

PLANNING COMMITTEE

Tuesday, 10th October, 2017
Time of Commencement: 6.30 pm

Present:-	Councillor Bert Proctor – in the Chair
Councillors	Burgess, Fear, S Hambleton, Northcott, Panter, Reddish, Simpson, Spence, Sweeney, S Tagg, G White, G Williams, J Williams and Wright
Officers	Nick Bromley, Geoff Durham, Rachel Killeen, Elaine Moulton, Peter Stepien and Darren Walters
Apologies	Councillor(s) Heesom

1. APOLOGIES

Apologies were received from Councillor Heesom.

2. DECLARATIONS OF INTEREST

There were no declarations of interest stated.

3. MINUTES OF PREVIOUS MEETING

Resolved: That the minutes of the meeting held on 12 September, 2017 be agreed as a correct record.

4. APPLICATION FOR MAJOR DEVELOPMENT - LAND SOUTH OF WEST AVENUE, WEST OF CHURCH STREET AND CONGLETON ROAD AND NORTH OF LINLEY ROAD, WEST AVENUE. TAYLOR WIMPEY NORTH MIDLANDS. 17/00553/FUL

Councillor Robinson spoke on this application.

An additional condition (iv) was proposed by Councillor J Williams and seconded by Councillor Spence.

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

- (i) The variation of condition 2 to reflect the revised drawings.
- (ii) Submission of precise details of the footpath link including surfacing, width and any gating.
- (iii) Provision of footpath link within 1 month of the date of the Permission.

- (iv) Removal of the remaining concrete fence post tops.
- (v) Any other conditions of 14/00562/REM that continue to apply to the development.

5. APPLICATION FOR MAJOR DEVELOPMENT - LAND TO NORTH OF BRADWELL HOSPITAL, TALKE ROAD, BRADWELL. NEWCASTLE-UNDER-LYME BOROUGH COUNCIL. 17/00515/DEEM4

An amendment to condition (iv) – to remove the word ‘broadly’ was proposed by Councillor Fear and seconded by Councillor Tagg.

Resolved: (A) That, subject to the applicant entering into planning obligations by the 11th November 2017 securing 25% Affordable Housing onsite and financial contributions of £5,579 (index linked) per dwelling on the site towards the maintenance and improvement of public open space at Bradwell Dingle, £198,558 (index linked) towards primary education places at Sun Primary Academy (formerly Bradwell Primary), or such amounts as reflect the eventual development, and a residential travel plan monitoring fee,

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) Any reserved matters application to comply with the Design and Access Statement.
- (v) Reserved matters application to include a detailed surface water drainage scheme (SuDS).
- (vi) Grampian condition to secure a direct pedestrian link from the application site to the adjoining Sun Primary Academy (at school opening and closing times).
- (vii) Full details of the access arrangements.
- (viii) Implementation of an offsite Traffic Regulation Order.
- (ix) Submission and Approval of a Residential Travel Plan.
- (x) Submission and approval of a Construction Vehicle Management Plan.
- (xi) Reserved matters application to include access arrangements/ improvements to the site for cyclists travelling from the south.
- (xii) Design measures to control internal noise levels.
- (xiii) Submission and approval of a Construction Environmental Management Plan.
- (xiv) Construction Hours.
- (xv) Drainage Details – foul and surface water.
- (xvi) Reserved matters application to include replacement tree planting for any trees lost.

(xvii) Submission and approval of a tree protection plan and Arboricultural Method Statement.

(B) that, should the obligations referred to 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 an obligation the development would fail to secure an acceptable provision of public open space, appropriate provision for required education facilities, residential travel plan 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.

6. APPLICATION FOR MAJOR DEVELOPMENT - CORNER OF HEATHCOTE STREET AND KINNERSLEY STREET, KIDSGROVE. HAMILTON HOUSE HOMES LTD. 17/00552/FUL

Resolved: (A) That subject to the applicant first entering into a Section 106 agreement by 14th November 2017 to secure a review mechanism of the scheme's ability to make a policy compliant financial contribution of £78,106 (index linked) towards the provision towards public open space, if the development is not substantially commenced within 15 months from the date of the decision, and the payment of such a contribution if found financially viable, the application be permitted subject to the undermentioned conditions:

- (i) Standard Time limit for commencement of Development.
- (ii) Approved Plans.
- (iii) Materials.
- (iv) Gabion wall details.
- (v) Tree retention and protection.
- (vi) Full landscaping details.
- (vii) Future protection of trees in the south east corner to further protect privacy levels.
- (viii) Alignment of proposed services.
- (ix) Submission and approval of noise report. Mitigation measures.
- (x) Design Measures to Secure Noise Levels.
- (xi) Construction hours.
- (xii) Contaminated land treatment.
- (xiii) Construction Vehicle Management Plan (CVMP).
- (xiv) Visibility splays.
- (xv) Surfacing details for access road and parking.
- (xvi) The access and access road being completed prior to occupation.
- (xvii) The existing access permanently closed and footway reinstated.
- (xviii) Waste collection and storage arrangements.
- (xix) Surface water discharge mitigation details.
- (xx) Foul drainage.
- (xxi) Proposed coal mining precautionary measures.

(xxii) Intrusive coal mining site investigations and remedial works implementation.

(B) That should the obligation to 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 an obligation there would not be an appropriate review mechanism to allow for changed financial circumstances, and, in such circumstances, the potential financial contributions towards public open space; or if he considers it appropriate to extend the time period within which the obligation referred to above can be secured.

7. APPLICATION FOR MAJOR DEVELOPMENT - VARIATION OF CONDITION - THE HAWTHORNS, KEELE VILLAGE. KEELE SEDDON LTD. 17/00646/FUL

Resolved: That subject to the applicant entering into a planning obligation that preserves the Council's position in respect of obligations secured prior to the grant of permission 15/01004/FUL, the variation of conditions 4, 20 and 22 of 15/01004/FUL be permitted so that they read as follows:

4. No dwelling shall be occupied until the access serving that dwelling has been provided in accordance with Drawing No. 0377-01.

20. In accordance with the Phase I and Phase II Site Investigations, a further investigation and risk assessment post demolition shall be submitted and approved by the Local Planning Authority to assess the nature and extent of any contamination on the site. The investigation and risk assessment shall be undertaken by competent persons and a written report of the findings shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the remainder of the development. The report of the findings shall include:

- a. A survey of the extent, scale and nature of any contamination;
- b. An assessment of the potential risks to:
 - (i) Human health;
 - (ii) Property (existing or proposed) including buildings, crops, livestock, pets, woodland, service lines and pipes;
 - (iii) Adjoining land;
 - (iv) Ground and surface waters;
 - (v) Ecological systems; and,
 - (vi) Archaeological sites.
- c. An appraisal of remedial options and proposal of the preferred option(s).

This work shall be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

22. The remediation scheme shall be carried out in accordance with the approved details. Following completion of the remediation measures a verification report shall be submitted to and approved in writing by the Local Planning Authority in accordance with the timetable of works agreed as part of Condition 21.

And subject to the imposition of all other conditions attached to planning permission 15/01004/FUL that remain relevant at this time.

8. APPLICATION FOR MAJOR DEVELOPMENT - LAND AT CHEMICAL LANE, TUNSTALL, STOKE-ON-TRENT. LAND RECOVERY LTD. STOKE ON TRENT CITY COUNCIL. 348/243

Resolved: That the City Council be informed that the Borough Council has no objections to the proposed development subject to the City Council assessing the impact of air quality and noise on the residential amenity of a residential caravan on Copp Lane, which lies to the south east of the most westerly Tunstall Bypass roundabout on the site (sometimes known as Chatterley Gateway) and controlling lighting through a condition of any permission in accordance with the recommendations of the Borough Council's Environmental Health Division.

9. APPLICATION FOR MINOR DEVELOPMENT - PLOT 37 BIRCH TREE LANE, WHITMORE. MR S MASON. 17/00445/FUL

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

- (i) Time limit.
- (ii) Submission of materials.
- (iii) In accordance with the approved plans.
- (iv) Contaminated land investigation and risk assessment to be submitted.
- (v) Tree protection in accordance with BS5837:2012 and submitted drawing.
- (vi) Development in accordance with P.359.13.05 and information provided in the Arboricultural Impact Assessment.
- (vii) Prior approval of landscaping proposals.
- (viii) Prior approval of tree and landscape management plan to address issues concerning the long term future of the woodland & replacement planting.
- (ix) Arboricultural site monitoring schedule.
- (x) Implement recommendations within the Phase 1 Extended Habitat Survey received with the application.
- (xi) Prior approval and implementation of sewage plant equipment on site.
- (xii) No levels alterations to be undertaken outside the development zone.
- (xiii) Schedule of works to retained trees.

10. APPLICATION FOR MINOR DEVELOPMENT - CARTREF, RYE HILLS, AUDLEY. MR & MRS COTTERILL. 17/00503/FUL

Resolved: (A) That subject to the applicant entering into a Section 106

obligation by 21st November 2017 to secure a public open space contribution of £5,579 towards improvements to Station Road, Miles Green Play Area,

the application be permitted subject to the undermentioned conditions:

- (i) Time limit.
- (ii) Approved plans.
- (iii) Completion of dwelling approved under Ref. 14/00322/FUL prior to commencement of development.
- (iv) Landscaping scheme.
- (v) Contaminated land.
- (vi) Visibility splays.
- (vii) Provision of access and parking area.
- (viii) Surfacing of access drive.
- (ix) Materials.
- (x) Boundary treatments.

- (B) That, should the planning obligation as referred to at (A) 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 a matter being secured the development would fail to secure the provision of improvements to a play area or, if he considers it appropriate, to extend the period of time within which such an obligation can be secured.

11. APPLICATION FOR MINOR DEVELOPMENT - JOLLIES FIELD PLAYING FIELD TO THE NORTH OF NEWCASTLE STREET, SILVERDALE. IBSTOCK BRICK LTD. 17/00550/FUL

An additional condition (iii) was proposed by Councillor Spence and seconded by Councillor J Williams.

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

- (i) Standard Time limit for commencement of development.
- (ii) Approved plans.
- (iii) Prior approval of details of the fence/gates.

Observation to be passed to the relevant officers of the Council about the concerns of Planning Committee relating to the worsening problems with dog excrement on play areas and the risk to human health that it poses.

12. APPLICATION FOR MINOR DEVELOPMENT - OLD WOOD,, BETLEY HALL GARDENS, BETLEY. MR D MANSFIELD. 17/00652/FUL

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

- (i) Standard time limit.

- (ii) Approved plans.
- (iii) Materials as indicated on application form unless otherwise agreed.
- (iv) Replacement trees.
- (v) Tree protection.
- (vi) Arboricultural method statement.

13. APPLICATION FOR OTHER DEVELOPMENT - LAND BETWEEN 33-47 HIGH STREET, NEWCHAPEL. TELEFONICA UK LTD. 17/00772/TDET

Revised wording of the recommendation was proposed by Councillor Fear and seconded by Councillor Tagg.

Resolved: That the Head of Planning be given the delegated authority to determine the application having taken into consideration any additional representations received by the end of 10th October, 2017.

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

Resolved: That the report be noted.

15. OPEN ENFORCEMENT CASES

Resolved: That the report be noted.

16. APPEAL DECISION - 2 PINWOOD ROAD, ASHLEY. 16/01033/OUT

Resolved: That the report be noted.

17. APPEAL DECISION - 11 WOODSIDE, MADELEY. 17/00186/FUL

Resolved: That the report be noted.

18. URGENT BUSINESS

There was no Urgent Business.

COUNCILLOR BERT PROCTOR
Chair

Meeting concluded at 7.45 pm