

## **PLANNING COMMITTEE**

Tuesday, 6th November, 2018  
Time of Commencement: 7.00 pm

**Present:-** Councillor Andrew Fear – in the Chair

Councillors S. Burgess, Mrs J Cooper, H. Maxfield, P. Northcott, S. Pickup, B. Proctor, M. Reddish, S Tagg, G Williams and J Williams

Officers Geoff Durham - Mayor's Secretary / Member Support Officer,  
Jennet Hough - Landscape Officer,  
Rachel Killeen - Senior Planning Officer,  
Elaine Moulton - Development Management Team Manager,  
Trevor Vernon -Solicitor and  
Darren Walters- Environmental Protection Officer

1. **APOLOGIES**

There were no apologies.

2. **DECLARATIONS OF INTEREST**

Councillor Burgess declared an interest in application 18/19003/HBG as a member of Kidsgrove Town Council.

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

**Resolved:** That the minutes of the meeting held on 9 October, 2018 be agreed as a correct record.

4. **APPLICATION FOR MAJOR DEVELOPMENT - FORMER BENNETT ARMS, LONDON ROAD, CHESTERTON. MR ANDREW GREEN. 18/00371/FUL**

**Resolved:** That an application on the decision be deferred but only until 4 December, to allow the views of the Lead Local Flood Authority to be obtained and for such views to be taken into consideration by the Planning Committee in its decision.

5. **APPLICATION FOR MAJOR DEVELOPMENT - LAND OFF WOODROW WAY, ASHLEY. MARCUS MACHINE & TOOLS LIMITED. 17/00605/FUL**

**Resolved:** That the decision of your officer taken under the Matters of Urgency provisions, following consultation with the Chair, that the Council should agree to enter into a Section 106 agreement, be noted.

6. **APPLICATION FOR MINOR DEVELOPMENT - LAND OFF SANDFORD STREET, CHESTERTON. ASH GREEN (HOLDINGS) LTD. 18/00559/FUL**

**Resolved:** (A) That, subject to the applicant first entering into a Section

106 agreement by 13<sup>th</sup> December 2018 to secure a review mechanism of the scheme's ability to provide affordable housing in accordance with policy and to make a policy compliant financial contribution of £33,244 (index linked) towards to public open space, if the development is not substantially commenced within 12 months from the date of the decision, and the payment of such contributions 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) Facing and Roofing Materials
  - (iv) Boundary Treatments
  - (v) The access and access road being completed prior to occupation
  - (vi) The existing access permanently closed and footway reinstated
  - (vii) Parking and Turning areas retained for designated purpose
  - (viii) Cycle Parking
  - (ix) Contaminated land treatment
  - (x) Design Measures to Secure Noise Levels
  - (xi) Construction hours
- (B) Failing completion of the above planning obligation by the date referred to in the above recommendation, that the Head of Planning either refuse the application on the grounds that without the obligation being secured, the development would fail to secure affordable housing and an appropriate contribution for off-site public open space which would reflect the infrastructure needs of the development and there would be no provision made to take into account a change in financial circumstances in the event of the development not proceeding promptly; or, if he considers it appropriate, to extend the period of time within which the obligation can be secured.

**7. APPLICATION FOR MINOR DEVELOPMENT - LAND ADJACENT TO FARCROFT, MANOR ROAD, BALDWIN'S GATE. MR G ADAMS. 18/00674/OUT**

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

- (i) The site lies within the open countryside outside the village envelope of Baldwin's Gate and the proposed dwelling would not serve an identified local need. As such, the development of this site is contrary to the objective of directing new houses to sustainable brownfield land within the village envelopes of the key rural service centres and would be contrary to Policies SP1 and ASP6 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026,

Policy H1 of the Newcastle-under-Lyme Local Plan 2011, and the aims and objectives of the National Planning Policy Framework (2018).

- (ii) The development would involve a high level of the use of the private car by occupiers of the dwelling and their visitors and therefore represents an unsustainable development that is contrary to the guidance of the National Planning Policy Framework (2018).

**8. APPLICATION FOR MINOR DEVELOPMENT - LAND AT DODDLEPOOL, MAIN ROAD, BETLEY. MR. MARK OULTON. 18/00299/FUL**

*Councillor G White spoke on this application.*

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

- (i) Works to be completed in strict accordance with the approved plans and submitted information.
- (ii) The recommendations, mitigation measures and enhancements set out in the ecological report shall be carried out in full.
- (iii) Submission and approval of a monitoring programme for the works.
- (iv) The landscaping to be carried out in accordance with the approved plans and any planting lost or damaged within 5 years shall be replaced.
- (v) No more than a further 6000 tonnes of appropriate and relevant material for the construction of the track to be imported onto the site, unless otherwise agreed.
- (vi) All material associated with the construction and completion of the track shall cease within 24 months from the date of the decision.
- (vii) Only inert waste is to be imported - any non-conforming waste should be removed to an authorised facility.
- (viii) No more than 16 HGV movements shall enter the site per day using the Waybutt Lane access only.
- (ix) Restriction on hours of operation to 8am to 6pm on weekdays and 8am to 1pm at weekends and no construction activity on Sunday or a public holiday.
- (x) External lighting shall not be installed.
- (xi) Submission and approval of methods to reduce mud and debris onto the highway network.
- (xii) No screening or processing of inert waste shall be carried out on site.
- (xiii) Submission and approval of dust mitigation measures.
- (xiv) No waste to be burned on the site at any time.

In addition it was agreed that the full wording of condition 5 be agreed by the Chair and Vice Chair of Planning Committee, and that a bi-monthly report providing an update on the development and monitoring of its compliance with the planning permission be brought to Committee starting with the meeting on 3<sup>rd</sup> January 2019.

9. **MID-YEAR DEVELOPMENT MANAGEMENT PERFORMANCE REPORT 2018/2019**

- Resolved:**
- (i) That the report be received.
  - (ii) That the Head of Planning with the Development Management Team Leader seeks to maintain performance of the Development Management team where satisfactory and improve the service provided where our level of performance falls significantly below the targets set out in the Planning Service Plan for 2018/19.
  - (iii) That the next 'Development Management Performance Report' be submitted to Committee around June 2019 reporting on performance for the complete year 2018/19.

10. **APPLICATION FOR MINOR DEVELOPMENT - 121 - 123 HIGH STREET, WOLSTANTON. RIGHT FINANCIAL PLANNING LTD (MR ABAD KHAN) 18/00467/FUL**

- Resolved:**
- (a) That, subject to the applicant first entering into a Section 106 agreement by 6<sup>th</sup> December to secure a review mechanism of the scheme's ability to make a policy compliant contribution to public open space, if the development is not substantially commenced within 12 months from 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) Secure weatherproof parking for 4 cycles
- (b) Should the matters 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 there would not be an appropriate review mechanism to allow for changed financial circumstance, and, in such circumstances, the potential provision of policy compliant financial contributions towards public open space; or, if he considers it appropriate, to extend the period of time within which the obligation can be secured.

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

- Resolved:** (i) That the report be noted.
- (ii) That the Head of Planning continue to report, on a quarterly basis, on the exercise of his authority to extend the period of time for an applicant to enter into Section 106 obligations.

12. **QUARTERLY ENFORCEMENT MANAGEMENT REPORT**

- Resolved:** That the information be received.

13. **REPORT ON OPEN ENFORCEMENT CASES**

- Resolved:** (i) That the report be received.
- (ii) That a further update be provided alongside the next quarterly monitoring report on cases where enforcement action has been authorised.

14. **APPEAL DECISION - BROOK FARM, 4 OAKWOOD LANE, ACTON. 17/00877/FUL**

- Resolved:** That the appeal decision be noted.

15. **MAER CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN SUPPLEMENTARY PLANNING DOCUMENT**

- Resolved:** (i) That the draft Maer Conservation Area Appraisal and Management Plan SPD and publication of the Consultation Statement and SPD for the required final period of representations be agreed; and
- (ii) That, subject to no representations being now received, seeking significant changes to the Appraisal and Management Plan SPD, the SPD be commended to Cabinet for adoption.

16. **ARTICLE 4 DIRECTION FOR KEELE CONSERVATION AREA**

- Resolved:** That the making of an Article 4 Direction for Keele Conservation area, on the terms set out in the agenda report, be agreed.

17. **APPLICATION FOR FINANCIAL ASSISTANCE (HISTORIC BUILDINGS GRANT) - TOWER, KIDSGROVE (REF: 18/19003/HBG).**

- Resolved:** That, subject to the appropriate standard conditions, a grant of £138 be provided towards a structural engineers inspection and report of the tower.

18. **SCHEME FOR PUBLIC SPEAKING AT PLANNING COMMITTEE. REVIEW OF POLICY REGARDING DISPLAY OF MATERIAL**

- Resolved:** That the existing scheme amended to allow the site layout plan to be displayed during public speaking; and that this amendment be brought into immediate effect.

**19. DISCLOSURE OF EXEMPT INFORMATION**

**Resolved:-** That the public be excluded from the meeting during consideration if the following matter because it is likely that there will be disclosure of exempt information as defined in paragraphs 1,2, and 7 in Part 1 of Schedule 12A of the Local Government Act, 1972

**20. QUARTERLY REPORT ON EXTENSIONS TO TIME PERIODS WITHIN WHICH OBLIGATIONS UNDER SECTION 106 CAN BE ENTERED INTO**

**Resolved:** (i) That the information be received.  
(ii) That an update on this case be given in a report to the Planning Committee meeting in January, 2019.

**21. URGENT BUSINESS**

There was no Urgent Business.

**COUNCILLOR ANDREW FEAR**  
**Chair**

Meeting concluded at 8.31 pm