

Public Document Pack

Date of meeting **Wednesday, 2nd January, 2013**

Time **7.00 pm**

Venue **Council Chamber, Civic Offices, Merrial Street,
Newcastle Under Lyme, Staffordshire ST5 2AG**

Contact **Peter Whalan**

Planning Committee

AGENDA

PART 1– OPEN AGENDA

- 1 Apologies for Absence**
- 2 DECLARATIONS OF INTEREST**
To receive Declarations of Interest from Members on items included on the agenda.
- 3 MINUTES OF PREVIOUS MEETINGS** **(Pages 1 - 8)**
To receive the minutes of the previous meetings held on 13 November and 4 December 2012.
- 4 Application for Major Development - Parkhouse Interchange** **(Pages 9 - 18)**
(Former Christian Salvesen), Parkhouse. Friar's House
Investments Limited. 12/00610/FUL
- 5 Application for Major Development - Midland House, London** **(Pages 19 - 32)**
Road, Chesterton. Regensis. 12/00118/OUT
- 6 Application for Minor Development - Land Adjacent 92-98** **(Pages 33 - 40)**
Harriseahead Lane, Harriseahead. Aspire Housing.
12/00637/FUL
- 7 Application for Minor Development - Barn at Rear of Sandfield** **(Pages 41 - 50)**
House, Bar Hill, Madeley. Dr D Hodgkinson. 12/00694/FUL
- 8 Application for Minor Development - Alwyn, Nantwich Road,** **(Pages 51 - 58)**
Audley. Mr D Birkin. 12/00210/FUL
- 9 Application for Minor Development - Allendale House,** **(Pages 59 - 66)**
Milehouse Lane, Newcastle. Ms M Anderson. 12/00710/FUL
- 10 Planning Performance and the Planning Guarantee** **(Pages 67 - 74)**
- 11 Working in a Positive and Pro-active Manner With Applicants** **(Pages 75 - 76)**
- 12 Appeal Decision - The Lodge, Red Hall Lane, Halmer End. Mr** **(Pages 77 - 78)**
Alan Brown

- 13 **Appeal Decision - Broadlands, Heath Rise, Whitmore Heath. (Pages 79 - 80)**
 Mr N Rafferty
- 14 **Appeal Decision - 43 London Road, Chesterton. Mr N Felstead (Pages 81 - 82)**
- 15 **URGENT BUSINESS**

To consider any business which is urgent within the meaning of Section 100B(4) of the Local Government Act, 1972

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

PARKHOUSE INTERCHANGE (FORMER CHRISTIAN SALVESEN), PARKHOUSE
FRIAR'S HOUSE INVESTMENTS LIMITED. 12/00610/FUL

Applicant's Submission

Since the publication of the report, the **applicant's agent** has suggested some amendments to the suggested conditions put forward by the Environmental Health Division (EHD). These are generally of a technical nature relating to noise mitigation measures.

Revised plans have been submitted relating to the root protection area (RPA) on the retained trees.

Consultee Responses

The EHD have assessed these suggestions to the conditions and re-examined some of the other conditions they have recommended.

Their conclusions are that some of the amendments suggested by the agent are not appropriate given the conditions as originally recommended were based on information/details submitted with the application. They have however agreed that one of the alterations is reasonable which relates to the time period over which specified noise levels will need to be achieved within the proposed training rooms.

The EHD have also reassessed some of the other conditions they have recommended and confirmed the submitted details for the waste storage and collection arrangements are acceptable and therefore they are not looking for the prior approval of this element but suggest a condition requiring the development to be carried out in accordance with the submitted details.

Further considerations has been given to the HGV movements within the site and a condition is being suggested requiring a HGV movement management plan to be submitted for approval which would assist in controlling HGV movement noise through the night.

The Landscape Development section (LDS) have concerns regarding to the protection of two of the retained trees but they have suggested that either the extension to the hard surface area of the services area be amended so that any excavation within the RPA is minimised or the use of restrictions imposed on the method of its construction.

Should the layout of the service yard be adjusted, then they would suggest that the following conditions are applied:

- Submission and approval prior to the start of works on site of a full landscaping scheme that will soften the visual impact of the proposed development including details and locations of replacement and relocated trees.
- Submission and approval of a method statement for the relocation of existing trees and proposals for replacements should they fail.
- Method statement for excavation and installation of surfacing and edging within the RPA of Tree No T32.
- Tree Protection in accordance with the British Standard

Your Officer's Comments

Having assessed the suggested amendments, the revised conditions recommended by the EHD are considered to acceptable. Further consideration has been given to the original request from EHD relating to the requirement for noise mitigation measures to the Office and Training Facilities and it is considered appropriate to impose a condition relating to noise mitigation measures relating to external noise sources (e.g. road traffic noise)

The amendment to the service yard surfacing area as suggested by LDS is considered to be a practical solution to the concerns raised. This has been raised with the applicant's agent and at the time of writing no objection to this amendment has been received. It is considered appropriate therefore to impose a condition requiring the slight reduction in the extended area of the service yard.

The other conditions suggested by LDS have either already been proposed or they are considered appropriate to attach to any permission.

Recommendation remains to Permit the proposal with appropriate amendments to the suggested conditions relating to noise mitigation measures and waste storage and collection arrangements as suggested by EHD, together with the inclusion of additional conditions relating to:-

- **Prior submission and approval of HGV Movement Management Plan.**
- **External noise mitigation measures to the office and training facilities.**
- **Submission of an amended extension to the service yard area surfacing.**
- **Submission and approval of method statement for excavation and installation of surfacing and edging within the RPA of Tree No. T32.**
- **Tree Protection in accordance with BS5837:2012.**

BARN AT REAR OF SANDFIELD HOUSE, BAR HILL, MADELEY
DR D HODGKINSON. 12/00694/FUL (item 7 – main agenda)

Representation

Two further letters of objection has been received which raise no fresh issues which have not already been reported and addressed in the main report.

Applicant/Agent's Submission

The applicant, via his agent, has submitted a letter in which he provides some additional background information in response to the concerns raised by objectors to the proposal. In summary these relate to:

- The proposal would allow the applicant to move back to the area of his place of birth.
- Existing on road parking has existed for several years and the proposal would not alter this position.
- The use of Red Lane access would not be an option given it is too dangerous with restricted visibility.
- The Highway Authority has no objection to the proposal.
- The proposal would not harm the environment or countryside.
- The Landscape Development section has no objections to the proposal.
- This application has been amended to overcome the previous concerns of the Local Planning Authority.
- The conversion would have a negligible effect on targeted regeneration of urban centres.
- The proposal would have minimal effect on the countryside being confined within the existing barn with additional benefits of the removal of the Dutch barn.
- The proposal would assist in the sustainability of the area being in close walking distance of local amenities and services.
- Consideration of planning policy is subject to interpretation.

Your Officer's Comment

The above representations raise no fresh issue and as such the recommendation remains unchanged to refuse the proposal for the reasons outlined in your main report.

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Agenda Item 18

ALLENDALE HOUSE MILEHOUSE LANE NEWCASTLE
MS. M. ANDERSON. 12/00710/FUL (item 9 – main agenda)

Representation

A letter of representation has been received raising anomalies within the submission relating to statements that none of the staff have cars and the staff use public transport. The letter concluded by stating he does not have objections to the proposal subject to the staff using the car spaces provided.

Applicant's Submission

The applicant's agents have clarified the submission relating to the above concerns advising that 3 of the 5 members of staff do travel to and from Allendale House by car.

Recommendation remains unchanged.

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APPEAL DECISION

Permission for the Change of Use to a A5 Hot and Cold Food Takeaway With New Shop Front at 43 London Road, Chesterton. Mr N Felstead. 12/00243/FUL (item 14 – main agenda)

The officer's comments referred to in the main agenda report are as follows:-

The Inspector considered that a further Class A5 use within Chesterton district centre would not compromise the important function of the centre adversely affecting its vitality and viability by undermining its retail function. It is not possible, however, to draw any conclusion from the Inspector's decision letter as to what number of Class A5 uses would be unacceptable.

Whilst the Inspector acknowledges that there is the potential for the hot food takeaway to have an impact upon the living conditions of residents in the vicinity of the property, the impact could be appropriately addressed through the use of conditions that restrict hours of opening in line with the adopted SPG on Hot Food Takeaways, and require the approval and implementation of a suitable extraction system. This reflects guidance which requires that proper consideration is given to the use of conditions and that proposals should only be refused if evidence cannot be advanced to demonstrate the proposal could not be made acceptable through the use of conditions.

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