

## **PLANNING COMMITTEE**

Tuesday, 31st March, 2015 and Wednesday 1 April, 2015

*The meeting took place over two evenings due to the large volume of business. Items involving public speakers and urgent items were dealt with on 31 March and are marked with an asterisk.*

*The Members listed were present at both meetings except for the two additional Members listed in the apologies for 1 April.*

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

Councillors Becket, Mrs Braithwaite, Cooper, Mrs Hambleton, Mrs Heesom, Miss Mancey, Northcott, Proctor, Miss Reddish, Welsh and Williams

Apologies Apologies were received from:

31 March - Councillors Mrs Bates and Mrs Simpson

1 April – Councillors Mrs Bates, Miss Mancey, Mrs Simpson and Welsh

### **1. DECLARATIONS OF INTEREST**

Councillors Becket, Proctor and Welsh declared an interest in Item 16 - Madeley War Memorial.

Councillor Mrs Hambleton declared an interest in Item 7 – Kestrel Drive, Loggerheads and left the room during the debate.

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

**Resolved:** That the minutes of the meeting held on 3 March, 2015 be agreed as a correct record.

### **3. \*APPLICATION FOR MAJOR DEVELOPMENT - LAND TO THE REAR OF FORMER RANGLES GARAGE, HIGHERLAND; TARPEY WOODFINE ARCHITECTS; 15/00077/OUT**

Councillor Nigel Jones spoke on this application.

**Resolved:** (i) That, subject to the applicant first entering into a planning obligation by 7 May 2015 securing an public open space contribution of £2404 per dwelling for expenditure on Queen Elizabeth Park only, and subject to the receipt of legal advice confirming that it would not be unlawful having regard to Regulation 123 of the Community Infrastructure Regulations 2010, as amended, to issue such a decision after the 5 April, the application be approved subject to the undermentioned conditions:

1. Plans / time limit

2. Approval of reserved matters
3. Reserved matters to accord with Design and Access Statement
4. Accommodation to be one or two bedroomed flats
5. Levels and height of development
6. Highways matters
7. Contaminated land remediation
8. Construction hours
9. Construction management details- inducing mud and dust mitigation
10. Internal and external noise levels for the new dwellings
11. Waste storage and collection
12. Tree protection measures
13. Surface water and foul sewage drainage.

- (ii) That, should the obligation not be secured within the above period, the Head of Planning be authorised to refuse the application on the grounds that without such matters being secured the development would be contrary to policy on open space provision; unless he considers it appropriate to extend the period for completion of the obligation.
- (iii) Only in the event of legal advice being received which indicates that the issuing of a permission after 5 April would be unlawful, the application be brought back to the next available committee for reconsideration.

**4. \*APPLICATION FOR OTHER DEVELOPMENT - 10 SIDMOUTH AVENUE; THE BIRCHES (STAFFS) LTD; 15/00047/COU**

Councillor Simon Tagg spoke on this application.

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

- (i) By virtue of the intensity of the proposed use, specifically the numbers of occupants and their associated movements, it would be detrimental to the character of the Brampton Conservation Area.
- (ii) The applicant has not demonstrated in the submitted plans or accompanying documents and management details that this change of use application will not conflict with nearby uses or damage local amenity and accordingly will not conflict with Policy H6 of the Newcastle Local Plan.
- (iii) The proposal conflicts with paragraph 69 of the NPPF which states that planning decisions should aim to achieve places which promote safe and accessible environments where crime and disorder

and the fear of crime do not undermine quality of life.

**5. \*APPLICATION FOR MINOR DEVELOPMENT - REDGATES, HADDON LANE, CHAPEL CHORLTON; MR SNAITH; 15/00039/OUT**

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

1. Plans / time limit
2. Approval of reserved matters
3. Full and precise details of the finished floor levels
4. Details of vehicle and pedestrian visibility splays, and location and opening of any access gates to be provided in any reserved matters application
5. Sample facing and roofing materials, sample hardstanding materials, and boundary treatments
6. Submission of tree protection plan, Arboricultural Impact Assessment and Arboricultural Method Statement, and
7. Waste recycling storage and collection arrangement
8. Removal of dwellinghouse permitted development rights.
9. Upon completion of the development, the use of Redgates shall be limited to the provision of accommodation for the applicant's mother for the duration of her life.

**6. \*APPLICATION FOR MINOR DEVELOPMENT - LAND BETWEEN 36 AND 38 KESTREL DRIVE, LOGGERHEADS; ASPIRE HOUSING / HEWITT & CARR ARCHITECTS; 14/00905/OUT**

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

1. Standard time limit;
2. Approved plans;
3. Approval of reserved matters;
4. Prior approval of external facing materials;
5. Replacement tree planting;
6. Tree protection measures and arboricultural method statement ;
7. Highway matters.

**7. APPLICATION FOR MINOR DEVELOPMENT - LAND ADJACENT TO 2 MOSS COTTAGES, GLOUCESTER ROAD, KIDSGROVE; MR WOODCOCK; 15/00107/FUL**

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

- (i) Commencement of the development
- (ii) Plans referred to in consent
- (iii) Materials to be utilised (hard landscaping, facing and roofing materials)

- (iv) External lighting.
- (v) Means of storing and disposing of stable wastes
- (vi) Surfacing of the access
- (vii) Parking and turning areas
- (viii) Non commercial use only
- (ix) No storage, as opposed to parking when visiting, of horse boxes and similar
- (x) No jumps and similar features without prior approval.

**8. APPLICATION FOR MINOR DEVELOPMENT - 1 THE WOODLANDS, LIVERPOOL ROAD EAST, KIDSGROVE; MRS JOYCE ALDERTON SCOTT; 15/00016/FUL**

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

- (i) Plans referred to in consent
- (ii) External lighting
- (iii) Means of storing and disposing of stable wastes
- (iv) Non commercial use only
- (v) No storage, as opposed to parking when visiting, of horse boxes and similar
- (vi) No jumps and similar features without prior approval.
- (vii) Approval of a landscaping scheme to include native planting.

**9. \*APPLICATION FOR OTHER DEVELOPMENT - 1 LANSDELL AVENUE, WOLSTANTON; MR PETER PALMER; 14/00941/FUL**

Councillor Trevor Hambleton spoke on this application.

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

- (i) As a result of the development the car parking provision on site would be significantly less than the maximum standards for a five bedroom dwelling therefore the development could create a local on street parking or traffic problem to the detriment of highway safety and contrary to Policy T16 of the Newcastle under Lyme Local Plan.
- (ii) The extension would be an overdevelopment of the building, of poor design and not in keeping with the surrounding area.

**10. APPLICATION FOR OTHER DEVELOPMENT - BARN AT HOLLY LANE, HARRISEAHEAD; MR RILEY; 15/00098/COU**

**Resolved:**

- (i) That with respect to the application made for Class MB (a) development prior approval (of the Authority) with respect to the change of use is **not required** as to the transport and highway impacts; the noise impacts; the flooding risks or as to whether the location or siting of the building make it otherwise impractical or undesirable for the building to change to a dwelling
- (ii) Prior approval (of the Authority) is **required** as to the contamination risks on the site and it is **granted**, without condition
- (iii) That with respect to the application made for Class MB(b) development prior approval (of the Authority) is **required** as to the design or external appearance of the building and is **granted subject to a condition** requiring, the design of the building to incorporate the corbelling feature that is on the existing building

**11. \*APPLICATION FOR OTHER DEVELOPMENT - 27 HARDINGSWOOD ROAD, KIDSGROVE; MRS STANWORTH; 14/00971/FUL**

Councillor John Taylor spoke on this application.

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

The demolition of the building would be detrimental to the overall character and appearance of the Trent and Mersey Canal Conservation, would not result in any public benefit and it has not been demonstrated that the building is incapable of beneficial use and as such it is contrary to policy.

**12. \*APPLICATION FOR OTHER DEVELOPMENT - OPPOSITE SPAR SHOP, CLAYTON ROAD; H3G UK LTD / GVA; 15/00191/TDET**

- Resolved:**
- (i) That prior approval is required.
  - (ii) That the application be permitted.

**13. APPEAL DECISION - WATERMILLS ROAD; (13/00974/OUT)**

**Resolved:** That the decision and officer comments be noted.

**14. APPEAL DECISION - LAND AT FARCROFT, MANOR ROAD, BALDWINS GATE; 14/00037/OUT**

**Resolved:** That the decision and officer comments be noted.

**15. APPLICATION FOR FINANCIAL ASSISTANCE; ST JAMES' AUDLEY AND MADELEY WAR MEMORIAL**

- Resolved:**
- (i) That a grant of £5000 for the repair of the south aisle roof of St James' Church, Audley be approved subject to the appropriate standard conditions.

- (ii) That a grant of £180 for the repair of Madeley War Memorial and reinstatement of the bayonet on that memorial be approved subject to the appropriate standard conditions.

**16. QUARTER 3 REPORT ON DECISION TO EXTEND PERIOD OF TIME WITHIN WHICH S106 OBLIGATIONS CAN BE SECURED**

- Resolved:**
- (i) That the report be noted.
  - (ii) 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.

**17. CHANGES TO THE THRESHOLD FOR DEVELOPER CONTRIBUTIONS**

Consideration was given to a report advising Members on the changes to the thresholds for Section 106 Obligations.

- Resolved:** That the changes be noted and be applied by the Committee when making decisions on planning applications.

**18. \*CONSULTATION BY CHESHIRE EAST COUNCIL ON PROPOSALS FOR RESIDENTIAL DEVELOPMENT ON THE FORMER GORSTY HILL GOLF CLUB, WESTON**

- Resolved:** That Cheshire East and Staffordshire County Council be advised that whilst the Borough Council does not object to the application, it asks that:

- (i) Consideration be given to both the required improvement of the Newcastle Road / Four Lane Ends junction of the A531 with the B5500, and to the potential impact of the development on the wider highway network within the Borough (and that Staffordshire County Council be asked to take this wider impact into account when it responds to Cheshire East).
- (ii) That in the event of planning permission being granted, use of the A531 to the south of the access point into the development, by construction-related traffic be prevented by use of either an appropriated condition or planning obligation, in order to protect both highway safety and residential amenity within the villages through which such traffic would otherwise pass.
- (iii) That the prediction in the Transport Assessment that there would be , consequent upon the development, a drop (relative to existing) in a.m. peak trip rates

exiting from the site in a southerly direction into Staffordshire, needs justification, as do all other figures of predicted flows to or from the south.

- (iv) That in view of this and other permitted and planned developments in South Crewe all having an adverse effect on traffic levels within the adjoining part of Staffordshire, the Council asks Cheshire East and Staffordshire to prepare a joint traffic plan for the area.
- (v) That the two authorities (Cheshire East and Staffordshire County Council) be asked to work with government to remove any legal blocks on the construction of an appropriate junction at Junction 16 that would provide a more attractive route towards the North Staffordshire conurbation, than use of the B5500 and the A531.

#### **19. REVIEW OF PUBLIC SPEAKING PROTOCOL, SITE VISIT PROTOCOL AND WITHDRAWAL OF CALL-IN PROCEDURES**

Consideration was given to a report regarding procedures for public speaking, site visits and call-in withdrawal, following the Action Plan arising from the Planning Peer Review. The following observations / comments were made:

##### **Public speaking, or Direct Representation to Planning Committee, arrangements**

- a) **Should all live applications that come before the Planning Committee be subject to the right to request to speak ?** – The existing policy was confirmed by the Committee as appropriate– if following an initial determination of an application (by the Committee) it comes back to the Committee, there is no opportunity provided to objectors or supporters to address the Planning Committee
- b) **Should public speaking be invited when subsequent to a grant of permission, an informal request say to reconsider Section 106 requirements is considered by the Committee ?**– The existing policy of not providing such an opportunity was confirmed by Committee
- c) **Should Parish and Town Councils be able to address the Planning Committee in their own right** – The existing policy of not providing such an opportunity was confirmed by the Committee

- d) **Should County Councillors have the right to address the Planning Committee** – the Committee considered that the policy did not provide this right, and agreed that for the avoidance of any doubt the policy should be clarified to make the position even clearer, by referring to “Borough Councillors for the ward where the application has been made”
- e) **Should public speaking be allowed when the Borough Council is only a consultee?** – The Committee confirmed that no public speaking should be permitted in such circumstances, and that revised policy should expressly state this
- f) **Does it matter if two speakers “share” a speaking slot ?** – The committee considered that it does not matter
- g) **If the number of speakers increases, beyond 3, should there be a related reduction in the length of time each is permitted to speak ?**  
- The Committee did not agree to such a proposal
- h) **The current arrangement does not permit Members of the Committee to ask questions of any of the speakers. Is there a wish to change this?** – The Committee did not agree to such a change

**Site visit procedures and voting on applications which have been the subject of a site visit protocol**

- a) The Committee agreed to the proposal that the site visit protocol be amended to indicate that Parish Councils are to be invited to send an observer to any site visit called in their area
- b) The Committee agreed to the proposal that site visit protocol be amended to indicate that local members who are not on the Planning Committee should be informed of site visits in their area and invited to attend as observers
- c) The Committee agreed (upon a vote ( 6 for / 4 against) that when an application subject to a site visit is brought to the Planning Committee for determination Members who did not attend the site visit shall neither be eligible to take part in the debate concerning the item’s determination nor shall they be eligible to vote upon that determination
- d) The Committee did not agree that only those members who stay for the full duration of a site visit are eligible to take part in the debate concerning the item’s determination and to vote upon the application, although they recognised the principle that all members making a decision should have



the same information as would be obtained during the duration of a site visit.

**Withdrawal from the planning committee of “called in” applications**

- a) The Committee agreed that the policy be amended to allow for officers to send by email the officer recommendation and the invitation to withdraw the call in

**Resolved:**

- (i) That officers draw up in consultation with the Chairman, revised procedures taking into account the various changes recommended above and that when an application subject to a site visit is brought to the Planning Committee for determination Members who did not attend the site visit shall neither be eligible to take part in the debate concerning the item's determination nor shall they be eligible to vote upon that determination
- (ii) That officers submit a report in a year's time to the Planning Committee reviewing the implementation of the changes agreed at this meeting

**20. URGENT BUSINESS**

There was no Urgent Business.

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