

PLANNING COMMITTEE

Tuesday, 7th January, 2014

Present:- Councillor Michael Clarke – in the Chair

Councillors Miss Baker, Cairns, Fear, Hambleton, Mrs Hambleton, Matthews, Miss Reddish, Stringer, Studd, Sweeney, Turner, Williams and Mrs Williams

17. APOLOGIES

Apologies for absence were received from Cllr Howells.

18. DECLARATIONS OF INTEREST

Cllrs Cairns, Cllr John Williams and Cllr Sandra Hambleton declared that they sat on the Aspire Board and would therefore refrain from participating in the discussion relating to item 8 on the agenda.

19. APPLICATION FOR MAJOR DEVELOPMENT - LAND AT END OF GATEWAY AVENUE, BALDWINS GATE; RICHBOROUGH ESTATES LTD; 13/00426/OUT

A request for a site visit on the was proposed and seconded. The reasons given were to view the site, the access arrangements including Gateway Avenue and its junction with the A53, and from where a construction traffic access might be taken, and to assist members in considering the impact of the development on the landscape

Resolved: That the decision be deferred to enable a site visit to be undertaken.

20. APPLICATION FOR MAJOR DEVELOPMENT - LINLEY TRADING ESTATE, LINLEY ROAD, TALKE; REALTY ESTATES LTD/DPP ONE LTD; 13/00625/OUT

Members voted on the recommendation with 8 in favour and 2 against.

Resolved:

1) That subject to the applicant entering into a Section 106 obligation by 3rd March 2014 to secure the following:

- i. A financial contribution of £313,926 towards the provision of education facilities
- ii. In perpetuity, provision of 2 affordable units
- iii. A management agreement for the long-term maintenance of the open space on the site
- iv. A contribution of £2,150 towards travel plan monitoring
- v. That the financial viability assessment be reviewed if the development has not been substantially commenced within 12 months of the grant of planning permission and appropriate adjustments be made to the numbers/sums referred to in (i) and (ii) above,

((i), and (ii) being on the basis that the development as built is for the full 139 units)

the application be permitted subject to conditions relating to the following matters

1. Standard time limits for submission of applications for approval of reserved matters and commencement of development
2. Reserved matters submissions to be in accordance with the Design and Access Statement submitted with this application
3. Completion of site access
4. Details of parking, turning and servicing
5. Means of surface water drainage
6. Surfacing materials
7. Details and implementation of off-site highway works
8. Construction traffic management Plan
9. Contaminated land
10. Construction management plan
11. Noise mitigation
12. Tree protection
13. Landscaping scheme
14. Protected species mitigation
15. Surface water drainage scheme
16. Boundary treatments
17. Provision of a pedestrian access through to the land to the north and the nearest right of way or public highway within that land

2) Should the matters referred to in (i), (ii), (iii), (iv) and (v) above not be secured by obligation by the 3rd March 2014, that the Head of Planning have delegated authority to refuse the application on the grounds that without such matters being secured the development would fail to secure appropriate provision for required education facilities, an appropriate level of affordable housing, the provision of adequately maintained public open space, and measures to ensure that the development achieves sustainable development outcomes, and that without such an undertaking, account would not be able to be taken of a change in market conditions and a development that could have made required contributions would not do so; or, if he considers it appropriate, to extend the period of time within which the obligation can be secured.

21. **APPLICATION FOR MAJOR DEVELOPMENT - PRIORY DAY CENTRE, LYMEWOOD GROVE, NEWCASTLE; EDWARDS AND YU DEVELOPERS LTD; 13/00866/FUL**

Resolved: That the application be refused on the following grounds:

1. That the development would be harmful to the appearance of the area because of its cramped layout.
2. That the development would appear unduly overbearing to neighbouring occupiers and would provide a low level of amenity for future occupants of units 1-7 due to overshadowing from the woodland adjacent to the site.
3. That the development was likely to have an unacceptable impact on the health of nearby visually significant trees and in the absence of a light

assessment demonstrating otherwise if approved would place pressure on the Authority for the removal of other trees of amenity and townscape significance.

4. That the development would provide insufficient space for standard sized refuse vehicles to safely turn into and out of the site at the junction of Lymewood Grove, and also safely manoeuvre within the turning head proposed and then exit in forward gear.
5. That without a secured financial contribution relating to public open space contribution the development would be contrary to policy on the provision of open space for residential development

22. **APPLICATION TO EXTEND TIME LIMIT - HOLDCROFT GARAGE, KNOTTON ROAD, WOLSTANTON; 08/00795/EXTN**

Resolved:

1. That subject to the applicant entering into a S106 obligation by 7th Feb 2014 securing:
 - a) A financial contribution of £35316 for open space enhancement/improvements and maintenance
 - b) A financial contribution of £8,000 for NTADS

the application be permitted subject to conditions relating to the following matters

- Time limit (2 years to implement planning permission as currently approved)
- Approved plans
- Landscaping to be carried out in accordance with details approved under approval 11/00629/REM.
- Prior approval of all external facing materials.
- Prior approval of all surfacing materials to include porous materials to all hard surfaced areas within the curtilage of the dwellings, or provision to direct run-off water from such hard surfaces to a permeable or porous area or surface within the curtilage of the dwellings.
- Prior approval of all boundary treatments, to include a low level fence around the area of incidental open space adjoining the access.
- Removal of permitted development rights.
- Provisions of security windows to all ground floor and accessible windows; and security doors to all external doors.
- Prior approval and implementation of signage at the entrance to identify it as a private road.
- Provision of fence adjacent to vehicular access.
- Contaminated land conditions.
- Prior approval of design measures to ensure appropriate internal noise levels.
- Prior approval of recyclable materials and refuse storage.
- Tree protection measures.
- Prior approval of provision for the future maintenance of all areas of landscaping that are not within the curtilage of any of the dwellings.
- An archaeological watching brief.

- Provision of a footpath of a minimum width of 2m in front of Block A and the first property in Block B.

2. That should the above planning obligation not be secured by 7th February 2014 that the Head of Planning and Development have delegated authority to refuse the application on the grounds that without such matters being secured the development would be contrary to policy on the provision of open space within residential development and achieving sustainable forms of development, or, if he considers it appropriate, to extend the period of time within which the obligation can be secured.

23. **APPLICATION FOR MINOR DEVELOPMENT - LAND OFF ROWNEY CLOSE, ROWNEY CLOSE, LOGGERHEADS; ASPIRE; 13/00816/FUL**

Resolved:

That the application be approved subject to conditions relating to:

- Standard time limit;
- Approved plans;
- Prior approval of external facing materials;
- Prior approval landscaping scheme;
- Tree protection measures;
- Highway matters; and
- Affordable housing provision.

24. **APPLICATION FOR OTHER DEVELOPMENT - WILLOWBRIDGE LODGE COTTAGE, WILLOWBRIDGE LANE, WILLOWBRIDGE; R MCDOWELL; 13/00871/FUL AND 13/00872/LBC**

Resolved:

Application 13/00871/FUL:

Permitted, subject to the following conditions relating to;

- Time limit condition
- Approved plans
- Submission and approval of facing materials & sections of windows and doors.
- Existing UPVC windows to be replaced with timber to match those approved for the extension prior to occupation of the proposed extensions hereby approved.

Application 13/00872/LBC:

Permitted, subject to the following conditions relating to;

- Time limit condition
- Approved plans
- Submission and approval of facing materials & sections of windows and doors.

- Existing UPVC windows to be replaced with timber to match those approved for the extension prior to occupation of the proposed extensions hereby approved.

25. **APPLICATION FOR OTHER DEVELOPMENT - YEW TREE COTTAGE, DEANS LANE, BALTERLEY; MR LANE; 13/00862/FUL**

Members were informed that the application had been withdrawn.

26. **APPLICATION FOR OTHER DEVELOPMENT - 31 KINNERSLEY AVENUE, KIDSGROVE; MR IAN CLIFF; 13/00914/FUL**

Resolved: That the decision be deferred for appropriate publicity to be given to the received additional drawings for the garage.

27. **APPLICATION FOR OTHER DEVELOPMENT - WILKINS PLECK, WHITMORE; MR C BISSELL; 13/00788/FUL**

Resolved: That the application be approved subject to the standard time limit condition, approved plans condition and condition limiting use of the building to garden storage and toilet purposes.

28. **DEVELOPMENT MANAGEMENT PERFORMANCE REPORT**

Resolved:

- a) That the report received.
- b) That the Head of the Planning and Development continue to operate mechanisms to maintain current high performance levels and improve the service provided for those procedures where our level of performance still needs to be addressed
- c) That the next 'Development Management Performance Report be submitted to the Committee around May 2014 reporting on performance for the complete year 2013/14.

29. **HALF YEARLY REPORT ON PLANNING OBLIGATIONS**

Resolved:

- a) That the report be noted
- b) That the Head of Planning and Development continue to report on a half yearly basis to the Planning Committee on planning obligations which have been secured over the preceding six months, works that have been funded during that period in whole or in part by planning obligations and compliance with their requirements

30. **APPEAL DECISION - 9 RIDGMONT ROAD**

Resolved: That the decision be noted.

31. **APPEAL DECISION - 53 HIGH STREET, KNUTTON**

Resolved: That the decision be noted.

32. **APPEAL DECISION - 109 CHAPEL LANE, KNIGHTON**

Resolved: That the decision be noted.

33. **LAND ADJACENT TO HEALTH END FARM, ALSAGER; FRANK EVASON AND MR ALLAN KEY; 348/209**

Resolved: That Cheshire East Council be advised that the Borough Council **OBJECTS** to the application on the grounds that major development in this location would undermine the delivery of the Newcastle-under-Lyme and Stoke-on-Trent Joint Core Strategy

COUNCILLOR MICHAEL CLARKE
Chair