

PLANNING COMMITTEE

Tuesday, 29th March, 2016

Present:- Councillor Marion Reddish – in the Chair
Councillors Braithwaite, Cooper, Hambleton, Mancey, Northcott, Owen, Simpson, Williams, Williams and Winfield

1. APOLOGIES

Apologies were received from Councillors' Fear, Heesom, Pickup, Snell and Welsh.

2. DECLARATIONS OF INTEREST

Councillor Holland declared an interest on application 15/01085/OUT as a Governor of Friarswood Primary School.

3. MINUTES OF PREVIOUS MEETING(S)

Resolved: That the minutes of the meeting held on 1 March, 2016 be agreed as a correct record.

4. APPLICATION FOR MAJOR DEVELOPMENT - HAMPTONS AND LAND ADJACENT TO HAMPTONS, OFF KEELE ROAD, THISTLEBERRY, NEWCASTLE. MR JN AND NW HAMPTON. 15/01085/OUT

Resolved:

(a) That the application be refused for the following reasons:

- (i) Odour arising from the adjoining landfill site is highly likely to adversely affect the living conditions of the occupiers of the proposed development and it is not considered that this can be addressed through appropriate mitigation.
- (ii) In the absence of a 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, which can be supported by the development without rendering it unviable, towards primary school provision, contrary to policy.
- (iii) In the absence of a planning obligation the development fails to provide 20% of the total number of proposed dwellings as affordable dwellings which can be supported by the development without rendering it unviable and which are required to provide a balanced and well-functioning housing market.
- (iv) In the absence of a planning obligation towards Travel Plan monitoring costs, the required contribution to sustainable transport measures, which can be supported by the development without rendering it unviable, would not be secured in accordance with policy.

- (v) In the absence of a planning obligation securing the long term maintenance and management of public open space on the site, the development would not be acceptable
 - (vi) In the absence of a planning obligation which provides an appropriate future reappraisal mechanism to secure further affordable housing provision (to a maximum 25% provision in accordance with policy) to allow for changed financial circumstances in the event that the development does not immediately proceed, the development may not provide what it could and should (to comply with policy).
- (b) That the Council no longer intends to argue, at the appeal against the decision on application 14/00948/OUT, that the development would unduly restrict or constrain the activities permitted or allocated to be carried out at any waste management facility and the implementation of the Waste Strategy, contrary to local and national policy.
 - (c) That the Council no longer intends to argue, at the appeal against the decision on application 14/00948/OUT, that a contribution toward off site public open space improvement and maintenance is required
 - (d) That the Council should submit, at the appeal against the decision on application 14/00948/OUT, that an appropriate contribution towards Travel Plan Monitoring Costs is justified
 - (e) To give authority for the Council to enter into a S106 obligation to secure the following:
 - (i) An education contribution of £319,899 towards Primary School provision within Friarswood Primary School/ Hassell Community Primary School / St Giles' and St George's CofE Academy.
 - (ii) 20% affordable housing provision
 - (iii) Travel Plan monitoring fee of £6,300
 - (iv) Appropriate arrangements for the long term management and maintenance of the Public Open Space on the site
 - (v) An appropriate reappraisal mechanism to secure further affordable housing provision (to a maximum 25% provision in accordance with policy) to allow for changed financial circumstances.

5. APPLICATION FOR MAJOR DEVELOPMENT - LAND AT END OF GATEWAY AVENUE, BALDWINS GATE. KIER LIVING LTD. 15/01106/REM

Resolved: That the application be deferred in order to obtain further information on Tree planting within the scheme, design of layout, affordable housing provision including location and house types, external facing materials, street lighting, and floodrisk; and in the case of tree planting, design of layout and affordable housing either revised proposals or additional justification for that proposed

6. APPLICATION FOR MAJOR DEVELOPMENT - AUDLEY WORKING MENS CLUB, NEW ROAD, BIGNALL END. WW PLANNING. 15/00692/FUL

Resolved: (a) That, subject to the applicant first entering into a section 106 obligation, by 10th May 2016, to secure a review mechanism of financial contributions if the development is not substantially commenced within 12 months from the date of the decision, the application be permitted subject to the undermentioned conditions:

- (i) Standard Time limit for commencement of development
- (ii) Approved plans
- (iii) Submission and approval of external materials
- (iv) Boundary treatments
- (v) Prior submission and approval of a landscaping scheme
- (vi) Removal of permitted development rights for hardstandings within all front gardens
- (vii) Removal of permitted development rights for extensions, roof alterations and outbuildings for all plots
- (viii) Provision of access prior to occupation
- (ix) Provision of parking and turning areas
- (x) Surfacing details
- (xi) Access road shall remain un-gated
- (xii) A surface water interceptor
- (xiii) Submission and approval of Construction Method Statement
- (xiv) Tree Protection (overhanging trees)
- (xv) Tree pruning (overhanging trees)
- (xvi) Design measures to secure noise levels
- (xvii) Construction/ Demolition Hours
- (xviii) Drainage – foul and surface water
- (xix) Full contaminated land

(b) Should the above planning obligation not be secured by the 10th May, the Head of Planning be given delegated authority to refuse the application on the grounds that without a review mechanism there would be no up to date justification for development with no policy compliant financial contributions towards public open space and education.

7. APPLICATION FOR MAJOR DEVELOPMENT - DAVID WEATHERALL BUILDING, KEELE UNIVERSITY, KEELE. KEELE UNIVERSITY ESTATES DEPARTMENT. 16/00164/FUL

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

- (i) Approved drawings
- (ii) All other conditions associated to permission 15/00583/FUL continue to apply.

8. APPLICATION FOR MINOR DEVELOPMENT - HOLLY BARN, HOLLY LANE, HARRISEAHEAD. MR D RILEY. 16/00099/FUL

Resolved: That the application be approved subject to conditions withdrawing permitted development rights for external alterations, extensions and outbuildings, & requiring approval and implementation of landscaping scheme, and approval of any boundary treatments and external materials, and reference to approved plans.

Reason for grant of planning permission – it is considered that whilst it would be inappropriate development in the Green Belt, sufficient very special circumstances (the condition of the building, the presence of an unexpected coal seam underlying the building necessitating the partial rebuilding of that section, and the appearance of what would otherwise remain) outweigh the very limited harm to the Green Belt that would result from granting planning permission

9. **APPLICATION FOR MINOR DEVELOPMENT - LOCK UP GARAGE SITE OFF SUSSEX DRIVE, KIDSGROVE. WAVERLEY REALITY LTD. 16/00174/OUT**

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

The development of seven dwellings is unlikely to provide adequate amenity standards for the residents, in terms of distances between principal windows and side walls of existing dwellings, contrary to the standards as set out in the Space Around Dwellings Supplementary Planning Document and the aims and objectives of the National Planning Policy Framework.

10. **ARTICLE 4 DIRECTION IN RELATION TO CHANGES TO SMALL HOUSES IN MULTIPLE OCCUPATION (HMOS) IN SIDMOUTH AVENUE, GOWER STREET, GRANVILLE AVENUE, NORTHCOTE PLACE AND PART OF KING STREET.**

Consideration was given to a report informing Members of comments received in relation to the Article 4 Direction and seeking the Committee's confirmation of the Direction.

Resolved: That the Article 4 Direction be confirmed.

11. **APPEAL DECISION - 40A SANDS ROAD, HARRISEAHEAD - 14/00792/FUL**

Resolved: That the decision be noted.

12. **APPEAL DECISION - CENTURION HOUSE, WEST STREET, NEWCASTLE. 15/00203/FUL**

Resolved: That the decision be noted.

13. **APPEAL DECISION - 64 BASFORD PARK ROAD, NEWCASTLE. 15/00595/FUL**

Resolved: That the decision be noted.

14. **TECHNICAL CONSULTATION ON IMPLEMENTATION OF PLANNING CHANGES.**

Consideration was given to a report advising Members of a consultation by the Government on the implementation of planning changes associated with the Housing and Planning Bill.

Resolved: That the Head of Planning and Head of Finance, in consultation with the Chairman and Vice Chairman, draw up and submit responses to each of the questions posed by the Government taking into account any comments made by members of the Committee by 5pm on 5th April 2016

15. **TREE PRESERVATION ORDER 25 WALTON WAY, TALKE. TPO174**

Resolved: That Tree Preservation Order No.174 (2015) - 25 Walton Way Talke be confirmed as made and owners of the site to be informed accordingly.

16. **URGENT BUSINESS**

There was no Urgent Business.

COUNCILLOR MARION REDDISH
Chair