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Planning Committee - 26/03/19

PLANNING COMMITTEE

Tuesday, 26th March, 2019
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, Rachel Killeen -
Senior Planning Officer, Elaine Moulton -
Development Management Team
Manager, Peter Stepien and Trevor
Vernon -Solicitor
- Apologies Councillor(s) S. Dymond

1. APOLOGIES

Apologies were received from Councillor Dymond.

2. DECLARATIONS OF INTEREST

There were no declarations of interest stated.

3. MINUTES OF PREVIOUS MEETING(S)

Resolved: That the minutes of the meeting held on 26 February, 2016 be agreed as a correct record.

4. APPLICATION FOR MAJOR DEVELOPMENT - THE BRIGHTON, SNEYD TERRACE,SILVERDALE. ASPIRE HOUSING. 18/00714/FUL

Resolved: A That, subject to the applicant first entering into a Section 106 agreement by 1st May 2019 to secure a review mechanism of the scheme's ability to make a policy compliant financial contribution of £93,727 (index linked) towards public open space at Silverdale Park, if the development is not substantially commenced within 12 months from the date of the grant of the planning permission , and the payment of such contribution if then found financially viable,

The application be permitted, subject to the undermentioned conditions:

- (i) Time limit.
- (ii) Plans.
- (iii) Materials.
- (iv) Prior approval and implementation of landscaping

- and bin storage.
- (v) Prior approval and implementation of tree protection details.
- (vi) Access and car parking provision implementation prior to occupation.
- (vii) Prior approval and provision of weatherproof cycle storage.
- (viii) Prior approval and implementation of revised bin storage details.
- (ix) Restriction of construction and demolition hours to be outside of 6pm and 8am Monday to Friday, not at any time on Sundays or Bank Holidays, or outside of 8am-1pm on a Saturday.
- (x) No external lighting without prior approval.
- (xi) Agreed noise levels for internal and external areas.
- (xii) Prior approval of a scheme for the provision of at least 5 affordable housing units within the development. The scheme shall include the timing of the construction for the affordable housing, arrangements to ensure that such provision is affordable for both initial and subsequent occupiers and the occupancy criteria to be used for determining the identity of prospective and successive occupiers of such units and the means by which such occupancy will be enforced, but not requiring such provision to be "in perpetuity".
- (xiii) The installation of a railing or similar on top of the wall adjoining Sneyd Terrace in response to Police Crime Prevention Officer.(CPO)
- (xiv) Note to applicant that consideration be given to other recommendations of Police CPO

B. Failing completion of the above planning obligation by the date referred to at A., the Head of Planning either refuse the application on the grounds that without the obligation being secured, there would be no provision made to take into account a change in financial circumstances in the event of the development not proceeding promptly and the potential payment of an appropriate policy compliant contribution for offsite open space should financial circumstances then permit; or, if he considers it appropriate, to extend the period of time within which the obligation can be secured.

5. APPLICATION FOR MAJOR DEVELOPMENT - NEWCASTLE-UNDER-LYME SCHOOL, MOUNT PLEASANT, NEWCASTLE. THE SCHOOL GOVERNORS. 19/00042/FUL

Proposed by Councillor Proctor and seconded by Councillor Tagg

Resolved: That the application be deferred to allow consideration/submission of amendments to design/external appearance of proposed building to ensure it is not harmful to character of Conservation Area

6. **LAND SOUTH WEST OF MUCKLESTONE ROAD, WEST OF PRICE CLOSE AND NORTH OF MARKET DRAYTON ROAD, LOGGERHEADS.MULLER STRATEGIC PROJECTS LIMITED. 15/00202/OUT**

Resolved: That Elan Homes be advised that the Council as the Local Planning Authority is willing to agree to a variation to the Section 106 agreement to require the provision of 8 affordable units prior to occupation of 50% of the open market dwellings with the remaining 12 affordable units to be provided prior to occupation of 90% of the open market dwellings.

7. **LAND SOUTH OF WEST AVENUE, WEST OF CHURCH STREET AND CONGLETON ROAD AND NORTH OF LINLEY ROAD, BUTT LANE, KIDSGROVE. TAYLOR WIMPEY. 12/00127/OUT**

Resolved: That Aspire be advised that the Council as the Local Planning Authority is willing to agree to a variation to the Section 106 agreement so that a cascading clause is incorporated, whereby shared ownership units can be changed to affordable rented units, if they remain unsold after a 6 month period of marketing, subject to the approval of the Head of Planning.

8. **APPLICATION FOR MINOR DEVELOPMENT - 26, MILEHOUSE LANE, NEWCASTLE-UNDER-LYME. MR PAUL GOLDEN. 19/00047/FUL**

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

- (i) The development would appear cramped and out of keeping with the character of the area to its detriment.
- (ii) The proposed development, by virtue of the rooflight in the south-west facing roof plane serving the first floor bedroom, would result in overlooking and an adverse impact on the privacy of the occupiers of the neighbouring properties on Court Lane.
- (iii) The lack of adequate off-road parking spaces for both the existing and proposed dwellings would exacerbate on-street parking issues and have an adverse impact on highway safety.

9. **APPLICATION FOR MINOR DEVELOPMENT - ASPIRE HOUSING**

Resolved: A. Committee agreed not to require the provision of a contribution towards improvement and maintenance of public open space in respect of the following applications

- 1. Land adjacent 16 St Giles Road, Knutton. 18/00016/FUL,
- 2. Former playground Brutus Road, Chesterton. 18/00243/FUL,
- 3. Land off St Bernards Road, Knutton. 18/00443/FUL,
- 4. Land between 155 and 161 Knutton Lane. 18/00441/FUL,
- 5. Land adjacent 25 Arthur Street, Knutton. 18/00461/FUL,
- 6. Land adjacent 45 Moran Road, Knutton. 18/00465/FUL.

- B. The Head of Planning to exercise the delegated authority to issue planning permissions 18/00016/FUL, 18/00243/FUL, 18/00443/FUL, 18/00441/FUL and 18/00461/FUL subject to the conditions as set out in the approved interim reports
- C. That in the case of 18/00465/FUL the application to be permitted subject to the conditions referred to in the resolution of the 11th September Planning Committee

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

- Resolved:**
- A Committee agreed not to require a Section 106 agreement by 6th 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
 - B The application to be permitted subject to the conditions referred to in the resolution of the 6th November 2018 Planning Committee.

11. LAND ADJACENT TO SLACKEN LANE.MR STEPHEN LOWNDES. 17/00791/FUL

Resolved: The Council do not agree to discharge the obligation.

12. APPLICATION FOR MINOR DEVELOPMENT - CHESTERTON COMMUNITY SPORTS COLLEGE, CASTLE STREET, CHESTERTON. CHESTERTON COMMUNITY COLLEGE. 18/00949/FUL

- Resolved:**
- A That, subject to the applicant first entering into a Section 106 agreement by 26th April 2019 to secure a financial contribution of £5,000 for the preparation and monitoring of a Mode Shift Stars scheme to promote and encourage sustainable access to the school

The application be permitted subject to the undermentioned conditions:

- (i) Standard time limit for commencement of development
 - (ii) Approved plans
 - (iii) 10 year temporary permission
 - (iv) Construction Management Plan
 - (v) Parking and turning areas prior to occupation
 - (vi) Weatherproof cycle storage
 - (vii) Travel Plan
 - (viii) Construction Hours
- B. Failing completion by the date referred to in the above resolution (1) of the above planning obligation, the Head of Planning is given delegated authority to either refuse the

application on the grounds that in the absence of a secured planning obligation the development would fail to secure an appropriate travel plan and so the development would fail to ensure it achieves sustainable development outcomes; or if he considers it appropriate, to extend the period of time within which the obligation can be secured.

13. APPLICATION FOR MINOR DEVELOPMENT - BURSLEY PRIMARY SCHOOL, BURSLEY WAY, BRADWELL. BURSLEY PRIMARY SCHOOL. 18/00990/FUL

Resolved: A That, subject to the applicant first entering into a Section 106 agreement by 26th April 2019 to secure a financial contribution of £5,000 for the preparation and monitoring of a Mode Shift Stars scheme to promote and encourage sustainable access to the school,

The application be permitted subject to the undermentioned conditions:

- (i) Approved drawings
- (ii) Time Limit
- (iii) External facing materials
- (iv) Environmental Management Plan
- (v) External lighting
- (vi) Control of noise
- (vii) Access, parking, servicing and turning areas
- (viii) Secure weatherproof cycle and scooter parking
- (ix) Submission of a Travel Plan
- (x) Tree protection plan

B. Should the above Section 106 obligation not be secured within the above period, the Head of Planning is given delegated authority to either refuse the application on the grounds that in the absence of a secured planning obligation the development would fail to ensure sustainable development outcomes; or if he considers it appropriate, to extend the period of time within which the obligation can be secured.

14. APPLICATION FOR OTHER DEVELOPMENT - 9 GENEVA DRIVE, NEWCASTLE. MR S ROYALL. 19/00031/FUL

Members were advised that this application had been withdrawn.

15. OFFICER AND MEMBER PLANNING ENFORCEMENT PROTOCOL

Resolved: Planning Committee fully supports the Draft Protocol subject to amendment to paragraph 3.4 as follows:
....Where a case is report to the Committee, a Ward Member that is not on Planning Committee will be entitled to speak on the item on the same terms as the public speaking protocol provided that it is not being dealt with as a confidential item where Committee resolve that the public (including Members not on Planning Committee) are to be excluded....

16. **APPLICATION FOR FINANCIAL ASSISTANCE - THE BEEHIVE, MAIN ROAD, BETLEY (REF: 18/19004/HBG).**

Resolved: That the following grant be approved:

£5,000 Historic Building Grant to repair two gables on a timber framed cottage, including propping, new timber framing with joints/pegs, replacement brick infills with lime mortar, making good the internal walls, subject to the appropriate standard conditions

17. **APPEAL DECISION - GRAVEL BANK, MUCKLESTONE ROAD, LOGGERHEADS**

Resolved: That the appeal decision be noted.

18. **APPEAL DECISION - 1 WADE COURT, MARKET STREET, KIDSGROVE**

Resolved: That the appeal decision be noted.

19. **TREE PRESERVATION ORDER - LAND AT LYNN AVENUE, WALTON WAY, TALKE. TPO197**

Resolved: That Tree Preservation order No 197 (2018) confirmed as modified and the owners of the site be informed accordingly

20. **TREE PRESERVATION ORDER - NUFFIELD HOSPITAL, CLAYTON ROAD, NEWCASTLE. TPO199**

Resolved: That Tree Preservation order No 199 (2018) confirmed as modified and the owners of the site be informed accordingly

21. **URGENT BUSINESS**

There was no Urgent Business.

COUNCILLOR ANDREW FEAR
Chair

Meeting concluded at 8.07 pm