

PLANNING COMMITTEE

Tuesday, 10th November, 2020
Time of Commencement: 7.00 pm

Present: Councillor Andrew Fear (Chair)

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

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

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

Apologies were received from Councillor Helena Maxfield.

2. DECLARATIONS OF INTEREST

Councillors' Paul Northcott and Barry Panter declared a non-pecuniary interest in item 4 – application 10/00961/OUT, as members of Chapel and Hill Chorlton Parish Council.

3. MINUTES OF PREVIOUS MEETING(S)

Resolved: That the minutes of the meeting held on 13 October, 2020 be agreed as a correct record.

4. APPLICATION FOR MAJOR DEVELOPMENT - LAND TO THE NORTH OF THE A51, SOUTH OF CHORLTON MILL LANE AND WEST OF THE RAILWAY, STABLEFORD, HILL CHORLTON. SKYE PROPERTY GROUP LIMITED (MR ADRIAN SYKES). 19/00961/OUT

Councillor Graham Hutton spoke on this application.

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

- (i) The proposal represents an unsustainable development due to the reliance on the use of private motor vehicles, by reason of the site's location, and as the proposed development fails to provide a safe all weather all season pedestrian route to local facilities, services and public transport facilities would increase the likelihood of pedestrian/vehicle conflict resulting in highway danger.
- (ii) The development would result in the loss of best and most versatile agricultural land and as such would represent unsustainable development contrary to the Neighbourhood Plan and the NPPF
- (iii) The development would have an urbanising effect on the open countryside and would have a significant adverse impact on the character and appearance of the area.
- (iv) In the absence of a secured planning obligation the development fails to make an appropriate contribution towards the provision of affordable housing which is required to provide a balanced and well-functioning housing market.
- (v) In the absence of a secured planning obligation and having regard to the likely additional pupils arising from a development of this scale and the capacity of existing educational provision in the area, the development fails to make an appropriate contribution towards education provision.

5. APPLICATION FOR MAJOR DEVELOPMENT - LAND OFF WATERMILLS ROAD, CHESTERTON. CARDEN DEVELOPMENTS LTD. 20/00463/FUL

Resolved: (A) That, subject to the applicant first entering into a Section 106 agreement by 18th December to require:

- i. In perpetuity, the provision of 25% of the dwellings as affordable units
- ii. A financial contribution of £373,793.00 towards the enhancement of public open space nearby

the application be permitted subject to the undermentioned conditions:-

- (i) Time limit for commencement of development
- (ii) Approved plans
- (iii) Construction environmental management plan
- (iv) Prior approval of noise mitigation measures
- (v) Permanent closure of windows facing Ibstock Brickworks
- (vi) Details of facing and roofing materials
- (vii) Boundary treatments
- (viii) Drainage plans for the disposal of foul and surface water flows
- (ix) Retention of trees as shown in Arboricultural Report
- (x) Prior approval of a tree protection plan
- (xi) Landscaping proposals

- (xii) Submission and approval of a sustainable drainage strategy
- (xiii) Electric vehicle charging
- (xiv) Land contamination
- (xv) Remediation strategy regarding controlled waters
- (xvi) Revised details showing removal of traffic calming scheme and provision of bin collection areas
- (xvii) Provision of visibility splays
- (xviii) Provision of access, internal roads and private drives
- (xix) Parking spaces to be a minimum of 5m x 2.5m
- (xx) Details of surfacing materials for private drives and parking areas

- (B) Should the matters referred to in (i) and (ii) above not be secured within the above period, that 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 make an appropriate contribution towards the development, improvement and maintenance of public open space and an appropriate level of affordable housing; or, if he considers it appropriate, to extend the period of time within which such obligations can be secured.

6. APPLICATION FOR MAJOR DEVELOPMENT - KINGS SCHOOL, FIRST AVENUE, KIDSGROVE. THE WADE FEDERATION GOVERNING BODY. 20/00670/FUL

The Chair stated that it had been alleged that the recommendation involved a deviation from Council Policy in the way that the application was approached and asked officers if, in their opinion this was correct. Elaine Moulton advised that there had not been any deviation.

The Chair asked if previous breaches of planning agreements should be taken into account when considering this application and was advised that they should not.

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

- (i) Time limit condition
- (ii) Approved plans
- (iii) Joint community use agreement to be entered into within 6 months of the date of the decision or before the use of the development commences, whichever is sooner
- (iv) Confirmation that the Artificial Grass Pitch meets FIFA standards
- (v) Restriction on floodlighting hours to 8am-10pm from Monday to Friday and 9am-7pm on Saturdays and Sundays.
- (vi) Restriction on construction hours
- (vii) Floodlight management plan
- (viii) Noise management plan
- (ix) Construction environmental management plan

7. **APPLICATION FOR OTHER DEVELOPMENT - ST GEORGES CHAMBER, MERRIAL STREET, NEWCASTLE. NEWCASTLE BOROUGH COUNCIL. 20/00851/DEEM3**

Resolved: That, subject to no issues being raised by consultees or by interested parties that cannot be addressed through conditions, the application be permitted subject to the undermentioned conditions:

- (i) Time limit
- (ii) Approved plans
- (iii) Use to cease after March 2021

8. **5 BOGGS COTTAGE, KEELE. 14/00036/207C3**

Local residents had raised concerns that extra caravans had arrived on site. The Chair asked officers what the implications were.

The Council's Development Management Team Manager, Elaine Moulton advised that one caravan, in front of the garage was associated with 5 Boggs Cottages and this was not a breach of Planning Control. Another caravan there was a breach and as such, enforcement action could be taken but, by doing so delays could be caused with the hearing.

Councillor Dave Jones asked if this could be dealt with as part of the original appeal hearing or if it would need to be dealt with separately.

Elaine Moulton advised that it was not a 'clear-cut' breach but if it was to be dealt with it would be done separately. The siting of a caravan on a parking space was not a breach and the parking space was not in the curtilage of the dwelling. There was an argument that it could be a breach but it was not 'clear-cut'. The Council could serve an enforcement notice but the appellant could encourage the Planning Inspector to consider both which could then cause a delay.

- Resolved:**
- (i) That the information be received.
 - (ii) That an update report be brought to the 5 January, 2021 Planning Committee.

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

- Resolved:**
- (i) That the information be received.
 - (ii) That an update report be brought to the 5 January, 2021 Planning Committee.

10. **RESIDENTIAL DEVELOPMENT ON SITE OF THE FORMER SILVERDALE COLLIERY. 17/00258/207C2**

Members were advised that the developer would fund the replacement facility and carry out all of the necessary works. This work would be carried out in January, 2021.

Councillor Dave Jones thanked the officers for the work that they had done and also thanked Silverdale Parish Council who would have offered to put up the funding had it been necessary.

- Resolved: (i) That the information be received.
- (ii) That an update report be brought to the 2 February, 2021 Planning Committee.

11. UPDATE ON BREACHES OF PLANNING OBLIGATIONS

Staffordshire County Council had advised the Borough Planning Department that, in respect of Randles Ltd, they would not be pursuing the payment of the financial contribution towards the NTADS.

Members asked why the County Council were not pursuing the financial contribution. Councillor Marion Reddish asked if there was anything that could be done.

Elaine Moulton advised that no explanation had been received from the County Council in respect of this. Only they could enforce it.

Councillor Marion Reddish advised that she would like to know the reason for the County's decision. Elaine Moulton advised that a letter would be sent to the County asking them to provide the reason why.

Councillor Dave Jones asked what the timeframe was for confirmation of the final payment for the former Silverdale Station and Goods Shed.

Elaine Moulton advised that the Council was awaiting calculation of what the contributions were. Once this was known, the developer would be written to. The process could be a minimum of three months.

Resolved: That the information be received.

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

Members asked to be informed of the conclusions reached in respect of Land to the West of Newcastle Road, Blackbrook. Officers would write to Members once the actions to be taken were known.

Resolved: That the information be received.

13. REPORT ON OPEN ENFORCEMENT CASES

- 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 has been authorised.

14. APPEAL DECISION - 12 CHAPEL LANE, MOW COP. 19/00766/OUT

Resolved: That the appeal decision be noted.

15. REGISTER OF LOCALLY IMPORTANT BUILDINGS AND STRUCTURES IN NEWCASTLE-UNDER-LYME - 2020 REVIEW

Members were advised of four proposed additions to the Register:

- 1 Offley Arms, Madeley
- 2 Onneley Village Hall, Onneley
- 3 The Meadows Primary School, Madeley
- 4 Pattens, former Coop building 38-40 High Street, Wolstanton

Resolved: That the proposed additions to the Register, listed above, be agreed.

16. **URGENT BUSINESS**

JUMBO SKIPS LTD, PLOT D, HOWLE CLOSE
JUMBO SKIPS LTD. SCC REFERENCE N.20/03/2014 W (NULBC REF 20/00823/CPO)

Councillor John Williams queried whether the opening of this new site would mean that the Turner Crescent site would close as it was felt that there were too many sites of this nature. If not, could it be sent back to the County Council as a comment?

Elaine Moulton stated that the County Council could be asked that, in granting permission, would it be acceptable to close the site at Turner Crescent, Chesterton.

Resolved: That the County Council be informed that this Council raises no objections to the proposed development subject to appropriate conditions that the County Council deem necessary including those recommended by Newcastle Borough Council's Environmental Health Division. In addition it is requested that the County Council considers requiring the existing Jumbo Skip Hire site be closed to avoid any further increase in such uses in the Chesterton area.

CLLR ANDREW FEAR
Chair

Meeting concluded at 8.55 pm