

Public Document Pack

Date of meeting Tuesday, 14th September, 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

- 4 APPLICATION FOR MAJOR DEVELOPMENT - LAND SOUTH OF HONEYWALL LANE, MADELEY HEATH. MR CHRIS ANDREWS. 21/00593/REM (Pages 3 - 4)
- 5 APPLICATION FOR MAJOR DEVELOPMENT - CHATTERLEY VALLEY DEVELOPMENT SITE, PEACOCK HAY ROAD. HARWORTH GROUP PLC. 21/00570/FUL (Pages 5 - 6)
- 7 APPLICATION FOR MAJOR DEVELOPMENT - LAND TO THE NORTH EAST OF ECCLESHALL ROAD, SOUTH EAST OF PINWOOD ROAD AND NORTH WEST OF LOWER ROAD, HOOK GATE. VERVE SHREWSBURY LTD. 21/00834/FUL & 21/00835/FUL (Pages 7 - 8)
- 10 APPLICATION FOR OTHER DEVELOPMENT - LAND ADJACENT WATERHAYS FARM TELEPHONE EXCHANGE CEDAR, ROAD. CK HUTCHISON NETWORKS (UK) LTD. 21/00757/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 and Kenneth Owen

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)

Contacting the Council:

Switchboard 01782 717717 . Text 07800 140048

Email webmaster@newcastle-staffs.gov.uk.

www.newcastle-staffs.gov.uk

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	Sylvia Dymond
	Barry Panter	Mike Stubbs
	Stephen Sweeney	June Walklate
	Bert Proctor	

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.

IRST SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
14th September 2021

Agenda item 4

Application ref: 21/00593/REM

Address Land South of Honeywall Lane, Madeley Heath

Since the publication of the main agenda report the **Landscape Development Section (LDS)** have advised that they have no further comments on the additional tree and hedgerow information.

Your officers have also been in discussions with the **Councils Legal Section (Solicitors)** regarding the application to modify the S106 agreement and it has been agreed that the recommendation needs to be revised to ensure that the correct process is followed regarding the S106 dated 10 August 2018 and the terms of the modified S106 Agreement are clear. The revised recommendation, set out below, seeks to ensure this.

Furthermore, it also needs to be made clear that, whilst your officer is recommending that the provision of secondary school places is the priority in the first instance (and the available £83,110 should be allocated for that purpose), as set out at paragraph 6.7 of the main agenda report, if substantial commencement of the development is not achieved within 12 months of the decision and the financial viability reappraisal determines that the scheme can support a greater level of financial contributions then provision can be made towards affordable housing, public open space improvements and primary school places.

The RECOMMENDATION is therefore revised as follows;

- A) Agree to the discharge of the S106 dated 10 August 2018, completed under outline planning permission reference 17/00514/OUT, if a material commencement of the development, as approved by the 21/00593/REM, is achieved;**
- B) That the application to modify the S106 agreement, to change the red edge site boundary and to secure a financial contribution of £83,110 towards secondary school places at Madeley High School, Madeley and a review mechanism of the scheme's ability to make a more or fully policy compliant contribution to education places, off site public open space and/ or affordable housing, if the development is not substantially commenced within 12 months from the date of the decision, and the payment of such a contribution if then found financially viable, be approved.**
- C) Permit the reserved matters application, subject to conditions relating to the following matters:-**
 - 1. Link to outline planning permission and conditions;**
 - 2. Approved plans;**
 - 3. Facing and roofing materials;**
 - 4. Prior approval of finished ground and floor levels.**
 - 5. Boundary treatments;**
 - 6. 1.8 metre high acoustic barrier on the southern boundary;**
 - 7. Provision of roads, footways, parking, servicing and turning areas;**
 - 8. Parking areas surfaced in a porous bound material;**
 - 9. Construction Management Plan;**
 - 10. Provision of soft and hard landscaping scheme/ strategy;**
 - 11. Landscape and highways management and maintenance plan;**

12. Trees and hedgerows shown as retained shall be retained and protected throughout construction;
13. Prior approval of crime prevention and security measures;
14. Prior approval of overheating assessment/ or overheating mitigation for plots 1 & 2;
15. Surface water drainage;
16. Sustainable drainage management and maintenance plan;
17. Waste and recycling storage and collection arrangements;
18. Approval does not constitute the LPA's approval pursuant subject of other conditions of the outline planning permission, these needing to be subject of separate application

FIRST SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
14th September 2021

Agenda item 5

Application ref: 21/00570/FUL

Address Chatterley Valley Development Site, Peacock Hay Road

Since the publication of the main agenda the applicant has written to request that further consideration is given to conditions (iii), (iv), (v), and (ix), set out in the recommendation, as follows:

(iii) – a drainage strategy has been submitted and assuming this has been accepted then the condition should be worded so as to require that the agreed drainage strategy is implemented instead of requiring a drainage strategy to be submitted and agreed as currently recommended.

(iv) – the wording of the draft conditions differs to that within the Coal Authority response of 9th July to which a response was provided in August. Intrusive investigations have been undertaken and the findings included, as such this should not be requested.

(v) – The suggested condition would likely require all structural landscaping to be implemented before building construction. However, if the site is delivered in phases, the commencement of construction of some buildings may commence before the earthworks are concluded.

(ix) – Highways England have agreed to more than 250 HGV movements per day.

Officer response

At this stage the drainage strategy that has been submitted has not been agreed by the Lead Local Flood Authority as they have raised a number of queries. Until the submitted drainage strategy has been agreed it is not appropriate, as requested, to change the wording of condition (iii) as set out in the recommendation.

The views of the Coal Authority have not been received in respect of the suggested amendments to the wording of condition (iv). In the circumstances it is considered appropriate to secure their views on the wording of the condition prior to the issuing of any planning permission. The recommendation in respect of condition (iv) is therefore amended accordingly.

It is considered appropriate that condition (v) is worded to enable the structural landscaping to be implemented in phases. This would be consistent with the recommendations in respect of the other Chatterley Valley application on this agenda (21/00595/FUL).

Further correspondence has been received indicating that Highways England consider that the number of daily HGV movements to and from the site for the duration of the associated earthworks shall not exceed a maximum of 400 HGV two-way movements per day and not more than 20 HGV two-way movements in either the AM peak hour (08:00 to 09:00) or the PM (17:00 to 18:00). As such the recommendation in respect of condition (ix) can be amended accordingly.

It remains unclear as to why additional tree losses arise when compared to that shown on the plans submitted in connection with hybrid application which granted outline planning permission in this part of the site. It is considered, notwithstanding what is shown on the submitted plans, that Category B trees within the site should be retained if at all possible and as such a further amendment to condition (v) is recommended.

REVISED RECOMMENDATION

PERMIT the application subject to conditions relating to the following:

- i. Time limit**
- ii. Implementation in accordance with the approved plans**
- iii. No development to commence until a Sustainable Drainage Strategy has been submitted and agreed, which is to be fully implemented.**
- iv. No development to commence until intrusive site investigation works, if required by the Coal Authority, and remedial works have been undertaken in accordance with approved details (the final wording of the condition to be agreed with the Coal Authority prior to the issuing of the planning permission).**
- v. Detailed structural landscaping scheme to be submitted and approved within 12 months of the commencement of the earthworks on any phase which shall include the retention of Category B trees if possible, or their replacement if not. The scheme is to accord with the Green Infrastructure Strategy and should include the planting of a verge adjoining the footpaths. The structural landscaping scheme shall be implemented prior to the commencement the construction of buildings within that phase.**
- vi. Approval of tree and hedgerow protection measures.**
- vii. Approval and implementation of woodland and landscape management plans.**
- viii. No development shall take place on any part of the site until the development has secured the implementation of a programme of archaeological works**
- ix. Limit on the number of daily HGV movements for the duration of the earthworks to a maximum of 400 HGV two-way movements per day and not more than 20 HGV two-way movements in either the AM peak hour (08:00 to 09:00) or the PM (17:00 to 18:00).**
- x. Approval and implementation of a Construction Traffic Management Plan**
- xi. The reporting of unexpected contamination and preventing the importation of soil or soil forming material without approval.**

FIRST SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
14th September 2021

Agenda item 7

Application refs: 21/00834/FUL & 21/00835/FUL

Land to the North East of Eccleshall Road, South East of Pinewood Road and North West of Lower Road, Hook Gate

Since the publication of the main agenda report the comments of **Loggerheads Parish Council** have been received. They have no objection to either application.

The RECOMMENDATIONS remain as set out in the main agenda

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**FIRST SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
14th September 2021**

Agenda item 10

Application ref: 21/00757/TDET

Address: Land Adjacent Waterhays Farm Telephone Exchange, Cedar Road

Since the publication of the main agenda report the formal consultation responses of the **Highways Authority (HA)** and **Environmental Health Division (EH)** have 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. EH have also raised no objections to the proposal subject to a condition relating to the control of construction hours.

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. This also applies to the condition requested by EH team. No conditions can therefore be added to this application.

The RECOMMENDATION remains as set out in the main agenda

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