

Public Document Pack



Simon W. Baker B.Ed MBA MISPAL
Chief Executive

PLANNING APPLICATIONS COMMITTEE SUPPLEMENT AGENDA

Date: Thursday, 14 February 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

13. NOTE - A Late Representations Report will be circulated prior to the meeting i.e. any representations received since this agenda was published. **(Pages 3 - 8)**

SIMON BAKER
CHIEF EXECUTIVE

This page is intentionally left blank

PLANNING APPLICATIONS COMMITTEE

Late Representations – 14th February 2019

FILE REF.	SITE AND DETAILS	PAGE NO.
SMD/2018/0537	<p>Land Rear of Jim Hallam Landrovers Macclesfield Road, Rushton Spencer</p> <p>Environment Agency – Withdrawn their objection on the basis of the submitted Drainage Strategy and confirmation within that there are no proposals to discharge foul effluent to ground. Recommend conditions to secure a detailed drainage scheme</p> <p>Canals and River Trust – No further comment to make. No objection</p> <p>Environmental Health Officer – advises that drainage of the proposed development is technical and on paper appears to work. However both he and the Case Officer have raised a number of queries which the applicant. In the absence of any replies a further recommendation of refusal is recommended based on insufficient information being provided to demonstrate that a satisfactory drainage strategy is available.</p>	
SMD/2018/0706	<p>Land off Macclesfield Road, Leek</p> <p>Work has been commenced on site and the Council's Enforcement Team are investigating this matter, including its impact to the status of the outline planning permission.</p> <p>Notwithstanding the status of the outline planning permission, the submitted reserved matters scheme is in conflict with Condition 04 of outline planning permission ref. SMD/2013/1201, which requires the access hereby approved shall be carried out in complete accordance with the submitted amended plans and specifications as follows:- a) Location Plan 2011-1806-23 and b) Scheme 4 Site Layout Plan 2011-1806-Sp4 – Access matters only.</p> <p>Means of Access covers: <i>accessibility for all routes to and within the site, as well as the way they link up to other roads and pathways outside the site.</i></p> <p>An informative is recommended to highlight this matter to interested parties. This matter has been brought to the applicant's attention.</p>	

PLANNING APPLICATIONS COMMITTEE

Late Representations – 14th February 2019

FILE REF.	SITE AND DETAILS	PAGE NO.
SMD/2018/0780	<p>Hillswood Lodge Nursing Home, The Close, Endon</p> <p><u>Amended Plans showing hedge replacement and further consultation response from Council's Tree/Landscaping Officer:</u></p> <p>Amended Plans were received on 11.2.19 to show the replacement of the proposed 3.0m high beech hedge between the rear wall of the extension and the rear boundaries of Hillside Avenue, with a 4.2m high cherry laurel hedge in order to provide a more robust hedge to screen the proposed extension from the Hillside Avenue properties.</p> <p>The Council's Tree/Landscaping Officer responds to the amended plans as follows:</p> <p><i>This species is more shade tolerant than the previously proposed Beech, and hence more likely to ultimately establish more successfully in the narrow, shaded strip between fenceline and rear elevation of the proposed extension. It is also fully evergreen, and more densely bushy than Beech, and therefore ultimately more likely to provide more effective screening.</i></p> <p><i>The drawings indicate the proposed hedge at a height of 4.2m. It is not specified whether this is instant height at time of planting, or ultimate target height for future management. Laurel is capable of growing to heights of 5/6m or more at maturity, so 4.2m is a realistic proposal for target height once fully established, although to achieve this using standard sized planting stock (normally around 1m or so in height from nurseries) would take some time – perhaps 5 – 10 years or so depending on how successfully the plants became established. It is possible to obtain larger planting stock (the largest I have seen on a quick search is some suppliers offering 3.0 – 3.5m tall plants) although these would appear to be dis-encouragingly expensive (perhaps £380 - £450 per plant) and need forklift trucks or similar to handle them. I would also be concerned at the major excavation required for the large rootballs of such advanced stock, which may encroach into the still-possible Root Protection Area of the protected Ash beyond (north-east of) the line of the previous trial excavation. However, there is clearly a range of planting sizes available; aside from cost, the trade-off is that larger stock generally take longer to settle after transplanting before they put on new growth, whilst smaller stock has less immediate impact but settles and gets going more quickly.</i></p> <p><i>I have received contact from the applicant in relation to my previous (05/02/2019) comment relating to the absence of</i></p>	

PLANNING APPLICATIONS COMMITTEE

Late Representations – 14th February 2019

FILE REF.	SITE AND DETAILS	PAGE NO.
	<p><i>screening of the proposed extension which would be provided by the lower crown of the protected Ash tree at 3 Hillside Avenue. Whilst I was not questioning any survey of the actual measured height of the canopy base above datum, the effect of perspective is that in a human eye level view from the rear garden of 3 Hillside Avenue near the rear elevation of the house (approximately what is represented in the Figure 6 and Figure 7 visualisations in the applicant's Spatial Planning Statement document), other than a minor sprig or two of foliage, all the crown of the mature Ash is seen above the ridgeline level of the existing main building at Hillswood Lodge and would provide no screening of the proposed extension (see Figure 5 of the Spatial Planning Statement which is a photograph of the actual situation which Figures 6 and 7 approximately visualise).</i></p> <p><i>The applicant also wished to draw attention to the notably reduced width of the tree stem as it passes the top of the fenceline, as shown in the Photo B with proposal superimposed (so in effect another visualisation) sent in support of their objection by the residents of 3 Hillside Avenue. Whilst this is true, as can be seen when zooming in this image, it appears to be simply down to inaccuracy in photoshopping-in the proposed extension against the left hand side of the tree stem, as it appears to have removed part of the thickness of the stem between fence-top and flat roof height – but does not appear to have altered the height, size, extent or density of the tree's crown.</i></p> <p><i>These issues merely go to show that as planning authority we should not necessarily place reliance on the complete accuracy of visualisations, predicted views and computer generated images whether provided by applicants or objectors.</i></p> <p><u>Officer comment:</u></p> <p>With regard to the Tree Officer comments above, the cherry laurel hedge could be planted at a height of 2.0 metres. A planting height of at least 3.0 metres could affect the roots of the protected tree at No.3. It would take between five to ten years for the hedge to grow to a height of 4.2 metres and this is a considerable amount of time given the harmful presence of the proposed extension and its impact on residential amenity as outlined in the report. The Tree Officer has also previously stated that <i>"I would advise that the narrow retained strip between the boundary fence and proposed extension is unlikely to provide ideal conditions for quick establishment of new plants due partly to limited space and poor/disturbed ground but more particularly to the enclosed shaded space available."</i> I do not consider the proposed hedge would sufficiently reduce the impact on the residential amenities</p>	

PLANNING APPLICATIONS COMMITTEE

Late Representations – 14th February 2019

FILE REF.	SITE AND DETAILS	PAGE NO.
	<p>of nos. 3 and 5 Hillside Avenue.</p> <p><u>Comment from applicant’s agent in response to report</u></p> <p><i>In addition, upon review of the Committee Report, I note in paragraph 5.8, the last sentence, which reads "With this new scheme, the roof on this part of the extension has been removed resulting in the whole wall of a height of 5.05 metres being visible". Reflecting on the cross sectional plan submitted with this application, and indeed the amended cross sectional plan sent through yesterday, this is a misleading comment. Reading the latest plan, taking into account the height of the proposed cherry laurel hedgerow which will be at a maintained height of 4200mm and the proposed height of the extension as 5050mm, the total amount of visible wall will be just 850mm.</i></p> <p>In response, the officer would to clarify that the wall with a height of 5.05 metres would be visible behind the existing boundary fence when viewed from Hillside Avenue i.e. the amount of visible wall above the fence would be approx 3.0 metres in height. The amount of visible wall would be 850mm if the proposed hedge was to grow to a height of 4.2 metres but for the reasons outlined above, there is no assurance that the proposed hedge would reach that height.</p> <p><u>Representations</u></p> <p>A further letter from one of the objectors has been received pointing out that there is a lack of detail about the retaining wall.</p>	
SMD/2018/0575	<p>Land off Main Road, Hollington.</p> <p><u>Applicant additional comments</u></p> <p>This is very modest in scale (6 shepherd huts and 12 tents) and numerically just over the Caravan and Site Licensing threshold but it will still if undertaken bring an investment of circa £200,000 plus on going local economic benefit once up and running. The proposal is designed especially to appeal to those who want to cycle locally or road or mountain bike. In addition there are plenty or nearby walks.</p> <p>I had hoped the NPPF (paras 83 and 84 below) and a more relaxed and sensible emerging tourism policy by SMDC would have trickled into your DC team. It seems it has not at present.</p> <p>I am sorry to say but I had expected more from the council. My</p>	

PLANNING APPLICATIONS COMMITTEE

Late Representations – 14th February 2019

FILE REF.	SITE AND DETAILS	PAGE NO.
	<p>greatest concern however is the message this report and the application of tourism policy by your DC team will mean for a potentially significant source of rural jobs and income in the future if policy is applied in this way. As you know families who camp arrive loaded with gear in their cars. There is no effective bus service for them so yes they often use cars when taking in tourist sites or activities. They do not want to come to Staffordshire Moorlands to camp in a field on the edge of Cheadle or Biddulph. I would suggest they would come to take in its beautiful countryside and increasingly to pursue some outdoor activity or pursuit. Every camper holidaying in the UK is potentially one less flying off into the sunshine at significant carbon cost.</p> <p>Emerging policy for SMDC and the NPPF (below) supports tourism in the district and not just on those sites next to towns and villages. I believe the officer's opinions in the report will send a very poor signal to the potential rural investors and embryonic camping business in the district. There are many small scale farmers and land owners who might seek to set up such sites if a positive attitude is taken.</p>	
SMD/2018/0733	<p>Former Stable building at Spring Cottage, Greatgate Road, Winnothdale</p> <p><u>Cllr Richard Alcock</u></p> <p>There used to be a large house at the site whereas this proposal involves only a small building which is already there and will do no harm at all if developed. About twenty houses in the area have been demolished by the minerals companies.</p> <p>[A building named Spring Cottage is evident at the site on the 1922 OS map revision published 1924 and on a 1963 aerial photo but it was no longer present by the 1970 OS map revision – case officer]</p> <p><u>Checkley Parish Council</u> No objection – support.</p> <p><u>Case Officer</u> The agent has submitted two Appeal decisions both from sites in Devon which he considers support the case here. Both were for a single dwelling – in a District with a shortfall in housing supply and both considered locational sustainability. However we do not know all the details considered and it is difficult to ascribe particular weight to these appeal decisions from elsewhere. The</p>	

PLANNING APPLICATIONS COMMITTEE

Late Representations – 14th February 2019

FILE REF.	SITE AND DETAILS	PAGE NO.
	<p>agent draws attention to the Inspectors’ considerations of the 2012 NPPF paragraph 34. However the 2012 NPPF has been superseded and the 2018 NPPF paragraph 103 is subtly different referring to “significant development” as opposed to “developments that generate significant movement” (2012). The 2018 NPPF adds that, “opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making”.</p> <p>Case officer response: As noted in the report at paragraphs 7.10 and 7.11, NPPF paragraphs 108 and 122 also apply and support the adopted policies of SS1 and T1.</p> <p>The agent emphasises that “the proposal a) involves the reuse of an existing building, not a new build property – as explicitly encouraged by paragraph 118 of the NPPF, b) encompasses a single dwelling and c) is located approximately 5 minutes drive from Cheadle where a wide range of services and facilities are on offer, and only 2km from Upper Tean. Making beneficial re-use of an existing building is, to my mind, a more preferable option to having to build on greenfield sites in order to achieve the Local Authority’s housing requirements.”</p> <p>The agent again refers to NPPF 79 but this is covered in the report at paragraph 7.9.</p> <p><u>Case officer</u> Giving further consideration to the impact of a residential development on the character, setting and appearance of the area – paragraphs 7.6 and 7.9 – it is considered that a further reason for refusal should be recommended that contrary to policies SS6c, R1, DC1 and DC3 and the NPPF the development would be harmful to the rural character and setting of the location as a result of the urbanising influences of residential use of the site.</p>	
SMD/2018/0742	<p>Town Yard Industrial Estate, Station Street, Leek</p> <p>No updates.</p>	