

PLANNING COMMITTEE

Tuesday, 9th November, 2021
Time of Commencement: 7.00 pm

Present: Councillor Andrew Fear (Chair)

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

Officers:	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 Councillors Dave Jones and Helena Maxfield.

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 12 October, 2021 be agreed as a correct record.

4. **APPLICATION FOR MAJOR DEVELOPMENT - LAND SOUTH OF HONEYWALL LANE, MADELEY HEATH. MR CHRIS ANDREWS. 21/00593/REM**

Councillor Gary White spoke on this application.

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

- (i) Link to outline planning permission and conditions;
- (ii) Approved plans;
- (iii) Facing and roofing materials;
- (iv) Prior approval of finished ground and floor levels.
- (v) Boundary treatments;
- (vi) 1.8 metre high acoustic barrier on the southern boundary;
- (vii) Provision of roads, footways, parking, servicing and turning areas;
- (viii) Parking areas surfaced in a porous bound material;

- (ix) Construction Management Plan;
- (x) Provision of soft and hard landscaping scheme/ strategy;
- (xi) Landscape and highways management and maintenance plan;
- (xii) Trees and hedgerows shown as retained shall be retained and protected throughout construction;
- (xiii) Prior approval of crime prevention and security measures;
- (xiv) Prior approval of overheating assessment/ or overheating mitigation for plots 1 & 2;
- (xv) Surface water drainage;
- (xvi) Sustainable drainage management and maintenance plan;
- (xvii) Waste and recycling storage and collection arrangements;
- (xviii) 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

5. APPLICATION FOR MINOR DEVELOPMENT - ALLEYWAY BETWEEN UNITS 81-83 HIGH STREET, NEWCASTLE-UNDER-LYME. NEWCASTLE-UNDER-LYME BOROUGH COUNCIL. 21/00924/DEEM3

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

- (i) Time limit condition
- (ii) Approved plans
- (iii) Time Restriction
- (iv) Materials

6. APPLICATION FOR OTHER DEVELOPMENT - LAND ADJACENT LONDON ROAD, NEWCASTLE. CK HUTCHISON NETWORKS (UK) LTD. 21/00898/TDET

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

7. APPLICATION FOR OTHER DEVELOPMENT - POSH WASH, LIVERPOOL ROAD, CROSS HEATH. POSH CAR WASH (TALIB ALI). 21/00729/FUL

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

- (i) Approved plans

The Committee also requested that investigations be carried out to establish whether the use was being operated in accordance with planning permission 09/00434/COU and whether there were other breaches of planning control and that a report be brought back to a future meeting of Committee, as agreed/specified by the Chair and Vice Chair, setting out the findings

8. QUARTERLY REPORT ON PROGRESS ON ENFORCEMENT CASES WHERE ENFORCEMENT ACTION HAS BEEN AUTHORISED

Consideration was given to a report on the progress on enforcement cases where enforcement action had been authorised.

The Council's Development Management Team Manager, Elaine Moulton updated Members with regard to 5 Boggs Cottages advising that a date had been set for proceedings for 23 February, 2022.

With regard to the barn at Moss House Farm, Bignall End, Elaine Moulton advised that the Enforcement Notice Appeal Hearing had commenced today and would conclude tomorrow.

Hazeley Paddocks was awaiting an appeal decision.

Church View Farm, Harriseahead had gone beyond the due notification date. The requirement to remove the silo within the month was in the past. It was believed that the silo had now gone but needed to be clarified. A site visit would take place this coming Thursday. If the Notice had not been complied with, compliance would be sought through the appropriate means. The Chair requested that, if the silo had not gone, an information item be put onto the next agenda to advise Members.

Land adj Offley Arms. This was still within the period where an appeal could be lodged – up until 19 November

In the last couple of days, a draft Notice had been received for Domvilles Farm, which would be checked and issued. Within the next two weeks a draft Notice should be received for Robert Coates Plant Hire.

- Resolved:**
- (i) That the information be received.
 - (ii) That, a report be brought to the meeting of 7th December if the enforcement notice had not been complied with and the silo remained on site.

9. REPORT ON OPEN ENFORCEMENT CASES

The Chair was disappointed with the graph contained within this report.

The Council's Head of Planning, Shawn Fleet advised that this report and chart indicated the number of enforcement cases currently on hand and incoming cases. However, the chart did not show the cases that had been looked at or dealt with.

How the enforcement matters were being dealt with had been looked at, including why had the current situation arisen and how the situation would be dealt with in the future. There had been an escalation of cases coming in during lockdown as well as 2019/20, 2020/21 and the first part of this year. In terms of performance, it was doing better this year.

The way in which enforcement cases were managed was being looked at. The Council had an Enforcement Officer whose primary role was to go out to do inspections and to deal with a number of the cases. More of the Planning Officers were now dealing with breaches of conditions on applications that they had previously dealt with or technical enforcement matters.

Some of the outstanding cases were being looked at as capacity allowed.

It was hoped that the gap of cases coming in against those being dealt with would be closed, working with the Chair, the Vice-Chair and the Portfolio Holder to review the work.

Councillor Sue Moffat asked if the Council's Website could make it clearer on what was permitted development.

- Resolved:**
- (i) That the report be received
 - (ii) That a further update be provided alongside the next quarterly monitoring report on cases where enforcement action had been authorised.

10. 5 BOGGS COTTAGE, KEELE. 14/00036/207C3

- Resolved:**
- (i) That the information be received.
 - (ii) That a further update report be brought to the Planning Committee on 4 January, 2022.

11. QUARTERLY REPORT ON EXTENSIONS TO TIME PERIODS WITHIN WHICH OBLIGATIONS UNDER SECTION 106 CAN BE ENTERED INTO

Elaine Moulton advised that Plot 3 Keele University Science and Innovation Park decision had been issued. The S106 was completed. It was anticipated that Tadgedale Quarry would be completed by the newly agreed date of 19 November.

- 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.

12. LAND AT DODDLESPPOOL, BETLEY. 17/00186/207C2

Elaine Moulton advised that, since the preparation of the agenda reports, the base of the track had been completed in its entirety. The application of the top surface remained to be done. The indication was that the material was already on site.

Councillor John Williams asked if drainage pipes had been put in place. Elaine Moulton advised that the application for the track included details of the drainage required to address any surface water issues. As a Planning Authority, officers would seek to ensure that the drainage on the approved plans was implemented.

The Chair asked Members if, in two meetings time, the question of drainage could be dealt with at that point in time.

- Resolved:**
- (i) That the information be received
 - (ii) That a further update be brought to Planning Committee on 4 January, 2022.

13. LAND SOUTH OF HONEYWALL LANE, MADELEY HEATH. MR CHRIS ANDREWS. 21/00972/DOB

Councillor Gary White spoke on this application.

Resolved: That the application to modify the S106 agreement, to change the red edge site boundary and to secure a financial contribution of £83,110 towards secondary school places at Madeley High School, Madeley, a contribution of £80,000 towards the maintenance and improvement of public open space at the playground facilities at Heath Row, Madeley Heath and a review mechanism of the scheme's ability to make a more or fully policy compliant contribution to education places, off site public open space and/ or affordable housing, 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, be approved.

14. URGENT BUSINESS

There was no Urgent Business.

CLLR ANDREW FEAR
Chair

Meeting concluded at 8.37 pm