

# Public Document Pack

**Date of meeting** Tuesday, 28th March, 2023  
**Time** 7.00 pm  
**Venue** Queen Elizabeth II & 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 - 6)  
To consider the minutes of the previous meeting(s).
- 4 APPLICATION FOR OTHER DEVELOPMENT - LAND ADJACENT PLAYING FIELDS, MANOR ROAD, MADELEY. HIGH SPEED TWO (HS2) LIMITED. 23/00114/SCH17** (Pages 7 - 14)
- 5 APPLICATION FOR OTHER DEVELOPMENT - LAND TO THE NORTH OF SNAPE HALL ROAD, BALDWINS GATE. HIGH SPEED TWO (HS2) LIMITED. 23/00116/SCH17** (Pages 15 - 22)
- 6 5 BOGGS COTTAGE, KEELE. 14/00036/207C3** (Pages 23 - 26)  
This item includes a supplementary report
- 7 URGENT BUSINESS**  
To consider any business which is urgent within the meaning of Section 100B(4) of the Local Government Act, 1972

**Members:** Councillors Northcott (Chair), Bryan, Crisp (Vice-Chair), Fear, Gorton, Holland, Hutchison, D Jones, S Jones, Moffat, G Williams and J Williams

**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:	Beeston	S Tagg
	Fox-Hewitt	Panter
	Dymond	Skelding
	Edginton-Plunkett	Sweeney
	Grocott	J Tagg
	Heesom	

*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 - 28/02/23*

## PLANNING COMMITTEE

Tuesday, 28th February, 2023  
Time of Commencement: 7.00 pm

[View the agenda here](#)

[Watch the meeting here](#)

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

<b>Councillors:</b>	Bryan	Hutchison	G Williams
	Crisp	D Jones	J Williams
	Gorton	S Jones	
	Holland	Moffat	

**Apologies:** Councillor(s) Fear

**Substitutes:** Councillor Stephen Sweeney (In place of Councillor Andrew Fear)

<b>Officers:</b>	Rachel Killeen	Development Management Manager
	Geoff Durham	Mayor's Secretary / Member Support Officer
	Daniel Dickinson	Head of Legal & Governance /Monitoring Officer
	Nick Fenwick	Interim Head of Planning

Also in attendance:

### 1. **DECLARATIONS OF INTEREST**

There were no declarations of interest stated.

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

**Resolved:** That the minutes of the meeting held on 31<sup>st</sup> January be agreed as a correct record.

### 3. **APPLICATION FOR MAJOR DEVELOPMENT - MADELEY MANOR NURSING HOME, HEIGHLEY CASTLE WAY, MADELEY, MR G EMERY, 21/01175/FUL**

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

- (i) Time limit
- (ii) Approved plans
- (iii) Prior approval of the position and appearance of cycle (to be secure and weatherproof) and bin stores
- (iv) Prior approval of details of the windows of the Mews
- (v) Details of screening around the conservatory/orangery

**Planning Committee - 28/02/23**

- (vi) Prior approval of surfacing materials for the internal roads, parking and turning areas
- (vii) Provision of access, internal roads, parking and turning areas prior to occupation and retention for the life of the development
- (viii) Landscaping to include replacement tree planting
- (ix) Tree protection measures
- (x) Contamination conditions
- (xi) Construction Environmental Management Plan
- (xii) Overheating
- (xiii) Glazing specification
- (xiv) Plant noise
- (xv) Lighting
- (xvi) Electric charging points.

[Watch the debate here](#)

4. **APPLICATION FOR OTHER DEVELOPMENT - AREA 13 WHITMORE APPLICATION 23B LAND IN THE VICINITY OF WHITMORE WOOD. HIGH SPEED TWO (HS2) LIMITED C/O ARUP. 23/00052/SCH17**

**Resolved:** That the Schedule 17 application be permitted, subject to  
The undermentioned conditions:

- (i) Carried out in accordance with the approved plans.

[Watch the debate here](#)

5. **LAND ADJACENT HOON AVENUE AND MILEHOUSE LANE, NEWCASTLE-UNDER-LYME, STAFFORDSHIRE COUNTY COUNCIL, 20/01078/OUT**

This application had been heard at the previous meeting of the Planning Committee and it was resolved to refuse the application. Officers were requested to bring appropriate wording for the reason for refusal back to this Committee.

**Resolved:** That the wording for the reason for refusal be as follows:

*The development would result in the loss of a locally unique area of natural open space that forms part of the 'green heritage' network of the Borough. It would harm the integrity and ecological and landscape value of the green heritage network and would detrimentally impact on accessibility to open space for existing and future residents. The proposal would thereby be contrary to:*

- i. Policy CSP4 (points 3 and 4) and Policy CSP5 (points 3 and 4) of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026*
- ii. Saved Policy N16 of the Newcastle-under-Lyme Local Plan 2011*
- iii. The aims and objectives of the National Planning Policy Framework 2021*

[Watch the debate here](#)

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

Members were advised that enforcement action was now being proceeded with to get the matter resolved.

- Resolved:**
- (i) That the information be received.
  - (ii) That a further report be brought to the April meeting of this Committee.

[Watch the debate here](#)

7. **URGENT BUSINESS**

There was no Urgent Business.

8. **DISCLOSURE OF EXEMPT INFORMATION**

There were no confidential items.

**Councillor Paul Northcott  
Chair**

Meeting concluded at 7.40 pm

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**LAND ADJACENT PLAYING FIELDS, MANOR ROAD, MADELEY  
HIGH SPEED TWO (HS2) LIMITED**

**23/00114/SCH17**

This application seeks approval of the plans and specifications under Schedule 17 of the High Speed Rail (West Midlands – Crewe) Act 2021 for the construction of a bat house, earthworks to create two bunds and associated fences and vehicle access gates.

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

**The 8 week determination period for this application ends on 11<sup>th</sup> April 2023.**

**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

The application sets out that bat buildings are required due to the loss of maternity roosts for bats in buildings demolished or disturbed due to the HS2 works. The proposed bat house is classed as a large version which is designed to accommodate the Brown Long Eared (BLE) bat species.

In addressing the design rationale for the bat houses the application sets out that;

“The proposed design of the building draws on existing archetypes of roof and openings from local farm vernaculars, whilst responding to the specific needs of bat species for which the building is intended to host.”

The building would have a height of 7m and a floor area of approximately 40 square metres. It would be constructed mainly from a combination of reclaimed Staffordshire knot bricks and Staffordshire red engineering bricks with a welsh slate roof. There would also be some elements of cladding and reclaimed oak across the building.

The proposed bunds will supplement the bat house and create ecological features in order to protect and enhance the existing landscape features

#### *Impact on the local environment and local amenity*

The site is an agricultural field located immediately adjacent to an existing sports playing field off Manor Road and is bound by high hedgerows.

Although the proposed bat house is of a substantial and permanent construction, it has an attractive and high quality appearance that would blend into the landscape. It is also sited so that it has minimal impact from any main vantage points.

Soft landscaping and earthworks will also enhance the immediate surrounds and overall the proposed works would not harm the character and quality of the landscape or the local environment and local amenity.

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

Access into the site will be provided off Red Lane, to the north of the site. Access will be required for occasional maintenance of the bat house.

Measures to control road safety and traffic impacts arising from the construction of the works are separately covered and do not fall to be considered with this application. As such the works would not have any detrimental impact on road safety or the free flow of traffic in the local area.

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

There are no designated heritage assets located within the site but in the playing field to the east of the site lies Offley Well Head, a Grade II listed building. There is also a listed milepost on Bar Hill (A525) located to the north of the site. However, these are a sufficient distance away from the proposed works.



The site is not within, or close to, a known site of archaeological 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 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

#### [Madeley Neighbourhood Development Plan 2018 – 2037](#)

Policy DES1: Design  
Policy NE1: Natural Environment

### **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](#)

None.

[Views of Consultees](#)

**Madeley Parish Council** advises that they have no comment to make.

The **Environment Agency** advises that they have no comments on this application.

No representations have been received from the **County Council Ecologist**, the **Highway Authority** or the **Environmental Health Division** within the statutory consultation period and therefore it is assumed that they have no observations to make on the application.

[Representations](#)

None received.

[Applicant/agent's submission](#)

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

- Submission Letter
- 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/23/00114/SCH17>

Background Papers

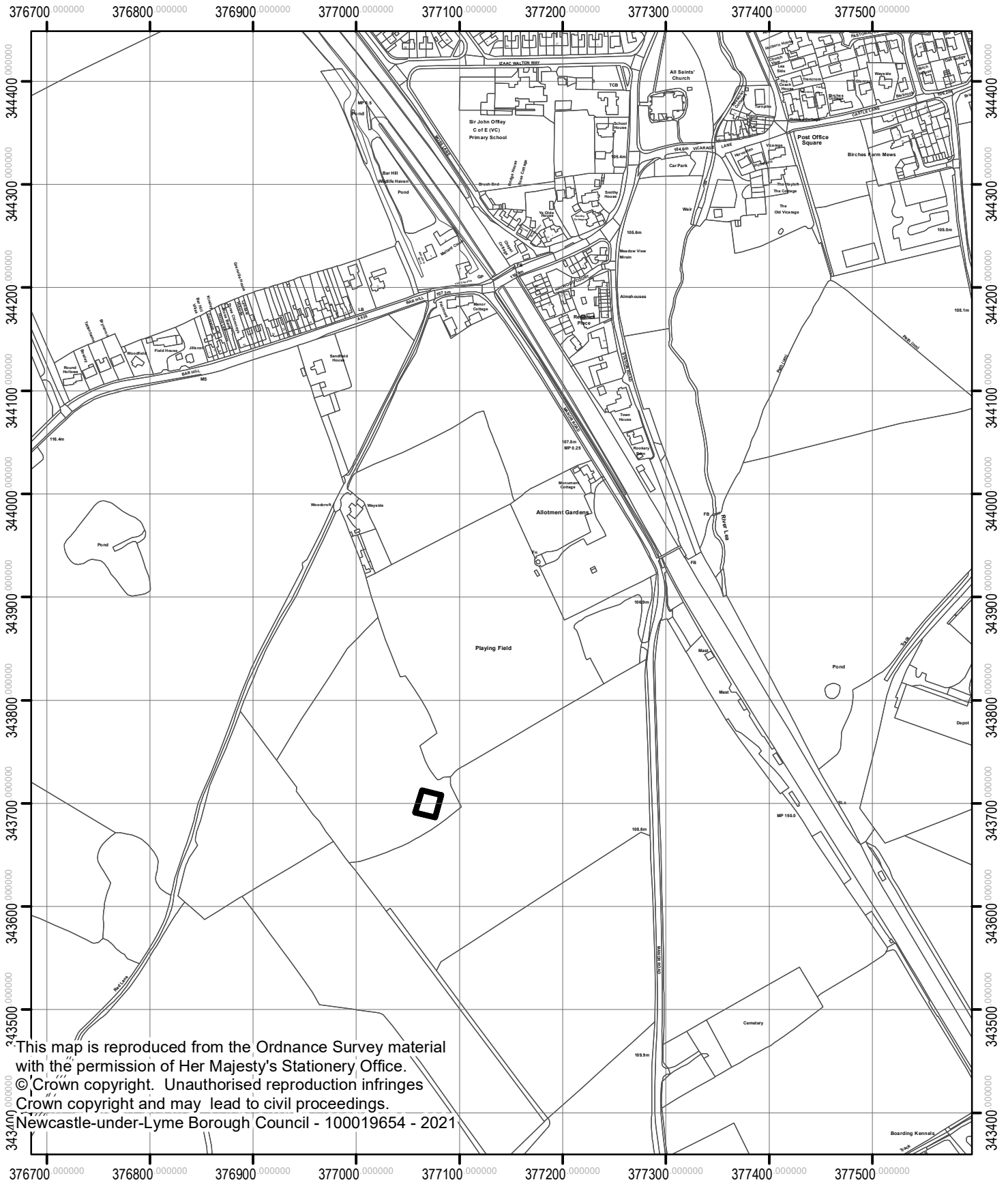
Planning File referred to  
Planning Documents referred to

Date report prepared

16<sup>th</sup> March 2023

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**23/00114/SCH17**  
**Land Adj Playing Fields Off**  
**Manor Road**  
**Madeley**



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**LAND TO THE NORTH OF SNAPE HALL ROAD, BALDWINS GATE**  
**HIGH SPEED TWO (HS2) LIMITED**

**23/00116/SCH17**

This application seeks approval of the plans and specifications under Schedule 17 of the High Speed Rail (West Midlands – Crewe) Act 2021 for the construction of a bat house on land to the north of Snape Hall Road, Baldwins Gate.

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

**The 8 week determination period for this application ends on 11<sup>th</sup> April 2023.**

**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

The application sets out that bat buildings are required due to the loss of maternity roosts for bats in buildings demolished or disturbed due to the HS2 works. The proposed bat house is classed as a large version which is designed to accommodate the Brown Long Eared (BLE) bat species.

In addressing the design rationale for the bat houses the application sets out that;

“The proposed design of the building draws on existing archetypes of roof and openings from local farm vernaculars, whilst responding to the specific needs of bat species for which the building is intended to host.”

The building would have a height of 7m and a floor area of approximately 40 square metres. It would be constructed mainly from a combination of reclaimed Staffordshire knot bricks and Staffordshire red engineering bricks with a welsh slate roof. There would also be some elements of cladding and reclaimed oak across the building.

*Impact on the local environment and local amenity*

Although the proposed bat house is of a substantial and permanent construction, it has an attractive and high quality appearance that would blend into the landscape. The positioning of the bat house means that it would only be visible from longer distance views, and together with the sympathetic form and appearance, there are not considered to be any implications on the local environment or local amenity.

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

The works are away from any main roads and measures to control road safety and traffic impacts arising from the construction of the works are separately covered and do not fall to be considered with this application. As such the works would not have any detrimental impact on road safety or the free flow of traffic in the local area.

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

The site is not within, or close to, a known site of archaeological or nature conservation value.

Approximately 360m to the south west of the proposed bat house siting lies Snape Hall Farm and 143.3m to the east of the site boundary lies Lake House, both of which are Grade II listed buildings.

It is not considered that the siting or design of the proposed bat house would have any impact on the setting or significance of these listed buildings.

With regards to nature conservation, the proposal has been designed to be of a greater ecological benefit to roosting bats in light of the loss of maternity bat roosts for bats in buildings to be demolished or disturbed due to the HS2 works within the local vicinity. The application documents stipulate that;

“The two existing roost buildings are approximately 300m from the proposed bat house location alongside Whitmore Wood. It is assumed that bats roosting in buildings in Whitmore Heath are already likely to commute to and forage in and around Whitmore Wood. The Proposed Scheme is in



tunnel between these locations and so will be permeable to bat species, which can continue to follow linear features in the landscape, including hedgerows and minor watercourses, and cross areas of pasture grassland to find and occupy the bat house. Enhanced connectivity will be created across the wider landscape through new hedgerows and additional woodland planting between Whitmore Wood and Hey Sprink to the north-west.”

It is therefore considered that the proposal would conserve the natural environment and would enhance the ecological value of the site.

On that basis there are not considered to be any negative impacts on, archaeology, historical interests or nature conservation value.

(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 N3: Development and Nature Conservation – Protection and Enhancement Measures  
Policy N12: Development and the Protection of Trees  
Policy N17: Landscape Character – General Considerations  
Policy N20: Area of Landscape Enhancement

#### [Chapel and Hill Chorlton, Maer and Aston and Whitmore Neighbourhood Development Plan 2019 - 2033](#)

Policy DC2: Sustainable Design  
Policy NE1: Natural Environment

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

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

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

#### [Planning Practice Guidance \(2018 as updated\)](#)

#### [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

None.

#### Views of Consultees

**Whitmore Parish Council** has no objections.

The **Environment Agency** does not wish to make any comments on the proposal.

No comments have been received from the **Environmental Health Division**, the **County Highway Authority** or the **County Council Ecologist** within the statutory consultation period and therefore it is assumed that they have no observations to make on the application.

#### Representations

None received.

#### Applicant/agent's submission

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

- Submission Letter
- Written Statement

All of the application documents can be viewed on the Council's website using the following link:  
<https://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/00116/SCH17>

Background Papers

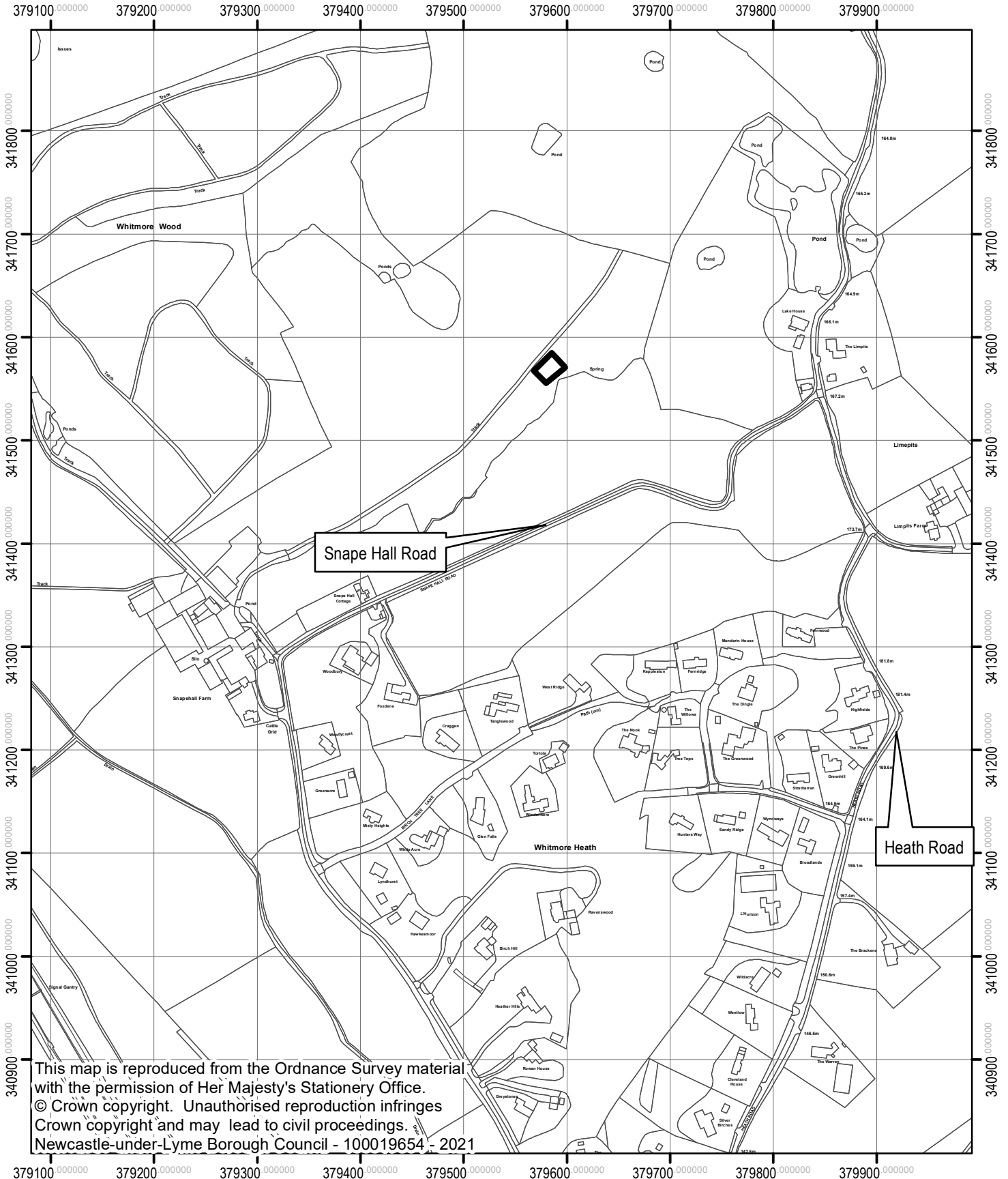
Planning File referred to  
Planning Documents referred to

Date report prepared

16<sup>th</sup> March 2023.

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**23/00116/SCH17**  
**Land Off**  
**Snape Hall Road**  
**Baldwins Gate**



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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.**

As was reported in the last update report on the 31<sup>st</sup> January, the Planning Inspectorate has allowed the appeal and the enforcement notice has been quashed. Therefore, planning permission has been granted for the use of a mobile home on the land as a dwelling, subject to a number of conditions that now need to be complied with.

Condition 2 required the removal of an existing double garage within two months of the date of the decision i.e. by the 20<sup>th</sup> February 2023. Your officers have carried out site visits including a visit shortly after the 20<sup>th</sup> February and they are content that the garage has been removed. Therefore, the condition has been complied with.

Conditions 3 & 4 of the appeal decision required information to be submitted to the Local Planning Authority for approval within three months of the date of the decision i.e. by the 20<sup>th</sup> March 2023. This information relates to drainage details, provisions for facilities for water and sewerage, provision of parking spaces and details of a scheme to restore the land to its condition before the development took place. To date this information has not been received but there has been dialogue with the appellant and your officers have given the appropriate guidance.

A copy of the appeal decision can be viewed via the following link; <https://www.newcastle-staffs.gov.uk/BoggsCottage>

A further update will be provided prior to the planning committee meeting.

Date report prepared – 16<sup>th</sup> March 2023

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**FIRST SUPPLEMENTARY REPORT**  
**TO THE PLANNING COMMITTEE**  
**28<sup>th</sup> March 2023**

**Agenda Item 6**

**Application Ref. 14/00036/207C3**

**5 Boggs Cottage, Keele**

Since the publication of the main agenda report, information required by conditions 3 and 4 of the appeal decision has been received. Neighbouring occupiers have been notified of receipt of the information and their comments have been invited.

Your officers will take into account any comments received from consultees and neighbouring occupiers and determine whether the information is acceptable.

**Recommendation**

That the information be received.

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