

PLANNING COMMITTEE

Tuesday, 9th October, 2018
Time of Commencement: 7.00 pm

Present:- Councillor Andrew Fear – in the Chair

Councillors Burgess, Mrs J Cooper, Maxfield,
Northcott, Pickup, Reddish, S Tagg,
G White, G Williams and J Williams

Officers Nick Bromley, Geoff Durham - Mayor's
Secretary / Member Support Officer,
Jennet Hough, Elaine Moulton, Trevor
Vernon -Solicitor and Darren Walters

Apologies Councillor(s) Proctor and Spence

1. **APOLOGIES**

Apologies were received from Councillors' Proctor and Spence.

2. **DECLARATIONS OF INTEREST**

Councillor Gary White declared an interest in application 18/00620/LBC as the applicant and owner of the property.

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

Resolved: That the minutes of the meeting held on 27 September, 2018 be agreed as a correct record.

4. **APPLICATION FOR MAJOR DEVELOPMENT - FORMER BENNETT ARMS, LONDON ROAD, CHESTERTON. MR ANDREW GREEN. 18/00371/FUL**

Resolved: That a decision on the application be deferred but only until the 6th November, to allow a further opportunity for additional information to be provided, consulted upon and taken into account by the Local Planning Authority in its decision.

5. **APPLICATION FOR MAJOR DEVELOPMENT - FORMER GARAGE, CEMETERY ROAD, SILVERDALE. ASHBOURNE PROPERTY HOLDINGS LTD. 18/00293/OUT**

Resolved: (A) That, subject to the applicant first entering into a Section 106 agreement by 21st November 2018 to secure the following:
(1) a contribution of £5,579 per dwellings towards off site public open space at Park Road
(2) In perpetuity, provision of 25% of the dwellings on-site as affordable units.

The application be permitted subject to the undermentioned Conditions:

- (i) Time Limit for submission of reserved matters
- (ii) Approved Plans
- (iii) Construction Environmental Management Plan
- (iv) Existing site access made redundant to be closed and the crossing reinstated to footway
- (v) Internal and external noise level controls for dwellings
- (vi) Noise assessment of nearby commercial units and implementation of any mitigation measures arising from such an assessment
- (vii) Control of noise impacts arising from noise generating plant within the development
- (viii) Pest Management Plan
- (ix) Air Quality Assessment prior to first use of any combustion appliance
- (x) Air quality standards to be achieved from combustion plant within or serving the development
- (xi) Contaminated land conditions
- (xii) Prior approval of surface water drainage system

- (B) that, should the matters referred to in A(1) and A(2) above not be secured within the above period, that 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 an acceptable provision of adequately maintained open space and an appropriate level of affordable housing; or, if he considers it appropriate, to extend the period of time which such obligations can be secured.

6. APPLICATION FOR MAJOR DEVELOPMENT - 2 - 4 MARSH PARADE, NEWCASTLE UNDER LYME. MARSH BOX DEVELOPMENTS. 17/00722/FUL

Resolved: That it be agreed that:-

- (i) The developer be advised that the Council as the Local Planning Authority is willing to agree to the completion of a Deed of Variation to secure a review mechanism of the scheme's ability to make a policy compliant contribution to public open space and the provision of policy-compliant on-site affordable housing, if the development is not substantially commenced within 12 months, and the payment of such a contribution and the provision of such affordable housing, on proportional basis, if found financially viable,
- (ii) The date by which the Deed of Variation must be completed by is the 9th November 2018, or another date agreed by the Head of Planning, if he considers it appropriate.

7. APPLICATION FOR MAJOR DEVELOPMENT - CONSULTATION BY STOKE ON TRENT CITY COUNCIL - LAND AT NEW INN LANE, KINGS ROAD AND THE JUNXTIONS OF MAYNE STREET, STONE ROAD AND THE A500, HANFORD ROUNDABOUT HANFORD. 62988/HYB - (NBC 348/256)

Resolved: That this item be deferred to a future meeting.

8. **APPLICATION FOR MINOR DEVELOPMENT - NEW FARM, ALSAGER ROAD, AUDLEY. MR. EMERY. 18/00122/FUL**

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

- (i) The site lies within the open countryside outside the village envelope of Audley and the proposed dwellings would not serve an identified local need. As such, the development of this site is contrary to the objective of directing new houses to sustainable brownfield land within the village envelopes of the key rural service centres and as such would be contrary to Policies SP1 and ASP6 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026, Policy H1 of the Newcastle-under-Lyme Local Plan 2011, and the aims and objectives of the National Planning Policy Framework (2018).
- (ii) In the absence of a secured planning obligation there is not an appropriate review mechanism to allow for changed financial circumstance, and, in such circumstances, the potential provision of a policy compliant financial contribution towards public open space and onsite affordable housing is not achieved. The proposal would thus be contrary to Policies CSP5, CSP6 and CSP10 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026, saved Policies C4 & IM1 of the Newcastle-under-Lyme Local Plan 2011, and the aims and objectives of the National Planning Policy Framework (2018).

9. **APPLICATION FOR MINOR DEVELOPMENT - FORMER HALMEREND WORKING MENS CLUB. KELLY HOMES. 18/00329/FUL**

Resolved: (A) That, subject to the applicant first entering into a Section 106 agreement by 20th November 2018 to secure a review mechanism of the scheme's ability to make a policy compliant contribution 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 a contribution and the provision of such affordable housing if found financially viable,

the application be permitted subject to the undermentioned conditions:

- (i) Standard Time limit for commencement of development
- (ii) Approved Plans
- (iii) Facing and Roofing Materials
- (iv) Boundary Treatments, including retaining walls
- (v) Finished Ground and Floor Levels
- (vi) Removal of permitted development rights
- (vii) Visibility splays prior to occupation (and kept free from obstruction)
- (viii) Road, parking and turning areas prior to occupation
- (ix) Surfacing, surface water drainage and delineation of car parking spaces;

- (x) Existing site access made redundant to be closed and the crossing reinstated to footway;
- (xi) Garages retained for parking;
- (xii) Construction management plan
- (xiii) Tree protection plan
- (xiv) Arboricultural Method Statement
- (xv) Detailed Landscaping Scheme, including tree retention, replacement tree planting, and tree and hedge planting at the rear of plots 3 and 4.
- (xvi) Land Contamination
- (xvii) Construction Hours
- (xviii) Design measures to minimise noise on future occupiers
- (xix) Foul and surface water drainage details
- (xx) Ecology mitigation measures

(B) That, Failing completion of the above planning obligation by the date referred to in the above recommendation, that the Head of Planning either refuse the application on the grounds that without the obligation being secured, the development would fail to secure an appropriate contribution for off-site public open space which would reflect the infrastructure needs of the development and (should there be a viability case for non-policy compliant contributions) there would be no provision made to take into account a change in financial circumstances in the event of the development not proceeding promptly; or, if he considers it appropriate, to extend the period of time within which the obligation can be secured.

10. APPLICATION FOR OTHER DEVELOPMENT - OLD HALL, POOLSIDE, MADELEY. CLLR G WHITE. 18/00620/LBC

Councillor Gary White remained in the room during consideration of the next item but took no part in the debate.

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

- (i) Time limit condition
- (ii) Development to be carried out in accordance with the approved plans and submitted details

11. APPEAL DECISION - LAND AND BUILDINGS TO THE NORTH OF THE HAVEN, BUTTERTON. 18/00082/FUL

Resolved: That the decision be noted.

12. APPEAL DECISION - WAGGON AND HORSES, NANTWICH ROAD, AUDLEY. 18/00121/OUT

Resolved: That the decision be noted.

13. APPEAL DECISION - MACDONALDS, BRADWELL. 17/00856/OUT

Resolved: That the decision be noted.

14. TREE PRESERVATION ORDER - LAND AT SUNNYSIDE, PINWOOD DRIVE, LOGGERHEADS. TPO194

Resolved: That Tree Preservation Order No.194 (2018), Sunnyside, Pinewood Drive, Loggerheads be confirmed as made and owners of the site to be informed accordingly.

15. **TREE PRESERVATION ORDER - EVERGREEN, MANOR ROAD, BALDWINS GATE. TPO195**

Resolved: That Tree Preservation Order No.195 (2018), Evergreen, Manor Road, Baldwins Gate be confirmed as made and owners of the site to be informed accordingly.

16. **URGENT BUSINESS**

There was no Urgent Business.

COUNCILLOR ANDREW FEAR
Chair

Meeting concluded at 7.20 pm