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Chief Executive

PLANNING APPLICATIONS COMMITTEE SUPPLEMENT AGENDA

Date: Thursday, 27 September 2018

Time: 2.00 pm

Venue: Council Chamber, Moorlands House, Stockwell Street, Leek, ST13 6HQ

Please find below an additional report which was unavailable when the agenda was published.

PART 1

16. NOTE - A Late Representations Report will be circulated prior to the meeting i.e. any representations received since this agenda was published. **(Pages 3 - 12)**

SIMON BAKER
CHIEF EXECUTIVE

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SMD/2018/0046	<p>Land adjacent to GKN Drive Line Ltd Higher Woodcroft Leek</p> <p><u>Trees and Woodland Officer</u></p> <p>Advises that following clearance carried out last year, the main core of the site is devoid of significant tree cover, with just the remains and recent re-growth of scrub and saplings. However, it is around the boundaries where there are issues and concerns in relation to more established early/mature and mature trees – both on- and off-site. He is of the opinion that the following relationship problems between dwellings/gardens and boundary trees points to overdevelopment. He provides the following examples of potential adverse tree and/or amenity impacts:-</p> <ul style="list-style-type: none"> - Potential damage to roots from protected trees in front garden of Croft Cottage - Existing trees within the site, close to the southern boundary/south-east corner, are also likely to receive root damage arising from construction of the access road - Rear gardens of proposed plots adjacent to the western boundary, getting increasingly shorter towards Plot 14, would provide very little useable private amenity space and would have a very restricted outlook due to the indicated retaining walls of around 7m in height. Beyond these gardens is the informal woodland fringing Woodcroft play area, with mature trees up to 20m in height, adding further to the enclosure, restricted outlook and sense of overbearing. - excavation for and construction of the large retaining structures likely to cause damage to roots of mature trees either just inside the site boundary or in the Woodcroft play area woodland beyond. - Section EE on Drg No. PL16B doesn't appear to accurately represent the existing ground profile approaching the northern boundary where there is a steep and notable drop with existing trees along the top and bottom of this bank. The indicated changes to ground levels here would be likely to require removal of and/or cause damage to many of the trees. Meanwhile retention of the trees (and existing ground levels) – which would be desirable – would result in the rear gardens and outlook of Plots 8 – 13 being dominated by the trees with canopies extending to within 2 – 3m of rear elevations. Significantly longer gardens would be required to satisfactorily retain these trees in association with such a residential development - off-site trees along the eastern boundary, at the top and bottom of a steep bank/retaining wall above the GKN Driveline site, would also have an overbearing impact on 	

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	<p>the outlook from the rear of Plots 1 – 7, being up to 15m high in relation to application ground level at this</p> <ul style="list-style-type: none"> - boundary. <p><u>Local Highway Authority</u> Provides the following analysis which lead to the LHA raising no objection to the application:-</p> <ol style="list-style-type: none"> 1. The access into GKN/the site is conditioned to be widened to 7.3m. A Footway is to be constructed. Crossing the access to get to it is not unreasonable. 2. There will be no physical obstruction within the GKN yard to conflict with forklifts/HCVs. Swept path is not required for this. 3. A Transport statement is not required for a development of less than approx. 50 dwellings. 4. This proposed site is accessed along a 7.3m cul de sac and is approx. 120m from the A53. (a 'normal' residential cul de sac would be expected to 5m wide). Woodcroft is used by both residential and commercial traffic. 5. Visibility from the existing access Woodcroft/GKN is good Vehicles from the residential site will give way at the access to the residential site. From this point they will be able to see vehicles in GKN's yard and vehicles approaching along Woodcroft and behave accordingly. 6. TRICs figures submitted by GKN estimate 15 residential trips in the AM peak. This averages to 1 residential trip every 4 minutes. This cannot reasonably be considered severe. 7. The proposed access crosses a corner of an existing yard. It stays close to the boundary. HCV movements, deliveries, forklift movements will take place closer to the buildings and storage areas. Intervisibility is good. 8. Maximum adoptable gradient is 1 in 15. However, the access will be private. Manual for Streets refers to maximum gradient of 8% unless there are local difficulties. MfS also refers to topography as being a consideration for gradients. <p><u>Officer Comment</u> In light of the Trees and Woodland Officers comments a further reason for refusal is recommended relating to adverse impact on existing trees and that reason for refusal one is amended to include the additional amenity issues arising from trees, particularly those on the western and eastern boundaries and the issue of land stability. A third reason for refusal be added providing the overall balance of issues are required by paragraph 11 of the NPPF.</p>	

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SMD/2018/0316	<p>Former Lask Edge Methodist Church, Cowallmoor Lane, Ladymoor Gage, Lask Edge</p> <p><u>Public Comments</u></p> <p>There have been no further representations from members of the public</p> <p><u>Further Information</u></p> <p>The applicant has submitted a revised Location and Block Plan which aligns with the final revised Site Layout (Drawing Ref: 1000-06A)</p> <p><u>Legal Advice – Consecrated Ground</u></p> <p>In their consultation response, Biddulph Town Council stated that clarity should be sought as to whether the development would conflict with consecrated ground.</p> <p>The Council has sought Legal Advice as to whether this issue constitutes a material consideration for the determination of this application.</p> <p>This advice has stated that the only matter which is material is the need to balance the need to preserve any remains undisturbed against the benefit of development.</p> <p>As we discussed, the removal of remains and what happens thereafter is subject to a separate statutory regime and as such is not material to a change of use application.</p> <p><u>Officer Comments</u></p> <p>The site boundary (red edge) is now consistent with the revised Site Layout and has addressed this matter.</p> <p>It is considered that the reduced site area which includes amenity space ensures that there is a suitable separation distance between the site boundary and the graveyard which will prevent any disturbance of remains and as such no adverse harm to the graveyard will occur.</p>	
SMD/2018/0234	<p>Fole Dairy, Uttoxeter Road, Fole</p> <p><u>Trees and Woodland Officer</u></p> <p>No objection in principle to residential development on this site in terms of impact on existing trees or to landscape/visual impact.</p>	

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	<p>However he points to a number of concerns with the Illustrative Plan and particularly the lack of space along the western boundary and along the frontage to provide satisfactory landscaping buffers (reinforcement of hedges, new hedge and tree planting etc) such that it does not support the submitted Landscape Strategy or DAS and give confidence that it would be achieved in practice. In other areas he highlights issues with proximity to retained trees and root protection areas.</p> <p><u>Environment Agency</u> No objection to revised FRA subject to amended flood risk conditions</p> <p><u>Officer recommendation</u></p> <ol style="list-style-type: none"> 1. That further conditions be added as advised by the Trees and Woodland Officer to protect trees and hedges before and during construction. 2. That Condition 5 makes reference to the submitted Landscaping Strategy as well as the DAS 3. That the EA's amended flood risk condition be added 4. That an Informative be added drawing the applicant's attention to shortcomings with the Illustrative Plan. 	
SMD/2017/0660	<p>Land at Cecilly Mill, Oakamoor Road, Cheadle</p> <p><u>Third Party Objection</u></p> <p>I wish to raise my formal objection to the development of the land as described in the planning application.</p> <p>Parking & Traffic Firstly, from a personal point of view, the position of the road will prevent access to my property and prevent myself and other members of my family from parking near to our home. I am a carer for my mother who is registered disabled, she cannot walk very far it is of paramount importance to our family that the access to our property is not degraded. We are directly opposite the proposed road (Churchill Road opening) and should it go ahead, if we continued to park there we would be breaking the law. This is totally unacceptable.</p> <p>Secondly, from a community point of view, there is already too much pressure placed on the existing parking/traffic situation. Two of the 3 homes opposite ours cannot have off road parking and the third has only one space. This means that visitors and residents must park on the road adjacent to the proposed new road junction. Visibility from the junction will be poor, putting</p>	

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	<p>motorists and residents alike at risk of injury or death. Many of whom are very young or elderly. The lane which will be disturbed by this proposed road is used as a cut through from the residential estates beyond. Some would argue that this is the only safe route to take as there is no pavement on the formal route. The creation of this road mouth will put at least 100 children and their families at additional risk every day.</p> <p>I would strongly object to the creation of a "rat run" for traffic from the frequently congested A552. This would again endanger lives and will have adverse effects for many residents. It would in effect create an unofficial bypass for those wishing to travel Oakamoor, Alton Towers etc. I would further oppose the introduction of traffic calming measures to offset the effect of a "rat run" which should simple not happen.</p> <p>Traffic already travels too fast along Churchill Road and the introduction of a rat run along with the additional traffic the 121 homes would create would only make this worse. There will be around 240 extra cars travelling this road from the proposed new homes alone. In March of this year a motorist caused in excess of £18,000 damage to my new car whilst parked outside my home. The road was closed for 5 hours and I am currently trying to recover my losses whilst continuing to be thankful that my family were not near the vehicle at the time. Whilst the police are currently pursuing a prosecution of the driver I feel I must say that the introduction of more vehicles and another junction will only worsen this situation, creating extra costs for our police service etc. I attach pictures of the incident to illustrate.</p> <p>I am certain that the local authority and residents are keen to see the continued active usage of the playing fields adjacent to the proposal. When there are sports tournaments and games the tiny car park cannot cope with the visitor numbers and visitors park on the street. The creation of the junction would adversely affect their ability to safely park too.</p> <p>Local impact To say that in the proposal that Cheadle is well served with transport and infrastructure such as shops, medical care etc. is at best naive and at worst a downright lie. I have been a resident here for over 6 years and an active member of local community initiatives. The public transport is among the worst in the country. There is no NHS dental availability - we still travel to Uttoxeter. The occupancy rates for the shops is worse now than I have seen in the 6 years of living here. There is as far as I am aware no plans to improve the traffic flow and no plans for the very basic shopping requirements which towns of our size demand In</p>	

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	<p>addition we are the closest town to one of the biggest tourist attractions in the country (Alton Towers) and yet there is very little hotel accommodation or family based night time economy/activities. Anyone moving here from a city will be particularly appalled at the lack of infrastructure.</p> <p>Local Flora and Fauna I am fortunate enough to live by one of the most beautiful private lanes I've seen. It's a delight to see how it changes with each season. I've looked at the plan and I've walked the route with open eyes. The plan will remove a good portion of natural hedgerow and where it is left in place it will be a fraction of what it currently is. This is the lane i mentioned earlier which is used as a cut through from the other estates and access to the playing fields. Lots of local residents and school children use this route every day. It is part of the joy of living here, for us and the many birds, insects and plants which abide here too.</p> <p>The way forward A smaller development which does not impact on the environment and does not require an access road would be much more sensible. Allowing new families to come in whilst maintaining services for those already here.</p> <p><u>Developers Comments</u></p> <p>7.2 and 7.9 – Whilst the site is not allocated in the adopted core strategy, we submitted representations in relation to residential development of the whole site and these were subsequently provided to the Council prior to the deadline in September 2017.</p> <p>7.20 – We have been in discussions with consultants in relation to the Air Quality issue and they are of the view that the scheme will have negligible impacts on Air Quality. We have provided correspondence on this issue to the Councils Environmental Health Team and will liaise with them to ensure that all matters are resolved.</p> <p>7.64 – Two Alder trees were deemed to be suitable for roosting batsfollowing this we provided full emergent surveys that considered these two trees and the report states "No bat roosts were identified in any of the trees during the emergence surveys". We feel this additional survey work should be reported to the Planning Committee.</p> <p>7.67 – This element refers to the Buffer zones provided to the Brook. We feel that this element could be more positive in relation</p>	

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	<p>to the fact that approximately 70m of the brook was previously under a building with vertical concrete banks. The demolition of this building provides significant betterment and it was hoped that this would be referenced within the report.</p> <p><u>Viability Consultant</u></p> <p>The development would be sufficiently viable to provide 17 affordable units or 14% based on the feasibility layout and the affordable mix detailed above.</p> <p><u>Air Quality</u></p> <p>Discussions have taken place between the Environmental Health Officer and the developers consultant. The consultant is preparing a detailed statement for consideration by the EHO.</p> <p><u>Officer Comment</u></p> <p>The developers initial offer of 7.5% affordable housing has now been increased to 9%. The Council's consultant's conclusion of suggestion of 14% affordable housing have been shared with the developer who is currently discussing with the Council's consultant whether there is scope to increase their offer further.</p> <p>In the light of the above it is recommended that authority be delegated to Officers in consultation with the Chairman to approve the application subject to no objection from the EHO and to agree the final percentage of affordable housing.</p>	
SMD/2018/0443	<p>Land South East Of A521, A50 BLYTHE BRIDGE BYPASS BLYTHE BRIDGE, STAFFORDSHIRE</p> <p><u>Ecology Comments</u></p> <p>The Ecological appraisal by FPCR dated July 2018 indicates that the main ecological features of the 11 hectare site are:</p> <p>Hedges of native species of moderate or high ecological value Pockets of species rich grassland within the semi improved grassland</p> <p>A small breeding metapopulation of great crested newts</p> <p>I am concerned that application for the proposed access road and associated landscaping application does not consider mitigation, compensation and enhancement within the land ownership area a whole. In particular how habitats of principal importance under</p>	

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	<p>the NERC Act and UK and Staffordshire Biodiversity Action Plan habitats i.e. -ponds and hedgerows will be linked to create habitat corridors through the development. Ponds, hedgerows and created species rich grassland habitat corridors should be established as part of development design based on the land areas identified in the fcpwr Ecological appraisal dated July 2018. Created habitats should be appropriate to the size and scale of the development. Bigger, better and more joined up habitats will provide better biodiversity mitigation compensation and enhancement and can be best planned considering the total site ownership area.</p> <p><u>Hedgerows</u></p> <p>Hedgerows were found to have moderate to high value according to the HEGS survey guidelines. In addition Native hedgerows identified on site are habitats of principal importance under the NERC Act 2006. Native hedgerows are also priority Staffordshire and Uk Biodiversity Action Plan habitats. The Landscape Strategy needs to show how individual hedgerows will be enhanced</p> <p><u>Great crested newts</u></p> <p>The great crested newt report by FPCR dated July 2018 that accompanies the application identifies a metapopulation of breeding great crested newt using the pond network within within the land ownership boundary that includes the application area. In particular ponds 1, 2 and 5 are identified as breeding ponds. The mitigation and enhancement plan needs to show how links between these ponds are maintained and enhanced through habitat restoration and retention. There is insufficient detail in the Landscape Strategy (drawing 1965 A2 01 A) to show how this will be achieved. In addition I am concerned that the proposed access road will break habitat links between identified breeding pond 3 and 5. A temporary ditch and an area indicated for future development are also detailed on the Landscape Strategy (drawing 1965 A2 O1 A) that will fragment breeding habitat at ponds 3 and 5. It is crucial to ensure that links are maintained between ponds supporting the great crested newt metapopulation.</p> <p>The landscape strategy needs to show more detail regarding how ecological concerns are addressed. This should include: Details of species mixes for scrub</p> <p>How existing ponds will be retained and enhanced – with scale plans to provide pond profiles, aquatic planting, and species mixes etc.</p>	

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	<p>How individual hedgerows will be enhanced. For example via 2-3m wide buffer strips of species rich grassland planting or addition tree planting as appropriate considering the characteristic of each hedgerow.</p> <p>Landscaping Scheme</p> <p>As noted in the main report the level of landscaping information provided was insufficient for a reserved matters application. The Ecology Comments above also require additional landscape information. A more detailed landscape strategy has now been provided and shared with the ecologist and landscape officer for consideration. However, the Ecologist remained dissatisfied with the level of detail and a conversation has taken place between the ecologist and the developers consultants. As a result an updated Landscape Strategy plan (Rev E) and a supporting Landscape Strategy technical note has been provided which the developer considers reflect the amendments agreed between the ecologist and the developers consultants.</p> <p>The Councils Landscape Officer has considered the revised landscaping scheme and has commented that the further info on the Landscape Strategy Plan comprises the addition of 2 new ponds as additional potential breeding habitat, and as “stepping stone” features to assist in migration of Great Crested Newts between ponds, and no doubt also from pond to other relevant non-aquatic habitats used by GCN. The new ponds are close to existing Pond 5, which is the only one of the on-site ponds at which GCN presence was recorded in the most recent survey (2017). This is useful as these 2 new ponds would not be separated from Pond 5 by the proposed spine road (nor by the potential continuation of this road over the A50). The Plan annotation states that subsequent detailed design of the new ponds would focus on ensuring their suitability for amphibians. The accompanying Technical Note suggests that further detail on how ponds would be retained and enhanced would be best dealt with by a wider landscape and habitat management plan for the adjacent development areas, detail of which is presently unknown. The Note also acknowledges that a protected species licence would be required for works near the ponds and application for this would need to incorporate a method statement describing how GCN would be affected and how such effects would be mitigated, and include details of pond management.</p> <p>These are all positive enhancement measures and appropriate further amendments to the application’s supporting information.</p> <p>A further additional annotation to the Landscape Strategy Plan</p>	

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	<p>confirms that new and existing hedges would be enhanced by provision of minimum 2-3m wide buffer strips to both sides being seeded or allowed to develop as species-rich grassland, together with introduction of hedgerow standard trees. I know this is something that the Council's Ecologist wanted to be included, and again is an appropriate positive amendment to the application. On this basis the landscape officer is satisfied with the amended scheme although confirmation of the Ecology Officer's agreement to the revisions was awaited at the time of update preparation.</p> <p>In the event that this is not received prior to committee it is recommended that authority be delegated to officers to approve the application in consultation with the Chairman subject to no objection being received from the Ecology Officer.</p>	
SMD/2018/0389	<p>Bluebell Barn, Church Bank, Oakamoor</p> <p><u>Public Comments</u> Since the committee report was drafted, a further representation has been received from a member of the public in support of the application. There has also been a petition with 52 signatures of local residents received in support of the application.</p>	
SMD/2018/0110	<p>West Winds, Cheddleton Road, Leek</p> <p>No updates</p>	
SMD/2018/0434	<p>Heather Hills, Birchall Lane, Leek</p> <p><u>Trees and Woodlands Officer</u></p> <p>The development including extraction works would not significantly harm the trees on site. The closest trees, a Norway Spruce, is not in itself of significant public amenity value and largely screened from public viewpoints. It would not be appropriate to attach a Tree Preservation Order. No objection and no conditions recommended.</p>	
SMD/2018/0448	<p>112 Draycott Road, Upper Tean</p> <p><u>Trees and Woodlands Officer</u></p> <p>No objection. The development would not harm the trees along the road-side boundary of the site. A condition is recommended to secure tree protection measures during construction works and also a condition requiring some additional tree/hedge planting on the site particularly along the northern and eastern boundaries.</p>	