

# Public Document Pack

<b>Date of meeting</b>	<b>Tuesday, 13th November, 2012</b>
<b>Time</b>	<b>7.00 pm</b>
<b>Venue</b>	<b>Council Chamber, Civic Offices, Merral Street, Newcastle Under Lyme, Staffordshire ST5 2AG</b>
<b>Contact</b>	Peter Whalan

## **Supplementary Information to the Planning Committee**

### **AGENDA**

#### **PART 1– OPEN AGENDA**

<b>10</b>	<b>Application for Major Development - Thistleberry House Residential Home, Keele Road. Taylor Wimpey North Midlands. 12/00512/FUL</b>	<b>(Pages 1 - 4)</b>
<b>11</b>	<b>Application for Minor Development - Safex House, 46 Church Street, Audley. Safex Supplies Ltd. 12/00575/FUL</b>	<b>(Pages 5 - 6)</b>
<b>12</b>	<b>Application For Other Development - 2 Upper Marsh, May Bank, Newcastle. Mrs J Davies. 12/00496/FUL</b>	<b>(Pages 7 - 8)</b>

**Members:** Councillors Miss Baker, Boden, Cairns, Clarke (Vice-Chair), Fear (Chair), Hambleton, Mrs Hambleton, Howells, Jones, Matthews, Miss Reddish, Stringer, Studd, Sweeney, Williams and Mrs Williams

**'Members of the Council: If you identify any personal training / development requirements from the items included in this agenda or through issues raised during the meeting, please bring them to the attention of the Committee Clerk at the close of the meeting'**

Officers will be in attendance prior to the meeting for informal discussions on agenda items.

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# Agenda Item 10

FORMER THISTLEBERRY HOUSE RESIDENTIAL HOME, KEELE ROAD  
TAYLOR WIMPEY NORTH MIDLANDS. 12/00512/FUL (item 5 – main agenda)

## Representations

Since the preparation of the agenda report there have been in the order of 10 further representations received including from the **Thistleberry Residents Association (TRA)**.

The comments are summarised as follows:

- Refuse and other large vehicles cannot negotiate between the two turning heads on Greenock Close without entering the opposing carriageway unless they mount the kerb which is contrary to the Road Traffic Act and the standards contained in the highway code.
- The idealised technical drawings do not reflect real life with much more impingement over the footpath of the front vehicle cab than they suggest – photo illustrations provided. The technical drawings assume a non traffic environment.
- The issue is not with additional movements but the inadequate width of the roadway should a vehicle be parked.
- What is the boundary treatment between No.25 Greenock Close and the rear of plots 22-25 to be? Is it to be removed? A 2.4m composite fence along this boundary should be provided.
- The removal of the security fence will bring back the previous anti-social problems.
- Highway safety issues from increased traffic movements.
- Highway safety issues from additional congestion (on street parking).
- The density of the development is too great.
- The lockable gates proposed may not be locked by the residents and their design mean that they could be able to be scaled.
- The properties should be turned round and the security fence left in place.
- Retention of the trees and stone wall should be enshrined in house deeds.
- The need for the trees to be the subject of a TPO should not be governed by economic considerations and could be dealt with as part of a 106 agreement.
- A boundary treatment should be provided between the site and 51 Keele Road.
- If a brick wall cannot be erected between plots 21 and 22 some of the existing security fence could be utilised.
- No through route signs should be erected at Keele Road and Greenock Close.
- The Section 106 agreement amount in relation to open space is disproportionate and exceeds the requirements of what Section 106 agreements are required for. CIL should be adopted to cover such activities.
- The development is acceptable subject to the TRA suggestions being met.

The **Highway Authority** has repeated their previous comments – that they have no objections to the proposal subject to certain conditions and they have confirmed that they have taken into account the additional information now provided. Similarly the **Education Authority**, and the **Environmental Health Division** have now confirmed that their previous comments stand

**Severn Trent Water** who was not consulted in relation to the previous application have specified that they have no objections to the proposal subject to a condition relating to drainage plans for surface water and fowl sewage.

Comments have been received from the **Waste Management Division** confirming that they are satisfied that the largest collection vehicle operated by the Council can satisfactorily navigate around the development and noting that the layout of the site will allow front of property collections without the need for collection points.

## Applicant's Submission

Since the preparation of the agenda report further submissions have been received from the agent in the form of an additional Technical Note from their highway consultants as well as a range of photos taken at various refuse collection times.

The Technical Note highlights as follows:

- 4 additional vehicle movements on Greenock Close during the peak hours.
- Vehicle tracking data showing manoeuvring of both refuse and emergency vehicles can take place. (Refuse vehicle on vehicle tracking plans 0.1m wider and 0.34m longer than the longest vehicle currently used in Greenock Close).
- Refuse collection and recycling are both fortnightly on alternate weeks therefore a once a week collection. (Food waste is weekly but in a much smaller vehicle).
- Refuse collections are normally between 9:30 and 13:00 which is outside commuter peak hours and when parked vehicles are likely to be at a minimum due to owners being at work.
- No complaints by either staff or waste operatives of access or highway safety issues at Greenock Close.

They have also provided a revised plan for the Greenock Close frontage illustrating that a 2m wall can be constructed between plots 21 and 22 following consultation with Severn Trent Water. They have also indicated that each property fronting or backing onto Greenock Close with the exception of plot 16 (due to ground levels) would have 1.8m screen walls between them with lockable gates.

### **Your Officer's Comments**

As already explained within the agenda report the focus of this supplementary report and similarly any debate has to be about the previous reasons for refusal. In light of the further comments and information received, the following can be said;

In relation to the first reason for refusal, since the preparation of the agenda report both the applicant and the case officer have been out on several occasions to monitor vehicle movements around Greenock Close during refuse collection times. Details of some of these visits by the applicant are referenced within the Technical Note prepared. It is considered by your Officer based upon the advice received from the Highway Authority, the information contained within the highway consultant's Technical Note, information received from the Waste Management Division and the case officer's first hand experience of refuse collection within the Close that no material adverse highway safety concerns would arise from the proposed development as planned. Members will note the drivers of refuse and recycling vehicles have additional help (all refuse vehicles are camera equipped and they also have other refuse operatives to help guide them should they need to) to ensure they manoeuvre in a safe and efficient manner.

In relation to the second reason for refusal no new points are raised in the submission and the matter is discussed in full within the report. The screen walls to be located between the plots fronting onto Greenock Close in place of close boarded fences are not considered to alter the overall design ethos or aesthetics of the proposal.

Issues of security and the potential for anti-social behaviour to return to Greenock Close clearly still are concerns of local residents. Taylor Wimpey have acknowledged these concerns and have worked with Severn Trent Water to provide a brick wall solution between plots 21 and 22 that due to its construction would allow access to the sewer without its removal should works need to be undertaken. This would appear to satisfy residents concerns about the durability of the original screen fence and subsequent composite fence solution proposals. Due to the method of construction it would not be possible to build the wall higher than 2m without a step in it which could facilitate people climbing over. It is your Officer's view that either this solution or the slightly higher composite fence panel solution are acceptable in this location and either would be acceptable in visual terms whilst also preventing access through the development.

Details of the boundary treatment between No.25 Greenock Close and plots 22-25 are provided in the submitted plan. A 1.8m close boarded fence is indicated however it is your Officer's view that in this location the existing security fence could remain. A condition in relation to boundary treatments has already included as part of the recommendation to deal with the details of these treatments and others throughout the development.

In relation to the comments raised by the Waste Management Division relating to bin collection points not being required, it is your Officer's view that it could still be beneficial to include a condition requiring the developer to obtain approval of details of any collection points that they may propose, but not to require them.

The issues raised by the TRA in relation to the wall and trees were considered in the report on the previous application, the Committee accepted the approach indicated and it is not considered that anything material has changed to differ from this view. The reason the trees have not been the subject of a Tree Preservation Order had nothing to do with the costs of making such an Order.

The sum sought for open space amount is based upon the Council's adopted Green Space Strategy.

The additional condition suggested by Severn Trent Water requiring approval of foul and surface water drainage details would meet the tests contained within Circular 11/95.

**The recommendation therefore remains as per the agenda report with the following changes:**

- **Additional Drainage plan condition as recommended by Severn Trent Water.**
- **Condition 23 amended to reflect acceptability of either a 2m wall or 2.4m composite boundary treatment.**
- **Amended condition 8 to reflect that bin collection points are not mandatory but prior approval required should the developer wish to have them.**

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# Agenda Item 11

SAFEX HOUSE 46 CHURCH STREET AUDLEY  
SAFEX SUPPLIES LTD. 12/00575/FUL (item 7 – main agenda)

This application has been formally **WITHDRAWN**.

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# Agenda Item 12

2 UPPER MARSH MAY BANK NEWCASTLE  
MRS J DAVIES. 12/00496/FUL (item 8 – main agenda)

Since the preparation of the agenda report the consultation response from the **Police Architectural Liaison Officer** has been received. He has no objections to the proposal.

The recommendation remains unchanged as the agenda report.

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