

PLANNING COMMITTEE

Tuesday, 10th December, 2013

Present:- Councillor Michael Clarke – in the Chair

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

Also in attendance – Councillor Loades for application numbers 13/00788/FUL & 13/00551/FUL and Councillor M Taylor for application number 13/00712/FUL

1. **APOLOGIES**

There were none

2. **DECLARATIONS OF INTEREST**

Councillor Turner declared an interest in planning application 13/00712/FUL (Aldi UK Ltd) indicating that he would take no part in the discussion on that application and would not vote.

3. **MINUTES OF PREVIOUS MEETING(S)**

Resolved:- That the minutes of this Committee held on 19th November 2013 be approved as a correct record.

4. **PETER WHALAN-COMMITTEE CLERK**

The Chairman indicated that due to a change in his duties with the Council, Peter Whalan, who had been clerk to the Committee since 1991 would no longer be attending in that capacity.

Members joined with the Chairman in expressing thanks for his support to the Committee over the above period and wished him well for the future.

Resolved:- That the information be received.

5. **APPLICATION FOR MINOR DEVELOPMENT - LAND OFF WATERING CLOSE, NEWCASTLE ROAD, BALDWINS GATE; MR BRIAN VAUGHAN, 13/00551/OUT**

Resolved:- That permission be granted subject to the under-mentioned conditions:-

- Standard time limit for submission of applications for approval of reserved matters and commencement of development
- Reserved matters submissions
- Means of access including details of surfacing
- Layout of site including disposition of buildings and provision of adequate parking and turning within the cartilage
- Means of surface water drainage
- Contaminated land conditions
- Noise assessment
- Internal noise levels for dwellings
- Waste storage and collection arrangements

6. **CONSIDERATION OF A PROPOSAL TO CABINET TO PREPARE A FULL JOINT LOCAL PLAN**

The Committee's comments were invited on the contents of a report that was to be considered by Cabinet on 11 December 2013.

Resolved:- That Cabinet be advised that this Committee notes the contents of the report to be considered by Cabinet on the above date.

7. **CHESHIRE EAST LOCAL PLAN AND LAND AT AND ADJACENT TO WHITE MOSS QUARRY, ALSAGER, CHESHIRE (348/205)**

Consideration was given to a report that highlighted the publication of the Pre-submission version of the Cheshire East Local Plan Core Strategy for consultation purposes and invited the Committee to agree formal representations to be made on behalf of the Borough Council to Cheshire East Council.

The report also informed Members of an application for outline planning permission for residential development at White Moss Quarry, Alsager and invited Members to agree formal representations to be made on it to Cheshire East Council.

Resolved:- (a) That the Committee notes the publication of the Pre-submission Core Strategy and its contents.

(b) That the comments made in the officer's report be endorsed and form the basis of the Borough Council's formal response to the consultation on the Pre-submission Core Strategy within the required timescale.

(c) That Cheshire East Council be advised that the Borough Council objects to the application for outline planning permission for residential development at White Moss Quarry on the grounds that development of this scale in this location would undermine the delivery of the Newcastle-under-Lyme and Stoke-on-Trent Joint Spatial Strategy.

8. **APPLICATION FOR MAJOR DEVELOPMENT - THE HAWTHORNS; KEELE SEDDON LTD; 13/00425/CON**

Resolved:- That the application be refused because, in the absence of approved and acceptable plans for the redevelopment of the site, there would be harm to the character and appearance of the Conservation Area, and approval would be contrary to policy both within the Newcastle Local Plan and National Planning Policy Framework.

9. **APPLICATION FOR MAJOR DEVELOPMENT - LAND AT THE JUNCTION OF BLACKFRIARS ROAD AND LOWER STREET; ALDI UK LTD; 13/00712/FUL**

Resolved:- (a) That subject to the applicant entering into a Section 106 Obligation by agreement by no later than 31st January 2014 to secure the following:-

- A contribution of £46,552 towards the Newcastle(urban) Transport and Development Strategy (NTADS)(or other such amount which is considered to be reasonable)
- A Travel Plan monitoring fee of £2,150

- The use of automatic number plate recognition system to ensure to restrict parking to a 90 minutes shoppers car park or other car park management system that is agreed by the Local Planning Authority
- A contribution of £76,000 for improvements to the two subways referred to in the report
- The provision of a footpath within the site in the future should the opportunity arise

and the objections raised by the Environment Agency with regards to the Flood Risk Assessment being withdrawn by 20th December 2013 the application be permitted subject to the under-mentioned conditions:-

- Commencement within 3 years
- Prior approval of materials
- Approved plans
- Finished floor levels
- Hard and soft landscaping scheme to be carried out in accordance with the approved details unless otherwise agreed.
- Tree protection measures
- Prior approval of details of the accesses and implementation prior to occupation
- Prior approval of the details of the zebra crossing and alterations to the lay-by and implementation before development commences
- Provision of visibility splay on Lower Street prior to occupation
- Provision of parking, servicing, loading and turning areas prior to occupation
- Prior approval of surfacing materials for the access, parking and servicing areas; surface water drainage of such areas; and delineation of parking bays, servicing and loading bays and provision prior to occupation
- Prior approval and implementation of a Delivery Vehicle Management Plan
- Prior approval and implementation of a Construction Method Statement-highways(detailing site compound; routing of construction vehicles; parking of vehicles; loading and unloading of plant and materials; storage of plant; and wheel wash facilities)
- Provision of cycle storage
- Implementation of Travel Plan
- Litter disposal and collection arrangements
- Prior approval and implementation of measures to prevent shopping trolleys leaving the site
- Prior approval and implementation of a construction management plan-environmental health(to include control of noise and vibration; control of dust and measures to prevent mud deposition off site)
- Prior approval and implementation of measures to secure the car park outside store opening hours
- Prior approval and implementation of details of external noise generating plant
- Prior approval and implementation of external lighting
- Contaminated land conditions
- Prior approval and implementation of a written scheme of archaeological investigation
- Any additional conditions recommended by the Environmental Health Division
- Conditions recommended by the Environment Agency where considered required by the Head of Planning

(b) That failing completion of the above planning obligation by 31st January 2014, the Head of Planning be given delegated authority to refuse the application on the grounds that in the absence of the obligation the proposal fails to make an appropriate contribution to the Newcastle (urban) Transport and Development Strategy (NTADS) which seeks to improve local accessibility and promote the most sustainable modes of travel: secure improvements to the subway and thereby failing to adequately improve connectivity to the town centre; and fail to secure the opportunity to rediscover the potential of the Lyme Brook and improve connectivity in the future should the opportunity arise; or, if he considers it appropriate, to extend the period of time within which the obligation can be secured.

(c) That in the event that the Environment Agency's objections are not withdrawn by 19th December 2013 the application be brought back to Committee for re-consideration.

10. **APPLICATION FOR MAJOR DEVELOPMENT - LAND ADJACENT TO 31 BANBURY STREET, TALKE; BROWNS LTD; 13/00785/FUL**

It was reported that this application had been withdrawn.

Resolved:- That the information be received.

11. **APPLICATION FOR MINOR DEVELOPMENT - ST MARY AND ALL SAINTS CHURCH, THREE MILE LANE, WHITMORE; PCC OF ST MARY'S CHURCH; 13/00813/FUL**

It was reported that this application had been withdrawn.

Resolved:- That the information be received.

12. **CONSTITUTION OF THE COUNCIL. COUNCIL PROCEDURE RULES-DURATION OF MEETING**

The Committee, having sat continuously for a period of 3 hours, was advised that if it wished to continue then a resolution to that effect would have to be passed in accordance with the Council's Constitution. (paragraph 16 – Council Procedure Rules)

Resolved:- That in accordance with the wishes of a majority of the members present the meeting be not adjourned and continues to consider items on the agenda.

13. **APPLICATION FOR MINOR DEVELOPMENT - ILKLEY PLACE BALL PARK, PLAYGROUND, SILVERDALE; NULBC; 13/00858/DEEM3**

Resolved:- That permission be granted subject to the undermentioned conditions:-

- Standard time limit
- Approved plans
- Permitted floodlighting not to be in use beyond 10 pm on any day
- Development to be carried out in accordance with the submitted lighting report.
- Appropriate condition as recommended by Environmental Health.

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

Resolved:- That consideration of this application be deferred pending receipt of further information to be requested from the applicant.

15. **DEVELOPMENT MANAGEMENT HALF YEARLY PERFORMANCE REPORT**

Resolved:- That consideration of this matter be deferred to the next meeting.

16. **SECTION 106 HALF YEARLY REPORT**

Resolved:- That consideration of this matter be deferred to the next meeting.

COUNCILLOR MICHAEL CLARKE
Chair