

PLANNING COMMITTEE

Tuesday 10 July 2012

Present:- Councillor A Fear – in the Chair

Councillors Boden, Cairns, Clarke, Mrs Hambleton, Hambleton, Howells, Jones, Matthews, Miss Reddish, Stringer, Studd, Sweeney, Williams and Mrs Williams

1. DECLARATIONS OF INTEREST

Councillor Stringer declared a personal and prejudicial interest in application number 12/00132/FUL.

2. SITE ALLOCATIONS AND POLICIES DEVELOPMENT PLAN DOCUMENT - DRAFT ISSUES AND OPTIONS CONSULTATION PAPER

Consideration was given to a report which outlined draft issues and options for consultation purposes.

Without such a plan, the Council would have much less control over where development could take place or to minimise the physical impact of development.

The Council was required to ensure that sufficient land of suitable quality was available to meet the objectively assessed needs of the Borough.

The Cabinet Member for Regeneration, Planning and Town Centres took no part in the debate or the vote.

Resolved:- (a) That it be recommended to the Cabinet to agree to rename the Site Allocations and Policies Development Plan Document as the Site Allocations and Policies Local plan.

(b) That it be recommended to Cabinet to agree to approve the Site Allocations and Policies Local Plan Draft Issues and Options Paper for Public Consultation Purposes.

(c) That it be recommended to Cabinet to agree to the draft consultation proposals set out in this report.

(d) That a report be submitted to a subsequent meeting of the Committee on the results of the first phase of public consultation and to approve the next steps.

3. EXTENSION OF EXISTING ACADEMY BUILDING CLAYTON WOOD TRAINING GROUND, ROSE TREE AVENUE, STOKE. STOKE CITY (PROPERTY) LTD. 12/00132/FUL

Resolved:- (a) That the Secretary of State be notified that the Council is minded to grant Planning Permission subject to the undermentioned conditions:-

(i) Commencement of development.

- (ii) Approved plans.
- (iii) Prior approval of materials.
- (iv) Prior approval of holistic landscaping scheme (including management plan and living wall).
- (v) Prior approval of tree protection measures.
- (vi) Unexpected contamination.
- (vii) Importation of top soil.
- (viii) Lighting in accordance with submitted details and maintained as such.
- (ix) Hours of operation limited to 9.30pm.
- (x) Construction method statement – highway issues.
- (xi) No direct light source upon the highway.
- (xii) Development in accordance with Flood Risk Assessment.
- (xiii) Development in accordance with Flood Risk Assessment and Drainage Strategy.
- (xiv) Prior approval of a surface water drainage scheme.
- (xv) Grampian (Negative) condition relating to lighting improvements of access from Rose Tree Avenue.
- (xvi) Drainage Plan.
- (xvii) Full details of the parallel drainage system to be submitted and approved in consultation with the Highways Agency and implemented prior to first use of Phase II of the development.

(b) That should the Secretary of State not call the application in, that the application be approved subject to the above conditions.

(c) That Stoke-on-Trent City Council be informed that, following the site visit, the Planning Committee advises that serious consideration is given to providing a direct access to the site onto the highway network to avoid the use of Riverside Road.

4. **REMOVAL OF CONDITION 7 OF PLANNING PERMISSION SOT/28087 WITH RESPECT TO UNIT 1. UNIT 1 SPRINGFIELD RETAIL PARK, NEWCASTLE ROAD, TRENT VALE. PROPINVEST SPRINGFIELD LIMITED PARTNERSHIP. 348/90**

Resolved:- (a) That the City Council be advised that the Borough Council would normally strongly object to the proposed removal of the condition, on the grounds that it has not been demonstrated that unrestricted retail use of Unit 1 would not have an unacceptable impact on the vitality and viability of Newcastle Town Centre, on existing or planned investment in the Town Centre, and that there are no sequentially preferable sites available with the Town Centre. However, the Borough Council acknowledges that the existence of previous and apparently extant planning permissions, and certificates of lawfulness, in this case may well mean that there is a significant fallback position that has to be taken into consideration and that no material purpose would be served by withholding consent.

(b) The Borough Council however requests:

- (i) That the City Council should firstly give urgent consideration to whether, having regard to the provisions including the National Planning Policy Framework, it is expedient for it to apply to the Secretary of State to modify the extant and partly implemented planning permissions referred to.
- (ii) That should the City Council decide to apply to modify these permissions that it carefully reviews the basis upon which previous certificates of lawfulness have been granted before it determines this application.

(c) That officers be granted the authority of the Planning Committee to write directly to the Secretary of State requesting that he uses his powers under Section 100 of the Act and modify the planning permission and restrict the use of unit 1 to non-food retailing.

5. CHANGE OF USE FROM A SHOP(A1) TO A HOT AND COLD TAKEAWAY(A5) WITH A NEW SHOP FRONT AT 43 LONDON ROAD, CHESTERTON. MR N FELSTEAD. 12/00243/FUL

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

- (i) The development would result in an unacceptable over-intensification of this type of use in the area harming the vitality and viability of Chesterton Centre.
- (ii) The development would result in adverse loss in residential amenity by the virtue of noise and nuisance generated by the patrons of the development.
- (iii) The development would result in an adverse increase in anti-social behaviour in the area.

6. DEVELOPMENT MANAGEMENT PERFORMANCE REPORT 2011/12

Consideration was given to an end of year report on the performance recorded for Development Control between 1 April 2011 and 31 March 2012. It was reported that Newcastle led targets had been achieved.

Resolved:- (a) That the report be received.

(b) That the Mid-Year Development Management Performance Report 2012/13 be submitted to the Committee in January 2013 reporting on performance achieved for the first half of 2012/13 in relation to the same targets, unless in the interim revised proposals have been agreed by the Planning Committee.

7. OPEN ENFORCEMENT CASES

Consideration was given to a report informing Members of the current position on the enforcement caseload.

The report gave details of existing and previous enforcement cases indicating that since the last report to Committee on 30 March 2012, a further 72 cases had been reported with 50 cases being closed since that date. As at 22 June 2012, there were currently 187 cases (23 more than the last quarter) representing significant progress.

Resolved:- (a) That the information be received.

(b) That a further update be provided alongside the next quarterly monitoring report quarterly monitoring report on cases where enforcement action has been authorised.

8. APPEAL DECISION - SEVERAL AREAS OF TIMBER DECKING, TWO WOODEN CHILDREN'S PLAY CABINS, A ROPE BRIDGE, A SCRAMBLING NET AND CLIMBING WALL. 21 LADYGATES, BETLEY. MRS S WOODVINE. 12/00002/FUL

It was reported that an appeal lodged against the Council's decision not to grant planning permission for the above development had been allowed with conditions.

Resolved:- That the information be received.

9. DISCLOSURE OF EXEMPT INFORMATION

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

10. QUARTERLY ENFORCEMENT REPORT

Consideration was given to a report providing an update on the position with regard to cases where enforcement action had previously been authorised by the Committee.

Resolved:- That the information be received.

A FEAR
Chair