

## **LAND AT DODDLEPOOL, BETLEY reference 17/00186/207C2**

The purpose of this report is to provide Members with an update of the progress in relation to this site following a planning application for the retention and completion of a partially constructed agricultural track, reference 18/00299/FUL, which came before the Planning Committee on the 6<sup>th</sup> November 2018.

### **RECOMMENDATION**

**That the information be received.**

#### Latest Information

Since the last update was given at the 3<sup>rd</sup> January planning committee your officers have approved the details required by the following conditions of planning permission 18/00299/FUL:

Condition 11 – measures to prevent the deposition of deleterious material on the public highway during the construction phase; and

Condition 13 - details of dust mitigation measures that prevent detriment to the amenity of residential properties

Your officers have identified an issue with regards to condition 3 of the planning permission. This condition required that;

*“Within 3 months from the date of this decision a detailed monitoring programme for the works necessary to complete the track, which shall include (but shall not be restricted to) a timeline of when works are likely to be undertaken, key milestones and dates when monitoring updates will be given to officers, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and maintained for the duration of the development.*

*Reason: To ensure appropriate monitoring in order to safeguard the appearance of the landscape and to protect adverse harm to the Betley Mere SSSI (Site of Special Scientific Interest) in accordance with the requirements of policy CSP4 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 and the guidance and requirements of the National Planning Policy Framework 2018.*

The three month date for the submission of the detailed monitoring programme for the works necessary to complete the track ended on the 9<sup>th</sup> February and to date no information has been submitted and this is a breach of the condition.

The landowner has been notified of the breach of condition and they have set out reasons for the delay – which are that the work will not commence until permits from the Environment Agency are in place and when the weather improves in Spring which means that it is difficult to provide the timeline details as the supply information is not yet available. Notwithstanding this, your officer has requested that the information is submitted as part of a formal condition approval application by the 25<sup>th</sup> February 2019. In the meantime monitoring will continue to ensure that the construction of the development does not recommence until all relevant conditions are satisfied.

Date Report Prepared – 13<sup>th</sup> February 2019