

Public Document Pack

Date of meeting Tuesday, 17th August, 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 MAJOR DEVELOPMENT - LAND SOUTH OF MARKET DRAYTON ROAD, LOGGERHEADS SHROPSHIRE HOMES LIMITED. 21/00601/FUL (Pages 3 - 4)
- 7 APPLICATION FOR MINOR DEVELOPMENT - PEAK PURSUITS, NANTWICH ROAD, AUDLEY PEAK ACTIVITY SERVICES - MR JOHN POTTER. 20/01045/FUL (Pages 5 - 6)
- 8 APPLICATION FOR OTHER DEVELOPMENT - 1 BERESFORD CRESCENT, NEWCASTLE UNDER LYME DR SHAMYLLA SAMAD. 21/00569/FUL (Pages 7 - 8)
- 9 APPLICATION FOR OTHER DEVELOPMENT - COMMUNICATION MAST, PEPPER STREET, NEWCASTLE UNDER LYME CK HUTCHISON NETWORKS (UK) LTD. 21/00701/TDET (Pages 9 - 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 Bert Proctor

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:-

Contacting the Council:

Switchboard 01782 717717 . Text 07800 140048

Email webmaster@newcastle-staffs.gov.uk.

www.newcastle-staffs.gov.uk

Substitute Members: Simon Tagg Sylvia Dymond
 Barry Panter Mike Stubbs
 Stephen Sweeney June Walklate

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
17th August 2021

Agenda item 5

Application ref: 21/00601/FUL

Address Land South of Market Drayton Road, Loggerheads

Since the publication of the main agenda report, the formal consultation response of the **Highways Authority (HA)**. The HA objects indicating that Section 5 of the application form states the reason for the variation of condition 16 requiring the provision of a 2m footpath to be altered to a 1.8m footpath, was not a requirement of the HA. They indicate that this is not correct as the HA consultation response dated 7 Sept 2017 a 2m footway was recommended as a condition.

Officer response

It is apparent that the HA have misunderstood the nature of the application.

In commenting upon the outline planning application the HA recommended that a condition should be imposed providing a 2m wide footway on the site frontage linking from the site boundary across the frontage of the Fire Station through to Kestrel Drive. The HA did not recommend the provision of a footpath connecting the south west part of the site to Kestrel Drive.

The current application does not seek to amend or remove the requirement to provide a 2m wide footpath along the northern A53 frontage connecting to the existing footpath by the Fire Station. It seeks to remove the requirement to provide a footpath that links the south-west part of the site from its southern boundary to Kestrel Drive.

It is therefore correct to say that the provision of this footpath at whatever width was not a requirement of the HA.

For the reasons set out in the report it is considered that the provision of a footpath linking the south-west part of the site to Kestrel Drive is not reasonable and should be omitted. It is not considered necessary to include a requirement to provide a 1.8m wide footpath internally through the site that links the south-west part to the footpath along the northern boundary instead of a direct link. A suitable layout of the site should ensure that there are suitable pedestrian routes through the site and this will be considered as part of the reserved matters application.

The RECOMMENDATION remains as set out in the main agenda

This page is intentionally left blank

FIRST SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
17th August 2021

Agenda item 7

Application ref: 20/01045/FUL

Address Peak Pursuits, Nantwich Road, Audley

Since the publication of the main agenda report, the formal consultation response of the **Highways Authority (HA)** has been received and they make the following points:

- The containers take up 3 parking spaces within the site
- There is minimal impact on on-site parking provision as 10 parking spaces are provided within the site curtilage, and the containers will be in situ temporarily for 2 years
- There have been no reported parking issues on the highway in the vicinity of the site

HA therefore raises no objections to this planning application subject to a condition stating that the parking area shall be provided in accordance with Drawing no. 006 and shall be retained for the 2 years that the containers are located on site.

HA also advises that if the containers were to be made permanent, a parking survey undertaken over a 7-day period would be required to ascertain the level of parking on the community car park, highway and within the site curtilage.

The RECOMMENDATION remains as set out in the main agenda report but with an additional Highways condition:

The parking area shall be provided in accordance with Drawing No. 006 with the spaces clearly delineated and retained for the two years in which the shipping containers will be located on site.

This page is intentionally left blank

FIRST SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
17th August 2021

Agenda item 8

Application ref: 21/00569/FUL

Address 1 Beresford Crescent, Newcastle under Lyme

Since the publication of the main agenda report, the applicant has submitted representations both summarising the history of the previous application and the details submitted within this application as well as raising a number of other points.

The main points raised within the submission which are pertinent to the assessment of the application but were not included within the main agenda report are as followed:

- CGI imagery which shows how the proposed extension would look within the streetscene.
- A visual comparison between the proposed application and application ref: 20/00804/FUL at 50 Beresford Crescent which demonstrates that the proposed extension is smaller than that of the recently approved application.
- A massing table which provides an approximate percentage indication of existing/pending and approved proposals compared to the previous and current application, with the proposed application proposing the smallest overall increase.
- Reference to a number of objectors still having concerns regarding the potential use of the dwelling as a HMO and reiterating that the applicant has stated that they would welcome a condition to remove permitted development rights for the property to be used as a HMO.

Officer Comments

The CGI imagery demonstrates what the proposed extension would look like, it is considered that these images further confirm the conclusions set out within the main agenda report, that overall the extension would be viewed as subordinate to, and in keeping with, the design of the original dwelling and the character and appearance of the streetscene.

The visual comparison plan and massing demonstrate that there are a number of larger and similar sized extensions which have been recently approved in the surrounding area. Whilst each application must be assessed on its individual merits, this does demonstrate that the character of the area is evolving, and it is the case that the size of the extension would be similar to other extensions in the vicinity. As such, as set out in the main agenda report it is considered that the proposed extension would not to be out of keeping with the character of the area.

With regards to the objectors concerns regarding the potential use of the dwelling as a HMO, this was not included within the main agenda report as it does not form a material planning consideration, and was not included as a reason for refusal on the previous application. Notwithstanding this, whilst the applicant has indicated they would welcome a condition to remove permitted development rights for the property to be used as a HMO, it is not considered that imposing a condition to remove the permitted development rights would meet the tests set out in paragraph 56 of the NPPF.

The RECOMMENDATION remains as set out in the main agenda

This page is intentionally left blank

FIRST SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
17th August 2021

Agenda item 9

Application ref: 21/00701/TDET

Address Communication Mast, Pepper Street, Newcastle under Lyme

Since the publication of the main agenda report, the formal consultation response of the **Highways Authority (HA)** has been received. HA have confirmed that they have no objection to the proposals subject to the imposition of a condition relating to the siting of the development being carried out in accordance with the proposed site plan.

Three representations have also been received making the following objections:

- Too large / high and impact on skyline
- Dangerous technology
- Mental health issues
- Should be away from houses
- Danger to wildlife
- Schools near by
- Trees
- Visual impact to dwellings
- Radiation
- No notifications from the council, and
- Concerns regarding existing smell in the area

Officer Comments

The development will need to be carried out in accordance with the plans and information submitted to support the application. Therefore, whilst HA has requested a condition to secure the development in accordance with the proposed site plan, it is not possible to impose conditions on this type of application. On this basis a condition is not necessary.

With regards to the objections received, the height and scale of the proposed development has been considered within the main agenda report. It is considered that the conclusions of the assessment remain the same, and the siting and design of the proposed development is acceptable and that the proposal would meet the guidance and requirements of the NPPF.

The application was publicised in line with the Council's Statement of Community Involvement. The other objections received relating to wildlife, mental health issues, radiation and the technology are not material considerations to the assessment of this prior notification application. The legislation is clear that only siting and appearance are for assessment in the consideration of the application.

The RECOMMENDATION remains as set out in the main agenda

This page is intentionally left blank