management Plan,
4. Internal Noise Levels,
5. Details of noise from equipment and machinery,
6. Waste collection and deliveries,
7. Details of kitchen ventilation equipment,
8. Prevention of food and grease debris, and
9. Artificial Lighting
10. Arboricultural Implications Assessment
11. Alignment of utility apparatus (including drainage)
12. Dimensioned Tree Protection Plan
13. Arboricultural Method Statement (detailed)
14. Schedule of works to retained trees (e.g. access facilitation pruning)
15. Arboricultural site monitoring schedule.
16. Landscaping scheme
17. Site must be drained on a separate system
18. No surface water discharged to the combined sewer network
19. Shared car parking scheme, submission and approval

The Borough Council particularly sought assurances (1) that the School would be required by a condition to submit proposals for approval of a scheme for the shared use of car parking spaces at the School, during the hours of off peak usage by the School and peak usage by the Kidsgrove Sports Centre and (2) that a community use agreement is entered into for the new sports hall, grass pitch and existing astro turf pitch.

**6. APPLICATION FOR MINOR DEVELOPMENT - SANDFIELD HOUSE, BAR HILL, MADELEY; MR DAVID A.C BARKER; 14/00684/FUL**

**Resolved:** That the application be deferred until such time as the extent of the visibility splays that can be achieved at the alternative new access have been established.

**7. APPLICATION FOR MINOR DEVELOPMENT -LAND TO REAR OF GRINDLEY COTTAGE, CHURCH LANE, BETLEY; MR AND MRS M COX/MR T R TEW; 14/00700/FUL;**

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

1. The proposed development, by virtue of its siting and design, would harm the setting of the Grade I Listed Building, St Margaret's Church, contrary to Policy B5 of the Local Plan and the aims and objectives of the National Planning Policy Framework.
2. The proposed development, by virtue of its siting and design, would harm the rural setting and character of the Betley Conservation Area, contrary to Policies B9, B10 and B13 of the Local Plan and the aims and objectives of the National Planning Policy Framework.

3. Failure to demonstrate that the proposed dwelling would not result in the loss of visually significant trees to the detriment of the character and appearance of the area and contrary to Policies N12 and B15 of the Local Plan and the aims and objectives of the National Planning Policy Framework.

8. **APPLICATION FOR MINOR DEVELOPMENT - LAND SOUTH OF FIELD FARM, CHURCH LANE, BETLEY; HALLMARK POWER LTD; 14/00636/FUL**

**Resolved:** (1) That the application be submitted subject to the following conditions:

1. Standard time limit
  2. Approved plans and supporting information
  3. Submission and approval of specific turbine and associated infrastructure details
  4. Turbine colour
  5. Notification to LPA of development commencement date
  6. Temporary works reinstated once the turbine is operational
  7. Development carried out in strict accordance with Delivery Route Assessment and Traffic Management Plan dated 03/10/2014, except that all construction movements along Church Lane during term time shall only be between 0915 and 1515 hours.
  8. Submission and approval of further badger survey
  9. Mitigation measures as per approved ecology report
  10. Decommissioning and removal of all infrastructure hereby approved once it ceases to be required for energy generation purposes
  11. Turbine to be located over 77 metres from any public footpath/ right of way
  12. Construction hours
  13. Noise limited to an LA90,10min of 35dB(A) at wind speeds of up to 10m/s-1 as measured or calculated at 10m height
  14. The temporary site access of Church Lane shall be provided before the commencement of the development.
- (2) That the decision notice of the authority include an advisory or warning notice about the importance of avoiding any damage to the hedgerow opposite the churchyard in Church Lane.
- (3) That a letter be sent to Staffordshire County Council requesting that the parking controls referred to in the Delivery Route Assessment and Traffic Management Plan only apply to when delivery vehicles are programmed to move, not to the whole period of the work.

9. **APPLICATION FOR MINOR DEVELOPMENT - RAMSEY ROAD COMMUNITY CENTRE, CROSS HEATH; MRS GILLIAN WILLIAMS; 14/00748/FUL**

**Resolved:** That the application be approved subject to the following conditions:

1. Commencement of development within 3 years
2. Materials and plans as per application

**10. APPLICATION FOR MINOR DEVELOPMENT - KEELE DRIVING RANGE AND DRIVING SHOP; CTIL/WHP LTD; 14/00813/TDET**

**Resolved:** That prior approval is not required.

**11. APPEAL AND COSTS DECISION - SLACKEN LANE, BUTT LANE**

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

**12. APPEAL DECISION - LAND ADJACENT TO 48 HIGH STREET, ROOKERY**

**Resolved:** That the decision be noted

**13. HALF YEARLY REPORT ON DEVELOPMENT MANAGEMENT AND ENFORCEMENT 2014/15 PERFORMANCE**

A report was submitted to provide members with a mid-year report on the performance recorded for Development Management (Development Control) between 1<sup>st</sup> April 2014 and 30<sup>th</sup> September 2014. Figures for 2012/13 and 2013/14 are also provided for comparison as are targets set within the Planning and Development Service Plan for 2014/15.

Officers drew members attention to the fact that the Council was currently on track to meet the target in relation to major applications and it was anticipated that a performance of around 80% would be achieved. Officers outlined reasons regarding why the Council was not on track to achieve the other targets such as staff shortages and sickness.

Members queried the performance relating to the percentage of complainants informed within the required timescales of any action to be taken about alleged breaches of planning control and requested additional information as to why the Council was so far behind the target and enquired about performance in determining applications for the approval of details required by conditions.

Officers stated that further information relating to this would be provided in item 14 on the agenda. In relations to conditions applications, Officers advised that in some situations additional time was given to applications to resolve any perceived problems which could have an effect on the performance levels, and that the Council was working to improve processes to improve the determination of condition applications.

**Resolved:**

(a) That the report be received.

(b) That the Head of the Planning and Development continue to operate mechanisms to maintain current high performance levels and improve the service provided for those procedures where our level of performance still needs to be addressed.

(c) That the next 'Development Management Performance Report' be submitted to Committee around May 2015 reporting on performance for the complete year 2014/15.

**14. QUARTER 2 REPORT ON OPEN ENFORCEMENT CASES**

Officers provided a graph to highlight the number of open enforcement cases at the end of each quarter in relation to the number of new enforcement cases received in each quarter. The enforcement officer carried out the initial investigations to establish whether there was a breach of planning control, but decision about whether it was expedient to take enforcement action lay within the remit of the planning officers. This performance area had been identified by the Peer Review and Officers were looking at ways to secure additional resources to support the enforcement function.

**Resolved:**

- a) That the report be received
- b) That a further update be provided alongside the next quarterly monitoring report on cases where enforcement action has been authorised.

**15. QUARTER 2 REPORT ON CASES WHERE ENFORCEMENT ACTION HAS BEEN AUTHORISED**

Members thanked the Borough and County Council planning officers for their work relating to Doddlespool, Main Road, Betley and stated that an agreeable outcome had been achieved,

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

**16. DISCLOSURE OF EXEMPT INFORMATION**

**Resolved:** That the public be excluded.

**17. QUARTER 2 REPORT ON A CASES WHERE ENFORCEMENT ACTION HAS BEEN AUTHORISED.**

Members expressed some concern that no resolution to this had yet been achieved. Officers stated that was not the evidence to substantiate court action, and as agreed by the Planning Committee previously the views of ward members were to be obtained and would be reported back within the next quarterly report.

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

**18. URGENT BUSINESS**

An urgent item was submitted in relation to an appeal by Keele Seddon Ltd relating to land at the University of Keele (13/00424/FUL).

**Resolved:**

1. That officers have the appropriate authority to negotiate the content of a Section 106 which:
  - a) Provides, upon reassessment, a 'surplus' towards the following objectives – education, affordable housing and the Newcastle Transport and Development Strategy (NTADS) – the order indicating which contributions are to be made first should a surplus become available.
  - b) Secures a mechanism for ensuring the long term maintenance of the public open space to be provided within the appeal proposal.
2. That if officers come to a satisfactory agreement, to enter into the resultant Section 106 agreement.

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