

## PLANNING COMMITTEE

Tuesday, 18th June, 2019  
Time of Commencement: 7.00 pm

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

Councillors S. Burgess, M. Holland, D. Jones, H. Maxfield, S. Moffat,  
P. Northcott, K.Owen, 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 - Landscape Officer,  
Trevor Vernon -Solicitor and  
Darren Walters- Environmental Protection Officer

### 1. APOLOGIES

Apologies were received from Councillors' Mrs Cooper and Proctor.

### 2. DECLARATIONS OF INTEREST

Councillor Northcott declared an interest in application 19/00065/FUL, as an Aspire Board Member.

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

**Resolved:** That the minutes of the meeting held on 21 May, 2019 be agreed as a correct record.

*\*\*The Chair changed the order of the meeting. Item five was heard first in order to adjourn the meeting for five minutes to allow Members time to read a Members' Statutory Declaration submitted by Aleksandra Toseva. (The meeting reconvened at 7.09pm).*

### 4. APPLICATION FOR MAJOR DEVELOPMENT - FORMER BRISTOL STREET GARAGE, LONDON ROAD, NEWCASTLE. ADOBE RESIDENCIES. 16/01106/2CN03

*Moved by Councillor John Williams and seconded by Councillor Fear.*

**Resolved:** That the application be refused on the grounds that the colour of the cladding on the south-western elevation of Block 1 facing Lyme Valley Parkway is inappropriate and detracts from the visual amenity of the Parkway.

### 5. APPLICATION FOR MINOR DEVELOPMENT - BARN 2, MOSS HOUSE FARM, EARDLEYEND ROAD, BIGNALL END. MS A TOSEVA AND MR R MANDAIR. 18/00937/FUL

- Resolved:**
- (i) That the application be refused on the grounds that the proposed development represents inappropriate development within the Green Belt, as it is not for any of the exemptions as listed in the National Planning Policy Framework. Very special circumstances do not exist which would outweigh the harm to the Green Belt that would be caused by virtue of inappropriate development. The development therefore does not accord with the aims and objectives of the National Planning Policy Framework.
  - (ii) That the Council's solicitor be authorised to issue enforcement action and all other notices and to take and institute on behalf of the Council all such action and prosecution proceedings as are authorised by and under the Town and Country Planning Act 1990 to secure removal of the building within 12 months.

**6. APPLICATION FOR MINOR DEVELOPMENT - LAND TO REAR OF SILVER BIRCH, BIRKS DRIVE, ASHLEY HEATH.MR & MRS J PERKINS. 19/00103/FUL**

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

- (i) The proposed scale of the proposed dwelling would result in it being disproportionate to the size of the plot which would be out of keeping and harmful to the character of the Ashley Heath area. The proposed development is therefore contrary to policy CSP1 of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026, policies LNPP1 and LNPP 2 of the Loggerheads Neighbourhood Plan, the guidance set out in the Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document (2010) and the requirements and policies of the National Planning Policy Framework 2019.
- (ii) The proposed development would result in the loss of visually significant trees which would be harmful to the character of the Ashley Heath area. The proposed development is therefore contrary to saved policies N12 and N13 of the Newcastle-under-Lyme Local Plan 2011, policies LNPP1 and LNPP2 of the Loggerheads Neighbourhood Plan, and the requirements and policies of the revised National Planning Policy Framework 2019.

**7. APPLICATION FOR MINOR DEVELOPMENT - 87 ST BERNARDS ROAD & LAND ADJACENT 2 VIGGARS PLACE. ASPIRE HOUSING. 19/00065/FUL**

Members were advised that this application had been withdrawn.

**8. APPLICATION FOR MINOR DEVELOPMENT - 9 RUSSELL STREET, WOLSTANTON. MERCIA GAS LTD. 19/00352/FUL**

**Resolved:** That, subject to the amendment to condition (ix) below (bold print), the application be permitted subject to the

undermentioned conditions:

- (i) Time limit.
- (ii) Plans.
- (iii) Prior approval of external facing materials (including windows, doors and rainwater goods)
- (iv) Prior approval of soft and hard landscaping.
- (v) Restrictions on hours of construction.
- (vi) Approval of external lighting.
- (vii) Provision of an electric vehicle charging point.
- (viii) The development shall not be brought into use until the existing Wellington Street access, within the limits of the public highway, has been revised in accordance with the approved plans and completed as a vehicular dropped crossing.
- (ix) The development shall not be brought into use until the existing Russell Street **access** has been increased in width by a minimum 1.8m.
- (x) The development shall not to be brought into use until any length of existing Wellington Street made redundant as a consequence of the development hereby permitted is permanently closed and reinstated as footway in accordance with details to be approved.
- (xi) The development shall not be brought into use until the parking areas have been provided which shall thereafter be retained at all times for their designated purpose.
- (xii) The development shall not be brought into use until secure weatherproof cycle parking facility has been provided in accordance with details to be approved, such facility thereafter retained.

**9. APPLICATION FOR MINOR DEVELOPMENT - LAND TO THE WEST OF NEWCASTLE ROAD (A53), BLACKBROOK. MR D A AND T CLEE, J WILSON & M LEE. 19/00332/FUL**

**Resolved:** (a) That, should the Highway Authority remove their objection by no later than 27<sup>th</sup> June the Head of Planning given the delegated authority to refuse the application for the following reasons;

- (i) The proposed development is in an unsuitable location within the open countryside away from services and facilities and without safe and convenient access to public transport. Whilst the Local Planning Authority recognises that there is an identified and unmet need for a further gypsy and traveller pitch in the period between 2014 and 2019, and a further 6 pitches in the period between 2019 and 2034 the benefits arising from the proposed development do not outweigh identified harm. The proposed development would therefore be contrary to Policy CSP7 of the Core Strategy and national policy within the Planning Policy for Traveller Sites, saved policy N20 of the Local Plan and the guidance of the National Planning Policy for Traveller Sites and the National Planning Policy Framework.

- (ii) The applicant has failed to demonstrate that the residents of the site will not be adversely affected by the impact of noise from the A53 and the nearby pumping station and as such the proposal is contrary to the guidance of the National Planning Policy for Traveller Sites and the National Planning Policy Framework.
  - (iii) The applicant has failed to demonstrate that the proposed development will not have an adverse impact on Wellings, a critical groundwater source used for public water supply to the local area and is vulnerable to surface influences, contrary to the guidance of the National Planning Policy Framework.
- (b) Should the Highway Authority maintain their objection or not respond by 27<sup>th</sup> June the Head of Planning given the delegated authority to refuse the application for the reasons 1-3 above and the following additional reason as amended to reflect the views of the Highway Authority if necessary;

The applicant has failed to demonstrate that the existing access is suitable for the proposed development and that the visibility splays achievable from the site are appropriate for the speed of traffic and that the development will not, therefore, result in an adverse impact on highway safety. As such the proposal is contrary to the guidance of the National Planning Policy Framework.

**10. ARTICLE 4 DIRECTION FOR MAER CONSERVATION AREA**

**Resolved:** That the making of an Article 4 Direction for Maer Conservation Area be agreed, on the terms set out within the agenda report.

**11. APPLICATION FOR FINANCIAL ASSISTANCE (HISTORIC BUILDINGS GRANT) - BETLEY COURT, MAIN ROAD, BETLEY (REF: 19/20001/HBG).**

**Resolved:** That a Historic Building Grant of £3,260 be approved to repair the roof, subject to the appropriate standard conditions.

**12. ENFORCEMENT UPDATE -5 BOGGS COTTAGES**

**Resolved:** (i) That the information be received.  
(ii) That a further report on progress be brought back to this Committee in August.

**13. LAND AT DODDLEPOOL, BETLEY. 17/00186/207C2**

**Resolved:** (i) That the information be received.  
(ii) That a further report on progress be brought back to this Committee in August.

14. **HALF YEARLY REPORT ON PLANNING OBLIGATIONS**

**Resolved:** That the report be noted.

15. **LAND OFF WATERMILLS ROAD, CHESTERTON. CARDEN DEVELOPMENTS LTD. 18/00017/REM**

**Resolved:** That the decision of your Officer taken under the Matters of Urgency provisions, following consultation with the Chair, that:

- (i) The Council should express the view to the Planning Inspectorate that it would be contrary to the principle of fairness established by the Wheatcroft judgement for the Inspector to determine the appeal on the basis of the revised plans; and
- (ii) The Council's Statement of Case should indicate that if the appeal is determined on the basis of the amended scheme, given that the amended plans directly address the reasons that the Planning Committee gave for the refusal of the application and that the revisions do not result in the introduction of any new issues or concerns, that it wishes to offer no evidence in support of the original grounds of refusal and it would not oppose the granting of the reserved matters application subject to appropriate conditions.

16. **APPEAL DECISION - THE LODGE , STATION ROAD, ONNELEY. 18/00641/OUT**

**Resolved:** That the Appeal Decision be noted.

17. **URGENT BUSINESS**

There was no Urgent Business.

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

Meeting concluded at 8.55 pm