

PLANNING COMMITTEE

Thursday, 1st February, 2018
Time of Commencement: 6.30 pm

Present:-	Councillor Bert Proctor – in the Chair
Councillors	Burgess, Fear, S Hambleton, Heesom, Northcott, Owen, Panter, Reddish, Spence, Sweeney, S Tagg, G Williams, J Williams, Winfield and Wright
Officers	Geoff Durham - Member Training and Development Officer, Rachel Killeen, Elaine Moulton, Peter Stepien and Trevor Vernon -Solicitor
Apologies	Councillor(s) Simpson and G White

5. **APOLOGIES**

Apologies were received from Councillors' Simpson and White.

6. **DECLARATIONS OF INTEREST**

There were no declarations of interest stated.

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

Resolved: That the minutes of the meeting held on 3 January, 2018 be agreed as a correct record.

8. **APPLICATION FOR MAJOR DEVELOPMENT - SCHOOL OF MEDICINE, KEELE UNIVERSITY. KEELE UNIVERSITY. 17/00899/FUL**

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

- (i) A condition varying condition 2 in the manner now sought by the applicant to substitute amended plans relating to landscaping proposals to include a revised swale bed.
- (ii) All other conditions associated to permission 15/00583/FUL as varied by 16/00164/FUL and 16/00306/FUL that continue to apply.

9. **APPLICATION FOR MAJOR DEVELOPMENT - THE HAWTHORNS, KEELE VILLAGE AND BARNES, KEELE CAMPUS, KEELE. KEELE SEDDON LTD. 17/00953/FUL**

Resolved: (A) That, subject to the applicant entering into a planning obligation by 1st March 2018 that preserves the Council's position in respect of obligations secured prior to the grant of permission 15/01004/FUL, PERMIT the variation of condition

2 to list the revised plans and the variation of conditions 4, 20 and 22 of 15/01004/FUL 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:
 - o Human health;
 - o Property (existing or proposed) including buildings, crops, livestock, pets, woodland, service lines and pipes;
 - o Adjoining land;
 - o Ground and surface waters;
 - o Ecological systems; and,
 - o 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

(B) Should the matters referred to in (A) 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 obligations, there would be insufficient provision for additional secondary education places to meet the need for such places generated by the development, account would not be able to be taken of a change in market conditions, a development that could have made required contributions (to primary school places and affordable housing) would not do so, and appropriate long term arrangements would not have been made for the public open space within the development; or, if he considers it

appropriate, to extend the period of time within which such obligations can be secured.

10. APPLICATION FOR MAJOR DEVELOPMENT - LAND BOUND BY RYECROFT, RYEBANK, MERRIAL STREET, CORPORATION STREET & LIVERPOOL ROAD.HDD (NEWCASTLE-UNDER-LYME) LIMITED. 17/00637/FUL

- Resolved:**
- (A) That it be agreed that all parties should enter by 8th March 2018 into an Agreement under Section 111 of the Local Government Act 1972, which requires that a draft S106 Agreement (in the terms as per the resolution of Planning Committee on 7th November), annexed to the S111 Agreement, is entered into once the transfer of the site has taken place.
 - (B) Should the above Agreement not be secured within the above period, the Head of Planning be given delegated authority to refuse the application on the grounds that without such matters being secured the public open space needs of the development would not be met, the development would fail to ensure it achieves sustainable development outcomes, the public realm improvements required to secure an appropriate context for the development and provide attractive pedestrian links into the Historic Core would not be secured, and the development would not provide car parking information to the detriment of the vitality and viability of the town centre; or, if he considers it appropriate, to extend the period of time within which the obligations can be secured.

11. APPLICATION FOR MAJOR DEVELOPMENT - LAND OFF MEADOW WAY, BALDWIN'S GATE. BELLWAY HOMES LTD (WEST MIDLANDS) . 16/01101/FUL

- Resolved:**
- (1) That officers to now write to the appellant to confirm that the obligations referred to in the recommendation that was provided to the Planning Committee on 15th August are required by the Local Planning Authority, with the exception of the financial contribution to the provision of off-site affordable housing which shall, whilst still representing 9% of the housing and required, be recalculated.
 - (2) That in preparing the Council's Statement of Case, officers include reference to these above requirements;
 - (3) That in agreeing the required Statement of Common Ground officers take into account this resolution.
 - (4) 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.

12. APPLICATION FOR MINOR DEVELOPMENT - 58, ABBOTS WAY, WESTLANDS. MRS MARGARET COUPE. 17/00906/FUL

Councillor Holland spoke on this application.

Resolved: (a) That, subject to the applicant entering into a Section 106 obligation by 28th February 2017 to secure a public open space contribution of £5,579 towards improvements to Rydal Way or Lilleshall Road play areas,

the application be permitted subject to the undermentioned conditions:

- (i) Time limit
- (ii) Approved plans
- (iii) Landscaping conditions
- (iv) Provision of access and parking
- (v) Construction method statement
- (vi) Construction hours
- (vii) Materials
- (viii) Boundary treatments
- (ix) Finished level of garage

(b) 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.

13. APPLICATION FOR MINOR DEVELOPMENT - STONE QUARRY BARN, HIGH STREET, ALSAGERS BANK. MR S EVANS. 17/00750/FUL

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

- (i) Time limit relating to the commencement of development
- (ii) Approved Plans
- (iii) Prior approval of any external lighting
- (iv) Prior approval of jumps or similar features
- (v) Prior approval of details for the storage and disposal of waste
- (vi) Non-commercial use only
- (vii) Prior Approval of Tree Protection Plan
- (viii) Prior Approval of an Arboricultural Method Statement
- (ix) Prior Approval of Landscaping Scheme to include tree and hedgerow planting and replacement trees

14. APPLICATION FOR MINOR DEVELOPMENT - FIELD RISE, ACTON LANE, ACTON. MR CRAIG JONES. 17/00790/FUL

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

- (i) Time limit
- (ii) Approved plans
- (iii) Materials to be submitted
- (iv) Removal of Permitted Development Rights – Class A, B, C & E
- (v) Submission of a construction method statement

- (vi) Occupation after access, parking and turning areas are constructed
- (vii) Trees shown as retained to be retained and protected during construction
- (viii) Dimensioned Tree Protection Plan
- (ix) Arboricultural Method Statement
- (x) Schedule of works to retained trees
- (xi) Hours of construction limited to 8am to 6pm Monday to Friday and 8am to 1pm on Saturdays
- (xii) Prior approval and implementation of mitigation measures to address the loss of bat roosts within the existing building

15. APPLICATION FOR OTHER DEVELOPMENT - 11 GALLOWS TREE LANE, NEWCASTLE. MR W ALMASHTA. 17/00886/FUL

Revised recommendation proposed by Councillor Tagg and seconded by Councillor Sweeney.

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

- (i) Time limit
- (ii) Approved plans
- (iii) Prior approval of materials
- (iv) The building shall be used for purposes incidental to the enjoyment of the main dwelling house and shall at no time be converted to additional bedroom accommodation without the prior approval of the Local Planning Authority.
- (v) Erection of a strong boundary treatment on the rear boundary of the site adjacent to Monaco Place.

16. APPLICATION FOR OTHER DEVELOPMENT - 34 BRAMPTON ROAD, MAY BANK. MR BARROW. 17/00976/FUL

Members were advised that this application has been withdrawn.

17. APPLICATION FOR OTHER DEVELOPMENT - OLD PEEL FARM, NANTWICH ROAD, AUDLEY. MR PETER ADAMS. 17/00842/FUL

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

- (i) Time limit
- (ii) Approved plans
- (iii) Before the proposed development is brought into use, the existing access on Peel Hollow shall be reconstructed and completed to a standard that provides a minimum width of 8 metres for the first 12 metres rear of the carriageway edge and shall be surfaced in a hard bound material.
- (iv) Before the proposed development is brought into use, the access drive shall be constructed with surface water drainage interceptors which shall be sited across the access immediately to the rear of the highway boundary.
- (v) Prior to first use of the development the parking and

turning area indicated on the submitted Site Plan, shall be completed and surfaced in a bound material with the individual parking bays clearly delineated which shall thereafter be retained for parking only for the life of the development.

- (vi) Prior to first use of the development a booking management plan shall be submitted to and approved in writing by the local planning authority to ensure that a maximum of 3 horse boxes/trailers per hour are present at the site at any given time. The approved plan shall thereafter be adhered to throughout the life of the development.
- (vii) Before the proposed development is brought into use the two passing bays on the access road shall be completed and available for use.
- (viii) Any gates shall be located a minimum of 10 metres rear of the carriageway edge and shall open away from the highway
- (ix) Warning signs erected on the Public Right of Way to avoid conflict between users of the footpath and horses/riders and the post and rail fence shall not obstruct access along the route of the public footpath

18. APPEAL DECISION - 3 DALES GREEN ROAD, ROOKERY, KIDSGROVE

Resolved: That the decision be noted.

19. TREE PRESERVATION ORDER - LAND AT MANDALAY, TOWER ROAD, ASHLEY HEATH. TPO 188

Resolved: That Tree Preservation Order No 188, Land at Mandalay, Tower Road, Ashley Heath be confirmed and that the owners of the site be informed accordingly.

20. URGENT BUSINESS

There was no Urgent Business.

COUNCILLOR BERT PROCTOR
Chair

Meeting concluded at 8.00 pm