

## **PLANNING COMMITTEE**

Tuesday, 9th December, 2014

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

Councillors Mrs Bates, Becket, Mrs Braithwaite, Cooper, Fear,  
Mrs Hambleton, Mrs Heesom, Northcott, Proctor,  
Miss Reddish, Mrs Simpson, Waring, Welsh and Williams

1. **APOLOGIES**

No apologies were received.

2. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

3. **MINUTES OF PREVIOUS MEETING(S)**

A correction was required regarding item 8 section 14 (2). The minutes should state:

(2) That the decision notice of the authority include an advisory or warning notice about the importance of avoiding any damage to the hedgerow alongside the churchyard in Church Lane and opposite the school

**Resolved:** That the minutes be agreed with the amendment.

4. **APPLICATION FOR MAJOR DEVELOPMENT - NEWCASTLE BAPTIST CHURCH, LONDON ROAD; URBAN REGENERATION (STAFFS) LTD/HEWITT & CARR ARCHITECTS; 14/00477/FUL**

Mr Turner addressed the Committee and spoke against the application.

Mr Copestake addressed the Committee on behalf of the applicant.

Officers referred Members to the supplementary report which recommended that any decision be deferred pending receipt and consideration of the District Valuer's report.

Members queried whether the issues raised by Mr Turner and the survey he had carried out could be referred back to the Highway Authority. Officers confirmed that this could be done if Mr Turner were to submit the results of the survey to the Council.

**Resolved:** That a decision be deferred until the District Valuer's report has been received and considered.

5. **APPLICATION FOR MAJOR DEVELOPMENT - FORMER WOODSHUTTS INN, LOWER ASH ROAD; ASPIRE HOUSING LTD/DESIGN BM3 ARCHITECTURE LTD; 14/00767/FUL**

Officers drew Members attention to the supplementary and second supplementary agendas that had been issued.

**Resolved:**

That subject to the applicant entering into a S106 obligation by agreement by 20th January 2015 to secure the following:

- i) A financial contribution of £22,062, index linked towards the provision of education facilities
- ii) A financial contribution of £64,746, index linked for open space enhancement/improvements and maintenance

and subject to the Coal Authority withdrawing its objection by no later than 20th January 2015

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

- Standard Time limit condition
- Approved plans/drawings/documents
- Approval of all external facing and roofing materials
- Inclusion of windows in side elevation of plots 21 and 22
- Landscaping scheme
- Details of boundary treatments, including to the rear of the adjoining commercial properties to block the existing gap
- Construction Method Statement.
- Provision of access drives, parking and turning prior to occupation.
- Access to plots 4 to 11 to comply with submitted Cameron Rose Associates plan.
- Width of driveway to plots 1 to 3 to be 4.5m for first 6m rear of the highway boundary.
- Permanently closure of redundant access.
- Driveways to be surfaced in a bound material for 5m from the highway boundary.
- Surface water interceptors to be provided where driveways fall towards the public highway.
- Contaminated land conditions
- Site to be drained on a separate system with no surface water to be discharged into combined sewer network.
- Provision of 10m access strip to public sewer crossing site.
- Updating of ventilation system of adjoining fish and chip shop
- Submission of a further noise assessment relating to noise from the adjoining industrial doors business and the details of the measures to be undertaken within the development to mitigate the impact of noise arising from that and other noise sources. Implementation of the approved details.
- Prior approval of a scheme for the provision, in perpetuity, of 6 affordable housing units within the development. The scheme shall include the timing of the construction for the affordable housing, arrangements to ensure that such provision is affordable for both initial and subsequent occupiers and the occupancy criteria to be used for determining the identity prospective and successive occupiers of such units and the means by which such occupancy will be enforced.
- Requiring works of location and treatment of the shaft adjacent to 24/26 Lower Ash Road, and any other conditions considered

appropriate by the Head of Planning further to consideration of any further comments received from the Coal Authority

b) Should the matters referred to in (i) and (ii) 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 such matters being secured the development would fail to secure provision for education; and the provision of adequate public open space as applicable, or, if he considers it appropriate, to extend the period of time within which the obligation can be secured.

c) Should the Coal Authority not withdraw their objection to the proposal by the 20th January 2015 the Head of Planning be given delegated authority to refuse the application on the grounds that it has not been demonstrated that no significant risks to the development are posed by coal mining legacies and it has not been demonstrated that the application site is, or can be made, safe and stable for the proposed development, in accordance with the requirements of the NPPF, and any other reasons reflecting whether or not the above planning obligations have been secured by that date

**6. APPLICATION FOR MINOR DEVELOPMENT - Paddock adjacent to Rose Cottage, Snape Hall Road, Baldwins Gate; Mr & Mrs CJ and AJ Rudd/A-Z Designs; 14/00689/FUL**

**Resolved:**

That the application be permitted subject to the following conditions;

1. Standard time limit
2. Approved plans
3. Materials as per approved plans
4. Existing planting removed within one month
5. Details of boundary treatment within one month
6. Tree and hedgerow protection measures
7. No external lighting
8. Stable waste details
9. Removal of any future permitted development right for change of use of the building from agricultural use to use as a dwelling.

**7. APPLICATION FOR MINOR DEVELOPMENT - High Trees, Heath Road, Whitmore; Darby/Hulme Upright Manning; 14/00524/FUL**

**Resolved:**

That the application be permitted subject to the following conditions:

- i) New approved plans and supporting information
- ii) Replacement trees
- iii) Tree loss mitigation measures
- iv) Conditions of 13/00567/FUL to still apply

8. **APPLICATION FOR OTHER DEVELOPMENT - LAND AT NEW HOUSE FARM ACTON LANE, ACTON; VODAFONE LTD & TELEFONICA UK LTD; 14/00847/TDET1**

**Resolved:**

- (a) That prior approval is required, and
- (b) That approval is granted.

9. **APPLICATION FOR OTHER DEVELOPMENT - SANDFIELD HOUSE, BAR HILL, MADELEY; MR DAVID A.C BARKER/CROFT ARCHITECTURE; 14/00684/FUL**

Mr Treherne addressed the Committee and spoke against the application.

Members considered the application and a Cllr moved that the application be permitted, this was seconded and a vote taken as follows:

7 members voted in favour and 6 voted against.

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

- Standard time limit
- Approved plans
- Removal of permitted development rights for outbuildings on area around the access.
- The land between the 1.2m high timber picket fence and existing post and rail timber fence is not domestic garden, for the avoidance of doubt.
- Landscaping scheme including details of removal and reinstatement of hedgerows
- Details of boundary treatments
- Provision of visibility splays prior to the commencement of the construction of the access.
- Provision of access, driveway, parking and turning areas in accordance with approved drawings
- Closure of existing site access
- Details of surfacing materials for driveway

10. **APPLICATION FOR OTHER DEVELOPMENT - ADVERTISING SITE ADJACENT TO 8 CONGLETON ROAD, BUTT LANE; NULBC; 14/00832/DEEM3**

**Resolved:** That the application be permitted subject to conditions relating to approved plans.

11. **APPLICATION FOR OTHER DEVELOPMENT - CAR PARK, WINDSOR STREET, NEWCASTLE UNDER LYME; NULBC; 14/00833/DEEM3**

**Resolved:** That the application be permitted subject to conditions relating to approved plans.

12. **TREE PRESERVATION ORDER; RED GATES; 155B**

**Resolved:** That Tree Preservation Order No 155B (2014), Land at Red Gates, Haddon Lane, Chapel Chorlton, ST5 5JL, be confirmed as made and that the owner of the tree be informed accordingly.

**13. TREE PRESERVATION ORDER; HIGH STREET WOLSTANTON; 160**

**Resolved:** That Tree Preservation Order No 160 (2014) Land at 2 High Street Wolstanton, be confirmed as made and that the owners of the tree be informed accordingly.

**14. TREE PRESERVATION ORDER BUCKMASTER AVENUE; 158**

**Resolved:** That Tree Preservation Order No 158 (2014), land adjacent to 86 Buckmaster Avenue be confirmed as made and that the owners of the site be informed accordingly

**15. EXTENSIONS TO TIME PERIODS WITHIN WHICH OBLIGATIONS UNDER SECTION 106 CAN BE ENTERED INTO (QUARTER 2 REPORT)**

**Resolved:** a) That the report be noted

b) That the Head of Planning continue to report on a quarterly basis on the exercise of his authority, to extend the period of time for an applicant to enter into the Section 106 obligations.

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

**Resolved:**

a) That the report be noted

b) That the Head of Planning continue to report on a half yearly basis to the Planning Committee on planning obligations which have been secured over the preceding six months, works that have been funded during that period in whole or in part by planning obligations and compliance with their requirements

**17. URGENT BUSINESS**

**1. Land off Sandbach Road North**

The Borough Council had been consulted by Cheshire East Council on an application (14/3919C) for outline planning permission for major residential development for 130 dwellings. The same proposal was understood to be at appeal (reference 12/4872C), the Inquiry being expected to finish on the afternoon of 9th December.

The site was located to the north west of Alsager, in open countryside but adjacent to the built up area and not within the Green Belt.

The matter was brought to the Committee as an item of urgency because of the timing of the appeal inquiry, and the Inspector having asked for confirmation of the Borough Council's current position

**Resolved:**

That the Council notify Cheshire East Council that the Borough Council OBJECTS to the application and the appeal on the grounds that major development in this location

would be likely to undermine the delivery of the Newcastle-under-Lyme and Stoke-on-Trent Joint Core Strategy.

## **2. Consultation on Safeguarding Direction for HS2**

**Resolved:**

That the Committee asks the Executive Director of Regeneration & Development and the HS2 Portfolio holder, Councillor Turner, to consider making the comments listed in the attached report to the Government on the questions posed in the safeguarding direction consultation

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