

PLANNING COMMITTEE

Tuesday, 21st July, 2015

Present:- Councillor Sophia Baker – in the Chair

Councillors Braithwaite, Cooper, Fear, Hambleton, Heesom, Mancey, Northcott, Owen, Proctor, Reddish, Simpson, Turner, Williams and Williams

1. APOLOGIES

Apologies were received from Councillor Welsh.

2. DECLARATIONS OF INTEREST

Councillor Mrs Hambleton declared an interest in application number 14/00767/FUL as a Member of the Aspire Board. During consideration of the item, Councillor Mrs Hambleton left the room.

3. MINUTES OF PREVIOUS MEETING(S)

Resolved: That the minutes of the meeting held on 23 June, 2015 be agreed as a correct record.

4. APPLICATION FOR MAJOR DEVELOPMENT - FORMER WOODSHUTTS INN, LOWER ASH ROAD, KIDSGROVE; ASPIRE HOUSING. 14/00767/FUL

Resolved:

(i) That, subject to the applicant entering into a Section 106 obligation by 21st September 2015 securing the review of the financial assessment of the scheme if there is no substantial commencement within a year of the grant of planning permission and contributions then being made to public open space and education on an equal proportion basis, if the scheme is evaluated at that time as able to support such contributions, the application be permitted subject to the undermentioned conditions:

- 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
- Those conditions requested by the Coal Authority including remedial measures to address the coal mining legacy issues on the application site to be undertaken prior to the commencement of the development
- 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 of a scheme with the tenure indicated in the appraisal. 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.

- (ii) That, should the matters referred to above not be secured by the 21st September 2015, Head of Planning given delegated authority to refuse the application on the grounds that without such an obligation there would not be an appropriate mechanism to allow for changed financial circumstances, and in such circumstances the potential provision of policy compliant contributions towards education and public open space; or, if he considers it appropriate, to extend the period of time within which such an obligation can be secured.

5. APPLICATION FOR MAJOR DEVELOPMENT - LAND SOUTH OF MUCKLESTONE ROAD; MULLER STRATEGIC; 15/00202/OUT

Resolved:

- (i) That, subject to the applicant entering into a Section 106 obligation by 28th August 2015 securing the following:

- a. EITHER a maintenance contribution of a sum to be advised OR a management agreement for the long-term maintenance of the open space on the site
- b. A contribution of £154,434 (on the basis that the development as built is for the full 78 units and of the type indicated) or such other sum as determined by the Head of Planning as appropriate on the basis of policy), towards the provision of education places at St. Mary's CE Primary School, Mucklestone
- c. A contribution of £116,354 towards the provision of additional spaces in a two class base extension at Madeley High School (on the basis that the development as built is for the full 78 units and of the type indicated), or such other sum as determined by the Head of Planning as appropriate on the basis of policy
- d. In perpetuity, provision of 25% of the dwellings as affordable units
- e. A contribution of £6,300 towards travel plan monitoring

the application be permitted subject to the undermentioned conditions:

- Standard time limits for submission of applications for approval of reserved matters and commencement of development
 - Reserved matters submissions
 - Contaminated land
 - Construction hours
 - Construction management plan
 - Waste storage and collection arrangements
 - Further noise assessment
 - Internal and external noise levels
 - Arboricultural Impact Assessment
 - Arboricultural Method Statement
 - Boundary treatments
 - Details of Root Protection Areas
 - Landscaping scheme
 - Full details of accesses
 - Layout of site including disposition of buildings and provision of adequate parking and turning within the curtilage
 - Travel plan
 - Surface water drainage scheme
 - Details of the disposal of surface water and foul sewage
 - Approval of details of play facilities and timing of provision of open space and these facilities
 - Any reserved matters application to comply with the Design and Access Statement
 - The extent of the residential development to be limited to that indicated on the illustrative site layout plan submitted with the revised odour assessment.
- (ii) That, should the matters referred to in a) to e) above not be secured within the above period, 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 the provision of adequately maintained public open space, appropriate

provision for required education facilities, an appropriate level of affordable housing, and measures to ensure that the development achieves sustainable transport outcomes; or, if he considers it appropriate, to extend the period of time within which such obligations can be secured

6. **APPLICATION FOR MAJOR DEVELOPMENT - AUDLEY WORKING MENS CLUB, NEW ROAD, BIGNALL END; WW PLANNING; 15/00279/FUL**

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

- (i) The number of dwellings proposed for this site results in the proposed development having a cramped and overdeveloped appearance that would be out of character with the immediate locality and harmful to the appearance of the area;
- (ii) The applicant has failed to demonstrate that an acceptable level of off street car parking can be achieved within the application site and that a refuse lorry can manoeuvre within the site safely which would in adverse impact on highway safety,
- (iii) Without a secured and appropriate financial contribution relating to public open space the development would be contrary to policies on the provision of open space for residential development;
- (iv) Without a secured and appropriate financial contribution for education places the development would be contrary to policies on the provision of education facilities, in particular school places, within the vicinity of the proposed development.

7. **APPLICATION FOR MAJOR DEVELOPMENT - LAND ON SOUTH EAST SIDE OF WEST AVENUE, BUTT LANE; REVELAN GROUP PLC; 15/00368/OUT**

Resolved:

- (i) That, subject to the applicant entering into a Section 106 obligation by agreement by 15th August 2015 to require:-
 - a. Affordable housing on-site provision;
 - b. A financial contribution for the enhancement and maintenance of the playground at Townfield Close of £2,943 per dwelling
 - c. A contribution of £99,279 (for a development of 44 dwellings) towards general teaching rooms at St. Saviour's CE Primary School

the application be permitted subject to the undermentioned conditions:

- Standard Time limit for commencement of development
- Approval of reserved matters
- Contaminated land
- Construction Method Statement
- Submission of a noise assessment and approval and

- implementation of appropriate noise mitigation measures
- Tree protection
- Highway matters
- Construction hours
- Surface water drainage system

(ii) That, failing completion by the date referred to in the above resolution, of the above planning obligation, that the Head of Planning given delegated authority to refuse the application on the grounds that without such matters being secured the development fails to provide an appropriate level of affordable housing which is required to provide a balanced and well-functioning housing market; fails to secure the provision/maintenance of off-site public open space;; 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 fails make an appropriate contribution towards primary school provision; or, if he considers it appropriate, to extend the period of time within which the obligation can be secured .

8. **APPLICATION FOR MAJOR DEVELOPMENT - KEELE LEISURE CENTRE, KEELE UNIVERSITY, THREE MILE LANE, KEELE; KEELE UNIVERSITY; 15/00392/FUL**

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

- (i) Time limit for commencement
- (ii) Approved plans
- (iii) Lighting levels in accordance with submission
- (iv) Tree protection plan to BS
- (v) Arboricultural Method Statement
- (vi) Construction details
- (vii) Technical Specification of full size AGP
- (viii) Community use agreement.

9. **APPLICATION FOR MINOR DEVELOPMENT - LAND ADJACENT TO HALCYON, TOWER ROAD, ASHLEY; MISS STAINER; 15/00353/FUL**

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

- (i) Standard time limit for commencement of development.
- (ii) Approved Plans.
- (iii) Materials.
- (iv) Boundary Treatments
- (v) Approval of recyclable materials and refuse storage.
- (vi) Tree protection.
- (vii) Arboricultural Method Statement.
- (viii) Landscaping Proposals
- (ix) Revised access details

- (x) Visibility splays
- (xi) Provision of access, parking and turning areas
- (xii) Garages to be retained for parking
- (xiii) Construction Method Statement
- (xiv) Construction hours
- (xv) Mitigation measures for protected species

10. **APPLICATION FOR MINOR DEVELOPMENT -OLD SPRINGS FARM;
13/00245/FUL**

- Resolved:**
- (i) That, subject to the applicant entering into a Section 106 obligation by 31st July 2015 that secures a routeing agreement for vehicles transporting miscanthus to and from the building referred to in application 13/00245/FUL along the lines indicated in the discussion section of the agenda report, the application be permitted subject to the undermentioned conditions:-
 - a. That, within two months of the date of the planning permission details of the re-grading and landscaping of the excavated material or its distribution elsewhere in the site is to be submitted and approved, and implemented within four months of the date of that approval; and
 - b. Existing site access to be resurfaced in a bound material for a minimum distance of 10m rear of the highway boundary and maintained as such; and
 - (ii) That, should the obligation referred to in (1) above not be secured in the specified period, the Head of Planning be authorised to refuse the application on the grounds that, in the absence of such an obligation, the development would have a detrimental impact upon highway safety and the amenity of the locality including the enjoyment of the national cycle route, and the character of the Conservation Area through which Tyrley Road passes; or, if he considers it appropriate, agree to extend the period of time within which the obligations can be secured.
 - (iii) That unless the applicant enters into a Section 106 obligation by 31st July 2015 that secures such a routeing agreement for vehicles the Council's solicitor be authorised to issue enforcement and all other notices and to take and institute on behalf of the Council all such action and prosecution proceedings as are authorised by and under the Town and Country Planning Act 1990 to secure removal of the building within 6 months.

11. **PROGRESS MADE IN IMPLEMENTING THE ACTION PLAN AGREED BY THE COUNCIL IN RESPONSE TO THE PLANNING PEER REVIEW.**

Consideration was given to a report providing Members with a progress update on implementing the agreed Action Plan.

The same report would be presented to the Cabinet on 22 July, 2015 and this Committee's comments were sought on the progress.

Resolved: That, Cabinet to be advised that the Planning Committee had no comments to make on the report

12. **REVIEW OF THE LOCAL LIST VALIDATION REQUIREMENTS**

Consideration was given to a report seeking to identify amendments which were considered necessary to the List of Local Validation Requirements.

Resolved:

- (i) That, the revised list of Local Validation Requirements as set out in Appendix B to the Report be approved for public consultation purposes.
- (ii) That, the Committee receive a further report setting out recommendations on the outcome of the consultation before adoption of the revised list of Local Validation requirements is considered

13. **5 YEAR HOUSING LAND SUPPLY STATEMENT FOR THE BOROUGH OF NEWCASTLE**

Consideration was given to a report presenting the information and results of the latest calculation of the five year housing land supply.

Resolved:

- (i) That, the results of the 5 year housing supply report to 3rd June 2015 Planning Committee be noted.
- (ii) That, Officers give active consideration to the preparation of a revised supply statement following the publication of the Strategic Housing Market Assessment.
- (iii) That, the significance of the 5 year supply position in Development Management decision making as described in report to 3rd June 2015 Planning Committee be noted.

14. **TREE PRESERVATION ORDER 165 - LAND AT THE FORMER STOP INN, LIVERPOOL ROAD, CROSS HEATH, NEWCASTLE.**

Members considered a report seeking Members' approval for a Tree Preservation Order to be confirmed, with amendments, at the above address.

Resolved: That Tree Preservation Order No 165 (2015), Land at the Former Stop Inn, Liverpool Road, Cross Heath be confirmed as amended and that the owners of the site be informed accordingly.

15. **TREE PRESERVATION ORDER 167 - 5A KING STREET, NEWCASTLE**

Members considered a report seeking Members' approval for a Tree Preservation Order to be confirmed at the above address.

Resolved: That Tree Preservation Order No 167 (2015), Land at North West side of King Street (number 5a), Newcastle be confirmed as made and that the owners of the site be informed accordingly.

16. **TREE PRESERVATION ORDER 168 - THE HOLLIES, BRAMPTON ROAD, MAY BANK**

Members considered a report seeking Members' approval for a Tree Preservation Order to be confirmed at the above address.

Resolved: That Tree Preservation Order No 168(2015), Land to the West of 32 to 49 The Hollies, Brampton Road, May Bank be confirmed as made and that the owners of the site be informed accordingly.

17. **URGENT BUSINESS**

There was no Urgent Business.

COUNCILLOR SOPHIA BAKER
Chair