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Simon W. Baker B.Ed MBA MISPAL
Chief Executive

PLANNING APPLICATIONS COMMITTEE SUPPLEMENT AGENDA

Date: Thursday, 24 January 2019

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

19. NOTE - A Late Representations Report will be circulated prior to the meeting i.e. any representations received since this agenda was published. **(Pages 3 - 14)**

SIMON BAKER
CHIEF EXECUTIVE

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SMD/2018/0509	<p>Uttoxeter Road, Upper Tean</p> <p>Letter of objection from a resident of Furlong Drive who says he is highlighting concerns of the Local Community as follows:-</p> <ol style="list-style-type: none"> 1. There has been a lack of engagement with the local community. No public meetings, no recorded engagement with the Parish Council and no engagement with local residents working on the Neighbourhood Plan. 2. Considers that the application is premature and should be refused on these grounds because the development is substantial and would undermine the plan making system and the emerging plan is at an advanced stage. This site is not promoted in the emerging plan or in the Neighbourhood Plan. 3. There is no need for these houses. There are significant opportunities for development on brownfield sites and there appears to be adequate provision through to 2030. 4. The application is a tranquil gateway to the village from the east and a wildlife corridor. 5. There is no current infrastructure for cyclists and disabled motorised wheelchairs or safe pedestrian routes. 6. On the basis of local market conditions and viability and with reference to the Cheadle Road site in Upper Tean a further development of this scale is devoid of any current market demand. 7. The development will not achieve sufficient mitigation for all run off and will increase flood risk. <p><u>Officer comment</u></p> <ol style="list-style-type: none"> 1. Condition 1 to be amended to reflect the fact that this is an outline application <i>The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved.</i> 2. Further condition to confirm two storey development only maximum 7.5m in height. 	
SMD/2018/0677	<p>Blakehall Fisheries, New Close Fields, Adderley, Cheadle</p> <p><u>Ecology Officer</u> Confirms that in view of the findings of the submitted Ecological Appraisal, recommends conditions to carry out a Botanical survey</p>	

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	<p>which would then inform a Landscape Management Plan, also to be secured by condition.</p> <p><u>Trees and Woodland Officer</u> Advises that the site would be screened from views from the surrounding highways. However, Public Footpath No. 21 (Dilhorne Parish) crosses fields to the south-east and south-west of the application site and also directly passes through the large field of which the application site forms part, providing some direct views of the site. The site is also intermittently visibly from stretches of Public Footpath No. 17 (Dilhorne Parish) which follows a track adjacent to the north-east side of the larger field and carries the route of the promoted “Centuries of Coal” self-guided Staffordshire Moorlands walk/trail. It is considered that the proposed camping use would have some intrusive visual impact in views from these footpaths. Provided a landscaping scheme is secured to reinforce/complete the south-east field boundary of the larger field containing the application site, together with physical definition of the actual camping area/application site, using mixed native species hedge planting incorporating some standard hedgerow trees also of suitable native species, then this should mitigate the visual harm.</p> <p><u>Officer comment</u> Condition 4 to be more specific in terms of position and type of planting required in light of Trees and Woodland Officers comments above.</p> <p>Further condition to secure Botanical survey and Landscape Management Plan as advised by the Ecology Officer.</p>	
SMD/2018/0705	<p>Blakehall Fisheries, New Close Fields, Adderley, Cheadle</p> <p>No updates</p>	
SMD/2018/0704	<p>Adderley Mill, Cheadle</p> <p>No updates.</p>	
SMD/2018/711	<p>Highfield, Leek</p> <p>It is noted that the site has incorrectly been referenced as falling within the parish/ward of Kingsley. The application site does in fact fall within the ward boundary of Leek North.</p>	

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	<p><u>Highway Authority</u></p> <p>Raises objection to this application on the grounds of poor visibility to the north of the existing access. The grounds for refusal are outlined as follows:</p> <p>1. The traffic generated by the proposed development would be likely to result in an increase in highway danger owing to increased use of the existing access which affords restricted visibility to the north for drivers emerging from the access.</p> <p>Reason:- In conflict with NPPF paragraph 108; in conflict with SMDC Core Strategy policy DC1; contrary to the interests of highway safety.</p> <p>The following informative is also recommended to be included on the decision notice:-</p> <p>This recommendation of refusal will not prejudice consideration of a further application at a later date when the access improvements as formally proposed under SMD/2017/0635 is included in the application.</p> <p><u>Trees and Woodlands Officer</u></p> <p>The indicative layout plan shows the dwellings in the largely open paddock/field to the north-east of Highfield, sited outside the Root Protection Areas of the various individual trees and group of trees around the southern and eastern sides of the main proposed development area of the application site, which are protected under TPO No. SM.305. The site has the potential to accommodate the indicated scale of development without direct harm on significant trees.</p> <p>The access arrangements for this current application would have a lesser direct impact on protected trees than the previously refused application.</p> <p>Notwithstanding this, the current application still proposes to access the main development area for the new dwellings by creating a gap through the belt of trees along the northern side of the cricket club drive, removing several trees protected within Group G2 under the TPO. This element appears the same as the previous application, with the Design and Access Statement and supporting Arboricultural Report suggesting that this gap would be created at the poorest section of the existing tree belt, avoiding impact on Category A or B trees and requiring removal only of trees of low/poor quality.</p> <p>These access proposals again show the proposed removal of 3</p>	

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	<p>mature Hollies and 1 mature Sawara Cypress, together with a mature Portugal Laurel shrub, and again do not show the additional required removal of a small young Sycamore on the line of the proposed access and an early-mature Yew with stem position immediately adjacent to the edge of the access – these 2 trees are not shown on the applicant’s tree survey but their removal would also in practice be required. The proposed access would therefore require the removal of 6 trees protected by TPO. Whilst it is acknowledged that these are individually of poor quality, they are collectively substantial and their removal would create a significant gap (c.10 – 12m wide) in the currently continuous and largely evergreen tree belt along the northern side of the cricket club drive. This would be detrimental to the visual amenity and historic landscape structure of the former Highfields estate.</p> <p>Therefore the potentially low or poor quality of some of the individual trees making up continuous groups/belts which are of notable value to landscape structure and historical estate character would not be considered acceptable justification to allow harmful breaching of such groups/belts in order to accommodate the proposed access.</p> <p>The Council’s Arboricultural Officer has raised objection to this application on the grounds of loss of protected trees and adverse impact on the significant amenity value and landscape character of the group of which they form. As such it is not considered that the forestry reason for refusal outlined on decision notice reference SMD/2017/0635 has not been satisfactorily addressed.</p>	
SMD/2018/0773	<p>Briar Clough, Clay Lake</p> <p><u>Consultations</u></p> <p>There are no objections on Highway grounds to the proposed development subject to the following conditions being included on any approval:-</p> <p>1. The development hereby permitted shall not be brought into use until details of the 2.4mx43m visibility splays in both directions at the proposed access and to the west at the existing access have been submitted to and approved in writing by the Local Planning Authority. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level and be provided in accordance with the approved plan prior to the development being brought into use.</p>	

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	<p>2. The development hereby permitted shall not be brought into use until the access drives rear of the public highway has been surfaced and thereafter maintained in a bound and porous material for a minimum distance of 5m back from the carriageway edge in accordance with details to be first submitted to and approved in writing by the Local planning authority. The access shall thereafter be surfaced in accordance with the approved details.</p> <p>3. The accesses shall be un gated.</p> <p>4. The development hereby permitted shall not be brought into use until the proposed access to the site within the limits of the public highway has been completed.</p> <p>5. Before the proposed development is brought into use, details shall be first submitted to and approved in writing by the Local Planning Authority indicating dropped pram crossing opposite the access of the westernmost dwelling. The dropped pram crossing shall thereafter be provided before the westernmost dwelling is first occupied.</p> <p>REASONS</p> <p>To comply with NPPF (2018) paragraph 108; to comply with SMDC Core Strategy Policy DC3; in the interests of highway safety.</p> <p>To provide adequate parking and turning areas.</p> <p>To provide pedestrian access to the existing footway system; to comply with SMDC Core Strategy Policy T1 and T2; to provide facilities for pedestrians; to encourage and facilitate alternative means of transport.</p> <p>IMPORTANT INFORMATVE TO BE INCLUDED ON DECISION NOTICE</p> <p>The dropped crossing to the site shall be constructed/reconstructed in accordance with the submitted drawing and SCC requirements. Please note that prior to the access being constructed you require Section 184 Notice of Approval from Staffordshire County Council. The link below provides a further link to 'vehicle dropped crossings' which includes a 'vehicle dropped crossing information pack' and an application form for a dropped crossing. Please complete and send to the address indicated on the application form which is Staffordshire County Council at Network Management Unit,</p>	

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	<p>Staffordshire Place 1, Wedgwood Building, Tipping Street, STAFFORD, Staffordshire, ST16 2DH. (or email to nmu@staffordshire.gov.uk) http://www.staffordshire.gov.uk/transport/staffshighways/licences/</p> <p>The condition requiring off-site highway works (pram crossing) shall require a Highway Works Agreement with Staffordshire County Council. The applicant is requested to contact Staffordshire County Council in order to secure the Agreement. The link below is to the Highway Works Information Pack including an application form. Please complete and send to the address indicated on the application form or email to (nmu@staffordshire.gov.uk). The applicant is advised to begin this process well in advance of any works taking place in order to meet any potential timescales. https://www.staffordshire.gov.uk/transport/staffshighways/highway_scontrol/HighwaysWorkAgreements.aspx</p> <p>NOTES TO PLANNING OFFICER</p> <p>There is no footway on the frontage of the site at this point of Clay Lake. The dropped pram crossing on the north side of Clay Lake opposite the access of the westernmost dwelling is required to allow pedestrian and particularly puschair/wheelchair access to the existing footway.</p> <p>Design and Access statement refers to existing dropped crossings being adequate. However, additional pram crossing is required to avoid vulnerable pedestrians having to cross Clay Lake at an angle.</p> <p><u>Officer Comments/recommendation</u></p> <p>The amendments to the submitted plans do not alter the highway related matters. The recommended conditions and informatives are virtually identical to those recommended on the previous application. The Officer Report provides a list of the proposed conditions and informatives. There is no need to alter these in light of the Highway Authority comments and the recommendation remains the same.</p>	
SMD/2018/0696	<p>Land South East Of A521, A50 BLYTHE BRIDGE BYPASS BLYTHE BRIDGE, STAFFORDSHIRE</p> <p><u>3rd Party</u></p> <p>We would like to reiterate that the applicant plans to cross Woodlands Lane at a place which they have no right of way over.</p>	

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	<p><u>Ecology Officer</u></p> <p>Under the proposed planning application small sections of hedgerow, some trees and semi improved grassland habitat will be removed. A biodiversity guidance note by FPCR submitted with the application indicates that these habitats are either low or negligible in providing terrestrial habitat for great crested newt. Reference is made to Natural England’s Standing advice for great crested newt and rapid risk assessment methodology. This concludes that risk can be mitigated via an appropriate method statement, without the need to apply for a licence from Natural England.</p> <p>Adequate surveys suggest other or protected or priority species including reptiles, bats, badger are unlikely to be impacted by loss of the proposed habitat.</p> <p><u>Tree Officer</u></p> <p>The proposed temporary construction access road would initially follow the existing Woodlands Lane. Whilst possibly requiring some facilitation pruning of existing trees/hedgerow bounding the lane (eg crown lifting comprising removal of lower secondary branches of trees or trimming back overgrown hedges, which might otherwise obstruct or be impacted by larger vehicles), this is anyway a typical requirement alongside/over highways, lanes and access roads irrespective of any development proposals, and would not be considered significantly detrimental if carried out properly and to recognised arboricultural standards.</p> <p>At Point B where the proposed construction access road then enters the first field, there would be a need for some relatively minor removal of hedgerow and small trees of poor quality/low retention value. Once within the field, the proposed route would be parallel to the existing hedgerow/treeline along the eastern side of the southern section of Woodlands Lane, but at sufficient distance that the route would be beyond the Root Protection Areas (RPAs) of these trees and would not cause any significant impact. The RPAs would be protected by the Heras fencing indicated along the western side of the route, shown on Baynham Meikle’s “Haul Road for Phase 1 – General Arrangement Plan & Construction Details” Drg. No. 12629/202 Rev C.</p> <p>At Point A, where the proposed construction access road then enters the Phase 1 development site, there would again be a need for removal of poor quality trees/scrub of low significance; however, such removal at this location would anyway be required</p>	

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	<p>to implement the permanent Phase 1 – Phase 2 link road already approved under application SMD/2018/0443.</p> <p>In conclusion, I have no objection to this application. I would request that the following conditions be imposed in the event that planning permission is granted:</p> <p><u>Archaeologist</u></p> <p>This application is supported by a report outlining the results of a staged archaeological evaluation undertaken in preparation for Phase 1 of the above development. This work was requested as it was deemed that there was a moderate potential for the presence of unknown below ground archaeological remains surviving within this landscape. Specifically, the Archaeological Desk Based Assessment noted the presence of the Roman road to the north of the site with a moderate potential for Roman activity in the area. In addition, given the site’s location on rising land overlooking the River Blythe and other minor river valleys, there was also some potential to uncover prehistoric activity. Whilst the evaluation failed to uncover anything of particular archaeological interest, the potential still remains that unknown below ground archaeological remains may be disturbed by the construction of the temporary haul road. The potential for uncovering Roman archaeology was due, in particular, to the proximity of the former Roman Road which linked Littlechester to Chesterton. The proposed haul road runs closer to this Roman Road than the evaluation trenches and therefore this offers the increased possibility for identifying Roman remains. In addition, a depression, which is due to be filled in and built upon, located at the south western terminal of the temporary haul road, is identified as a pond on historical mapping going back at least to the 1839 Tithe map and there may be potential to recover paleo-environmental evidence from the waterlogged deposits once drained.</p> <p>Taking the above into consideration, should permission be granted, it is advised that an archaeological watching brief be maintained on all groundworks required for the construction of the temporary haul road, including topsoil stripping, and the excavation of the filter trench/French drain. Alternatively, a strip, map and sample exercise would also be appropriate should this provide more surety of timescales and budget to the applicant. It is also recommended that the appointed archaeological contractors assess this potential of the aforementioned pond to contain paleo-environmental material and develop a suitable sampling strategy as part of the above works.</p> <p>This work should be undertaken by a suitably experienced</p>	

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	<p>archaeologist working to the Chartered Institute for Archaeologists code of conduct and relevant standards and guidance (Revised October 2014). This approach is supported by National Planning Policy Framework (NPPF) para 199 which states that ‘... they [Local Planning Authorities] should also require developers to record and advance understanding of significance of any heritage asset to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.’</p> <p>This work would most appropriately be secured via a condition being attached to any permission issued. This condition should state:</p> <p><u>Additional Conditions</u></p> <p>Great crested newts</p> <p>The method statement set out in the Biodiversity Guidance Note at section 6 (page 8) should be followed to avoid mitigate for impacts on great crested newts. In the event great crested newts are located during construction, work should cease and Natural England should be contacted for advice. A licence may be required from Natural England to permit the development to proceed.</p> <p>Reason: Great cested newt, and the habitats that support them are fully potected under the Habitat Regulations 2017, and the Wildlife and Countryside Act 1981 as amended.</p> <p>Breeding birds</p> <p>Works should not be carried out between 1st March to 31st August inclusive unless a check for breeding birds has been carried out by an ecologist. In the event that breeding birds are present no work should be carried out until the birds have finished breeding, and all dependent young have left the site.</p> <p>Reason: All breeding birds, nests eggs and young are protected from harm under the Wildlife and Countryside Act 1981 as amended.</p> <p>Bats and breeding birds</p> <p>Any temporary lighting used during the construction phase of the haul road must be of a design that will not cause disturbance to birds or bats. Details of lighting must be submitted to the Local</p>	

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	<p>planning authority for approval.</p> <p>Reason: In the interests of biodiversity. To avoid impacts on birds or bats using the site.</p> <p>Protection of Hedgehogs or badgers</p> <p>If any trenches/ drains dug during works activities are left open over night, they should be left with a sloping end or ramp to allow any badgers or other animals that may fall in to escape. Holes should be covered over at night. Also, any pipes over 150mm in diameter should be capped off at night to prevent animals entering.</p> <p>Reasons: In the interests of biodiversity . Badgers are protected under The Protection of badgers Act 1992. Hedgehog is a species of principal importance under the NERC Act 2006.</p> <p>Compensation for loss of hedgerow and woodland habitats</p> <p>Compensatory hedgerow and tree planting must be incorporated into future landscaping (green infrastructure) within future phases of the development as stipulated in the approved planning permission SMD/2017/0517.</p> <p>Reason: Policy NE1 of the Staffordshire Moorlands Adopted Core Strategy - Ensuring development promotes appropriate maintenance, enhancement or restoration and/ or recreation of biodiversity through its proposed nature, scale, location and design. National Planning Policy Framework 2018 (NPPF): Providing no net loss and net biodiversity gains where possible.</p> <p>Tree Protection</p> <p>No trees, shrubs or hedgerows shall be removed other than those whose removal is directly required to accommodate the approved development, unless otherwise approved by the LPA. There shall be no removal of any trees, shrubs or hedgerows during the bird nesting season (nominally March to August inclusive), unless otherwise agreed by the LPA and in this case only following careful inspection by a competent person to establish that such trees, shrubs or hedgerow are not in active use by nesting wild birds.</p> <p>Before the commencement of development (including any demolition, site clearance, site stripping or site establishment) the temporary protective fencing along the west side of the proposed construction access road between Points A and B for the</p>	

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	<p>protection of the existing trees and hedges to be retained as indicated on the Baynham Meikle “Haul Road for Phase 1 – General Arrangement Plan & Construction Details” Drg. No. 12629/202 Rev C shall be erected and shall be retained in position for the duration of the period that this development takes place, including its use and subsequent reinstatement, unless otherwise agreed by the LPA. Within the fenced areas there shall be no excavation, changes in ground levels, installation of underground services, provision of hard surfacing, passage of vehicles, storage of materials, equipment or site huts, tipping of chemicals, waste or cement, or lighting of fires unless otherwise agreed by the LPA.</p> <p>Archaeology</p> <p>A) Prior to the commencement of the development hereby permitted, a written scheme of archaeological investigation (‘the Scheme’) shall be submitted for the written approval of the Local Planning Authority. The Scheme shall provide details of the programme of archaeological works to be carried out within the site, including post-excavation reporting and appropriate publication.</p> <p>B) The archaeological site work shall thereafter be implemented in full in accordance with the written scheme of archaeological investigation approved under condition (A).</p> <p>C) The development shall not be occupied until the site investigation and post-fieldwork assessment has been completed in accordance with the written scheme of archaeological investigation approved under condition (A) and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.”</p>	
SMD/2018/0521	153 Park Lane, Knypersley	
Case officer	Further in regards to amenity, consideration should be given to the impacts on the ‘host’ dwelling, and the unrelated dwelling to the west at 149 Park Lane, of passing traffic which will be coming to and fro from the proposal dwelling – particularly alongside the west elevation 153 where the separation to the driveway would be minimal. The separation to 149 is considered more clearly acceptable as there is a further intervening driveway already in existence serving 151 to the rear. Whilst again the implications for the host dwelling may be considered an adverse compromise to its amenity the conclusion overall is still that there is not	

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	<p>significant and demonstrable harm.</p> <p>Add condition to remove PD rights – in order to ensure LPA control over future, possibly otherwise permitted, changes which could impinge on amenity.</p>	
Neighbour representation	<p>As a resident at 155 Park Lane I would oppose the proposed development for a detached dwelling on 153 Park Lane as where they are wanting to locate it at the rear of the land of 153 Park Lane, this will completely block out the small amount of views that I have from upstairs in my home and I will have zero privacy as they would be able to see directly into my home through the windows.</p> <p><u>Case Officer:</u> 155 is an infill development to the east of 153. A separation distance of 22m can be achieved between the rear elevation of 155 and the proposal building and the layout therefore meets the Council's Adopted Space About Dwellings Standards. It can also be noted that the line of sight is at an oblique angle rather than directly facing which would further help reduce any sense of overlooking.</p>	