

Public Document Pack

Date of meeting Tuesday, 20th June, 2023
Time 7.00 pm
Venue Queen Elizabeth II & Astley Rooms - Castle House, Barracks Road, Newcastle, Staffs. ST5 1BL
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

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|----|---|-----------------|
| 5 | APPLICATION FOR MAJOR DEVELOPMENT - LAND TO THE SOUTH OF LIVERPOOL ROAD, NEWCASTLE-UNDER-LYME. NEWCASTLE-UNDER-LYME BOROUGH COUNCIL. 23/00192/DEEM3 | (Pages 3 - 6) |
| 6 | APPLICATION FOR MAJOR DEVELOPMENT - LAND SOUTH WEST OF CHATTERLEY VALLEY, PEACOCK HAY ROAD, TALKE. HARWORTH ESTATES INVESTMENTS LTD. 23/00220/REM | (Pages 7 - 8) |
| 7 | APPLICATION FOR MAJOR DEVELOPMENT - LAND OFF WATERMILLS ROAD, CHESTERTON. HODGKINSON BUILDERS LTD. 22/01018/FUL | (Pages 9 - 10) |
| 10 | APPLICATION FOR MINOR DEVELOPMENT - THE WAMMY, LOWER MILEHOUSE LANE. NEWCASTLE-UNDER-LYME BOROUGH COUNCIL . 23/00142/DEEM3 | (Pages 11 - 12) |

Members: Councillors Northcott (Chair), Crisp (Vice-Chair), Fear, Holland, Bryan, Hutchison, Burnett-Faulkner, D Jones, Gorton, Moffat, G Williams and J Williams

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.

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

Substitute Members:	Sweeney	S Jones
	Panter	Beeston
	S Tagg	Fox-Hewitt
	Heesom	Edginton-Plunkett
	Johnson	Grocott
	J Tagg	

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

- 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 June 2023

Agenda Item 5

Application Ref. 23/00192/DEEM3

Land to the south of Liverpool Rd, Newcastle

The main agenda report sets out details of the proposed number of parking spaces and a breakdown of accessible spaces, spaces with electric vehicle (EV) charging points and motorcycle spaces. Those figures have been revised so that 471 parking spaces, 22 accessible spaces (all to have EV charging points), 39 standard EV charging bays and 18 motor cycle spaces are proposed.

It has also been qualified that the northern core is now escape only.

Since the publication of the main agenda report the further comments of the **Highway Authority** have been received. They have no objections subject to conditions regarding access, pedestrian visibility splays, parking and circulation routes, off-site highway works, signage scheme, boundary treatments, piled foundations, Construction Environmental Management Plan and works exclusion zone adjacent the pedestrian underpass. A contribution of £50,000 is sought towards improvement of pedestrian/cycle infrastructure within Corporation Street/ Merrial Street between the site and A34 Rycroft which forms part of the 'Newcastle Town Deal Cycle Route Improvement scheme' to encourage means of active travel to and from the site.

Further comments have been received from the **Lead Local Flood Authority (LLFA)**. They state that notwithstanding that a revised version of the formerly submitted technical note has been submitted, insufficient information has been submitted to demonstrate that an acceptable drainage strategy is proposed. A CCTV investigation is requested demonstrating connectivity of the existing drainage system to the surface water culvert and that the existing connection is in good condition. A pre-development response from Severn Trent Water is also requested confirming that the point and rate of connection proposed in the application is acceptable.

A further **representation** has been received regarding the need for an Environmental Impact Assessment.

Officers Comments

Regarding the comments of the Highway Authority, the recommendation in the main agenda report already includes a requirement for a Section 106 obligation of £50,000. Subject to the recommended conditions, it is considered that there would be no impact on highway safety.

The need for an Environmental Impact Assessment has been considered in the main agenda report and it is not considered necessary to comment further now.

Regarding the issue of drainage, it is anticipated that the requested information will be received in advance of the meeting of the Planning Committee.

Recommendation amended as follows;

A. Subject to the applicant first entering into a Section 106 obligation by the 28th July 2023 to secure £50,000 towards improvement of pedestrian/cycle infrastructure,

PERMIT the application subject to conditions relating to the following matters:-

- 1. Standard time limit for commencement of development**

2. **Approved plans**
3. **Automatic Number Plate Recognition (ANPR)/Barrierless system access**
4. **Pedestrian visibility splays**
5. **Parking and circulation routes**
6. **Off-site highway works**
7. **Signage scheme**
8. **Boundary treatments**
9. **Piled foundations**
10. **Construction Environmental Management Plan**
11. **Works exclusion zone adjacent the pedestrian underpass**
12. **Construction environmental management plan**
13. **Details of piling**
14. **Noise from plant and machinery**
15. **Scheme to deter anti-social behaviour**
16. **Lighting**
17. **Landscaping scheme**
18. **Detailed drainage design**
19. **Material samples**
20. **Construction hours**

B. Should the matters referred to in (A) above not be secured within the above period, then the Head of Planning be given delegated authority to refuse the application on the grounds that without such matters being secured the development would fail to secure sustainable development objectives, or, if he considers it appropriate, to extend the period of time within which the obligation can be secured.

SECONDARY SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
20th June 2023

Agenda Item 5

Application Ref. 23/00192/DEEM3

Land to the south of Liverpool Rd, Newcastle

Further comments have been received from the **Lead Local Flood Authority (LLFA)**. They are now satisfied with the submitted proposals and have no objection to the granting of planning permission subject to conditions regarding drainage maintenance, implementation of approved drainage scheme and arrangements for the control of surface water as part of any temporary works.

Recommendation amended as follows;

A. Subject to the applicant first entering into a Section 106 obligation by the 28th July 2023 to secure £50,000 towards improvement of pedestrian/cycle infrastructure,

PERMIT the application subject to conditions relating to the following matters:-

1. **Standard time limit for commencement of development**
2. **Approved plans**
3. **Automatic Number Plate Recognition (ANPR)/Barrierless system access**
4. **Pedestrian visibility splays**
5. **Parking and circulation routes**
6. **Off-site highway works**
7. **Signage scheme**
8. **Boundary treatments**
9. **Piled foundations**
10. **Construction Environmental Management Plan**
11. **Works exclusion zone adjacent the pedestrian underpass**
12. **Construction environmental management plan**
13. **Details of piling**
14. **Noise from plant and machinery**
15. **Scheme to deter anti-social behaviour**
16. **Lighting**
17. **Landscaping scheme**
18. **Implementation of approved drainage scheme**
19. **Drainage maintenance**
20. **Control of surface water as part of any temporary works**
21. **Material samples**
22. **Construction hours**

B. Should the matters referred to in (A) above not be secured within the above period, then the Head of Planning be given delegated authority to refuse the application on the grounds that without such matters being secured the development would fail to secure sustainable development objectives, or, if he considers it appropriate, to extend the period of time within which the obligation can be secured.

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FIRST SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
20th JUNE 2023.

Agenda Item 6

Application Ref. 23/00220/REM

Land South West Of Chatterley Valley, Peacock Hay Road, Talke

Since the publication of the main agenda report, the **Lead Local Flood Authority** have provided further comments. They advise that the reserved matters application should not be permitted until a detailed surface water drainage scheme, as required by condition B5 of the hybrid permission, has been approved. This is to ensure that the site has drainage infrastructure designed and in place prior to the construction of any units so that surface water flood risk is being managed on site and every plot developer has an appropriate discharge rate to design their drainage proposals to while ensuring that the whole site strategy works.

Officers Comments

As set out in the main agenda report (at paragraphs 5.3 & 5.4), condition B5 of the hybrid planning permission sought detailed surface water drainage details to be submitted for approval.

Condition B5 has not been satisfied as yet but it is a separate process to this reserved matters application.

Condition B12 of the hybrid consent did require means of surface water drainage to be included in the reserved matters submission and that information has been provided, therefore satisfying the condition.

While it is acknowledged that the LLFA are not fully satisfied with the details, it remains the case that the construction of the units within the plots cannot proceed until Condition B5 has been fully discharged. On this basis it is considered that a suitably worded planning condition can secure the provision of the means of surface water drainage for Plot D1 and the reserved matters application should not be withheld.

Recommendation amended as follows;

PERMIT 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. Boundary treatments;**
- 5. Hardstandings;**
- 6. Soft landscaping;**
- 7. No external storage;**
- 8. Provision of an acceptable surface water drainage scheme;**
- 9. Provision of car parking, access, servicing and circulation areas as shown on the approved and sustainably drained, hard surfaced in a bound material, lit and marked out prior to the first occupation of the building;**
- 10. Provision of secure, covered and safe cycle parking facilities;**
- 11. Implementation of ecology and habitat mitigation and enhancement measures;**
- 12. 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**

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FIRST SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
20th June 2023

Agenda Item 7

Application Ref. 22/01018/FUL

Land off Watermills Road, Chesterton

Since the publication of the main agenda report clarification has been received from the applicant's agent regarding affordable housing. The previous scheme included 25% affordable housing provision but the revised scheme would comprise 100% affordable units. Both affordable/discounted rent and shared ownership dwellings are proposed and the provision exceeds the requirements of both the Section 106 and the Council's Affordable Housing SPD.

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

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FIRST SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
20th JUNE 2023.

Agenda Item 10

Application Ref. 23/00142/DEEM3

The Wammy, Lower Milehouse Lane

Since the publication of the main agenda report, the comments of the Landscape Development Section (LDS) have been received following the submission of an Arboricultural Report which was received by officers on the 23rd May.

The LDS raise no objections to the removal of the Category 'C' Sycamore on the boundary and the Category 'C' scots pine in order to facilitate the development, however they indicate that replacement planting to mitigate their loss should be provided. They state that permission should be subject to the submission of a Tree Protection Plan and Arboricultural Method Statement to BS5387:2012 for the construction phase of the scheme and that should include all work on the site, including building works, hard landscaping and drainage. A landscaping scheme should also be conditioned.

Officers Comments

The comments from LDS further support the comments made by Officers within the main agenda report. The loss of the two category C trees would not have any negative implications on the character or appearance of the wider area. It is considered appropriate to include replacement tree planting to mitigate against the loss of the two trees proposed for removal. This can be secured through a condition for a landscaping scheme which is already recommended within the main agenda report.

A tree protection plan was similarly recommended, however this will be updated to include the requested Arboricultural Method Statement in relation to all building works, hard landscaping and drainage.

You officers consider that subject to appropriately worded conditions, the development would maintain the character and appearance of the area and would not harm any visually significant trees and so therefore the proposal would comply with the relevant policies of the Development Plan as well as the aims and objectives of the NPPF.

Recommendation amended as follows;

PERMIT subject to conditions relating to the following matters:

- i. Time limit condition
- ii. Approved plans
- iii. Materials
- iv. Restrictions to deliveries and construction vehicles
- v. CEMP
- vi. Opening hours
- vii. External Lighting
- viii. Extraction/Ventilation Equipment for kitchen/ catering area
- ix. Full and precise details of security shutters
- x. Tree Protection Plans and Arboricultural Method Statement for all building works, hard landscaping and drainage
- xi. Landscaping Scheme which shall include replacement tree planting.
- xii. Full accordance with recommendations FRA
- xiii. Drainage Maintenance and Management Scheme

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