

## **PLANNING COMMITTEE**

Thursday, 3rd January, 2019  
Time of Commencement: 6.00 pm

<b>Present:-</b>	Councillor Andrew Fear – in the Chair
Councillors	S. Burgess, Mrs J Cooper, H. Maxfield, P. Northcott, S. Pickup, B. Proctor, M. Reddish, S Tagg, G Williams and J Williams
Officers	Head of Planning and Development - Guy Benson, Geoff Durham - Mayor's Secretary / Member Support Officer, Elaine Moulton - Development Management Team Manager, Peter Stepien - Landscape Officer, Trevor Vernon -Solicitor and Darren Walters- Environmental Protection Officer

1. **APOLOGIES**

There were no apologies.

2. **DECLARATIONS OF INTEREST**

Councillor Jennifer Cooper declared an interest in application 18/00698/FUL as an employee of Keele University. There was no pecuniary interest.

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

**Resolved:** That the minutes of the meeting held on 4 December, 2018 be agreed as a correct record.

4. **APPLICATION FOR MAJOR DEVELOPMENT - FORMER BRISTOL STREET MOTORS,LONDON ROAD. ADOBE RESIDENCIES. 16/01106/FUL**

- Resolved:**
1. That it be agreed to amend the existing Section 106 agreement so that it requires contributions totalling £300,000 (index linked as from October 2017)
  2. That such contributions comprise the following:
    - i. £207,455 (index linked) towards public open space and public realm enhancement and maintenance;
    - ii. £2,245 (index linked) towards Travel Plan monitoring;
    - iii. £50,000 (index linked) for residential street parking surveys and if required the implementation of resident on-street parking controls;
    - iv. £10,000 (index linked) for Real Time Passenger Information displays (and maintenance) at the bus stops on London Road;
    - v. £5,000 (index linked) for bus shelter upgrades;

- vi. £25,300 (index linked) towards local cycle network improvements from Newcastle Town Centre to Keele University.
  - 3. That the Section as varied require, in the event of the full £50,000 (referred to in 2ii above) not being required for the residential street parking survey and implementation of resident on-street parking controls, the remainder of that sum then being made available for public open space and public realm enhancement and maintenance.
  - 4. That the Section 106 as varied include a review mechanism of the scheme's ability to make a more or fully policy compliant contribution to public open space and public realm enhancement and maintenance, should the development be not substantially commenced within 12 months of the date of this decision, and payment of such additional contribution if then found financially viable
  - 5. That the section 106 includes any appropriate amendments to ensure, as assumed in the appraisal, in particular that no revenue is obtained for the development from 53 car parking spaces within the development (such spaces being either in the case of 35 "gifted" to the occupiers of certain properties in London Road (in respect of proposals to introduce a Traffic Regulation Order on that road) or available for staff and visitors to the development
  - 6. That the Borough Council supports the variation of the existing payment triggers with respect to the Residential Parking Zone contribution and the Travel Plan Sum – in the manner indicated within this supplementary report - so that such payments do not have to be made so far in advance of when they are actually required, and to assist the viability of the development.
  - 7. That the Council's agreement to the above be time limited, such deed of variation/ revised Section 106 agreement needing to be completed by the 3<sup>rd</sup> March; or such other date as the Head of Planning may consider appropriate.
5. **APPLICATION FOR MAJOR DEVELOPMENT - SITES OF HORWOOD, LINDSAY AND BARNES HALLS, KEELE UNIVERSITY, KEELE. MR PHIL BUTTERS, KEELE UNIVERSITY. 18/00698/FUL**

The Chair, Councillor Andy Fear and Councillor Simon Tagg thanked Keele University for the way in which they had interacted with the Council.

**Resolved:** (A) That, subject to the applicant entering into a Section 106 obligation by 14<sup>th</sup> February 2019 to secure financial contributions towards travel plan monitoring (£2,360), the provision of real-time travel information (£15,000), and a

Toucan signal controlled crossing on Cemetery Road (£39,000),

The application be permitted, subject to the undermentioned conditions:

- (i) Commencement time limit
  - (ii) Approved plans
  - (iii) Contaminated land
  - (iv) Construction management plan
  - (v) External lighting scheme
  - (vi) Noise levels at residential units
  - (vii) Noise assessment for bars and social hubs
  - (viii) Noise levels from new external plant
  - (ix) Noise from internal plant and mechanical ventilation systems
  - (x) Noise from energy centres and commercial activities
  - (xi) Written Scheme of Archaeological Investigation
  - (xii) Details of surface water and foul sewage drainage
  - (xiii) Provision of parking, servicing and turning areas indicated on approved plans
  - (xiv) Cycle parking in accordance with approved details
  - (xv) Travel plan
  - (xvi) Upon occupation, or at a later date if agreed, a review of the parking and modal split situation at the University to be undertaken, and such measures as shall be justified by the conclusions of that review, including if appropriate, the provision of additional or alternatively reduced parking, and management measures, to be submitted to the Local Planning Authority for its approval together with a timetable for the implementation of such measures, and thereafter their implementation
  - (xvii) Tree protection plan and method statement
  - (xviii) Details of special engineering within RPAs
  - (xix) Monitoring of construction works where by arboriculturalist where affecting trees
  - (xx) Landscaping scheme
  - (xxi) Detailed information regarding the new pedestrian route and crossing at Keele Hall Drive
  - (xxii) Facing and surfacing materials
  - (xxiii) Sample panels to be retained on site
- (B) Should the above Section 106 obligations 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 measures to ensure that the development achieves sustainable development outcomes, and does not impact on highway safety: or, if he considers it appropriate, to extend the period of time within which the obligations can be secured.

**6. APPLICATION FOR MAJOR DEVELOPMENT - ORCHARD HOUSE, CLAYTON ROAD, NEWCASTLE. GLADMAN RETIREMENT LIVING LTD. 18/00693/FUL**

*Councillor Mark Holland spoke on this application.*

**Resolved:** (A). That, subject to the applicant first entering into a Section 106 agreement by the 20<sup>th</sup> February 2019 securing a financial contribution of £130,203 (index linked) towards the maintenance and improvement of public open space at Lyme Valley Parkway, restriction of the occupancy of the accommodation so that it falls within the C2 Use Class, and a travel plan monitoring fee of £2,360 (index linked), the application be permitted subject to the undermentioned conditions:

- (i) Standard time limit for commencement of development
- (ii) Approved plans
- (iii) Materials
- (iv) Boundary treatments
- (v) Finished ground levels and floor levels
- (vi) Detailed soft landscaping scheme, including replacement trees for the holly and willow screening to Lyme Valley Parkway that will be lost and any others that are removed to accommodate the development.
- (vii) Dimensioned Tree Protection Plan
- (viii) Detailed Arboricultural Method Statement regarding the surface water outlet and levels increase adjacent to the protected horse chestnut tree and site specific details of all special engineering within tree RPAs, including drainage if necessary.
- (ix) Schedule of works to retained trees
- (x) An arboricultural site monitoring schedule
- (xi) Submission and approval of access improvements
- (xii) Design improvements/ screens to balconies to prevent overlooking
- (xiii) Visibility splays
- (xiv) Access, parking, turning and servicing areas
- (xv) Submission and approval of a car park management scheme
- (xvi) Bus stop upgrades
- (xvii) Submission and approval of a travel plan
- (xviii) Submission and approval of secure weatherproof cycle parking
- (xix) Submission and approval of construction method/ environmental management plan
- (xx) Waste management and collection arrangements (including hours restriction)
- (xxi) Surface water drainage design
- (xxii) Pumping station details – noise and odour impact
- (xxiii) Drainage plans for the disposal of foul and surface water flows
- (xxiv) Land contamination

- (xxv) External lighting
- (xxvi) Kitchen Ventilation System and Odour Abatement details
- (xxvii) Mechanical Ventilation of Residential Rooms
- (xxviii) External plant details
- (xxix) Electric Vehicle Charging Provision
- (xxx) Bat and Bird box provision
- (xxxi) Inclusion of a screen of evergreen trees planted as semi mature specimens within the Landscaping proposals in the vicinity of the Delbrook Court boundary

- (B). That, should the obligations referred to above not be secured within the above period, Head of Planning given delegated authority to refuse the application on the grounds that in the absence of such the proposal would be contrary to policy on the provision of affordable housing, open space for housing developments and monitoring of an acceptable travel plan, or, if he considers it appropriate, to extend the time period within which the obligation referred to above can be secured.

**7. APPLICATION FOR MAJOR DEVELOPMENT - LAND SOUTH WEST OF MUCKLESTONE ROAD, WEST OF PRICE CLOSE AND NORTH OF MARKET DRAYTON ROAD, LOGGERHEADS. MULLER STRATEGIC PROJECTS LIMITED. 15/00202/OUT**

**Resolved:** That the developer be advised that the Council, as the Local Planning Authority is willing to agree to the requested variations to the Section 106 agreement to allow staircasing to 100% of the market value and to vary the wording of the Mortgagee Protection clause.

**8. APPLICATION FOR MAJOR DEVELOPMENT - LAND AT END OF GATEWAY AVENUE, BALDWIN'S GATE. KIER LIVING LTD. 13/00426/OUT**

**Resolved:** That Aspire be advised that the Council, as the Local Planning authority is willing to agree to a variation to the Unilateral Undertaking so that staircasing to 100% of the market value is permissible.

**9. APPLICATION FOR MAJOR DEVELOPMENT - FORMER SAVOY CINEMA/METROPOLIS NIGHTCLUB, 72, HIGH STREET, NEWCASTLE. MODULTEC INTERNATIONAL LTD & METROPOLIS STUDENT LTD. 18/00483/FUL**

**Resolved:** (A) That, subject to the applicant entering into a Section 106 obligation by agreement by 14<sup>th</sup> February 2019 to require:

- (i) a 3 month introductory or taster "free" bus pass for each new student tenant for travel to and from the Campus at Keele University, Staffordshire University, Stoke-on-Trent College or the Royal Stoke University Hospital
- (ii) a financial contribution of £22,200 towards the enhancement of public open space
- (iii) £2,200 towards travel plan monitoring
- (iv) £8,000 towards the ongoing maintenance of the Real

- (v) Time Passenger Information system for bus services  
£10,600 towards improvements to the cycle route from Newcastle town centre to Keele University
- (vi) £11,000 towards public realm improvements in the vicinity
- (vii) A review mechanism of the scheme's ability to make a more or fully 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 if then found financially viable

The application be permitted, subject to the undermentioned conditions:

- (i) Commencement time limit
- (ii) Approved plans
- (iii) Report of unexpected contamination
- (iv) Construction environmental management plan
- (v) Noise from plant and mechanical ventilation,
- (vi) Ventilation provision to habitable spaces
- (vii) Glazing specification
- (viii) Occupation by students only
- (ix) Secure cycle parking in accordance with approved details
- (x) Travel plan
- (xi) Facing and external surfacing materials
- (xii) Sample panel to be retained on site
- (xiii) Details of window reveals
- (xiv) Detailed surface water drainage scheme
- (xv) Archaeological evaluation
- (xvi) Provision of security measures to alleyway including a gate and lighting
- (xvii) Security measures to the building to be to Secured by Design standard
- (xviii) Telecommunications apparatus
- (xix) Extensive CCTV coverage of the environs of the development (to be monitored from within the building)
- (xx) Treatment of the front elevation to reduce opportunities for climbing
- (xxi) Details to be provided of the treatment of previous access points to the High Street (avoiding recesses)

(B) Should the above Section 106 obligations 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 ensure it achieves sustainable development outcomes, the public realm and safety improvements required to secure an appropriate context for the development and inclusive development would not be achieved, and the public open space impacts of the development would at least in part be met, and there would not be 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; or, if he considers it appropriate, to extend the period of time within which the obligations can be secured.

**10. APPLICATION FOR MINOR DEVELOPMENT- LAND ADJACENT CARTREF, RYE HILLS, AUDLEY. MR & MRS COTTERILL. 18/00842/FUL**

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

- (i) Time limit
- (ii) Approved plans
- (iii) Materials
- (iv) Boundary treatments
- (v) Landscaping scheme
- (vi) Tree protection
- (vii) Retention and protection of boundary hedgerow
- (viii) Construction hours
- (ix) Contaminated land
- (x) Provision and retention of access and parking area
- (xi) Surfacing of access drive
- (xii) Foul and surface water
- (xiii) Removal of permitted development rights

**11. APPLICATION FOR OTHER DEVELOPMENT - MAER HALL, MAER. MR FRADLEY. 18/00952/FUL**

**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.

**12. HALF YEARLY REPORT ON PLANNING OBLIGATIONS**

**Resolved:**

- (i) That the report be noted.
- (ii) That officers, in the light of the July 2018 Guidance on the monitoring and reporting of planning obligations and upon receipt of the expected Regulations and national open data templates, bring forward a report in a new format that is compatible with such initiatives.

**13. APPEAL DECISION - LAND OFF WOODROW WAY, ASHLEY. 17/00605/FUL**

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

**14. APPEAL DECISION - ROSEBANK, NEW ROAD, WRINEHILL. 18/00490/FUL**

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

**15. CONFIRMATION OF ARTICLE 4 DIRECTION FOR KEELE CONSERVATION AREA**

**Resolved:** That the non-immediate Article 4 Direction for Keele

Conservation Area be confirmed as coming into force on 10 January, 2019, as set out in the Direction.

**16. UPDATE ON LAND AT DODDLESPool.**

- Resolved:**
- (i) That the information be received.
  - (ii) That further reports on this item be brought back to this Committee on a bi-monthly basis until the committee resolves otherwise.

**17. 5 BOGGS COTTAGE, KEELE. 14/00036/207C3**

- Resolved:**
- (i) That the information be received.
  - (ii) That further reports on this item be brought back to this Committee on a bi-monthly basis until the Committee resolves otherwise.

**18. TREE PRESERVATION ORDER OLD BUTT LANE, WEST AVENUE, KIDSGROVE. TPO 196**

- Resolved:** That Tree Preservation Order No 196 (2018), Woodland at Old Butt Lane (as modified in the Supplementary Agenda) be confirmed as made and that the owners of the site be informed accordingly.

**19. URGENT BUSINESS**

There was no Urgent Business.

**COUNCILLOR ANDREW FEAR**  
**Chair**

Meeting concluded at 8.32 pm