

PLANNING COMMITTEE

Tuesday, 30th March, 2021
Time of Commencement: 7.00 pm

Present: Councillor Andrew Fear (Chair)

Councillors:	Marion Reddish	Silvia Burgess	Sue Moffat
	John Williams	Dave Jones	Mark Holland
	Paul Northcott	Jennifer Cooper	Kenneth Owen
	Gillian Williams	Helena Maxfield	

Officers:	Elaine Moulton	Development Management Team Manager
	Nick Bromley	Senior Planning Officer
	Geoff Durham	Mayor's Secretary / Member Support Officer
	Shawn Fleet	Head of Planning and Development
	Daniel Dickinson	Head of Legal & Governance /Monitoring Officer
Richard Landon		

Note: In line with Government directions on staying at home during the current stage of the CV-19 pandemic, this meeting was conducted by video conferencing in accordance with the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

1. **APOLOGIES**

There were no apologies.

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 2 March, 2021 be agreed as a correct record.

4. **APPLICATION FOR MAJOR DEVELOPMENT - 2-4 MARSH PARADE, NEWCASTLE . MARSH BOX DEVELOPMENTS LTD. 20/00559/FUL**

Resolved: That the removal of Conditions 7 & 8 of 17/00722/FUL permitted but the following conditions are now necessary to reflect the information submitted:

- (i) Tree Protection Measures fully implemented and

- maintained;
- (ii) The recommendations of the Arboricultural Method Statement fully implemented and maintained;
- (iii) Soft and hard landscaping to be fully implemented prior to the occupation of the development;
- (iv) Suitable replacement tree planting if the Lime tree dies within 5 years.

and subject to the imposition of all other conditions attached to planning permission 17/00722/FUL that remain relevant at this time.

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. 20/00630/FUL**

Resolved: That the variation of Condition 2 of 17/00834/FUL be permitted, subject to the imposition of all other conditions attached to planning permission 17/00834/FUL that remain relevant at this time, amended as necessary.

6. **APPLICATION FOR MAJOR DEVELOPMENT - LAND OFF BACK LANE AND MUCKLESTONE ROAD, MARKET DRAYTON. SHROPSHIRE. MRS CAROL CARLYLE. 21/00003/FUL**

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

- (i) Time limit condition
- (ii) Approved plans
- (iii) No commercial use
- (iv) Submission of Construction Management Plan
- (v) Restriction on external lighting
- (vi) Adequate control of animal waste

7. **APPLICATION FOR MAJOR DEVELOPMENT - THORP PRECAST, APEDALE ROAD, CHESTERTON. HARVEY THORP. 21/00038/FUL**

Resolved: That the removal of Conditions 9 & 10 of 20/00354/FUL be permitted but the following condition to be included

The development hereby permitted shall be carried out and implemented in strict accordance with the mitigatory measures set out in the 'Report on the Assessment of Coal Mining Legacy and Risk to Surface Stability' (January 2021) by D J Erskine.

and subject to the imposition of all other conditions attached to planning permission 20/00354/FUL that remain relevant at this time.

8. **APPLICATION FOR MINOR DEVELOPMENT - 2 NEWCASTLE ROAD, MADELEY. MRS KIMBERLEY GABRIELCZYK . 20/00971/FUL**

Councillor Gary White spoke on this application.

Amended condition (v) proposed by Councillor Reddish and seconded by Councillor Burgess.

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

- (i) Time limits
- (ii) Approved plans
- (iii) Facing materials
- (iv) Provision of access, parking and turning prior to occupation.
- (v) Access shall be a maximum of 3m wide and surfaced in a bound material for a minimum of 5m from the site boundary in accordance with details that shall have been approved by the LPA beforehand.
- (vi) Garages to be retained for parking and cycles
- (vii) Gates to open away from the highway
- (viii) Construction hours
- (ix) Noise levels
- (x) Electric vehicle charging.

9. APPLICATION FOR MINOR DEVELOPMENT - 22 KING STREET, CROSS HEATH. MR K NIJJAR. 21/00067/FUL

Resolved: That a decision on the application be deferred until the 27th April meeting, to allow time for the comments of the Highways Authority to be received and such views to be taken into consideration by the Planning Committee in its decision.

10. APPLICATION FOR OTHER DEVELOPMENT - 4, ROE LANE, NEWCASTLE-UNDER-LYME. MR. & MRS. HALLIDAY. 21/00122/FUL

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

- (i) Time limit condition
- (ii) Approved Plans
- (iii) Materials

11. APPLICATION FOR OTHER DEVELOPMENT - 1 BERESFORD CRESCENT, NEWCASTLE UNDER LYME. DR SHAMYLLA SAMAD. 21/00054/FUL

Councillor Simon Tagg spoke on this application.

Amended recommendation proposed by Councillor Holland and seconded by Councillor Northcott.

Councillor Simon Tagg, speaking on behalf of residents stated that there were four areas of objection to this application: the design and scale of the proposed extension; highways and parking concerns; impact on trees and the extent to which the property was to be used as a House in Multiple Occupation. The extension detracted materially from the character of the original dwelling and the design of a group of dwellings forming the street scene which went against Policy H18 (design for

residential extensions). The Highways Authority had objected to the parking provision as there was only space provided for two vehicles.

Plans and photographs were shown to Members.

Councillor Holland supported the objections raised by Councillor Tagg. The extension did not sit behind the development line of Beresford Crescent. Reference was made to the Landscape Development Section's comments regarding the tree root protection areas being unaffected if only two parking spaces were provided. The Highways Authority stated that a development of that size required off-street parking for three vehicles. The existing garage could not count as a parking space as it was not 3m by 6m internally and the applicant had already stated that the garage space would be used for cycle storage.

The property in the past had been used as a HMO and there were concerns that the extension, including the additional bedroom space would again be used for that purpose. Larger HMO's came under a different use class. If this was to be used as a family home, Councillor Holland stated that he would like to see three parking spaces within the curtilage and, if it were to be used as a HMO he would expect to see three spaces minimum. Finally, with regard to the impact on the root protection area, the applicant had indicated that the roots from a mature highways tree intruded very slightly on the proposed development. Councillor Holland stated that the tree was already there and the proposed development would infringe on the root protection area by 1.7m.

Councillor Moffat had concerns as to the size of the proposed extension and close proximity to the pavement and agreed with previous comments of Members.

Councillor Northcott was concerned about it becoming a HMO which would be wrong in this area. He would second the proposal to refuse on the grounds that it was far too big and for the objections received from County Highways.

Councillor Reddish also shared concerns about the size and the massing and, should it become a HMO, huge concerns regarding parking. A possibility could be another application with the extension set back by as much as a metre.

Councillor John Williams stated that this had been a Bourneville Development and a garden village. The extension was too large for a family home and suspected that it would become a HMO.

Councillor Jones had concerns about the massing of the proposal and proximity to the boundary.

The Head of Planning, Shawn Fleet made reference to the scale and mass of the extension. Side extensions on corner plots were tricky. Plots were prominent on the corner and sat slightly forward. These were 2-3 bedroom semi's and standard house type existing within the Borough and around the country. Shawn Fleet understood the concerns of Members and added that the proposal did technically fall below the HMO separate use class order. Referring to just the scale and massing, this would be difficult to sustain at appeal. If, when viewed from different viewpoints, for example Pilkington Avenue, there was greater exposure and this plot was different to the other three in the vicinity that would give weighting to the refusal. Regarding the parking, it was clear where the County Highways were coming from.

The Chair asked Shawn Fleet if, whether or not the property became a HMO, was or was not a material consideration. Shawn Fleet advised that, with six bedrooms or less it would not be a separate use class or a new planning use as a HMO so it still fell within the traditional residential categories.

Councillor Northcott stated that there was obvious concerns regarding the end use of the property. Highways were basing their facts on the cumulative impact on the character of the area from excessive cars and not having capacity for car parking spaces. If this application were permitted, it could allow other houses to adopt a similar pathway resulting in future car parking issues.

Councillor Holland challenged the definition of a HMO stating that a large HMO was defined as a property that was rented to five separate households or more, therefore if this property were to be rented out as a HMO and every bedroom was occupied, it would count as a HMO. However, the application could not be judged on who may or may not occupy the building in the future as that was not a relevant planning consideration. Councillor Holland moved refusal on the grounds of size and massing; impact on the root protection area of the mature highways tree and impact on the highway and parking.

The proposal was too large and would reach closer to the curtilage of the boundary of the property than the one on the opposite side of the road. It would break the development line and would impinge on the root protection area of the mature tree.

Councillor John Williams asked if the fact that the area was designed by the Bourneville Trust and was a 'garden village', had any merit.

The Council's Development Management Team Manager, Elaine Moulton stated that she could not confirm whether Beresford Crescent was part of the Bourneville trust Development but could confirm that this area had not been identified as having any special character within any policies of the Development Plan.

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

- (i) Unacceptable design and massing resulting in harm to the character and appearance of the area.
- (ii) Unacceptable level of off street car parking which will lead to on street car parking problems and highway safety implications,
- (iii) Harmful impact of the development on the root protection area of street trees

12. **APPLICATION FOR OTHER DEVELOPMENT - OAKLEY HALL, OAKLEY, MARKET DRAYTON. MR AND MRS GHANI. 21/00219/LBC**

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

- (i) Time limit.
- (ii) Approved plans.
- (iii) Prior approval of the bricks, including the provision of samples, to be used in this repair and reinstatement of the rear elevation including method statement for structural repair of the rear gable.
- (iv) Prior approval of full details for the proposed window and door

- (v) In all other respects the permitted repairs and alterations shall be carried out in accordance with the submitted details.

13. APPLICATION FOR OTHER DEVELOPMENT - BETLEY COURT, MAIN ROAD, BETLEY. DR NIGEL WILLIS BROWN AND OTHERS. 21/00109/FUL & 21/00110/LBC

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

- (i) Time limit.
- (ii) Works to be undertaken in accordance with the approved plans and details set out in the supporting documents.

14. COMMITTEE SITE VISIT DATES 2021-2022

Resolved: That the site visit dates, as set out in the agenda report, be agreed.

15. URGENT BUSINESS

There was no Urgent Business.

**CLLR ANDREW FEAR
Chair**

Meeting concluded at 9.30 pm