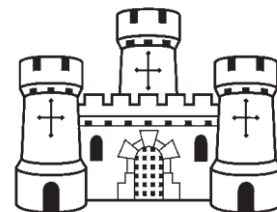


# Public Document Pack

**Date of meeting** Tuesday, 21st June, 2022  
**Time** 7.00 pm  
**Venue** Garden & Astley Rooms - Castle House, Barracks Road,  
Newcastle, Staffs. ST5 1BL  
**Contact** Geoff Durham 742222



**NEWCASTLE  
UNDER LYME**

**BOROUGH COUNCIL**

Castle House  
Barracks Road  
Newcastle-under-Lyme  
Staffordshire  
ST5 1BL

## Planning Committee

### AGENDA

#### PART 1 – OPEN AGENDA

- 1 APOLOGIES**
- 2 DECLARATIONS OF INTEREST**  
To receive Declarations of Interest from Members on items included on the agenda.
- 3 MINUTES OF PREVIOUS MEETING(S)** (Pages 3 - 8)  
To consider the minutes of the previous meeting(s).
- 4 APPLICATION FOR OTHER DEVELOPMENT - LAND TO EAST OF CONEYGREAVE LANE, WHITMORE. HIGH SPEED TWO (HS2) LIMITED. 22/00388/SCH17** (Pages 9 - 16)
- 5 APPLICATION FOR OTHER DEVELOPMENT - 57-59 STAFFORD CRESCENT, CLAYTON. EDGELEY BUILDERS - ANTHONY PODMORE. 22/00350/FUL** (Pages 17 - 26)  
This item includes a supplementary report.
- 6 5 BOGGS COTTAGE, KEELE. 14/00036/207C3** (Pages 27 - 28)
- 7 LAND AT DODDLEPOOL, BETLEY. 17/00186/207C2** (Pages 29 - 30)
- 8 URGENT BUSINESS**  
To consider any business which is urgent within the meaning of Section 100B(4) of the Local Government Act, 1972

**Members:** Councillors Paul Northcott (Chair), Nicholas Crisp (V.Chair), Andrew Fear, Mark Holland, Amy Bryan, David Hutchison, Simon Jones, John Williams, Gillian Williams, Sue Moffat, Dave Jones, Richard Gorton

**Members of the Council:** If you identify any personal training/development requirements from any of the items included in this agenda or through issues raised during the meeting, please bring them to the attention of the Democratic Services Officer at the close of the meeting.

**Meeting Quorums :-** Where the total membership of a committee is 12 Members or less, the quorum will be 3 members....Where the total membership is more than 12 Members, the quorum will be one quarter of the total membership.

#### **SUBSTITUTE MEMBER SCHEME** (Section B5 – Rule 2 of Constitution)

The Constitution provides for the appointment of Substitute members to attend Committees. The named Substitutes for this meeting are listed below:-

**Substitute Members:**

Stephen Sweeney	Gillian Heesom	Susan Beeston
Barry Panter	Craig Skelding	Joel Edgington-Plunkett
Simon Tagg	John Tagg	Sylvia Dymond
David Grocott	Andrew Fox-Hewitt	

*If you are unable to attend this meeting and wish to appoint a Substitute to attend in your place you need to:*

- Identify a Substitute member from the list above who is able to attend on your behalf
- Notify the Chairman of the Committee (at least 24 hours before the meeting is due to take place)

Officers will be in attendance prior to the meeting for informal discussions on agenda items.

**NOTE:** THERE ARE NO FIRE DRILLS PLANNED FOR THIS EVENING SO IF THE FIRE ALARM DOES SOUND, PLEASE LEAVE THE BUILDING IMMEDIATELY THROUGH THE FIRE EXIT DOORS.

ON EXITING THE BUILDING, PLEASE ASSEMBLE AT THE FRONT OF THE BUILDING BY THE STATUE OF QUEEN VICTORIA. DO NOT RE-ENTER THE BUILDING UNTIL ADVISED TO DO SO.

# Agenda Item 3

*Planning Committee - 26/05/22*

## PLANNING COMMITTEE

Thursday, 26th May, 2022  
Time of Commencement: 7.00 pm

[View the agenda here](#)

[Watch the meeting here](#)

**Present:** Councillor Paul Northcott (Chair)

Councillors:	Nicholas Crisp	Amy Bryan	Gillian Williams
	Andrew Fear	David Hutchison	Dave Jones
	Mark Holland	John Williams	Richard Gorton

**Apologies:** Councillor(s) Jones and Sue Moffat

**Substitutes:** Councillor David Grocott (In place of Councillor Sue Moffat)  
Councillor Stephen Sweeney (In place of Councillor Simon Jones)

Officers:	Rachel Killeen	Senior Planning Officer
	Elaine Moulton	Development Management Team Manager
	Nick Bromley	Senior Planning Officer
	Geoff Durham	Mayor's Secretary / Member Support Officer
	Jeff Upton	Interim Head of Planning

Also in Attendance:	Mark Evans	Staffordshire Highways
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### 1. **DECLARATIONS OF INTEREST**

The Chair declared an interest in application 21/1099/DOB – item 9 on the agenda as a Director on the Aspire Board. He would vacate the chair during consideration of this application.

### 2. **MINUTES OF PREVIOUS MEETING(S)**

**Resolved:** That the minutes of the meeting held on 26 April, 2022 be agreed as a correct record.

### 3. **APPLICATION FOR MAJOR DEVELOPMENT - LAND BETWEEN APEDALE ROAD AND PALATINE DRIVE, CHESTERTON. GLEESON DEVELOPMENTS LIMITED & LAND IMPROVEMENT HOLDINGS. 21/00655/FUL**

**Resolved:** (A). That, subject to the applicant first entering into a Section 106 obligation by the 15<sup>th</sup> July 2022 to secure undertakings to carry out earthworks to restore the land affected by former quarrying and to oblige the owner not to further implement a

permission for clay extraction; a residential travel plan monitoring fee of £7,000; a management agreement for the long term maintenance for the open space on-site; a financial contribution of £140,000 towards the improvement and maintenance of off-site public open space and/ or Apedale Country Park; a financial contribution of £249,317 towards off-site Biodiversity enhancements; and a review mechanism of the scheme's ability to make a more or fully policy compliant obligations, including the provision of affordable housing, if the development is not substantially commenced within 24 months from the date of the decision, and the provision of such affordable housing if then found financially viable,

The application be permitted subject to the undermentioned conditions:

- (i) Standard time limit for commencement of development;
- (ii) Approved plans;
- (iii) Facing and roofing materials;
- (iv) Boundary treatments incorporating the recommendations of the County Ecologist;
- (v) Hardstandings;
- (vi) Provision of access, internal roads, private drives and parking areas;
- (vii) Surfacing materials and surface water drainage for the private drives and parking areas;
- (viii) The provision of a footway on the southern side of Apedale Road from the site access to the junction of Audley Road / Castle Street;
- (ix) Garages retained for vehicle parking;
- (x) Secure cycle storage;
- (xi) Electric vehicle charging provision;
- (xii) Residential Travel Plan Framework;
- (xiii) Highway & Environmental Construction Management Plan (CMP);
- (xiv) Tree protection measures;
- (xv) Prior approval and implementation of updated soft landscaping masterplan;
- (xvi) Prior approval of detailed plans for areas of open space and play equipment
- (xvii) Archaeological investigation and implementation;
- (xviii) Land contamination remediation;
- (xix) Ground gas investigations;
- (xx) Unexpected land contamination;
- (xxi) Prior approval of soil/ material importation;
- (xxii) Flood risk mitigation measures;
- (xxiii) Detailed surface water drainage scheme;
- (xxiv) Construction Environment and Ecology Management Plan;
- (xxv) 10 year Ecology and Landscape Mitigation and Management Plan (ELMMP);
- (xxvi) Provision of bat, bird boxes, swift bricks and sparrow terraces as per enhancements plan;
- (xxvii) Prior approval of external lighting;
- (xxviii) Waste storage and collection arrangements

- (xxix) Noise mitigation measures for plots 1-5 and plots 327-30;
- (xxx) Noise management and mitigation measures during construction.
- (B). Should the matters referred to in (B) above not be secured within the above period, then the Head of Planning be given delegated authority to refuse the application on the grounds that without such matters being secured the development would fail to secure sustainable development objectives, or, if he considers it appropriate, to extend the period of time within which the obligation can be secured.

[Watch the debate here](#)

4. **APPLICATION FOR MAJOR DEVELOPMENT - UNIT E, DALEWOOD ROAD, NEWCASTLE UNDER LYME. BESTWAY NORTHERN LIMITED. 22/00092/FUL & 22/00183/FUL**

**Resolved:**

**22/00183/FUL**

That the application be permitted subject to the undermentioned conditions:

- (i) Time limit condition,
- (ii) Approved Plans,
- (iii) Provision of access, car parking and cycle parking areas,
- (iv) Soft landscaping scheme, including tree replacement, and
- (v) Tree protection measures.

**22/00092/FUL**

That the removal of condition 2 of planning permission 00/00566/FUL be permitted, subject to the following condition;

*“Access 6 shall not be used by HGV’s, other than for the purposes of constructions works, until the works granted under planning permission 22/00183/FUL have been fully implemented in accordance with the approved plans.*

*Reason: In the interest of highway safety, in accordance with the requirements of the National Planning Policy Framework 2021.”*

and subject to the imposition of all other conditions attached to planning permission 00/00566/FUL that remain relevant at this time, amended as necessary.

[Watch the debate here](#)

5. **UPDATE ON BREACH OF PLANNING OBLIGATION ENTERED INTO IN ASSOCIATION WITH 11/00284/FUL FOR THE ERECTION OF TWENTY THREE HOUSES AT THE FORMER SITE OF SILVERDALE STATION AND GOOD SHED, STATION ROAD, SILVERDALE**

Members were advised that there was no update as such other than it was being dealt with by the Council's legal team

**Resolved:** (i) That the information be received.  
(ii) That the item be brought back to committee in two meetings' time.

[Watch the debate here](#)

**6. APPEAL & COSTS DECISION - LAND AT HAZELEY PADDOCKS, KEELE ROAD, KEELE**

**Resolved:** That the appeal and costs decision be noted.

[Watch the debate here](#)

**7. SITE VISIT DATES FOR 2022/23**

**Resolved:** That the dates for Site Visits be received and noted.

[Watch the debate here](#)

**8. LAND OFF ECCLESHALL ROAD, LOGGERHEADS. ASPIRE HOUSING. 21/01099/DOB**

*Councillor Northcott vacated the Chair and left the room.*

*Councillor Nick Crisp in the Chair*

**Resolved:** That the application to modify the S106 agreement to allow staircasing to 100% of the market value and to remove the requirement for the shared ownership units to remain as affordable housing in perpetuity be approved.

[Watch the debate here](#)

*Councillor Northcott in the Chair*

**9. ANNUAL DEVELOPMENT MANAGEMENT PERFORMANCE REPORT 2021/2022**

Members were informed that this was a positive report and there were a couple of targets that had not been met. These were the performance on responding to pre-application requests and the percentage of enforcement complainants informed within the required timescale. However, performance had improved on the previous year.

The Chair agreed that this was a really positive report and thanked officers in the planning team for their hard work and their achievements. This was reiterated by Councillor Holland.

**Resolved:** (i) That the report be received.  
(ii) That the Head of Planning and Development Manager 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 2022/23 be submitted to Committee reporting on performance achieved for the first half the complete year 2022/23.

[Watch the debate here](#)

**10. URGENT BUSINESS**

There was no Urgent Business, however as this was Elaine Moulton's final meeting, she was thanked for her hard work over the years and wished her all the best for the future.

**Councillor Paul Northcott  
Chair**

Meeting concluded at 8.15 pm

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**LAND TO EAST OF CONEYGREAVE LANE, WHITMORE**  
**HIGH SPEED TWO (HS2) LIMITED**

**22/00388/SCH17**

This application seeks approval of the plans and specifications under Schedule 17 of the High Speed Rail (West Midlands – Crewe) Act 2021 for earthworks including excavation required to support associated works on site on land to the east of Coneygreave Lane.

The site lies within the open countryside, which is designated as being within the Green Belt and an Area of Landscape Restoration, as indicated on the Local Development Framework Proposals Map.

**The 8 week determination of this application is 25<sup>th</sup> June 2022.**

**RECOMMENDATIONS**

**That the Schedule 17 application be granted subject to conditions relating to the following:**

- 1. Carried out in accordance with the approved plans.**

**Reason for Recommendation**

The proposed works preserve the local environment and local amenity, do not result in any prejudicial effect on road safety or on the free flow of traffic in the local area and would not adversely affect a site of archaeological or historic interest or nature conservation value. As such there are no design and appearance reasons to refuse to approve the application or grounds to argue that the development ought to, and could reasonably be carried out on, other land.

**KEY ISSUES**

**Consideration of Schedule 17 Applications**

Section 17 of the Act grants deemed planning permission under Part 3 of the Town and Country Planning Act 1990 for HS2 Phase 2a and associated works (“the Works”) between West Midlands and Crewe, but some of the detailed design and construction are subject to further approval. Schedule 17 to the Act puts in place a process for the approval of certain matters relating to the design and construction of the railway which requires that the nominated undertaker (the organisation on whom the powers to carry out the works are conferred) must seek approval of these matters from the relevant planning authority. As deemed planning permission has been granted by the Act, requests for approval under Schedule 17 are not planning applications.

In passing the Act, Parliament has judged such impacts to be acceptable when set against the benefits to be achieved by the Phase 2a scheme.

The purpose of Schedule 17 is not therefore to eliminate all prejudicial impacts on, or to secure the complete preservation of, any sites within the various categories identified in the schedule (set out below). On the contrary, the operation of Schedule 17 is such that there will be cases where a submission must be approved notwithstanding an identified negative impact, unless there are modifications that are reasonably capable of being made.

Accordingly, it is not open to the planning authorities under Schedule 17 to refuse in principle works or development which is covered by the Environmental Statement and approved by Parliament. The impacts have been assessed and planning permission has been granted on that basis. Instead, Schedule 17 offers planning authorities an opportunity to seek modifications to the details submitted that they consider reduce the impacts of a submission if such modifications can be justified.

The Schedule sets out that the Council can only refuse to approve the application, or impose conditions, in the following circumstances:

- (a) The design or external appearance of the works ought to be modified
    - (i) To preserve the local environment or local amenity;
    - (ii) To prevent or reduce prejudicial effects on road safety or on the free flow of traffic in the local area; or
    - (iii) To preserve a site of archaeological or historic interest or nature conservation value; and is reasonably capable of being so modified; or
  - (b) Where the Council consider that the development ought to, and could reasonably, be carried out elsewhere on land within the Act limits.
- (a) Consideration of the Design and External Appearance of the Proposal

This Schedule 17 application seeks approval for excavation to support associated works on site. The application is linked to a previous application for the creation of two ecological mitigation ponds, two associated bunds and the installation of a permanent vehicular access gate at the site granted earlier this year (Ref. 22/00153/SCH17).

The proposed earthworks are required to facilitate the creation of the large pond located within the site. The works would be to the north of the pond. A bund is approved to the south.

*Impact on the local environment and local amenity*

It is considered that the proposals will not have an adverse impact on the local environment and local amenity.

*Road safety and the free flow of traffic in the local area*

No new permanent access or other highway elements are proposed. As such the works would not have any detrimental impact on road safety or the free flow of traffic in the local area.

Measures to control road safety and traffic impacts arising from the construction of the ponds are separately covered and do not fall to be considered with this application.

*Impact on archaeological or historic interest or nature conservation value*

The site is not within, or close to, a known site of archaeological or historic interest or nature conservation value. Notwithstanding this a Location Specific Written Scheme of Investigation has been drawn up in consultation with the County Archaeologist which details the methodology for archaeological surveys and investigations to be implemented prior to construction. Should any heritage assets of such significance be identified during construction that warrant preservation in situ there is a commitment to redesign the submission to avoid impacting the assets leading to a revised Schedule 17 approval request.

- (b) Ought the development, and could it reasonably, be carried out elsewhere on land within the Act limits.

As there are no design and appearance reasons to refuse to approve the application, there are no grounds to argue that the development ought to, and could reasonably be carried out on, other land.

Reducing Inequalities

The Equality Act 2010 says public authorities must comply with the public sector equality duty in addition to the duty not to discriminate. The public sector equality duty requires public authorities to consider or think about how their policies or decisions affect people who are protected under the Equality Act. If a public authority hasn't properly considered its public sector equality duty it can be challenged in the courts.

The duty aims to make sure public authorities think about things like discrimination and the needs of people who are disadvantaged or suffer inequality, when they make decisions.

People are protected under the Act if they have protected characteristics. The characteristics that are protected in relation to the public sector equality duty are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

When public authorities carry out their functions the Equality Act says they must have due regard or think about the need to:

- Eliminate unlawful discrimination
- Advance equality of opportunity between people who share a protected characteristic and those who don't
- Foster or encourage good relations between people who share a protected characteristic and those who don't

With regard to this proposal and the matters that can be addressed, it is considered that it will not have a differential impact on those with protected characteristics.

## **APPENDIX**

### **Policies and Proposals in the approved development plan relevant to this decision:-**

#### [Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy \(CSS\) 2006-2026](#)

Policy ASP6: Rural Area Spatial Policy  
Policy CSP1: Design Quality

#### [Newcastle-under-Lyme Local Plan \(NLP\) 2011](#)

Policy S3: Development in the Green Belt  
Policy N3: Development and Nature Conservation – Protection and Enhancement Measures  
Policy N12: Development and the Protection of Trees  
Policy N17: Landscape Character – General Considerations  
Policy N21: Area of Landscape Restoration

#### [Chapel and Hill Chorlton, Maer and Aston, and Whitmore Neighbourhood Development Plan \(CHCMAWNDP\) Made October 2021](#)

Policy NE1: Natural Environment  
Policy DC2: Sustainable Design

### **Other Material Considerations include:**

#### [National Planning Policy](#)

#### [National Planning Policy Framework \(2021\)](#)

#### [Planning Practice Guidance \(2014 as updated\)](#)

#### [High Speed Rail \(West Midlands – Crewe\) Act 2021](#)

#### [High Speed Rail \(West Midlands – Crewe\) Act 2021 Schedule 17 Statutory Guidance \(May 2021\)](#)

#### [Equality Act 2010](#)

#### [Supplementary Planning Guidance/Documents](#)

#### [Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document \(2010\)](#)

#### [Relevant Planning History](#)

22/00153/SCH17	Approval of earthworks required for the creation of two ecological mitigation ponds, two associated bunds and the installation of a permanent vehicular access gate (location only) under condition imposed by Schedule 17 to the High Speed Rail (West Midlands - Crewe) Act 2021 – Approved
21/00634/SCH17	Approval of plans and specifications under condition imposed by Schedule 17 to the High Speed Rail (West Midlands - Crewe) Act 2021 - Withdrawn

#### [Views of Consultees](#)

The **Environmental Health Division** has no objections.

No comments have been received from **Whitmore Parish Council**, the **Highway Authority**, the **County Ecologist** and the **Environment Agency** and given that the period for comment has ended, it must be assumed that they have no comments to make.

### Representations

None

### Applicant/agent's submission

The applicant has submitted, in addition to plans, the following:

- Submission Letter
- Proforma
- Written Statement

All of the application documents can be viewed on the Council's website using the following link:  
<http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/22/00388/SCH17>

### Background Papers

Planning File referred to  
Planning Documents referred to

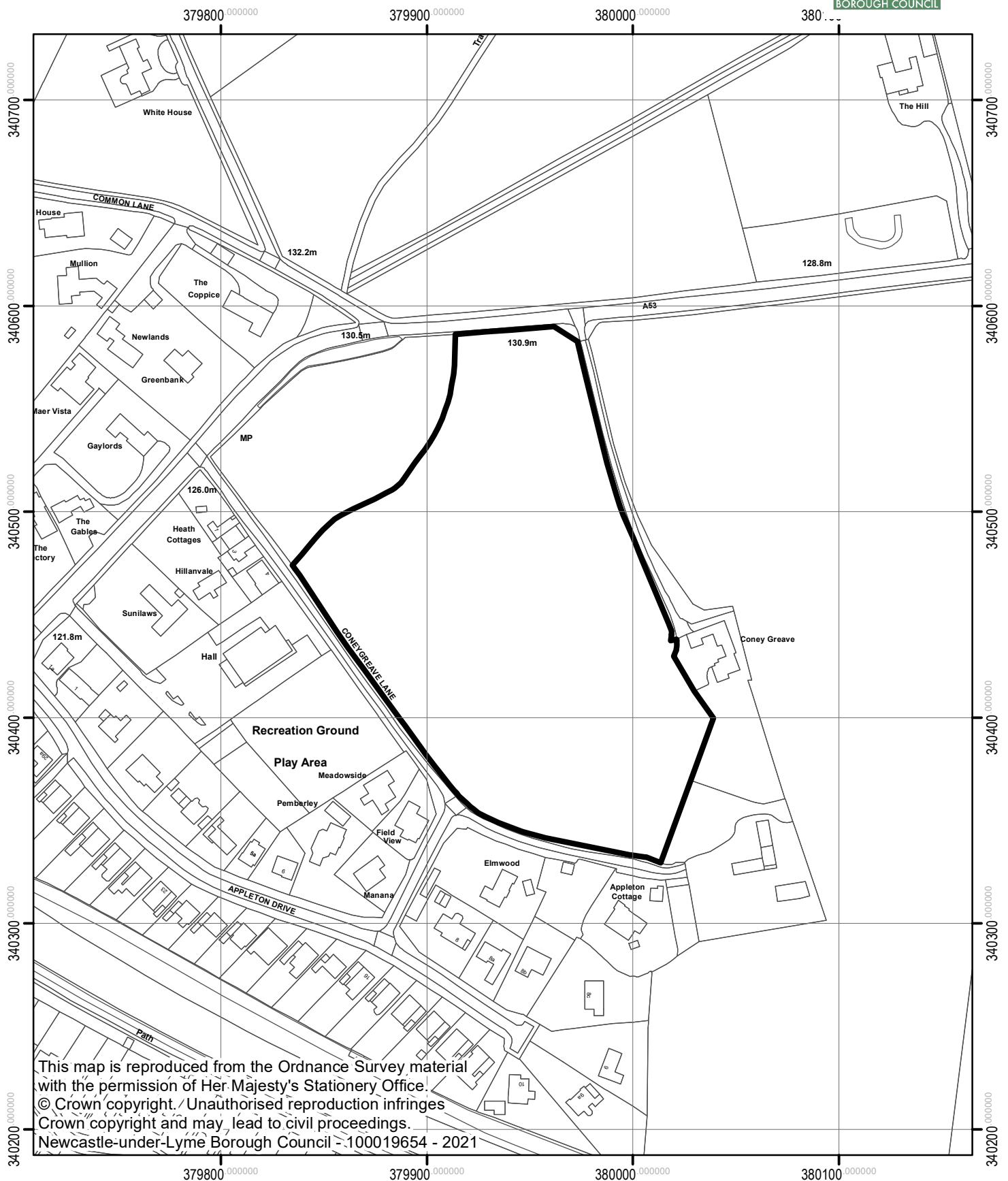
### Date report prepared

9<sup>th</sup> June 2022

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22/00388/SCH17

Land To East Of Coneygreave Lane  
Whitmore, Newcastle-under-Lyme



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**57-59 STAFFORD CRESCENT, CLAYTON**  
**EDGELEY BUILDERS – ANTHONY PODMORE**

**22/00350/FUL**

The application seeks full planning permission for the demolition of Nos. 57 and 59 Stafford Crescent and their replacement with 4 no. townhouses. The application site falls within the urban area of the Borough as indicated on the Local Development Framework Proposals Map.

The application is a resubmission of application 21/01095/FUL which was refused earlier this year.

The application has been brought to the committee at the request of two Councillors due to concerns regarding overdevelopment, design and parking.

**The 8 week determination period expires on the 15<sup>th</sup> June, however an extension of time has been agreed until the 24<sup>th</sup> June 2022.**

**RECOMMENDATION**

**PERMIT subject to conditions relating to the following matters:-**

- 1. Time limit condition**
- 2. Approved Plans**
- 3. Materials**
- 4. Boundary treatments**
- 5. Hard and soft landscaping**
- 6. Provision of parking and driveways prior to first occupation**
- 7. Submission of a Construction Management Plan**
- 8. Parking areas to be surfaced with porous bound material**
- 9. Provision of cycle storage**
- 10. Construction hours**
- 11. Dust mitigation measures**
- 12. Electric vehicle charging provision, and**
- 13. Waste storage and collection arrangements**

**Reason for Recommendation**

The location of the proposed townhouses represents a sustainable location for new residential development within the Borough and is therefore acceptable in principle. The amendments to the design and layout of the dwellings is considered to overcome the previous reason for refusal and subject to appropriate planning conditions, the development represents a sustainable form of development that would not harm the character of the area, the amenity of existing and future occupiers or cause highway safety implications. The proposals accord with development plan policies and the guidance and requirements of the NPPF.

**Statement as to how the Local Planning Authority has worked with the applicant in a positive and proactive manner in dealing with this application**

The development is considered to be a sustainable form of development in accordance with the National Planning Policy Framework and therefore no amendments have been sought.

**KEY ISSUES**

The application seeks full planning permission for the demolition of Nos. 57 and 59 Stafford Crescent and their replacement with 4 no. townhouses, two of which would be 2-bed and the other two, 1-bed only. The application site falls within the urban area of the Borough as indicated on the Local Development Framework Proposals Map.

The application is a resubmission of application 21/01095/FUL which was refused earlier this year on the following grounds:

*The proposed development by reason of the overdevelopment and intensification of the site would result in a poor quality design that would be harmful to character and setting of the area whilst also being detrimental to how the site functions for future occupiers, in particular with regards to providing parking that addresses the needs of people with disabilities and reduced mobility and providing suitable access to enable waste and recycling to be presented for collection. As such the development is contrary to Policy CSP1 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026, the guidance set out in the Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document 2010 and the requirements and policies of the National Planning Policy Framework 2021.*

The applicant has amended the scheme to seek to address the previous reason for refusal.

No objection was raised previously to the principle of residential development in this location or the impact on residential amenity and therefore, the main issues for consideration are:

- Design and impact on the character and form of the area
- Parking and impact on highway safety
- Reducing Inequalities

#### Design and impact on the character and form of the area

Paragraph 126 of the National Planning Policy Framework (the Framework) states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 130 of the framework lists 6 criterion, a) – f) with which planning policies and decisions should accord and details, amongst other things, that developments should be visually attractive and sympathetic to local character and history, including the surrounding built environment and landscape setting while not preventing or discouraging appropriate innovation or change.

Policy R3 of the Urban Design Supplementary Planning Document (SPD) states that new housing must relate well to its surroundings, it should not ignore the existing environment but should respond to and enhance it, exploiting site characteristics. Policy R5 goes on to state that “buildings must define the street space with a coherent building line that relates to existing building lines where they form a positive characteristic of the area [and] infill development should generally follow the existing building line”. R12 states that residential development should be designed to contribute towards improving the character and quality of the area.

Policy CSP1 of the Core Spatial Strategy seeks to ensure that new development is well designed to respect the character, identity and context of Newcastle’s unique townscape and landscape including its rural setting and the settlement pattern created by the hierarchy of centres. Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document provides further detailed guidance on design matters in tandem with CSP1.

The previous scheme was considered unacceptable partly on the grounds that it would comprise overdevelopment and intensification of the site resulting in a poor quality design that would be harmful to the character and setting of the area.

To address these concerns, the revised application indicates a reduction in the overall scale of the building, with a reduction in its footprint and amendments to the roof design. Two of the dwellings have also been altered from 2-bed to 1-bed.

The smaller footprint of the development and the revised design, which results in a reduced scale and massing, would comprise a less dominant form of development than the previous scheme. The revised townhouses would be similar in appearance to the rows of red brick properties found nearby, such as numbers 72 - 76 Stafford Crescent, and the general height and massing would be not dissimilar to other dwellings found within the street scene. The proposed properties would respect the established building

line of the street scene.

Stafford Crescent is characterised by a mix of semi-detached pre-fabricated dwellings of non-standard construction along with more traditional red brick terraced and semi-detached dwellings. The properties to be demolished are of limited architectural merit but do follow a uniform appearance to dwellings to either side and opposite the application site. Whilst it is recognised that demolition of the properties and their replacement with a more traditionally designed group of townhouses would still lead to some contrast of the site with the neighbouring dwellings, given the similarity of the revised proposals to the design of other dwellings in the vicinity, it is considered that the visual impact of the revised scheme would be acceptable.

Subject to conditions which secure acceptable facing materials and boundary treatments, it is considered that the design of the revised proposal is acceptable and that the proposal accords with development plan policies and the guidance and requirements of the NPPF.

#### Parking and impact on highway safety

Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts of development would be severe.

The proposal is for 4 townhouses, two of which would be 2-bed and two would be 1-bed. A total of 6 parking spaces are to be provided for the proposal.

The previous application was refused partly on the grounds that the scheme would be detrimental to how the site functions for future occupiers as the proposed parking layout would not have addressed the needs of people with disabilities and reduced mobility, whilst also failing to provide suitable access to enable waste and recycling bins to be presented for collection.

The altered parking arrangement has sought to address these concerns by providing bin storage areas to the side of the properties and by providing a footpath on either side of the row of car parking bays to improve access for both vehicle users and for residents presenting their bins for collection. The overall number of parking spaces has been reduced from 8 to 6 to help to soften the visual impact of the proposal. Whilst the number of parking spaces is less than for the previous application, two of the proposed town houses are to be 1-bed only, and the proposal therefore still complies with the Council's parking standards. The Highway Authority have no objections to the proposal subject to conditions.

The proposed driveway arrangements would not be dissimilar to that of other nearby properties and in the absence of any objections from the Highway Authority and subject to the recommended conditions, it is considered that the proposed development is acceptable in highway safety terms and in accordance with the guidance and requirements of the NPPF.

#### Reducing Inequalities

The Equality Act 2010 says public authorities must comply with the public sector equality duty in addition to the duty not to discriminate. The **public sector equality duty** requires **public authorities** to consider or think about how their policies or decisions affect people who are **protected** under the Equality Act. If a public authority hasn't properly considered its public sector equality duty it can be challenged in the courts.

The duty aims to make sure public authorities think about things like discrimination and the needs of people who are disadvantaged or suffer inequality, when they make decisions. People are protected under the Act if they have protected characteristics. The characteristics that are protected in relation to the public sector equality duty are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity

- Race
- Religion or belief
- Sex
- Sexual orientation

When public authorities carry out their functions the Equality Act says they must have due regard or think about the need to:

- Eliminate unlawful discrimination
- Advance equality of opportunity between people who share a protected characteristic and those who don't
- Foster or encourage good relations between people who share a protected characteristic and those who don't

With regard to this proposal it is considered that it will not have a differential impact on those with protected characteristics

## **APPENDIX**

### **Policies and proposals in the Development Plan relevant to this decision:**

#### Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006 - 2026 (Adopted 2009)

Policy SP1: Spatial Principles of Targeted Regeneration  
Policy SP3: Spatial Principles of Movement and Access  
Policy ASP5: Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy  
Policy CSP1: Design Quality  
Policy CSP3: Sustainability and Climate Change

#### Newcastle under Lyme Local Plan 2011

Policy H1: Residential Development: Sustainable Location and Protection of the Countryside  
Policy T16: Development – General Parking Requirements

### **Other Material Considerations**

#### National Planning Policy

#### National Planning Policy Framework (2021)

#### Planning Practice Guidance (2018)

#### Supplementary Planning Guidance/Documents

#### Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document (2010)

#### Relevant Planning History

21/01094/FUL - Erection of Two Bungalows – refused

21/01095/FUL - Demolition of No 57/59 Stafford Crescent and Building 4 No. 2 Bed Townhouses - refused

#### Consultation Responses

The **Environmental Health Division** raise no objections subject to conditions relating to construction hours and dust mitigation.

The **Highway Authority** raises no objections to the proposal subject to conditions regarding revised accesses, submission of a Construction Management Plan, use of appropriate materials for the parking areas and the provision of cycle storage.

#### Representations

One objection has been received from the occupiers of a nearby property raising the following concerns:

- Impact on residential amenity
- The proposal is overdevelopment of the site
- Visual impact
- Impact on residential amenity
- Lack of parking provision
- Concerns regarding bin storage arrangements

#### Applicants/agents submission

The requisite plans and application form including a supporting statement have been submitted.

All of the application documents can be viewed on the Council's website using the following link:

<http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/22/00350/FUL>

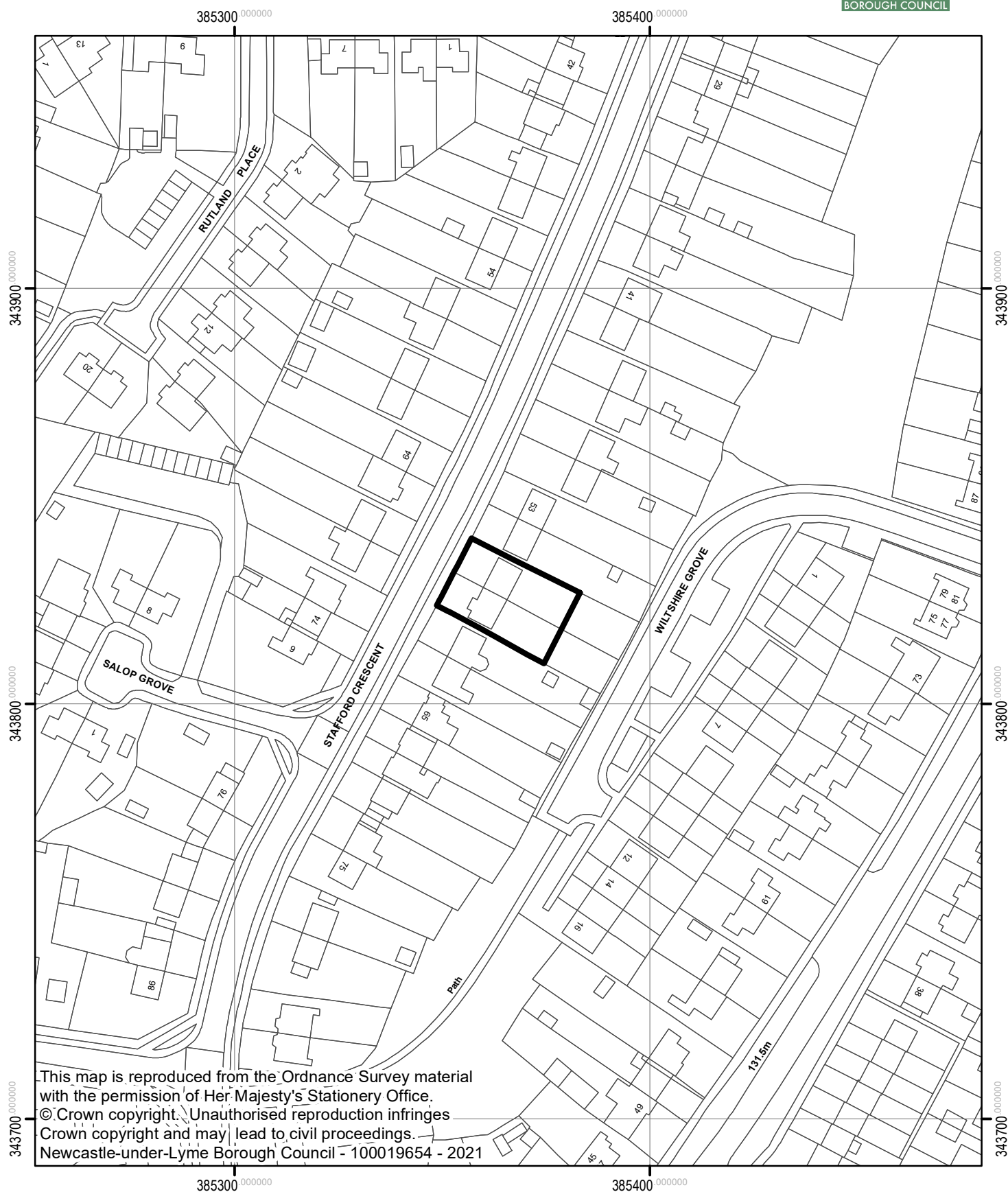
Background Papers

Planning files referred to  
Planning Documents referred to

Date report prepared

9<sup>th</sup> June 2022

22/00350/FUL  
57 Stafford Crescent, Clayton,  
Newcastle-under-Lyme, ST5 3DZ



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**FIRST SUPPLEMENTARY REPORT**  
**TO THE PLANNING COMMITTEE**  
**21<sup>st</sup> June 2022**

**Agenda Item 5**

**Application Ref. 22/00350/FUL**

**57 Stafford Crescent, Clayton, Newcastle under Lyme**

Since the publication of the agenda an amended plan has been submitted to address an inconsistency on the submitted plans, to show the hipped roof on front elevation and side elevations.

**The RECOMMENDATION remains as set out in the main agenda.**

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## **5 BOGGS COTTAGE, KEELE, reference 14/00036/207C3**

The purpose of this report is to provide Members with an update, in accordance with the resolution of Planning Committee at its meeting of 3<sup>rd</sup> January 2019 (since repeated), of the progress in relation to the taking of enforcement action against a breach of planning control at this location.

### **RECOMMENDATION**

**That the information be received.**

No further correspondence has been received from the Planning Inspectorate since the last report. It remains that the appeal hearing date has been fixed and is scheduled to take place on 12<sup>th</sup> July 2022.

Date report prepared: 7<sup>th</sup> June 2022

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## **LAND AT DODDLESPOOL, BETLEY reference 17/00186/207C2**

The purpose of this report is to provide Members with an update on the progress of the works being undertaken at this site following the planning application for the retention and completion of a partially constructed agricultural track, approved under planning permission 21/00286/FUL.

### **RECOMMENDATION**

**That the information be received.**

### Latest Information

An update report was prepared for the 26<sup>th</sup> April planning committee which set out that works to the track, approved under planning permission 21/00286/FUL, were largely complete and there was enough appropriate material on the land to complete the track works.

It was also reported that the landowner is preparing the land for reseedling so that he can complete the approved landscaping works.

No recent complaints have been received and this site continues to be monitored and investigated accordingly.

Date Report Prepared – 7<sup>th</sup> June 2022

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