

PLANNING COMMITTEE

Tuesday, 13th August, 2019
Time of Commencement: 7.00 pm

Present:-	Councillor Andrew Fear – in the Chair
Councillors	S. Burgess, Mrs J Cooper, D. Jones, H. Maxfield, S. Moffat, P. Northcott, B. Proctor, M. Reddish, S Tagg, G Williams and J Williams
Officers	Becky Allen - Landscape Manager, Geoff Durham - Mayor's Secretary / Member Support Officer, Elaine Moulton - Development Management Team Manager, Trevor Vernon -Solicitor and Darren Walters- Team Leader Environmental Protection
Apologies	Councillor(s)

1. APOLOGIES

There were no apologies.

2. DECLARATIONS OF INTEREST

Trevor Vernon stated that he was an employee of Stoke on Trent City Council but was representing Newcastle Borough Council at this meeting. Mr Vernon was not aware of application 17/00834/FUL and had not advised Stoke on Trent City Council on any matters in relation to this and therefore felt able to advise the Planning Committee.

3. MINUTES OF PREVIOUS MEETING(S)

Resolved: That the minutes of the meeting held on 16 July, 2019 be agreed as a correct record.

4. GUY BENSON

The Chair advised Members that this was to have been Guy Benson's final Planning Committee prior to retirement. Mr Benson had unfortunately been taken ill and was not present. Therefore, the Chair felt it inappropriate to speak about Guy in his absence and would comment at a later date.

The Chair and Members of the Planning Committee wished him well for a speedy recovery.

5. APPLICATION FOR MAJOR DEVELOPMENT - LAND TO NORTH OF SHELTON BOULEVARD, THE SOUTH OF NEWPORT LANE AND IN BETWEEN FESTIVAL

WAY AND THE A500 (QUEENSWAY), AND LAND AT GRANGE LANE, WOLSTANTON. CITY OF STOKE-ON-TRENT COUNCIL. 17/00834/FUL

- Resolved:**
- (1) That your Officer be given delegated authority, subject to
 - (a) him determining upon the receipt from the applicant of amended plans and/or additional information whether for the avoidance of material prejudice to third parties, publicity should be given to such application material and an opportunity provided to those parties to submit comments to the Local Planning Authority, and
 - (b) the Highway Authority in response to such amended plans/additional information maintaining their current position – that planning permission can be granted subject to conditions, and
 - (c) Highways England, in response to such amended plans/additional information, then recommending that conditions should be attached to any permission that may be granted (and such conditions being considered by your Officer as appropriate)

the application be permitted subject to the undermentioned conditions (and any additional conditions falling within category (c) above):

- (i) Time limit conditions
- (ii) Approved plans
- (iii) Prior approval of details of a surface water drainage system for the A500 trunk road.
- (iv) Prior to commencement submission and approval of a detailed programme of phasing.
- (v) Prior approval of earthworks and ground alteration works required due to the realignment of the southbound A500 off slip road
- (vi) A Construction Environmental Management Plan to include a range of best practice construction phase dust mitigation measures and to take account of any cumulative impact of this development taking place at the same time as the Highways England A500 improvements
- (vii) Landscaping scheme which identifies the trees that are to be removed, those that are to be retained and replacement tree planting is secured
- (viii) Tree protection measures for the retained trees
- (ix) Prior approval of the details of the maintenance access to the former coal yard site
- (x) Prior to first use of the Etruria Valley Link Road (EVLR) the proposed junction improvement at the junction of A527 Grange Lane and the A500 shall be completed in accordance with the approved plans including any amendments required by the Road Safety Stage 2 and 3 Audits.
- (xi) Prior to first use of the EVLR the proposed junction improvement at the junction of A527 Grange Lane and Church Lane shall be completed in accordance with the approved plans including any amendments required by the Road Safety Stage 2 and 3 Audits.
- (xii) Prior to the commencement of the development details of the proposed viaduct carrying the EVLR over the railway shall be submitted and approved by the LPA and shall thereafter be provided in accordance with the approved details.

- (xiii) Notwithstanding the details shown on the approved plans, prior to the commencement of the development full details of the pedestrian/cycle crossing facilities to the cycle route provided through the junction between Grange Lane and the EVLR shall be submitted to and approved by the LPA. The facilities shall thereafter be provided and retained in accordance with the approved details prior to first use of the EVLR.
- (xiv) Prior to first use of the proposed development, details shall be submitted and approved in writing indicating an adequate Traffic Management Arrangement for the future maintenance of the road lighting columns within the underpass beneath the A500 at the A500/Grange Lane junction.
- (xv) All reasonable and appropriate conditions recommended by Highways England
- (xvi) Railings to be provided at the Grange Lane/Church Lane junction.

(2) That in the event of EITHER representations being received in response to the publicity referred to in (a) above which relate directly to the changes/additional information the application be brought back to the Planning Committee, OR (b) above or (c) above not being the case, the application be brought back to the Committee for further consideration

and

(3) That the above decision be communicated to the City Council and that the City Council be advised that the Borough Council has no objections to the City Council as Local Planning Authority granting application 61768/FUL subject to such conditions as your officers consider may be required to ensure a consistency of approach to matters such as pedestrian and cycle facilities

6. MATTER OF URGENCY DECISION WITH RESPECT TO CROFT FARM APPEAL

This item would be discussed under closed session at the end of the meeting.

7. APPLICATION FOR OTHER DEVELOPMENT - LAND BORDERING MADELEY POOL, POOLSIDE, MADELEY. NEWCASTLE BOROUGH COUNCIL. 19/00514/DEEM4

Resolved: That, subject to the consideration of any representations received by 15th August and such representations not raising planning issues that have not been addressed within this report and which can't be addressed through the imposition of appropriate conditions , the Head of Planning be given the delegated authority to:

permit the application, subject to the undermentioned conditions:

- (i) Time Limit
- (ii) Approved Plans
- (iii) Any additional conditions considered appropriate including and appropriately worded tree protection condition if required.

8. **APPLICATION FOR OTHER DEVELOPMENT - 12, GRANVILLE AVENUE, MAY BANK. MR THOMAS MILLARD. 19/00506/FUL**

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

- (i) Standard time limit for commencement of development.
- (ii) Approved plans.

9. **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.

10. **APPEAL DECISION - 80 APEDALE ROAD, WOOD LANE. 18/00640/OUT**

Resolved: That the appeal decision be noted.

11. **APPEAL AND COSTS DECISIONS - LAND OFF WATERMILLS ROAD, CHESTERTON. 18/00017/REM**

Resolved: That the appeal and cost decisions be noted.

12. **CONFIRMATION OF ARTICLE 4 DIRECTION FOR MAER CONSERVATION AREA**

Resolved: That the non-immediate Article 4 Direction for Maer Conservation Area be confirmed as coming into force on 17 August 2019 as set out in the Direction.

13. **5 BOGGS COTTAGE, KEELE. 14/00036/207C3**

Members were frustrated with recent activity on the site and were disappointed with the Planning Inspectorate in respect of resolving the issues. Members agreed unanimously to send a letter to the Inspectorate expressing their disappointment.

Resolved: (i) That the information be received.
(ii) That a further update be provided to Planning Committee in two months.
(iii) The site to be visited before the next meeting at which the matter is rep
(iv) That a letter be sent to the Planning Inspectorate on behalf of the Planning Committee expressing concerns about the delay and asking that the matter be expedited.

14. **LAND AT DODDLEPOOL, BETLEY. 17/00186/207C2**

Resolved: (i) That the information be received
(ii) That a further update be brought back to the Planning Committee in 2 months time.

15. **APPLICATION FOR FINANCIAL ASSISTANCE (HISTORIC BUILDINGS GRANT) -TOWER, KIDSGROVE (REF: 19/20002/HBG).**

Councillor Burgess stated that she was a member of Kidsgrove Town Council but was not a member of the Finance Committee. Councillor Maxfield was also a Member of Kidsgrove Town Council and also on the Finance Committee. Councillor Maxfield therefore took no part in this application.

Resolved: That a grant of £1,090 be provided towards masonry repair and vegetation removal at the tower, subject to the appropriate standard conditions.

16. **TREE PRESERVATION ORDER -GREYHOUND GAP, GRINDLESTONE EDGE HOUSE, COBMOOR ROAD, KIDSGROVE. TPO 202**

Resolved: That Tree Preservation Order No 202 (2019), Trees at and around Grindlestone Edge House, Cobmoor Road, Kidsgrove be confirmed as made and that the owners of the site be informed accordingly.

17. **TREE PRESERVATION ORDER - LAND AT THE OLD VICARAGE, 1 CONGLETON ROAD, MOW COP. TPO 204**

Resolved: That Tree Preservation Order No 204 (2019), The Old Vicarage, 1 Congleton Road, Mow Cop be confirmed as made and that the owners of the site be informed accordingly.

18. **URGENT BUSINESS**

Tree Preservation Order – The Crescent, Pinewood Drive, Ashley Heath. TPO203

The item was considered as urgent as the deadline for expiry of this Temporary Tree Preservation Order is 1 September, 2019 and the next meeting of Planning Committee is not until 10 September, 2019.

Resolved: That Tree Preservation Order No 203(2019), Land at the Crescent, Pinewood drive, loggerheads, be confirmed as modified and that the owners of the site be informed accordingly.

19. **DISCLOSURE OF EXEMPT INFORMATION**

Resolved:- That the public be excluded from the meeting during consideration if the following matter because it is likely that there will be disclosure of exempt information as defined in paragraphs 1,2, and 3 in Part 1 of Schedule 12A of the Local Government Act, 1972.

20. **MATTER OF URGENCY DECISION WITH RESPECT TO CROFT FARM APPEAL**

Members discussed this application which had been refused by the Planning Committee on 26 February, 2019. The refusal was appealed against and the Planning Inspectorate allowed the appeal.

The application was discussed at length and legal advice was sought about the Council appealing against the Planning Inspectorate's decision. The advice given was that this not a viable option.

- Resolved:**
- A. That the decisions of your Officer taken on 5th July under the Matters of Urgency provisions, following consultation with the Chair, that:
 - (i) the Council should agree to enter into a Section 106 agreement that secures 25% affordable housing on the appeal site, should the appeal be allowed;
 - (ii) the Council enter into an agreement that secures, in the alternative, one affordable dwelling on site and a payment of £12,000 (for offsite affordable housing provision), should the appeal be allowed, and that its position in such negotiations be that the agreement include a financial reappraisal mechanism in the event of the development not being 'substantially commenced' within 18 months of the grant of the outline planning permission;
 - (iii) if the appellant refused to include such reappraisal mechanism the Council still be prepared to enter into the agreement; and
 - (iv) officers had authority in commenting upon any agreements that may be submitted by the appellant to the Planning Inspectorate to put the case to the Inspector for the inclusion of a financial reappraisal mechanism;

be noted.

B. That the appeal and costs decisions now received be noted, and

C. That your Officer's comments above on the appeal decision be noted

D. That a review of the handling of appeals be undertaken, led by the Portfolio Holder for Planning and Growth and the Chair of the Planning Committee and that it be reported back to a future meeting.

COUNCILLOR ANDREW FEAR
Chair

Meeting concluded at 9.07 pm