

## **PLANNING COMMITTEE**

Tuesday, 15th August, 2017  
Time of Commencement: 6.30 pm

**Present:-** Councillor Bert Proctor – in the Chair

Councillors Burgess, Dymond, Fear, Heesom,  
Northcott, Panter, Reddish, Simpson,  
Spence, Sweeney, S Tagg, G White,  
G Williams, J Williams and Wright

Officers Nesta Barker - Head of Environmental  
Health Services, Guy Benson, Nick  
Bromley, Geoff Durham - Member  
Training and Development Officer,  
Rachel Killeen, Trevor Vernon and Peter  
Stepien

Apologies Councillor(s) S Hambleton

### **1. APOLOGIES**

Apologies were received from Councillor Sandra Hambleton. The Committee sent their best wishes to Sandra and her family.

### **2. DECLARATIONS OF INTEREST**

Councillors' Northcott and Reddish declared an interest in application 16/01101/FUL. Councillors' Northcott and Reddish were known to the three landowners and the owner of the farm respectively.

### **3. MINUTES OF PREVIOUS MEETING**

**Resolved:** That the minutes of the meeting held on 18 July, 2017 be agreed as a correct record.

### **4. APPLICATION FOR MAJOR DEVELOPMENT - LAND OFF MEADOW WAY, BALDWINS GATE. BELLWAY HOMES (WEST MIDLANDS). 16/01101/FUL**

*Proposed by Councillor Tagg and seconded by Councillor Northcott.*

**Resolved:** That the application be refused for the following reasons:

The proposed development would have both direct and indirect impacts on the irreplaceable Chorlton Moss Local Wildlife Site (LWS). The location of the balancing pond in the Moss would result in the loss of part of the LWS and the development would have an adverse impact on the potential future restoration of the habitat to active bog. The development would be contrary to saved Newcastle

Local Plan policy N3, policy CSP4 of the Core Spatial Strategy and the National Planning Policy Framework's (NPPF's) paragraph 118 and the NPPF's aims and objectives.

The adverse impact of the development upon the Chorlton Moss LWS significantly and demonstrably outweighs any benefits of the development when assessed against the policies of the NPPF taken as a whole and the development is therefore unsustainable

**5. APPLICATION FOR MAJOR DEVELOPMENT - NEWCASTLE BAPTIST CHURCH. GAVIN DONLON. 17/00162/FUL**

**Resolved:** That the decision on the application be deferred until the next meeting to enable receipt of the required revised plans and a financial viability appraisal to be undertaken

**6. APPLICATION FOR MAJOR DEVELOPMENT - FORMER BRISTOL STREET FORD GARAGE, LONDON ROAD, NEWCASTLE. ADOBE RESIDENCIES. 16/01106/FUL**

**Resolved:** 1. That, subject to

A) the applicant entering into section 106 obligations where appropriate by agreement by 31<sup>st</sup> August – or, if they are willing to similarly extend the statutory period, by 30<sup>th</sup> September - that secure a financial contribution of £1,199,396 towards public open space and public realm improvement (including to the subways to Grosvenor roundabout); the agreement and implementation of a landscaping scheme involving tree thinning and landscape works, including paths, to the Lyme Valley Parkway boundary immediately adjacent to the site; and sums relating to highways and transportation matters of:- £2,245 or such sum as is appropriate, towards Travel Plan monitoring; £50,000 for residential street parking surveys and implementation of car parking zones if deemed appropriate; £10,000 for Real Time Passenger Information displays (and maintenance) at the bus stops on London Road; £5,000 for bus shelter upgrades; and £25,300 towards local cycle network improvements from Newcastle Town Centre to Keele University and the provision of introductory bus passes, and

B) subject to any required notification under the Town and Country Planning (Consultation) (England) Direction 2009 being undertaken first,

The application be approved subject to the undermentioned conditions:

- (i) Time Limit for commencement.
- (ii) Plans.
- (iii) Prior approval of all external facing materials including doors and fenestration and exterior parking and pedestrian hard surfaces.

- (iv) Precise window detailing showing indentation and extrusion.
- (v) Implementation of submitted landscaping scheme and detailed landscaping scheme approval for Lyme Valley Parkway which is to include large tree specimen standards to give immediate impact.
- (vi) Revised boundary treatments (wood fencing being considered inappropriate).
- (vii) Refuse and storage collection arrangements including revised bin storage position for Block 1.
- (viii) The occupation of the development shall be restricted to full time students only.
- (ix) Highways matters:-
  - a. Full signal control details approval and implementation.
  - b. Off-site highways works for:-
    - pedestrian improvements to Lyme Valley Road.
    - improvements to the existing pedestrian refuge on Brook Lane to accommodate the Lymebrook cycle path.
    - access, parking, servicing and turning.
  - c. Surfacing, delineation of bays and means of surface water drainage for internal road and parking areas.
  - d. Car park management scheme approval and implementation.
  - e. Implementation of the Traffic Regulation Order on London Road.
  - f. Temporary parking scheme for 64-116 London Road approval and implementation pre commencement.
  - g. Secure weather proof parking for 253 cycle spaces approval and implementation.
  - h. Full implementation of the submitted Travel Plan.
  - i. Prior approval and implementation of a Construction Method Statement.
  - j. The approval and implementation of a traffic management scheme/residents parking zone for Hatrell Street and Stubbs Gate prior to first occupation.
- (x) Approval and implementation of a Construction Management Plan.
- (xi) Ventilation provision for habitable spaces.
- (xii) Hours of construction.
- (xiii) Cladding cleaning arrangements
- (xiv) Noise survey mitigation measures.
- (xv) Prior approval and implementation of detailed drainage strategy/scheme.
- (xvi) Land contamination treatment.
- (xvii) Approval and implementation of a site drainage strategy/scheme.
- (xviii) Detailed external lighting scheme.
- (xix) Any further conditions considered appropriate in the light of the comments from Environmental Health recently received.

2) Should the above obligations not be secured within the above period, the Head of Planning given delegated authority to refuse the application on the grounds that without such matters being

secured the development would be contrary to policy on open space provision and/or highway safety/adequate sustainable transport provision interests; unless he considers it appropriate to extend the period for completion of the obligations.

**7. APPLICATION FOR MAJOR DEVELOPMENT - THE HOMESTEAD, MAY PLACE, NEWCASTLE. WILMOT PARTNERSHIP HOMES LTD. 17/00310/FUL**

**Resolved:** That the application permitted subject to the conditions attached to Planning Permission 14/00476/FUL as remain applicable and a newly worded condition agreeing the alterations from glass balustrading to metal railings in line with the application.

**8. APPLICATION FOR MAJOR DEVELOPMENT - SITE OF FORMER EX-SERVICEMEN'S CLUB, HEATHCOTE STREET, CHESTERTON. ASH GREEN HOLDINGS LTD. 17/00417/FUL**

**Resolved:** 1. That subject to the applicant first entering into a Section 106 agreement by 4<sup>th</sup> September 2017 to secure a review mechanism of the scheme's ability to make a policy compliant financial contribution of £33,244 (index linked) towards the provision of education places and the discounted financial contribution of £23,202 (index linked) to public open space, if the development is not substantially commenced within 12 months from the date of the decision, and the payment of such contributions if found financially viable with preference being given to the making of a policy compliant contribution to the provision of education places first followed by the above contribution to public open space,

the application be approved subject to the undermentioned conditions:

- (i) Standard Time limit for commencement of development
- (ii) Approved Plans
- (iii) Materials
- (iv) Boundary treatments, including acoustic fence
- (v) Landscaping Plan
- (vi) Tree Protection measures
- (vii) Submission and approval of noise report.  
Mitigation measures
- (viii) Design Measures to Secure Noise Levels
- (ix) Construction hours
- (x) Contaminated land treatment
- (xi) Visibility splays
- (xii) Surfacing and drainage details
- (xiii) The access and access road being completed prior to occupation
- (xiv) The existing access permanently closed and footway reinstated
- (xv) The submission and approval of a swept path drawing.

2. Should the matters referred to above not be secured within the above period, the Head of Planning given delegated authority to refuse the application on the grounds that without such an obligation there would not be an appropriate review mechanism to allow for changed financial circumstances, and, in such circumstances, the potential financial contributions towards education places and public open space; or if he considers it appropriate to extend the time period within which the obligation referred to above can be secured.

**9. APPLICATION FOR MINOR DEVELOPMENT - HAZELEY PADDOCKS, KEELE ROAD, MADELEY HEATH. MS S THORLEY. 17/00434/FUL**

**Resolved;**

That the application be permitted subject to the undermentioned conditions:

- (i) Commencement of development within 3 years
- (ii) Development in accordance with the submitted plans
- (iii) External Materials
- (iv) Submission and approval of manege surfacing
- (v) Non-commercial use only
- (vi) Prior approval of means of storing and disposing of stable wastes
- (vii) Only one trailer/ horse box kept on site
- (viii) No jumps or similar features/ structures
- (ix) No external lighting unless agreed prior to installation Visibility Splays shown on revised drawing and kept free from obstruction
- (x) Access, parking and turning areas provided prior to occupation
- (xi) Prior approval for proposals for the treatment of the roadside hedgerow and a soft landscaping scheme
- (xii) Erection of bat and bird boxes

**10. APPLICATION FOR MINOR DEVELOPMENT- 8 BARFORD ROAD, NEWCASTLE. MR A MOSS. 17/00483/FUL**

**Resolved:**

That the decision on the application be deferred to enable a site visit to take place.

**11. APPLICATION FOR OTHER DEVELOPMENT - LAND BETWEEN 33 AND 48 HIGH STREET, NEWCHAPEL. TELEFONICA LTD AND CTIL. 17/00548/TDET**

Members were advised that this application had been withdrawn prior to the meeting.

**12. FIVE YEAR HOUSING LAND SUPPLY STATEMENT FOR THE BOROUGH OF NEWCASTLE-UNDER-LYME FROM 1 APRIL 2017 TO 31 MARCH, 2022**

**Resolved:**

- (i) That the content of the five year supply statement be noted.
- (ii) That the significance of the five year supply

position in Development Management decision be noted.

**13. DEVELOPMENT MANAGEMENT PERFORMANCE REPORT 2016/17**

- Resolved:**
- (i) That the report be received
  - (ii) That the Head of the Planning and Development with the Development Management Team Manager seek to maintain performance of the Development Management team where satisfactory and improve the service provided where the level of performance may otherwise fall below targets adopted in the 2017/18 Planning and Development Service Plan
  - (iii) That the 'Mid-Year Development Management Performance Report 2017/18' be submitted to the Committee around October 2017 reporting on performance achieved for the first half of 2017/18 in relation to these targets, including the 7 indicators considered in the report.

**14. ANNUAL REPORT ON PLANNING AND RELATED APPEALS**

- Resolved:**
- (i) That the report be noted
  - (ii) That internal management procedures within the Service including the assessment of case officers' recommendations by more senior officers continue to be applied;
  - (iii) That, as previously resolved, Members of the Committee, and their substitutes, draw to Case Officers' attention any concerns that they have with an application, coming to the Committee for determination, as soon as possible having received notice of the application in the weekly list, so that potential solutions to the concerns are sought with the applicant in line with the requirements of the National Planning Policy Framework;
  - (iv) That, as previously resolved, full advantage be taken of the use of conditions in planning permissions to make developments acceptable;
  - (v) That, as previously resolved, Members of the Committee, and their substitutes, who are disposed to move refusal of a proposal contrary to recommendation be urged to contact the Head of Planning no less than 24 hours before the Committee, with details of the reasons they are minded to give for such a refusal;
  - (vi) That, as previously resolved, when a proposal to refuse to grant planning permission is made at the Committee contrary to the officer's recommendation, advice be

sought as to the most appropriate way to meet the requirement to work in a proactive and positive manner with applicants;

(vii) That, as previously resolved, the mover and seconder of a resolution of refusal contrary to officer recommendation be identified by the Chair and recorded in the Minutes and in the event of an appeal being lodged there be an expectation that those members will make themselves available as witnesses on behalf of the Council in the appeal proceedings should either the Head of Planning or the Head of Business Improvement, Central Services and Partnerships or their representatives deem that appropriate; and

(viii) That, as previously resolved a proactive approach be taken by officers to appeal handling with early holding of case conferences where appropriate, the strength of the case being continually reassessed in the light of any new evidence received, and that in the case of matters being determined by means of public inquiries the solicitor dealing with the Inquiry takes charge of the matter.

**15. REVIEW OF THE LIST OF LOCAL VALIDATION REQUIREMENTS**

- Resolved:**
- (i) That the Committee agrees to approve the revised list of Local Validation Requirements as set out in Appendix B to this Report for public consultation purposes
  - (ii) That the Committee agree to receive a further report setting out recommendations on the outcome of the consultation before adoption of the revised list of Local Validation requirements is considered.

**16. APPEAL DECISION - 57 BERESFORD CRESCENT, NEWCASTLE. 17/00020/FUL**

**Resolved:** That the decision be noted.

**17. APPEAL DECISION - 5 HIGH STREET, ROOKERY. 16/00738/OUT**

**Resolved:** That the decision be noted.

**18. TREE PRESERVATION ORDER- PARKHOUSE INTERCHANGE, PARKHOUSE ROAD WEST, CHESTERTON. TPO 181**

**Resolved:** That Tree Preservation Order No.181 (2017) Land at Parkhouse interchange be confirmed as modified protecting 42 trees and that the owners of the site be informed accordingly.

**19. TREE PRESERVATION ORDER - WOODLAND OFF JAMAGE ROAD TO THE SOUTH OF ARBOUR FARM, TALKE. TPO 183**

**Resolved:** That Tree Preservation Order No 183 (2017) Woodland

off Jamage Road, to the South of Arbour Farm, Talke, be confirmed as made and that the owners of the site be informed accordingly

**20. URGENT BUSINESS**

There was no Urgent Business.

**COUNCILLOR BERT PROCTOR**  
**Chair**

Meeting concluded at 9.20 pm