

PLANNING COMMITTEE

Tuesday, 16th July, 2019
Time of Commencement: 6.30 pm

Present:- Councillor Andrew Fear – in the Chair

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

Officers Head of Planning and Development -
Guy Benson, Nick Bromley - Senior
Planning Officer, Geoff Durham - Mayor's
Secretary / Member Support Officer,
Jennet Hough - Landscape Officer,
Trevor Vernon -Solicitor and Darren
Walters- Team Leader Environmental
Protection

Apologies Councillor(s) D. Jones and S. Moffat

1. APOLOGIES

Apologies were received from Councillors' Jones and Moffatt.

2. DECLARATIONS OF INTEREST

Councillor Jennifer Cooper declared an interest in applications 18/00933/FUL and 18/00934/FUL as an employee of Keele University.

3. MINUTES OF PREVIOUS MEETING(S)

Resolved: That the minutes of the meeting held on 18 June, 2019 be agreed as a correct record.

4. APPLICATION FOR MAJOR DEVELOPMENT - HAMPTON'S SCRAP YARD AND ADJACENT FIELD, KEELE ROAD, NEWCASTLE. PERSIMMON HOMES. 18/00656/REM

Members were advised that this application had been withdrawn.

5. APPLICATION FOR MAJOR DEVELOPMENT - LAND ADJACENT TO SPRINGPOOL WOOD, SOUTH OF PHASE 3 AND WEST OF NEWCASTLE GOLF COURSE. KEELE UNIVERSITY. 18/00933/FUL

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

- (i) Commencement of development
- (ii) Approved plans,
- (iii) 25 year temporary consent and Decommissioning Method Statement

- (iv) Removal upon cessation of energy generation if earlier
- (v) Construction Environmental Management Plan
- (vi) Construction Traffic Plan
- (vii) Details of windturbine design, specifications and colour
- (viii) Details of the substation building
- (ix) Details of transformers
- (x) Height of both turbine blades and hubs
- (xi) Direction of rotation of blades
- (xii) External lighting controls
- (xiii) Undergrounding of cabling to compound
- (xiv) Archaeology, as recommended by the County Archaeologist
- (xv) Scheme of planting to reinstate former parkland trees to the south west of Brickkiln Plantation
- (xvi) Keele Conservation Area Management Plan
- (xvii) Shadow Flicker
- (xviii) Noise emissions during construction
- (xix) Noise emissions from turbines
- (xx) Complaints system for noise emissions
- (xxi) Logging of wind speed, direction and power generation date
- (xxii) Aeronautical issues, as appropriate in the light of any comments received from the Ministry of Defence
- (xxiii) Specification for a protected species survey, submission of results and programme of any required mitigation measures
- (xxiv) Breeding birds nest survey specification, submission of results and any mitigation measures
- (xxv) Biodiversity, habitat management and enhancement and additional planting adjacent to Pie Rough woodland
- (xxvi) Trial blade delivery run

6. APPLICATION FOR MAJOR DEVELOPMENT - LAND ADJACENT TO SPRINGPOOL WOOD, SOUTH OF PHASE 3 AND WEST OF NEWCASTLE GOLF COURSE. KEELE UNIVERSITY. 18/00934/FUL

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

- (i) Commencement of development
- (ii) Approved plans, with micro-siting allowance
- (iii) 25 year temporary consent and decommissioning method statement requirement
- (iv) Removal upon prior cessation of energy generation if earlier
- (v) Details of materials, specifications and finish of panel, frames, ancillary buildings, battery storage and fencing
- (vi) Max height of solar PV arrays
- (vii) Archaeology, as recommended by the County Archaeologist
- (viii) Temporary construction compound which will involve topsoil and subsoil stripping, storage, and replacement (unless already detailed)
- (ix) Soil stripping, storage and replacement methodology
- (x) hedgerow planting, including to
- (xi) Fencing

- (xii) Details of the substation building
- (xiii) Tree Protection Plan, and an Arboricultural Method Statement
- (xiv) Construction Environmental Management Plan
- (xv) Construction Traffic Management plan
- (xvi) Controls over any external lighting including temporary lighting
- (xvii) Biodiversity, habitat management and enhancement and additional planting adjacent to Pie Rough woodland
- (xviii) Scheme of planting to reinstate parkland trees to south –west of Brickkiln plantation
- (xix) Keele Conservation Area Management plan
- (xx) Specification for a protected species survey, submission of results and programme of any required mitigation measures
- (xxi) Breeding birds nest survey specification, submission of results and any mitigation measures

7. APPLICATION FOR MAJOR DEVELOPMENT - WOLSTANTON RETAIL PARK, WOLSTANTON. SOUTH TYNESIDE BC. 19/00114/FUL

Resolved: (A) That, subject to the applicant entering into planning obligations by 16th September 2019 to secure £2,407 towards travel plan monitoring;

the application be permitted, subject to the undermentioned conditions / informatives relating to the following matters:-

- (i) Commencement time limit
- (ii) Development to be carried out in accordance with the approved plans and supporting documents, unless otherwise required by condition.
- (iii) External facing and surfacing materials.
- (iv) Construction environmental management plan
- (v) Unit to be used for the sale and display of non-food goods (excluding certain goods such as clothing, footwear, CDs, health and beauty, jewellery) other than the sale and display of food and drink for consumption on the premises within a café not exceeding 139m².
- (vi) Noise from plant and mechanical ventilation,
- (vii) External lighting
- (viii) Noise mitigation measures, supported by a noise assessment, regarding delivery and waste collection
- (ix) Cycle parking in accordance with approved details
- (x) Travel plan
- (xi) Car park, servicing and turning areas to be provided prior to the building being brought into use.
- (xii) Security measures for the development, including the cycle parking.
- (xiii) Restrictions on waste collections and deliveries of goods

- Coal Authority informative regarding public safety.
- Cadent informative note that consideration is given to gas pipeline/s identified on the site.
- Informative indicating the desirability of the provision of a bus service to the development.

(B) Should the above planning obligations not be secured within the above period, the Head of Planning be given delegated authority to refuse the application on the grounds that the development would fail to ensure it achieves sustainable development outcomes; or, if he considers it appropriate, to extend the period of time within which the obligations can be secured.

8. APPLICATION FOR MAJOR DEVELOPMENT - LAND OFF DEANS LANE AND MOSS GROVE, RED STREET. PERSIMMON HOMES (NORTH WEST). 19/00375/FUL

Resolved: That subject to the applicant's agreement being obtained to any of the following that are pre-commencement conditions, or failing that agreement, further consideration, the application be permitted subject to the undermentioned conditions:

- (i) Link to outline planning permission and its 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) 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

9. APPLICATION FOR MAJOR DEVELOPMENT - LAND EAST OF SHELTON BOULEVARD, STOKE-ON-TRENT. STOKE-ON-TRENT REGENERATION LTD. SOT/63948/OUT(NULBC REF 348/263)

Resolved: That the City Council be informed that the Borough Council has no objections to the proposed development subject to :

- (i) the City Council receiving no objections from the Highway Authority and/or Highways England in respect of any unacceptable impact the developments may have on the A53/A500 junction at Basford Bank and
- (ii) the inclusion of conditions on any permission requiring the provision of electric vehicle charging infrastructure for staff and visitors as recommended by the Borough Council's Environmental Health Division to address issues relating to air quality.

10. APPLICATION FOR MAJOR DEVELOPMENT - CHERRY HILL WASTE, HIGH CARR FARM, CHESTERTON. CHERRY HILL WASTE. SCC REF: N.19/02/294 MW (NULBC REF 19/00489/CPO)

Resolved: That, subject to Staffordshire County Council being satisfied that there are very special circumstances that justify the granting of planning permission for inappropriate development in the Green Belt as they clearly outweigh the harm of the proposed development, including that arising from its impact on the openness of the Green Belt and includes conditions in any planning permission which secure the building being finished in a dark green colour, then the County Council be informed that the Borough Council raises no objections to this planning application.

11. APPLICATION FOR MINOR DEVELOPMENT - ROSEDENE, MOSS LANE, MADELEY. MR ROY WILD. 19/00347/OUT

Councillor Gary White spoke on this application.

Moved by Councillor Northcott and seconded by Councillor Tagg.

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

The proposed development represents an inappropriate overdevelopment of the site by virtue of the number of dwellings proposed which would harm the character and appearance of the area.

12. APPLICATION FOR MINOR DEVELOPMENT - LAND SOUTH OF MUCKLESTONE ROAD, LOGGERHEADS. ELAN HOMES LIMITED. 19/00409/FUL

- Resolved:**
- (i) That, Subject to the applicant agreeing to extend the statutory period to 19th August and entering into a planning obligation by 16th August that preserves the Council's position in respect of obligations secured prior to the grant of permission 18/00314/FUL, permit the variation of condition 2 to list the revised plans and subject to the imposition of all other conditions attached to planning permission 18/00314/FUL that remain relevant at this time.
 - (ii) Failing completion by the date referred to in the above resolution (i) of the above planning obligation, that the Head of Planning 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

13. APPLICATION FOR MINOR DEVELOPMENT - FORMER SAINSBURY'S SITE, LIVERPOOL ROAD, NEWCASTLE. NEWCASTLE BOROUGH COUNCIL. 19/00470/DEEM3

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

- (i) No buildings, structures, tents or any other feature associated with each temporary event shall be erected or placed on the site until the details have been submitted to and agreed by the Local Planning Authority,
- (ii) No temporary event shall take place on the site for a period exceeding 4 weeks and no more than 4 such events shall take place in any calendar year.
- (iii) Submission, approval and implementation of an event specific Noise and Event Management Plan prior to each temporary event commencing, which shall address matters including noise management, access and parking, and security and community safety.
- (iv) Where events involve amplified sounds, a noise consultant should be appointed, and a survey of background noise, a sound propagation plan detailing sound levels at noise sensitive locations and sound propagation testing are required.
- (v) Restriction on maximum permitted noise levels and measures to ensure that appropriate arrangements are in place to ensure that the noise levels are not exceeded.
- (vi) Restrictions on times for rehearsals, sound checks and performance.
- (vii) Public address systems, announcements and incidental music shall not be audible at any of the identified noise sensitive locations.
- (viii) Local residents and Council provided with details as to how to make complaints and details of scheduled performance, rehearsals and sound checks.
- (ix) Keeping of a complaint and investigation log
- (x) Restrictions on times for rigging, derigging and movement of vehicles and equipment.
- (xi) Siting of generator sets and noise making plant to ensure they do not cause noise disturbance or affect pedestrians etc. by fumes and emissions.
- (xii) Controls on artificial lighting

14. APPLICATION FOR MINOR DEVELOPMENT - 114 MOW COP ROAD, MOW COP. MR & MRS K SPENCER. 19/00341/FUL

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

- (i) Standard time limit
- (ii) Approved plans
- (iii) Materials as per approved plans and application form
- (iv) Prior approval of finished floor level of dwelling, and finished ground levels of the garden.
- (v) Removal of permitted development rights for extensions, outbuildings and hardstandings
- (vi) Soft landscaping scheme to include full details of boundary treatments
- (vii) Completion of access, parking and turning areas prior to occupation
- (viii) Approval of details of means of surface water drainage for the parking and turning areas
- (ix) Provision of an electric vehicle charging point for one vehicle

and informatives included on the decision notice regarding:

- (a) Consultation with United Utilities on the surface water drainage condition; and
- (b) The existence of the Public Right of Way.

15. APPLICATION FOR MINOR DEVELOPMENT - THISTLEBERRY HOTEL, THISTLEBERRY AVENUE, NEWCATSLE-UNDER-LYME. STAR PUBS AND BARS. 19/00358/FUL

Resolved: That a decision on the application be deferred to enable the applicant to provide the information required by the Highway Authority and for officers to obtain and consider the comments of the Highway Authority in response to such information.

16. APPLICATION FOR MINOR DEVELOPMENT - CRACKLEY GATES FARM, LEYCETT LANE, SILVERDALE. MR COLIN DACEY. 19/00308/FUL

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

- (i) Standard Time limit for commencement of development
- (ii) Approved plans
- (iii) Removal of existing building and outside storage area's prior to the commencement of the construction of the dwelling
- (iv) External materials
- (v) Boundary treatments
- (vi) Existing and proposed ground levels
- (vii) Soft landscaping, including replacement tree planting
- (viii) Tree and hedgerow protection measures
- (ix) Design measures to control internal and external noise levels
- (x) Submission and approval of a noise assessment
- (xi) Construction and demolition hours
- (xii) Electric vehicle charging provision
- (xiii) Access, car parking and turning
- (xiv) Widening of existing access

(xv) Coal Mining investigations and remediation

17. **APPLICATION FOR OTHER DEVELOPMENT - 2 ROSEACRE, NEWCASTLE-UNDER-LYME. MRS JOANNA HISSEY. 19/00459/FUL**

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

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

18. **APPLICATION FOR OTHER DEVELOPMENT - COMMUNICATIONS SITE, ROOF OF COPTHALL HOUSE, KING STREET. EE (UK) LTD AND HUTCHINSON UK LTD. 19/00385/TDET**

Resolved: (i) That prior approval is required, and
(ii) That such prior approval be granted

19. **APPEAL DECISION - HAZELEY PADDOCKS, MADELEY HEATH. 18/00488/OUT**

Resolved: That the Appeal decision be noted.

20. **APPEAL AND COSTS DECISION - NEW FARM, ALSAGER ROAD, AUDLEY. 18/00122/FUL**

Resolved: That the appeal and costs decision be noted.

21. **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 a revised list of Local Validation requirements.

22. **DEVELOPMENT MANAGEMENT PERFORMANCE REPORT 2018/2019**

Resolved: (i) That the report be received.

(ii) That the Head of the Planning 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 2018/19 Planning and Development Service Plan.

(iii) That the 'Mid-Year Development Management Performance Report 2019/20' be submitted to the Committee around

November/December 2019 reporting on performance achieved for the first half of 2019/20 in relation to these targets, including the 7 indicators considered below.

**23. ANNUAL REPORT ON PLANNING AND RELATED APPEALS - 1ST APRIL 2018
- 31ST MARCH 2019**

Resolved: (i) *That the above 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 Council's 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, and that a similar approach be taken by the Committee.

24. 2019 CONSERVATION AREA APPRAISAL AND MANAGEMENT PLANS PROGRAMME

- Resolved:**
- (i) That the programme for the preparation of Conservation Area Appraisals and Management Plans for the Conservation Areas of the Borough, as set out in Table 3 of the report be approved.
 - (ii) **That a report on a review of the programme be brought to the Committee by no later than July 2024.**

25. TREE PRESERVATION ORDER - LAND AT PINE COURT, LOGGERHEADS. TPO 201A

- Resolved:** That Tree Preservation Order No 201A (2019), land at Pine Court, Loggerheads, be confirmed as made and that the owners of the site be informed accordingly.

26. URGENT BUSINESS

There was no Urgent Business.

COUNCILLOR ANDREW FEAR
Chair

Meeting concluded at 8.40 pm