

PLANNING COMMITTEE

Tuesday, 29th January, 2019
Time of Commencement: 7.00 pm

Present:- Councillor Andrew Fear – in the Chair

Councillors S. Burgess, Mrs J Cooper, H. Maxfield,
P. Northcott, M. Reddish, S Tagg,
G White, G Williams and J Williams

Officers Geoff Durham - Mayor's Secretary /
Member Support Officer, Jennet Hough -
Landscape Officer, Rachel Killeen -
Senior Planning Officer, Elaine Moulton -
Development Management Team
Manager and Trevor Vernon -Solicitor

Apologies Councillor(s) S. Pickup and B. Proctor

1. APOLOGIES

Apologies were received from Councillors' Pickup and Proctor.

2. DECLARATIONS OF INTEREST

There were no declarations of interest stated.

3. MINUTES OF PREVIOUS MEETING(S)

Resolved: That the minutes of the meeting held on 3 January, 2019 be agreed as a correct record.

4. APPLICATION FOR MAJOR DEVELOPMENT - CROFT FARM, STONE ROAD, HILL CHORLTON. DAVID JAMES DEVELOPMENTS LIMITED. 18/00507/OUT

Resolved: That a decision on the application be deferred but only until the 26th February, to enable the applicant to attempt to demonstrate the provision of acceptable visibility splays that overcome the objection of the Highway Authority.

5. APPLICATION FOR MAJOR DEVELOPMENT - 10 POPLAR AVENUE, CROSS HEATH. 18/00692/OUT. MR GEZ WILARD

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

- (i) Given the limited size of the site and the number of apartments that are proposed, the proposed development and associated bin storage facilities would have a cramped appearance that

would be out of keeping with and visually harmful to Poplar Avenue. The proposal would therefore be contrary to Policy CSP1 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026, Policies R3 and R12 of the Newcastle-under-Lyme and Stoke-on-Trent Urban Design Supplementary Planning Document, and the aims and objectives of the National Planning Policy Framework (2018).

- (ii) The development is likely to lead to the loss of, or damage to, visually significant mature trees which will be detrimental to the appearance of the area contrary to Policy N12 of the Newcastle under Lyme Local Plan and the aims and objectives of the National Planning Policy Framework (2018).
- (iii) The proposed development, given the limited size of the site and the number of apartments that are proposed, would be of a scale that would result in an unacceptable overbearing impact on, and loss of privacy to, the occupants of the adjoining properties. In addition the requirements to provide sufficient bin storage space for the number of units proposed and the disturbance associated with collection of the waste and recycling material would further negatively impact upon and the amenity of neighbouring properties. The proposal would therefore be contrary to the aims and objectives of Policy CSP1 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 and the aims and objectives of the National Planning Policy Framework (2018).
- (iv) Without an appropriate secured financial contribution relating to public open space the additional demands upon open space arising from the additional dwellings as proposed would not be suitably addressed. As such the development would be contrary to policies on the provision of open space for residential development, contrary to Policies CSP5 and CSP10 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026, saved Policy IM1 of the Newcastle-under-Lyme Local Plan 2011, Newcastle under Lyme Borough Council Supplementary Planning Document on Development Contributions (2007), the Newcastle-under-Lyme Open Space Strategy (March 2017), and the aims and objectives of the National Planning Policy Framework (2018).

6. APPLICATION FOR MAJOR DEVELOPMENT - CHATTERLEY VALLEY DEVELOPMENT SITE, PEACOCK HAY ROAD. HARWORTH GROUP PLC. 18/00736/OUT

- Resolved:**
- (A) That, subject to
 - (a) Further comments of Stoke on Trent City Council being received by no later than 12th February which justify, in the view of the Head of Planning, seeking improvements to junctions within that Council's administrative area, the attachment of appropriate conditions or obligations such as are necessary to secure such works,

- (b) Should Highways England not withdraw their holding objection within 1 month of the date of Committee and as such there remains a Direction requiring the Local Planning Authority if it is minded to approve the application to consult with the Secretary of State for Transport, that consultation is then undertaken, and a Direction under Article 31 of the Development Management Procedure Order is not then served directing the Council to refuse the application, and
- (c) Subject to the applicant entering into a Section 106 obligation by 29th March 2019 to secure a Travel Plan monitoring fee of £11,325 and a payment of £5,000 for amendments to the existing Travel Regulation Order.

The application be permitted subject to the undermentioned conditions:

- (i) Time limit for implementation of earthworks, the submission of application/s for approval of reserved matters and commencement of development. Such periods to be set to recognise the need for greater periods of time than would normally apply.
- (ii) No development to commence until a suitable assessment of the needs of walkers, cyclists and horse riders has been carried out and appropriate amendments to the off-site highway works at the A500 Talke roundabout as identified in the assessment have been agreed and implemented.
- (iii) No development to commence until a Sustainable Drainage Strategy has been submitted and agreed, which is to be fully implemented.
- (iv) No development to commence until intrusive site investigation works and remedial works have been undertaken in accordance with approved details.
- (v) Implementation of earthworks in accordance with the approved plans
- (vi) The development on plots C and D shall be for Class B1(b) and B1(c) or B2 which are demonstrably consistent with the role and objectives of this premium employment site.
- (vii) Removal of permitted development rights to change from Class B1(b) and B1(c) to Class B1(a) (which is a main town centre use)
- (viii) The total amount of floorspace for Class A3 and A5 uses shall not exceed 350m²
- (ix) Approval of a Framework Travel Plan and no building to be occupied until a Travel Plan has been agreed which is in accordance with the agreed Framework
- (x) Any reserved matters application shall be supported by further ecological surveys as appropriate.
- (xi) The details of the main spine access road shall be designed to enable a bus to turn safely.
- (xii) No building shall be occupied until full details of the pedestrian and cycleway enhancements have been approved, implemented and access provided which shall include cycle links to Bathpool Park, the existing cycleway on

- Reginald Mitchel Way, the canal, and existing cycleway in Bradwell Woods and Newcastle Road.
- (xiii) Detailed structural landscaping scheme to be submitted and approved within 12 months of the commencement of the earthworks. The scheme is to accord with the Green Infrastructure Strategy and should include the planting of a verge adjoining the footpaths. The structural landscaping scheme shall be implemented prior to any construction of buildings commences.
 - (xiv) The on-plot landscaping details as submitted shall include areas of landscaping within parking and other hardsurfaced areas as appropriate.
 - (xv) Approval of tree and hedgerow protection measures.
 - (xvi) Approval and implementation of woodland and landscape management plans.
 - (xvii) No development shall take place on any part of the site until the development has secured the implementation of a programme of archaeological works
 - (xviii) Any reserved matters application relating to plots A and B shall incorporate rail freight access or shall demonstrate why such access is not appropriate / feasible.
 - (xix) Submission and approval Environmental Management Plan for construction works
 - (xx) Submission of an assessment into potential impacts arising from operational noise and onsite vehicle movements in support of any reserved matters applications
 - (xxi) Approval of details of external lighting
 - (xxii) Submission of an Air Quality Assessment in support of any reserved matters application to address the impact upon the nearby residential caravan.
 - (xxiii) Air quality assessment prior to first use of any combustion appliance
 - (xxiv) Electric vehicle charging points to be included in the development details submitted within reserved matters applications
 - (xxv) The reporting of unexpected contamination and preventing the importation of soil or soil forming material without approval.
 - (xxvi) The first reserved matters application shall include for approval of full design details for the new roundabout access, footways and improvements to the existing site access to include a full scheme of proposals to secure the delivery of the speed reduction which should include gateway features, street lighting, conspicuous speed limit and warning signs, road markings and surfacing with an appropriate high friction surfacing.**
 - (xxvii) Submission and approval of full details of the provision of parking, turning and servicing within the site curtilage; means**

of surface water drainage; surfacing materials and footpath connections. The development to be carried out in accordance with the approved scheme.

(xxviii) Prior to commencement of any construction, including demolition, a Construction Environmental Management Plan to be submitted to and approved in writing by the Local Planning Authority.

(xxix) Any appropriate condition recommended by Highways England.

(B) In the event that the Secretary of State under the terms of the Development Management Procedure Order directs refusal of the application, that the application be refused only for the reason given in that Direction.

(C) In the event that the planning obligation referred to in recommendation A is not secured by the 29th March 2019 the Head of Planning be given delegated authority to refuse the application on the grounds that in the absence of such an obligation the appropriate sustainable transport measures are not secured and the interests of highway safety; or by such extended date as he considers appropriate.

7. **APPLICATION FOR MAJOR DEVELOPMENT - LAND OFF DEANS LANE AND MOSS GROVE, RED STREET. PERSIMMON HOMES (NORTH WEST). 18/00854/REM**

Councillor Allison Gardner spoke on this application.

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

- (i) Link to outline planning permission and conditions
- (ii) Approved plans
- (iii) Facing and roofing materials
- (iv) Boundary treatments
- (v) Soft landscaping scheme
- (vi) Method Statement for protection, treatment and future management of hedgerows
- (vii) Off site highway works – provision of accesses and to tie in the existing highway & footway on Moss Grove into the carriageway & footway to the development site
- (viii) Provision of visibility splays
- (ix) Surfacing of parking areas
- (x) Detailed drainage scheme, including surface water drainage
- (xi) Retention of garages for parking of motor vehicles and

- cycles
- (xii) Footpath link completed
- (xiii) Trees shown as retained shall be retained and protected throughout construction
- (xiv) 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

8. **APPLICATION FOR MAJOR DEVELOPMENT - CONSULTATION BY STOKE ON TRENT CITY COUNCIL WITH RESPECT TO AN APPLICATION FOR PLANNING PERMISSION ON LAND AT NEW INN.**

Resolved: That the City Council be informed that the Borough Council neither objects to nor does it support the planning application.

9. **APPLICATIONS FOR MINOR DEVELOPMENT - ASPIRE HOUSING**

Proposed by Councillor Tagg and seconded by Councillor Reddish.

LAND ADJACENT TO 16 ST GILES ROAD, KNUTTON – 18/00016/FUL
FORMER PLAYGROUND, BRUTUS ROAD, CHESTERTON – 18/00243/FUL
LAND OFF ST BERNARDS ROAD, KNUTTON – 18/00443/FUL
LAND BETWEEN 155 & 161 KNUTTON LANE, KNUTTON – 18/00441/FUL
LAND ADJACENT 25 ARTHUR STREET, KNUTTON – 18/00461/FUL
LAND ADJACENT TO 45 MORAN ROAD, KNUTTON – 18/00465/FUL

Resolved: That the Council maintain their requirement that planning permission can only be granted for each of the applications if the applicant first enters into a Section 106 obligation by 28 February, 2019, that secures a fully policy compliant contribution to public open space and public realm enhancement and maintenance.

10. **APPLICATION FOR MINOR DEVELOPMENT - LAND ADJACENT TO THE BLOCKHOUSE, NEWCASTLE ROAD, WHITMORE. 18/00847/FUL**

Members were advised that this application had been withdrawn.

11. **APPLICATION FOR MINOR DEVELOPMENT - BETLEY COURT, MAIN ROAD, BETLEY. DR NIGEL BROWN. 18/00943/FUL**

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

- (i) Time limit.
- (ii) Approved plans.
- (iii) Prior approval and implementation of details of a hard and soft landscaping scheme to include details of planting to provide screening of the parking area from the house and lawn, replacement tree planting and details of surfacing and delineation of the parking area/spaces.

- (iv) Prior approval and implementation of special constructions measures and other tree protection measures.
- (v) Prior approval and implementation of the external facing materials.
- (vi) Prior approval and implementation of a foul and surface water drainage scheme.
- (vii) Prior approval and implementation of a parking management scheme which shall include details of the management of parking associated with the residential occupation of Betley Court and measures, including temporary signing of the car park, to prevent residents and visitors to the gardens parking on Court Walk when the gardens are open.
- (viii) Gardens to be open to visitors no more than 6 weekends per year. Any additional openings, for special events, shall only take place with the express permission of the local planning authority and shall be limited to no more than 4 additional days per annum.
- (ix) Restrictions on the hours when construction and demolition can take place.
- (x) Prior approval and implementation of details of any kitchen ventilation system and external plant.
- (xi) Prior approval and implementation of details of external lighting.
- (xii) Restriction on the hours when deliveries and waste collections can take place.
- (xiii) Prior approval and implementation of the alignment of utility apparatus
- (xiv) Prior approval and implementation of a schedule of works to retained trees
- (xv) Prior approval and implementation of an Arboricultural Method Statement (detailed) covering foundation design and proposals for paving within the RPA of retained trees.
- (xvi) Submission and approval of a dimensioned tree Protection Plan to include details of tree canopy protection and full protection of T2 and implementation of the protection measures agreed.
- (xvii) Prior approval and implementation of full landscaping proposals including replacement tree planting and hard and soft landscaping proposals.
- (xviii) Submission and approval of revised plans showing the overflow parking in a position outside of root protection areas of trees.
- (xix) Development not to be brought into use until the parking and turning areas have been provided, with the parking spaces clearly delineated, which shall thereafter be retained for the lifetime of the development.

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

- Resolved:**
- (i) That the report be noted.
 - (ii) 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 an applicant to enter into Section 106 obligations.

13. URGENT BUSINESS

There was no Urgent Business.

COUNCILLOR ANDREW FEAR
Chair

Meeting concluded at 8.40 pm