

PLANNING COMMITTEE

Tuesday, 7th January, 2020
Time of Commencement: 7.00 pm

Present: Councillor Andrew Fear (Chair)

Councillors:	S. Burgess	S. Moffat	G Williams
	Mrs J Cooper	P. Northcott	J Williams
	D. Jones	B. Proctor	
	H. Maxfield	S Tagg	

Officers:	Nick Bromley	Senior Planning Officer
	Geoff Durham	Mayor's Secretary / Member Support Officer
	Jennet Hough	Landscape Officer
	Elaine Moulton	Development Management Team Manager
	Trevor Vernon	Solicitor
	Darren Walters	Team Leader Environmental Protection

1. APOLOGIES

There were no apologies.

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 3 December, 2019 be agreed as a correct record.

4. APPLICATION FOR MAJOR DEVELOPMENT - LAND OFF LAMPHOUSE WAY, WOLSTANTON. STAFFORDSHIRE COUNTY COUNCIL. 19/00301/OUT

Resolved: (A) That, subject to the applicant first entering into a Section 106 agreement by the 1st April 2020, or any other legal mechanism as is appropriate, that secures a residential travel plan monitoring fee of £6,895 (index linked) a financial contribution of £189,000 (index linked) towards the improvement and maintenance of the public open space at Bradwell Lodge Park and a review mechanism of the scheme's ability to make a more or fully policy compliant contribution to public open space and/ or affordable housing, if the development is not substantially commenced within 24 months from the date of the decision, and the payment of such a contribution if then found financially viable,

the application be permitted subject to the undermentioned conditions:

- (i) Time limit for the implementation of earthworks, the submission of applications for approval of reserved matters and the commencement of development.
 - (ii) Approved plans
 - (iii) Construction environmental and traffic management plan for the full and outline applications
 - (iv) Provision of access and visibility splays
 - (v) Revised Travel Plan Framework
 - (vi) A highway survey and mitigation measures
 - (vii) Prior approval of a construction phase tree protection plan
 - (viii) Prior approval of an Arboricultural Method statement
 - (ix) Reserved matters application to include replacement tree planting
 - (x) Reserved matters application to include Independent Design Review
 - (xi) Submission and approval of retaining wall details
 - (xii) Submission and approval of a sustainable drainage strategy
 - (xiii) Prior approval of a foul drainage plan
 - (xiv) Waste and storage collection arrangements
 - (xv) Design measures to restrict impact on noise levels
 - (xvi) Land contamination investigations and mitigation measures
 - (xvii) Reserved matters application to include wildlife and habitat enhancements
- (B) Should the above Section 106 obligations 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 matters being secured, the development would fail to ensure it achieves sustainable development outcomes, the public open space impacts of the development would at least in part not be met, and there would not be an appropriate review mechanism to allow for changed financial circumstance, and, in such circumstances, the potential provision of a policy compliant financial contribution towards public open space, affordable housing and travel plan monitoring; or, if he considers it appropriate, to extend the period of time within which the obligations can be secured.

5. APPLICATION FOR MAJOR DEVELOPMENT - DIESEL MARINE INTERNATIONAL LTD, GARNER STREET BUSINESS PARK. DIESEL MARINE INTERNATIONAL LTD. 19/00805/FUL

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

- (i) Approved plans
- (ii) Five year temporary period
- (iii) Cycle parking.

6. **APPLICATION FOR MAJOR DEVELOPMENT - CHATTERLEY VALLEY DEVELOPMENT SITE, PEACOCK HAY ROAD. HARWORTH GROUP PLC. 19/00846/OUT**

Resolved: That the application be permitted subject to the following:

(i) Vary condition B23 as follows:

No building forming part of the development referred to in item (B) shall be occupied until full details of pedestrian and cycleway links/enhancements have been approved, implemented and access provided. Such links/enhancements shall include connections to the existing cycle route at Bathpool Park, the existing cycleway on Reginald Mitchel Way (A527), the canal, and existing cycleway in Bradwell Woods and Newcastle Road unless it has been demonstrated that it is not feasible to do so.

(ii) Vary condition A1 as follows:

The development referred to in item (A) must be begun not later than the expiration of FIVE years beginning with the date of this permission and shall be completed within FIVE years of the date of commencement of such works, such commencement to be notified beforehand to the Local Planning Authority in writing.

(iii) Vary conditions A8 and B10 so that they specify that the scheme shall accord with the principles of the Green Infrastructure Strategy.

(iv) Vary condition B3 as follows:

Plans and particulars of the reserved matters referred to in condition B2 above, (relating to the appearance and scale of any buildings to be erected on each plot or sub-plot, landscaping of each plot or sub-plot, of each plot or sub-plot layout and access arrangements to each plot or sub-plot from the approved road network) relating to the site as a whole or 4 any plot or sub-plot, shall be submitted to, and approved by, the Local Planning Authority prior to the commencement of any that part of the development referred to in item (B) and shall be carried out as approved.

(v) Vary the wording of the reason for condition B25 as follows:

Having regard to the identification of this site as a Regional Investment Site and Premium Employment Site, and in accordance with policy SP1 and ASP5 the Newcastle-

under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026 and policy E2 of the Newcastle-under-Lyme Local Plan 2011, to ensure the uses are demonstrably consistent with the role and objectives of this Premium Employment Site; and in recognition that B1(a) is a main town centre use and that the construction of such development without the undertaking of a sequential assessment if required by policy, would be contrary to the aims and objectives of the National Planning Policy Framework 2019.

- (vi) All other conditions of 19/00846/OUT as they continue to apply to the development

7. APPLICATION FOR MINOR DEVELOPMENT - NEWCASTLE-UNDER-LYME BOROUGH COUNCIL DEPOT, KNOTTON LANE. NEWCASTLE BOROUGH COUNCIL. 19/00852/DEEM3

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

- (i) Time limit
- (ii) Approved plans
- (iii) Materials to match existing

8. HALF YEARLY REPORT ON PLANNING OBLIGATIONS

Resolved: That the report be noted.

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

- 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.

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

5 Boggs Cottages

Following the previous meeting, a letter was sent, in respect of 5 Boggs Cottages, to the Planning Inspectorate from the Chair of the Planning Committee and the Portfolio Holder for Planning and Growth. A response to this letter had been received stating that the matter was to be put onto a 'priority list'

The Chair suggested that a letter be sent back to the Planning Inspectorate thanking them for their reply and that it was hoped that a resolution was reached soon.

Councillor Simon Tagg asked officers how often visits were made to the site and if information from such visits was being collated for future use.

The Council's Development Management Team Manager, Elaine Moulton confirmed that all information was being collated and would be brought to the case when the appeal is heard. Mrs Moulton advised that six-weekly visits were being made to the site.

Councillor Tagg suggested that the meetings should be made more regularly to ensure a more accurate and stronger case of things happening on the site.

The Chair stated that this should become a diarised item once a month to ensure that visits did take place at a regular interval and were not missed.

Councillor Proctor asked if officers were aware of who was on the site; how many persons there were on the site and how many parts of the premises were being used when a visit was made.

Councillor Jones suggested that officers could involve neighbouring residents when they visited the site although Mrs Moulton advised that it was important not to create conflict. However, residents could be informed of the outcome/progress of visits.

Moss House Farm

Members discussed this item and it was agreed that there should be no more extensions of time for 19/00629/FUL unless agreed by Planning Committee.

- Resolved:
- (i) That the information be received.
 - (ii) *5 Boggs Cottages (14/00036/207C3)* –
 - (a) That a further letter be sent to the Planning Inspectorate thanking them for their response to the latest letter from the Chair of the Planning Committee and the Portfolio Holder for Planning and Growth
 - (b) That site visits be diarised for every 4 weeks
 - (c) That confirmation be sought as to who is living on site, and where precisely on site; and
 - (d) keep complainants informed
 - (iii) *Barn 2, Moss House Farm* –
That no further extensions of time in respect of 19/00629/FUL be agreed without express authority of the Planning Committee.

11. 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.

12. APPEAL DECISION - LAND BETWEEN 164 AND 180 MOW COP ROAD, MOW COP. 18/01004/OUT

Resolved: That the appeal decision be noted.

13. **APPEAL DECISION - 10 POPLAR AVENUE, CROSS HEATH, NEWCASTLE-UNDER-LYME. 18/00692/OUT**

Resolved: That the appeal decision be noted.

14. **URGENT BUSINESS**

There was no Urgent Business.

Chair

Meeting concluded at 7.47 pm