

PLANNING COMMITTEE

Tuesday, 18th July, 2017
Time of Commencement: 6.30 pm

Present:-	Councillor Bert Proctor – in the Chair
Councillors	Burgess, Fear, Holland, Northcott, Panter, Reddish, Simpson, Spence, Sweeney, S Tagg, G Williams, J Williams, Winfield and Wright
Officers	Guy Benson, Geoff Durham, Jennet Hough, Rachel Killeen, Elaine Moulton and Darren Walters
Also in attendance	Simon Hawe - Senior Engineer Local Development Projects, Staffordshire County Council.

1. APOLOGIES

Apologies were received from Councillors Hambleton, Heesom and White.

2. DECLARATIONS OF INTEREST

Councillor Northcott declared an interest in application 16/01101/FUL as he was personally known to three of the landowners. However it was not a pecuniary interest.

Councillor John Williams stated that the Cross Heath Ward Members had attended a pre application meeting for application 17/00281/FUL. That meeting, however, made no decisions.

3. MINUTES OF PREVIOUS MEETINGS

Resolved: That the minutes of the meetings held on 20 and 22 June, 2017 be agreed as correct records.

4. APPLICATION FOR MAJOR DEVELOPMENT- ORCHARD HOUSE AND 35 CLAYTON ROAD, NEWCASTLE. BAC O'CONNOR. 17/00194/OUT

Resolved: (a) That, subject to the applicant entering into a Section 106 Planning Obligation by the 18th August 2017 securing 25% Affordable Housing onsite and a financial contribution of £2,943 (index linked) per dwelling on the site towards the maintenance and improvement of public open space at Lyme Valley Parkway,

The application be permitted subject to the undermentioned conditions:

- (i) Condition to reflect outline nature of part of the application;

- (ii) Time limit for submission of any approval of reserved matters and for commencement
 - (iii) Approved plans and documents;
 - (iv) No.35 Clayton Road to be converted in accordance with the submitted drawings and such works not to be undertaken except in association with the larger development subject of the outline planning permission;
 - (v) Reserved matters application to include a detailed surface water drainage scheme (SuDS);
 - (vi) Finished floor levels set no lower than 112.98m above Ordnance Datum (AOD);
 - (vii) Full details of improvements to the existing access;
 - (viii) Submission and approval of a Construction Vehicle Management Plan;
 - (ix) Submission and approval of a parking strategy, swept path drawings and surfacing materials/ drainage;
 - (x) Reserved matters application to include replacement Planting for the loss of tree T2 and any other trees lost;
 - (xi) Submission and approval of a detailed Tree Survey;
 - (xii) Submission and Approval of Arboricultural Method Statement to BS5837:2012;
 - (xiii) Tree Protection Plan;
 - (xiv) Design measures to control internal noise levels;
 - (xv) Submission and approval of a Construction Environmental Management Plan;
 - (xvi) Full Land Contamination measures;
 - (xvii) Recyclable materials and refuse storage details;
 - (xviii) Drainage Details – foul and surface water;
 - (xix) Adherence to Recommendations of the ecological report and supplementary reports for certain species; and
 - (xx) Reserved matters application to include mitigation measures for protected species
- (b) Should the obligations referred to above not be secured within the above period, Head of Planning given delegated authority to refuse the application on the grounds that without such an obligation the development would fail to secure an acceptable provision of adequately maintained public open space and an appropriate level of affordable housing or, if he considers it appropriate, to extend the time period within which the obligation referred to above can be secured.

5. APPLICATION FOR MAJOR DEVELOPMENT - LAND OFF MEADOW WAY, BALDWINS GATE. BELLWAY HOMES (WEST MIDLANDS). 16/01101/FUL

Proposed by Councillor Northcott and Seconded by Councillor Fear.

Resolved: That the application be deferred for a site visit on Thursday 10 August, 2017 at 5.15pm.

6. APPLICATION FOR MAJOR DEVELOPMENT - LAND AROUND WILMOT DRIVE ESTATE, LOWER MILEHOUSE LANE, NEWCASTLE. KIER LIVING LTD. 17/00281/FUL

- Resolved:** (a) That, subject to the applicant entering into a Section 106 obligation by 25th August 2017 to secure the following:
- (i) A financial contribution of £60,000 (index linked) for the provision/maintenance of a Multi-Use Games Area (MUGA) to be paid prior to commencement of development
 - (ii) A travel plan monitoring fee of £6,430 to be paid prior to commencement of development
 - (iii) Off-site highway works involving improvements to the signalised junction of Lower Milehouse Lane with 'Morrisons' store entrance (expected to be around £30,000)
 - (v) Management agreement for the long-term maintenance of the public open space on the site
 - (vi) A commuted off-site affordable housing contribution amounting to whatever remains of the £996,000 when i, ii, and iii, are deducted (index linked) to be paid in three equal payments which is to be ring-fenced for five years for Aspire Housing Ltd
 - (vii) The review of the financial assessment of the scheme, if there is no substantial commencement (which will be defined in the obligation) within a period, yet to be advised, of the grant of planning permission, and additional affordable housing contributions then being made, up to a policy compliant level, if the scheme is evaluated at that time to be able to support such a contribution.

The application be permitted subject to the undermentioned conditions:

- (i) Standard time limit
- (ii) Approved plans
- (iii) The reporting of unexpected contamination
- (iv) Controls over the importation of soil/material
- (v) Submission and implementation of a remediation scheme
- (vi) Construction and Environmental Management Plan (addressing environmental and highway safety)
- (vii) Controls over piling
- (viii) Internal and external noise levels
- (ix) Landscaping scheme to include additional trees, the number of each species of tree, reinforcement planting to fill any gaps adjoining the western and northern site boundaries and in front of the proposed retaining wall to mitigate the loss of trees and vegetation arising from the development and to soften the appearance of the wall.
- (x) Providing fencing and a gate to the access to the substation.
- (xi) Provision of suitable boundary treatments where gardens back onto the cycle/footpath
- (xii) Off-site improvements to the signalised junction of Lower Milehouse Lane and the Morrisons store.

- (xiii) Surfacing of driveways prior to occupation.
- (xiv) Travel Plan
- (xv) Prior approval of the rear boundary treatment to plots 163-164
- (xvi) Prior approval of a gate to the substation on Breedon Close
- (xvii) Prior approval of the precise facing materials
- (xviii) Surface water drainage details to be provided in accordance with approved details.

(b) Should the matters referred to in (i), (ii), (iii), (iv), (v) and (vi) above not be secured within the above period, Head of Planning given delegated authority to refuse the application on the grounds that without such matters being secured the development would fail to secure an appropriate level of affordable housing, the provision and management of public open space, and measures to ensure that the development achieves sustainable development outcomes, and without a review mechanism there would be no up to date justification for a development with no policy compliant affordable housing provision; or, if he considers it appropriate, to extend the period of time within which the obligation can be secured.

(c) Ward Cllrs to be consulted on receipt of any details pursuant to condition that requires submission and approval of play equipment details

7. APPLICATION FOR MAJOR DEVELOPMENT - FORMER SAVOY CINEMA/METROPOLIS NIGHTCLUB, HIGH STREET,NEWCASTLE. MODULTEC. 17/00174/FUL

- Resolved:**
- (i) That Officers now to write to the appellant to confirm that the obligations referred to in the recommendation that was provided to the Planning Committee on 25th April 2017 are required by the Local Planning Authority;
 - (ii) That in preparing the Council's Statement of Case, officers include reference to these above requirements; and
 - (iii) That should the appellant seek before the appeal is determined to enter into a Section 106 agreement with the Council containing such obligations, officers have the appropriate authority to enter into such an agreement.

8. APPLICATION FOR MINOR DEVELOPMENT - LAND OFF HIGHFIELDS COURT, CLAYTON. HULME UPRIGHT. 16/00943/FUL

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

- (i) It has not been demonstrated that the proposed development can be constructed without harm to or the loss of visually significant trees and that satisfactory living conditions can be provided for the occupants of the development without the

pruning or felling of trees which would be harmful to the undeveloped, unspoiled attractive wooded character of the site contrary to policy.

- (ii) The site has been identified as having high ecological value and it has not been demonstrated, through appropriate survey and assessment of the impact and the mitigation measures necessary to minimise such impact, that such value will not be unacceptably eroded.

9. APPLICATION FOR MINOR DEVELOPMENT - SITE ADJ ST MICHAEL'S PRESBYTERY LIVERPOOL ROAD, CROSS HEATH. NEWCASTLE BOROUGH COUNCIL. 17/00489/DEEM3

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

- (i) Approved plans
- (ii) Highway method statement to address installation and maintenance of the sign.

10. APPLICATION FOR MINOR DEVELOPMENT - LAND AT JUNCTION WITH A34 LINLEY ROAD, TALKE. NEWCASTLE BOROUGH COUNCIL. 17/00490/DEEM3

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

- (i) Approved plans
- (ii) Highway method statement to address installation and maintenance of the sign.

11. APPLICATION FOR MINOR DEVELOPMENT - MONKEY TREE COTTAGE, HEIGHLEY LANE, KNOWLE BANK, AUDLEY. MR ALAN BRAYFORD. 17/00335/FUL

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

- (i) Approved plans
- (ii) Prior approval of an lighting scheme (to prevent light pollution and maintain dark skies in this rural location).

12. APPLICATION FOR MINOR DEVELOPMENT - EARDLEY HALL KENNELS, CROSS LANE, AUDLEY. MR TIM JONES. 17/00425/FUL

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

- (i) Standard time limit
- (ii) Approved plans
- (iii) Materials as per approved plans and application form
- (iv) Demolition of existing reception and storage building within 3 months from the occupation of the new kennels
- (v) Landscaping scheme to include replacement tree planting

(vi) Noise mitigation measures

13. APPLICATION FOR MINOR DEVELOPMENT - 15 MORSTON DRIVE, CLAYTON. MR & MRS EVANS. 17/00472/FUL

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

- (i) Standard time limit for commencement of development.
- (ii) Approved plans
- (iii) Hours of use
- (iv) Refuse storage and collection arrangements.

14. APPLICATION FOR OTHER DEVELOPMENT - NEW WOODHOUSE FARM, APEDALE ROAD, WOOD LANE. MR & MRS G PROCTER. 17/00457/FUL

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

- (i) Standard time limit
- (ii) Approved plans
- (iii) Materials as per approved plans and application form
- (iv) Removal of permitted development rights for extensions, external alterations and outbuildings.

15. APPLICATION FOR OTHER DEVELOPMENT - OAK LODGE, MUCKLESTONE WOOD LANE, LOGGERHEADS. MR G SPENCER. 17/00396/FUL

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

- (i) Standard time limit
- (ii) Approved plans
- (iii) Materials as per approved plans and application form unless otherwise agreed by the Local Planning Authority.

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

Resolved: That the report be received.

17. REPORT ON OPEN ENFORCEMENT CASES

Resolved: That the report be received and a further update be provided alongside the next quarterly monitoring report on cases where enforcement action has been authorised.

18. APPEAL DECISION - SMITHY COTTAGES, BAR HILL, MADELEY

Resolved: That the decision be noted

19. APPEAL AND APPEAL COSTS DECISION - OFFLEY ARMS PUBLIC HOUSE, POOLSIDE, MADELEY

Resolved: That the decisions be noted.

20. **APPLICATION FOR FINANCIAL ASSISTANCE (HISTORIC BUILDINGS GRANT) - ST MARY AND ALL SAINTS CHURCH, WHITMORE**

Resolved: That a grant of £531, for repairs to stonework on the tower and gutter cleaning be approved subject to the appropriate standard conditions.

21. **URGENT BUSINESS**

There was no Urgent Business.

COUNCILLOR BERT PROCTOR
Chair

Meeting concluded at 8.50 pm