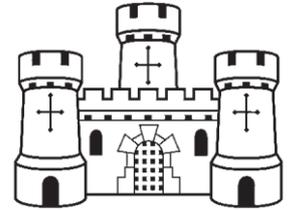


Public Document Pack

Date of meeting Tuesday, 20th July, 2021
Time 7.00 pm
Venue Astley Room - Castle
Contact Geoff Durham 742222



**NEWCASTLE
UNDER LYME**
BOROUGH COUNCIL

Castle House
Barracks Road
Newcastle-under-Lyme
Staffordshire
ST5 1BL

Planning Committee

SUPPLEMENTARY AGENDA

PART 1 – OPEN AGENDA

- 5 APPLICATION FOR MINOR DEVELOPMENT - 50 CASTLE ROAD, MOW COP. MR LEE GITTINS. 20/01039/FUL (Pages 3 - 4)
- 6 APPLICATION FOR MINOR DEVELOPMENT - PEAK PURSUITS, NANTWICH ROAD, AUDLEY. PEAK ACTIVITY SERVICES - MR JOHN POTTER. 20/01045/FUL (Pages 5 - 6)
- 10 APPLICATION FOR OTHER DEVELOPMENT - LAND TO EAST OF CONEYGREAVE LANE, WHITMORE. HIGH SPEED TWO (HS2) LIMITED. 21/00634/SCH17 (Pages 7 - 10)

Members: Councillors Andrew Fear (Chair), Marion Reddish (Vice-Chair), Silvia Burgess, Dave Jones, Sue Moffat, Gillian Williams, John Williams, Jennifer Cooper, Helena Maxfield, Paul Northcott, Mark Holland, Kenneth Owen and Sylvia Dymond

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

Meeting Quorums :- 16+= 5 Members; 10-15=4 Members; 5-9=3 Members; 5 or less = 2 Members.

SUBSTITUTE MEMBER SCHEME (Appendix 9, Section 4 of Constitution)

The Constitution provides for the appointment of Substitute members to attend Committees. The named Substitutes for this meeting are listed below:-

Substitute Members:	Simon Tagg	Bert Proctor
	Barry Panter	Mike Stubbs
	Stephen Sweeney	June Walklate

Contacting the Council:

Switchboard 01782 717717 . Text 07800 140048

Email webmaster@newcastle-staffs.gov.uk.

www.newcastle-staffs.gov.uk

If you are unable to attend this meeting and wish to appoint a Substitute to attend in your place you need to:

- Identify a Substitute member from the list above who is able to attend on your behalf
- Notify the Chairman of the Committee (at least 24 hours before the meeting is due to take place) NB Only 2 Substitutes per political group are allowed for each meeting and your Chairman will advise you on whether that number has been reached

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

NOTE: THERE ARE NO FIRE DRILLS PLANNED FOR THIS EVENING SO IF THE FIRE ALARM DOES SOUND, PLEASE LEAVE THE BUILDING IMMEDIATELY THROUGH THE FIRE EXIT DOORS.

ON EXITING THE BUILDING, PLEASE ASSEMBLE AT THE FRONT OF THE BUILDING BY THE STATUE OF QUEEN VICTORIA. DO NOT RE-ENTER THE BUILDING UNTIL ADVISED TO DO SO.

FIRST SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
20th July 2021

Agenda Item 5

Application Ref. 20/01039/FUL

50 Castle Road, Mow Cop

A further representation has been received from the occupant of 'Sugar Well Farm' who raises the following comments and objections:

- They were only allowed to apply for refurbishment and regeneration of their property and not to "replace and re-build",
- An original objection letter by email before the 4th Jan 2021 deadline has not ended up on the electronic list of documents and not been taken into consideration or mentioned in the synopsis,
- The public consultation period was placed precisely over the holiday period and thus professional advice not available for the close off of the 4th Jan 21,
- The proposal will be visually dominating due to its height and location,
- The report reveals the 260% volumetric increase which is outside acceptable policies restrictions relating to Green belt development,
- No definition of what constitutes 'very special circumstances' is given within the report,
- The work of the Landscape Development Officer is acknowledged,
- Their own planning application was restricted due to the setting of the Listed Mow,
- The proposed dwelling could be 'sunk into the ground' by a metre,

Officers Comments

The concerns raised about how previous proposals were treated by the Local Planning Authority is not a material planning consideration in the determination of this planning application. Each planning application should be judged on its own merits at the time of the planning application submission and in accordance with planning policy and material considerations at that time.

There is also concern about a previous objection letter not forming part of the planning application file and those comments not taken into consideration. However, the comments have been taken into consideration and reported in the main agenda report.

In terms of the statutory publicity period undertaken this was carried out on the 10th December 2020 until the 4th January 2021. However, representations were still accepted on the planning application until the 14th July 2021.

Finally, the objection letter notes that the officer's report does not define what '*very special circumstances*' are. Whilst this point is noted, there is no definition for '*very special circumstances (VCSs)*' set out within either local or national policy, but rather a VSC can exist if any factor taken by itself or in combination with other considerations would outweigh the harm caused by the proposal. The degree of weight to be accorded to each is a matter for the decision maker, and in this case given the restoration of the

Classification: NULBC **UNCLASSIFIED**

plot, and the fall-back position available to the applicants through the use of permitted rights, VSCs exist to justify the proposal.

All other matters raised have been fully considered and set out within the main agenda report.

The RECOMMENDATION remain as set out in the main agenda report.

ADVANCE SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
20th July 2021

Agenda item 6

Application ref : 20/01045/FUL

Address Peak Pursuits, Nantwich Road, Audley

Since the publication of the main agenda report, the applicant has submitted further information to support their planning application, and a further objection from the Community Centre has been received.

The applicant wishes to highlight the previous planning consents 15/01022/FUL and 17/00260/FUL for similar storage containers at Audley Community Centre adjacent to the site. He considers the main difference between the current application being considered and the previous planning permissions is that this scheme is located within the private car park and out of view of the general public. The approved storage containers are located in the public car park adjacent to the Community Centre and are more visible.

The objection states there has been a significant increase in registered pupils at Peak education since the beginning of the year, resulting in an increase in staff, and vehicles using the Community Centre car park. Other groups using the Community Centre (such as Slimming World), have been unable to park on site. The Peak Pursuits' car park at the front of the property is restricted to certain members and largely unused. Furthermore, the area covered by containers, climbing walls and a motorhome for staff attending functions takes up a significantly larger area, (in excess of 1013sq.ft) compared with the Community Centre's containers (c.56sq.ft).

Officer's Comments

The applicant's comments are noted by officers. The storage containers subject of the current application are less prominent than previous approvals referred to in the applicant's comments, and as demonstrated in site visit photos.

However, officers have also had regard to the impact of the development in relation to the Green Belt designation and the setting of the Locally Important Building and Audley Conservation Area. Furthermore, as set out in the objections by the Community Centre, the storage containers and other equipment located within the existing yard at Peak Pursuits has resulted in overspill parking on the Community Centre car park.

With regard to the objections, there are clearly ongoing parking issues associated with the various uses at Peak Pursuits and the Community Centre. It is hoped that granting a temporary planning permission for the existing containers would enable the applicant to explore more suitable permanent storage arrangements, which would be both more appropriate to the character and context of the area, and would not result in a further reduction in parking provision.

A balanced view must be taken as to the suitability of the development in this location. Hence, officers recommend a temporary planning permission is most appropriate.

The RECOMMENDATION remains as set out in the main agenda report

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FIRST SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
20th July 2021

Agenda Item 10

Application Ref. 21/00634/SCH17

Land to East of Coneygreave Lane, Whitmore

Whitmore Parish Council have no objections having clarified with HS2 that the access to the site will not be along Coneygreave Lane, but via a new access to Coneygreave Farm, off the A53 so contractors will turn up the driveway to Coneygreave Farm, and a new access track will lead to the site.

The **Landscape Development Section** have no objections subject to the following comments:

- Indicative tree root protection areas as shown on the Landscape General Arrangement Plan should be protected in accordance with, and to the dimensions specified in, BS5837. In addition there are trees within the whole length of the hedgerow on the boundary with Coneygreave Lane which, although younger than the trees indicated, must be similarly protected.
- Permission should be subject to submission of a revised and dimensioned tree protection plan to BS5837:2012.

It is considered that such a condition would accord with the legislation and can be imposed

REVISED RECOMMENDATION

That the Schedule 17 application be granted subject to conditions relating to the following:

- 1. Carried out in accordance with the approved plans.**
- 2. Submission and approval of a revised and dimensioned tree protection plan to BS5837:2012 for all indicative tree protection areas as shown on the Landscape General Arrangement Plan and also trees within the hedgerow on the boundary with Coneygreave Lane.**
- 3. Any conditions as recommended by consultees which relate to the grounds set out in the legislation**

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SECOND SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
20th July 2021

Agenda Item 10

Application Ref. 21/00634/SCH17

Land to East of Coneygreave Lane, Whitmore

The application has been **WITHDRAWN** due to the need to update plans to reflect a new layout and design to further optimise the mitigation function that is to be provided by the works.

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