

PLANNING COMMITTEE

Tuesday, 14th August, 2018
Time of Commencement: 7.00 pm

Present:- Councillor Andrew Fear – in the Chair

Councillors Burgess, Mrs J Cooper, Holland, Northcott, Pickup, Proctor, Reddish, Robinson, S Tagg, G Williams and J Williams

Officers Head of Planning and Development - Guy Benson, Nick Bromley, Geoff Durham - Mayor's Secretary / Member Support Officer, Anne-Marie Pollard - Solicitor and Peter Stepien

Apologies Councillor(s) Maxfield and Spence

1. **APOLOGIES**

Apologies were received from Councillors' Maxfield and Spence.

2. **DECLARATIONS OF INTEREST**

Councillor Reddish stated that she had a 'perceived predetermination' in application 18/00482/REM which she did not agree with but would leave the room during its consideration.

3. **MINUTES OF PREVIOUS MEETING(S)**

Resolved: That the minutes of the meeting held on 17 July, 2018 be agreed as a correct record.

4. **APPLICATION FOR MAJOR DEVELOPMENT - LAND ADJ TO ROWLEY HOUSE, MOSS LANE, MADELEY. PRIME DEVELOPERS (CREWE) LTD. 17/01004/REM**

Councillors' Gary and Simon White spoke on this application.

Revised recommendation proposed by Councillor Proctor and seconded by Councillor Holland.

Resolved: That the application be refused on the grounds that the layout in the northern corner of the development, and in particular the inclusion of the house on plot 22, by reason of its size, massing and limited space around it constitutes inappropriate overdevelopment which would not be in keeping with, and be detrimental to, the character and appearance of the area and accordingly contrary to policies in the development plan and the Supplementary Planning Document on Urban Design and the National Planning Policy Framework.

5. **APPLICATION FOR MAJOR DEVELOPMENT - LAND OFF NEW ROAD, MADELEY. HILLBRE HOMES. 18/00225/REM**

Councillor Gary White spoke on this application.

Revised recommendation proposed by Councillor Proctor and seconded by Councillor Reddish.

Resolved: That the application be refused on the grounds that the scale, size and massing of the plots 7-12 (the flatted development) constitutes inappropriate overdevelopment which would not be in keeping with, and be detrimental to, the character and appearance of the area and quality of the landscape by virtue of its edge of village location and accordingly contrary to policies in the development plan and the Supplementary Planning Document on Urban Design and the National Planning Policy Framework.

6. **APPLICATION FOR MAJOR DEVELOPMENT - ORME CENTRE, ORME ROAD, NEWCASTLE. MR LADSON. 18/00183/FUL**

Resolved: That a decision on the application be deferred to enable officers to obtain and consider a final report from the District Valuer on the financial ability or otherwise of the scheme to make policy compliant contributions, and to then advise the committee of the position in the light of such a report.

7. **APPLICATION FOR MAJOR DEVELOPMENT - LAND AT WEST AVENUE, KIDSGROVE. WESTLEIGH PARTNERSHIPS LTD. 18/00239/FUL**

Revised recommendation proposed by Councillor Tagg and seconded by Councillor Northcott.

Resolved: That a decision on the application be deferred to enable officers to obtain and consider a final report from the District Valuer on the financial ability or otherwise of the scheme to make policy compliant contributions, and to then advise the committee of the position in the light of such a report

8. **APPLICATION FOR MAJOR DEVELOPMENT - LAND OFF WATERMILLS ROAD, CHESTERTON. CARDEN DEVELOPMENTS LTD. 18/00017/REM**

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

(i) The proposed development would, by virtue of the scale and design of the bund and acoustic fence and the inward-facing dwellings fronting Watermills Road, have a significant adverse impact on the character and appearance of the area.

(ii) The footpath proposed through the site, by virtue of it being enclosed and not overlooked, would be unsafe and unattractive to users being likely to be prone to anti-social behaviour.

9. **APPLICATION FOR MAJOR DEVELOPMENT - LAND OFF PEPPER STREET, KEELE. KEELE HOMES LTD. 18/00262/REM**

Councillor Kearon spoke on this application.

Resolved: That the application be permitted subject to the undermentioned conditions:

- (i) Approved plans/documents
- (ii) Prior to commencement of the construction of the dwellings details of the house types and location of the affordable housing units at the level stipulated within the relevant S106 Agreement shall be agreed by the Local Planning Authority (LPA).
- (iii) Prior to commencement of the construction of the dwellings details submission and approval of all external facing materials and hard surfacing materials.
- (iv) Prior to commencement of the construction of the dwellings full details of the pedestrian/cycle links from the development onto Hollywood Lane shall be agreed by the LPA and implemented prior to occupation of any of the dwellings.
- (v) Prior to commencement of construction of the dwellings on plots 1-3 and 93-97 and the access to those plots, details of the depth of dig above the tunnel, foundation works and excavation /earthworks
- (vi) Approval of tree protection plans (including of hedgerows)
- (vii) Approval of a schedule of works to retained trees
- (viii) Prior approval of further landscaping details (planting numbers, density and sizes), including replacement woodland planting to supplement the approved Strategic Landscape Masterplan.
- (ix) No levels alterations within RPAs of retained trees unless prior written consent obtained
- (x) Approval of an Arboricultural Method Statement for all works within RPAs of retained trees
- (xi) Approval of proposals for boundary treatment
- (xii) Prior approval of revised internal access road details providing 6m internal access road junction radii.
- (xiii) Prior approval of surfacing materials and surface water drainage of private, parking and turning areas.
- (xiv) Provision of visibility splays.
- (xv) Private drive to have a minimum length of 6m.
- (xvi) Retention of roadside hedgerow along Pepper Street except where removal is required to provide the access.
- (xvii) Tree Protection Plans (to include hedgerows)
- (xviii) Approval of a Schedule of works to retained trees.
- (xix) Full Landscaping proposals including replacement woodland planting (positioned on the burning tip area)
- (xx) No levels alterations within RPAs of retained trees
- (xxi) Approval of an Arboricultural Method Statement to all works within RPAs of retained trees.
- (xxii) Approval of proposals for boundary treatment
- (xxiii) Prior approval of the full and precise details of the LEAP

including the type of equipment to be installed, its location, surfacing and means of protection/separation from the road and the pond.

10. APPLICATION FOR MAJOR DEVELOPMENT - LAND SOUTH OF MUCKLESTONE ROAD AND WEST OF PRICE CLOSE, LOGGERHEADS. ELAN HOMES (MIDLANDS) LTD. 18/00315/REM

Resolved: That the application be permitted subject to the undermentioned conditions:

- (i) Link to outline planning permission and conditions
- (ii) Approved plans
- (iii) Provision of internal roads, parking and turning areas in accordance with the approved plans
- (iv) Completion of vehicular and pedestrian access point onto Mucklestone Road and the footpaths along the development frontage
- (v) Materials (facing, roofing and surfacing)
- (vi) Landscaping and tree protection conditions
- (vii) Approval of Elevations of substation

11. APPLICATION FOR MINOR DEVELOPMENT - LAND SOUTH OF MUCKLESTONE ROAD, LOGGERHEADS. ELAN HOMES (MIDLANDS) LTD. 18/00314/FUL

Resolved: (a) That, subject to the applicant entering into a planning obligation and/or any required Deed of Variation of the original Section 106 agreement, by 14th September 2018 that preserves the Council's position in respect of obligations secured prior to the grant of permission 15/00202/OUT unless the Head of Planning in consultation with its Solicitor is satisfied that the matter can be dealt with via another mechanism such as a condition, the application be permitted subject to the undermentioned conditions:

- (i) Time limit
- (ii) Approved plans
- (iii) Materials
- (iv) Landscaping scheme for public open space
- (v) Revised access details
- (vi) Provision of private drive, parking and turning areas
- (vii) Surfacing materials for private driveway, parking and turning areas
- (viii) Off-site highway works
- (ix) Vehicular access to remain ungated
- (x) Construction Method Statement
- (xi) Noise levels
- (xii) Construction hours
- (xiii) Report of unexpected contamination
- (xiv) Importation of soil/material

(b) Failing the securing by the date referred to in the above resolution (A) of the above mechanism, that the Head of Planning be given delegated authority to either refuse the planning application on the grounds that in the absence of a secured mechanism the

development would fail to secure the provision of adequately maintained public open space, appropriate provision for required education facilities and measures to ensure that the development achieves sustainable transport outcomes; or, if he considers it appropriate, to extend the period of time within which such obligations can be secured.

12. APPLICATION FOR MINOR DEVELOPMENT - LAND AT WEDGWOOD AVENUE/WHITFIELD AVENUE, NEWCASTLE. MR R WHALLEY. 18/00482/REM

Councillor Reddish left the room during consideration of this item.

Resolved: That the application be permitted subject to the undermentioned conditions:

- (i) Standard Time Limit
- (ii) Approved Plans
- (iii) Acoustic fence to be erected in accordance with the approved details prior to occupation of any of the dwellings
- (iv) Retain garages for vehicles only
- (v) Parking and Turning Areas on site prior to occupation
- (vi) Prior approval of Construction Method Statement
- (vii) Provision of a surface water drainage interceptor to rear of highway
- (viii) Gates 5m back into site
- (ix) Prior approval and implementation of Tree Protection proposals
- (x) Prior approval and implementation of an Arboricultural Method Statement
- (xi) Prior approval and implementation of a schedule of works to retained trees
- (xii) Prior approval and implementation of full Landscaping proposals

13. APPLICATION FOR MINOR DEVELOPMENT - NEW FARM, ALSAGER ROAD, AUDLEY. MR EMERY. 18/0122/FUL

Revised recommendation proposed by Councillor Fear and seconded by Councillor Tagg.

Resolved: That the application be deferred to allow for further information to be provided to substantiate the claim that the site is previously developed land.

14. APPEAL DECISION - MOSS HOUSE FARM, EARDLEY END ROAD, AUDLEY. 17/00326/FUL

Resolved: That the appeal decision be noted.

15. QUARTERLY REPORT ON EXTENSIONS TO TIME PERIODS WITHIN WHICH OBLIGATIONS UNDER SECTION 106 CAN BE ENTERED INTO

Resolved: (i) That the report be noted.

- (iii) That the Head of Planning continue to report, on a quarterly basis, on the exercise of his authority to extend the period of time for applicants to enter into Section 106 obligations

16. ANNUAL REPORT ON PLANNING AND RELATED APPEALS 1ST APRIL 2017 - 31ST MARCH 2018

- 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 upon the LPA 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 Councils' solicitor or their representatives deem that appropriate; and
 - (viii) That 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.

17. URGENT BUSINESS

There was no Urgent Business.

COUNCILLOR ANDREW FEAR
Chair

Meeting concluded at 9.35 pm