

## **PLANNING COMMITTEE**

Tuesday, 20th July, 2021  
Time of Commencement: 7.00 pm

**Present:** Councillor Andrew Fear (Chair)

<b>Councillors:</b>	Marion Reddish	John Williams	Mark Holland
	Dave Jones	Jennifer Cooper	Kenneth Owen
	Sue Moffat	Helena Maxfield	Sylvia Dymond
	Gillian Williams	Paul Northcott	

<b>Officers:</b>	Rachel Killeen	Senior Planning Officer
	Elaine Moulton	Development Management Team Manager
	Geoff Durham	Mayor's Secretary / Member Support Officer
	Shawn Fleet	Head of Planning and Development
	Daniel Dickinson	Head of Legal & Governance /Monitoring Officer

Also in attendance:

1. **APOLOGIES**

Apologies were received from Councillor Silvia Burgess.

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 22 June, 2021 be agreed as a correct record.

4. **APPLICATION FOR MAJOR DEVELOPMENT - TADGEDALE QUARRY, MUCKLESTONE ROAD, LOGGERHEADS. TADGEDALE QUARRY RESTORATION LIMITED. 21/00536/FUL**

**Resolved:** (A) That, subject to the applicant entering into a planning obligation by 20<sup>th</sup> August 2021 that preserves the Council's position in respect of obligations secured prior to the grant of permission 15/00015/OUT,

The variation of conditions 20 and 21 of 15/00015/OUT be permitted, so that they read as follows:

20. No part of the development hereby permitted (other than that required to undertake remedial works) shall, unless otherwise agreed in writing by the local planning authority, be

undertaken unless and until a detailed surface water drainage scheme for the site, including measures to protect groundwater from pollution from infiltration, has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to completion of the development.

21. No part of the development hereby permitted (other than that required to undertake remedial works) shall, unless otherwise agreed in writing by the local planning authority, be undertaken unless and until details of the proposed play facilities and the timing of the provision of the open space and the play facilities have been agreed in writing by the local planning authority. The development shall be undertaken in accordance with the approved details.

And subject to any other conditions attached to planning permission 15/00015/OUT that remain relevant at this time.

- (B) Failing completion by the date referred to in the above resolution (A) of the above planning obligation, that the Head of Planning be given delegated authority to either refuse the planning application on the grounds that without such an obligation the development would not achieve appropriate affordable housing, open space, education, and sustainable transport provision; or, if he considers it appropriate, to extend the period of time within which the obligation can be secured.

**5. APPLICATION FOR MINOR DEVELOPMENT - 50 CASTLE ROAD, MOW COP. MR LEE GITTINS. 20/01039/FUL**

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

- (i) Time limit
- (ii) Approved plans
- (iii) Materials
- (iv) Electric vehicle charging provision
- (v) Prior approval of parking and turning areas
- (vi) Surfacing of access driveway
- (vii) Restriction on gates
- (viii) Construction hours
- (ix) Prior approval of proposed ground levels
- (x) Tree protection measures
- (xi) Prior approval of semi-mature replacement tree planting
- (xii) Prior approval of soft landscaping scheme
- (xiii) Removal of permitted development rights for extensions and outbuildings (To protect the appearance of the building and the character and openness of the Green Belt given scale of replacement dwelling and to protect the setting of Mow Cop Castle)
- (xiv) The landscaping scheme secured by condition 12 to

- include tree planting between the development and Mow Cop Castle
- (xv) The materials to be agreed in accordance with condition 3 to be dark/recessive in colour.
  - (xvi) The use of non-reflective glass (to minimise glare and reduce impact on the setting of Mow Cop Castle and the wider area)

Note to applicant stating that Planning Committee indicated that consideration should be given to the re-use of the material from the existing dwelling within the development.

6. **APPLICATION FOR MINOR DEVELOPMENT - PEAK PURSUITS, NANTWICH ROAD, AUDLEY. PEAK ACTIVITY SERVICES - MR JOHN POTTER. 20/01045/FUL**

*Proposed by the Chair, Councillor Fear and seconded by Councillor John Williams.*

**Resolved:** That the application be deferred to allow consultation with the Highway Authority to take place.

7. **APPLICATION FOR OTHER DEVELOPMENT - OAKLEY HALL, OAKLEY, MARKET DRAYTON. MR AND MRS GHANI. 21/00503/LBC**

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

- (ii) Time limit.
- (ii) Approved plans.
- (iii) Approval is sought, prior to installation, for the details of fixings for new partition walls.
- (iv) Approval of details for the proposed interior panelled door design and architraves with appropriate mouldings
- (v) In all other respects the permitted repairs and alterations shall be carried out in accordance with the submitted details.

8. **APPLICATION FOR OTHER DEVELOPMENT - BATHPOOL PARK, LAND WEST OF PUBLIC CAR PARK, PEACOCK HAY ROAD. EE LIMITED. 21/00592/TDET**

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

9. **APPLICATION FOR OTHER DEVELOPMENT - KIDSGROVE SKI CENTRE, WESTMORLAND AVENUE, KIDSGROVE. EE LIMITED. 21/00596/TDET**

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

Note to applicant asking that consideration be given to a different, more sensitive design

10. **APPLICATION FOR OTHER DEVELOPMENT - LAND TO EAST OF CONEYGREAVE LANE, WHITMORE. HIGH SPEED TWO (HS2) LIMITED. 21/00634/SCH17**

Members were advised that this application had been withdrawn.

11. **ANNUAL DEVELOPMENT MANAGEMENT PERFORMANCE REPORT 2020/2021**

Consideration was given to a report on the annual Development Management Performance figures for 2020/21.

Councillor Northcott thanked the officers that had performed well throughout the various stages of lockdown and had kept the figures in a really healthy state to how they were a few years ago. The performance management procedures were working very well.

Councillor Reddish agreed that there was lots of good news and lots of targets had been achieved, but notably one that had not been achieved – enforcement/complaints issues. Councillor Reddish asked if that could be looked at urgently again. A sub-group had been set up, of which Councillor Reddish was a member, but wearing her Planning Committee hat, would want to urge the group to progress it to see what could be done to achieve that target.

The Chair stated that he shared Councillor Reddish's concerns stating that it was very serious and something that the public took note of. Councillor Fear was also a member of the sub-group.

Councillor Northcott, who was also a member of the sub-group stated that he had had a good conversation with the Head of Planning, Shawn Fleet in terms of how the enforcement issues would be addressed and looking at ways to bring the performance figures into a better state.

The Chair stated that Councillor Reddish was right to highlight this issue and also agreed with Councillor Northcott in thanking officers for their hard work during what had been a tough time

- Resolved:**
- (i) That the report be received.
  - (ii) That the Head of Planning and Development seeks to maintain and improve performance of the Development Management team (including the technical support team) to meet the targets.
  - (iii) That the 'Mid-Year Development Management Performance Report 2021/22 be submitted to Committee around November/December 2021 reporting on performance achieved for the first half the complete year 2021/22.

12. **5 BOGGS COTTAGE, KEELE. 14/00036/207C3**

Elaine Moulton stated that the report was incorrect in that a response had been received in respect of a letter sent by the Chief Executive to the Inspectorate. The response received was that delays served to undermine natural justice and continued uncertainty was liable to cause frustration and distress to the parties (neighbours who were concerned about the time that this process was taking). The Inspectorate

considered that the inspector was right in that, holding a virtual hearing would cause a greater loss of natural justice. The conclusion was that the Inspectorate would continue along the course that they were continuing along.

There had been some news relating to the Inspectorate's general approach to hearings following the relaxation of restrictions. Whilst the Council had not heard anything specifically in respect of this appeal, it would appear that from 13 September they would be reverting back to the pre-restriction approach to hearings. A date would be set and the authority would make the arrangements for hearings and enquiries to take place and in person events would be possible although there would need to be the ability for participants wishing to attend virtually, could do so. There was a possibility that a date could be set for this hearing because it could be held in person from 13 September onwards.

The Chair asked that, given there could be a hybrid meeting, could it be checked that that would fall within the issues of natural justice and such. Fore-warned was fore-armed and it would be good to ensure that the Council was secure on that in advance. Otherwise, the Chair could see that there could be further delay in this regard.

Elaine Moulton stated that the Inspectorate could be contacted to ask what the changing guidance meant in terms of the hearing to be held for this enforcement appeal. No information had been received from the appellant to suggest that they would not be prepared to attend in Person. It was the fact that they would not have proper representation if the hearing was held virtually that was of concern. If, however, the appellant were to object, saying that they felt it unsafe to attend in person there would be the same problem that had resulted in the previous deferrals. The Inspectorate would be contacted for clarification as to how the guidance would be applied in this case.

The Chair confirmed that the Committee would wish that a letter be sent, asking for clarification.

- Resolved:**
- (i) That the information be received.
  - (ii) That a letter to be sent to the Planning Inspectorate asking for clarification as to how the change in guidance on hearings, following the relaxation of restrictions, will affect this appeal.
  - (iii) That a further report be brought to this committee in two meetings time

### 13. **LIST OF LOCAL VALIDATION REQUIREMENTS**

Consideration was given to a report on the list of Local Validation Requirements. The Council's Development Management Team Manager, Elaine Moulton stated that the amendments that had been proposed, which had been consulted on were very minor in terms of changes to the list. The main changes related to the introduction of the Chapel and Hill Chorlton Neighbourhood Development Plan and the addition of Policies from that document to the list of Policy Drivers where applicable.

As part of the consultation process there was the opportunity for people to suggest a more radical change to the list which would be taken into consideration in the reports

which are brought back to Committee at a later date to recommend what changes should be made prior to adoption of the list.

**Resolved:** (i) That the revised list of Local Validation Requirements as set out in Appendix A to this Report for public consultation purposes be approved.

(ii) That a further report be brought to this Committee setting out recommendations on the outcome of the consultation before adoption of a revised list of Local Validation requirements.

**14. TREE PRESERVATION ORDER - LAND AT 50 CASTLE ROAD, MOW COP - TPO213**

**Resolved:** That Tree Preservation Order No 213 (2021), Land at 50 Castle Road, Mow Cop be confirmed as made and that the owners of the site be informed accordingly.

**15. URGENT BUSINESS**

There was no Urgent Business.

**Chair**

Meeting concluded at 8.25 pm