

Public Document Pack



PLANNING APPLICATIONS COMMITTEE SUPPLEMENT AGENDA

Date: Thursday, 26 January 2023

Time: 2.00 pm

Venue: The Council Chamber, Moorlands House, Stockwell Street, Leek

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

PART 1

6. Late Representations Report (**Pages 3 - 12**)

MARK TRILLO
EXECUTIVE DIRECTOR & MONITORING OFFICER

This page is intentionally left blank

PLANNING APPLICATIONS COMMITTEE

Late Representations – 26th January 2023

FILE REF.	SITE AND DETAILS	PAGE NO.
<p>SMD/2022/0088</p> <p>FIE, Bones Lane, Cheddleton, Staffordshire, ST13 7BT</p>	<p><u>Staffordshire Wildlife Trust</u></p> <p>Confirmed no objection to conditions including; a detailed baseline survey and habitat creation plans for off-site planting area, an updated BNG metric using metric 3.1, and reflecting design changes, a CEMP (to include precautions to be followed as per section 7.1 of the Preliminary Ecological Appraisal report, including suitable precautions for nesting birds for clearance works and bats, and pre-commencement update walkover survey to ensure ecology conditions have not changed), a lighting plan, and a soil handling plan.</p> <p>The SWT Officer notes that the site is located within the woodland Habitat Connectivity Opportunity area, with part of the site also in the Wetland HCO. The proposed habitat creation of woodland, meadows and ponds is suitable for the area. She continues by noting that the site is in a strategic area for biodiversity enhancement, as there is a high proportion of semi-natural habitats in the locality and the site is adjacent existing woodland blocks.</p> <p>With regards to Designated Wildlife Sites the Officer notes that as the site is upstream of Churnet Valley SSSI, but lies within the SSSI Impact Risk Zone for the Churnet Valley. The proposal appears to meet the following categories/ descriptions which would require consultation with Natural England:</p> <ul style="list-style-type: none"> • Air Pollution - Any industrial/agricultural development that could cause AIR POLLUTION (incl: industrial processes, livestock & poultry units with floorspace > 500m², slurry lagoons & digestate stores > 200m², manure stores > 250t). • Water supply - Large infrastructure such as warehousing / industry where total net additional gross internal floorspace following development is 1,000m² or more. • Discharges- Any discharge of water or liquid waste of more than 5m³/day to 	

PLANNING APPLICATIONS COMMITTEE

Late Representations – 26th January 2023

FILE REF.	SITE AND DETAILS	PAGE NO.
	<p>ground (i.e. to seep away) or to surface water, such as a beck or stream.</p> <p>And possibly also because of any composting proposal with more than 75000 tonnes maximum annual operational throughput. Incl: open windrow composting, in-vessel composting, anaerobic digestion, other waste management. The Officer notes that the Preliminary Ecological Appraisal (PEA) report notes that there is 'a risk that a major pollution incident, or fire, at the Proposed Development Site could have a significant impact on the Churnet Valley SSSI. Such an incident is most likely to occur through a pollution incident affecting water courses in the vicinity of the Proposed Development Site, such as the stream that runs through Felthouse and Consall Woods. Any such pollution could make its way south into the Felthouse/Consall Woods stream, which then flows directly into the Caldon Canal/River Churnet upstream of where it flows through the Churnet Valley SSSI.'</p> <p>However, the report considers that the risk of this occurring is negligible, given the water control measures proposed. As such the Officer considers that consultation with Natural England is required.</p> <p>With regards to Local Wildlife Sites the Officer notes that the proposal is upstream of a locally designated site, Felthouse Wood Biodiversity Alert Site, 452m directly east, part of which is also an ancient woodland. This site could potentially be impacted should spillages occur. It is not known whether any changes in air pollution from the plant could impact the ancient woodland. However, it is likely that with appropriate control measures, the effects would be negligible. No other Local Wildlife Sites would be likely to be impacted.</p> <p>With regards to Habitats the Officer considers that the recommendations set out in the Arboricultural Impact Assessment (LTM0385.AIA.01) are followed to protect retained trees and hedgerows, unless the Arboricultural Officer (or other relevant consultee) has any additional comments/objections.</p> <p>With regards to Biodiversity Net Gain (BNG) Policy NE1 in the Staffordshire Moorlands Local Plan Adopted September</p>	

PLANNING APPLICATIONS COMMITTEE

Late Representations – 26th January 2023

FILE REF.	SITE AND DETAILS	PAGE NO.
	<p>2020, expects that ‘all development where possible seeks to deliver a net gain in biodiversity proportionate to the size and scale of the development. In circumstances where adverse impacts are demonstrated to be unavoidable, developers will be required to ensure that impacts are appropriately mitigated, with suitable compensation measures towards loss of habitat used only as a last resort where there is no alternative’.</p> <p>A biodiversity net gain assessment using metric 3.0 has been provided, showing that within the proposal site, a large gain for hedgerows is expected, but a net loss of nearly one biodiversity unit for habitat area. However, an area of new native woodland and meadow planting has been proposed offsite to the south, within the same landholding. The overall net effect would be gains of around 114% for hedges and 47% for habitat area.</p> <p>However, the Officer notes that to enable accurate monitoring, the metric will need to be updated to use metric 3.1, and to reflect final design changes and the location of the site in a strategic area for biodiversity enhancement. However it is clear that a comfortable net gain can be achieved on the land specified. A final metric can be secured via condition.</p> <p>The Officer concludes that the submitted Landscape and Ecological Management Plan (LEMP), which includes a landscape and habitat plan, and a 25-year management and monitoring plan. Species enhancements and habitats are included. The Officer considers the submitted LEMP to be suitable.</p> <p>With regards to Levels and Soil Handling the Officer recommends using subsoil for any wildflower habitat creation areas, and also ponds, to reduce nutrients and encourage good floral diversity and considers that the Woodland planting areas could be prepared with topsoil overlaid with 40cm subsoil, to allow wildflower seeding on the surface but also good tree growth of deeper rooted species.</p> <p>With regards to Drainage the Officer notes that a Flood Risk Assessment (FRA) with proposed drainage was submitted alongside the application. Section 4.5 of the FRA states:</p>	

PLANNING APPLICATIONS COMMITTEE

Late Representations – 26th January 2023

FILE REF.	SITE AND DETAILS	PAGE NO.
	<p>“As infiltration is not viable, it is proposed to attenuate runoff using a combination of rainwater harvesting from the main building, green roof on the office building, filter drains and a basin prior to discharging runoff to an existing ditch that ultimately drains to a watercourse (Consall Brook) to the south of the site. The proposed outfall is located within the ownership of the applicant and, therefore, no third-party landowner consents would be required.”</p> <p>The Officer welcomes the inclusion of a green roof – for maximum biodiversity value this should include a variety of substrate depths and plant species if possible- detailed design could be secured via condition. The Officer notes that the drainage details appear to show adequately that run-off from the site will be controlled.</p> <p>The Officer concurs with the Preliminary Ecological Assessment; which has not recommended any further species surveys, however, she notes that precautions are recommended within section 7.1 during site clearance and construction.</p> <p>The Officer agrees that the site has been adequately assessed for bats. Important features will be retained. The proposed habitat enhancements are likely to improve foraging habitat and the bat boxes will provide additional roosting opportunities.</p> <p>However, as also stated within the PEA report, there are potential impacts from lighting. We therefore recommend that a wildlife friendly lighting plan is secured via condition. This is to protect bats that may use the proposed bat boxes for roosting but also to maximise the value of the commuting and foraging corridors. This will also benefit other species, including invertebrates.</p> <p>The Officer agrees that the site has been adequately assessed for Great Crested Newts and notes that no impacts are anticipated.</p> <p>The Officer agrees that site has been adequately assessed for otters and water voles and notes that no impacts are anticipated.</p> <p>The Officer is satisfied that an ornithological walkover survey has been completed. She is happy that this has assessed the potential impacts of the development. She considers that precautions should be during the preliminary site preparation</p>	

PLANNING APPLICATIONS COMMITTEE

Late Representations – 26th January 2023

FILE REF.	SITE AND DETAILS	PAGE NO.
	<p>and construction will be required to protect nesting birds. It is recommended that the precautions set out in section 7.1 of the PEA report are followed in full.</p> <p>The Officer is satisfied that the site has been adequately assessed for reptiles and that no impacts are anticipated.</p> <p><u>Representation from the Applicants Agent</u></p> <p>Correction to paragraph 7.16: The applicant, Advanced Proteins, and their parent company ABP are world leaders in the field of gel bone process technology and have had a very similar facility running in Ireland for over five years. This facility has been very successful, taking significant quantities of waste out of the process and, instead, turning these waste products into marketable products. As a result of the new processing plant introduced at the site in Ireland, the number of complaints received reduced substantially, reflective of the new process operating to much higher standards to meet the necessary permitting regimes.</p> <p>Living Conditions (paragraphs 7.58 – 7.61): With regards to odour, it should be noted that the existing facility meets current permitting requirements. On behalf of the applicant, Entran provided further comments to support the application and the cumulative impact from odour on local residents will not be “significant”, as claimed by the Council’s pollution officer. Whilst Entran agree that an increased number of receptors (local residents) are predicted to experience an increase in odour concentration, this increase is classed as “negligible”, when compared to the established background environment.</p> <p>Entran went on to emphasise the importance of recognising that, in the absence of manufacturing data regarding the likely odour emissions arising from the proposed plant, odour concentration data obtained from the existing biofilter beds was used as a proxy. Due to the age of the existing plant, this data is likely to be an over-estimation of the likely levels, in other words the data providing a “negligible” increase in odour reflects the “worst case scenario”. More recent preliminary monitoring data (taken in April and October 2022) shows that odour concentrations measured at biofilter bed A are significantly lower than previously. If this data had been used in the assessment carried out by Entran, the impact of the proposed biofilter bed would have been significantly lower. The reduction in the number of</p>	

PLANNING APPLICATIONS COMMITTEE

Late Representations – 26th January 2023

FILE REF.	SITE AND DETAILS	PAGE NO.
	<p>complaints received in respect of the processing plant in Ireland, once the new process was up and running, also support these conclusions.</p> <p>PLANNING OFFICER COMMENTS</p> <p>The comments of the Applicants agent are noted.</p> <p><u>Heritage</u></p> <p>A Grade II listed cottage lies at the junction of Bones Lane and Cheadle Road. Ashcombe Park lies to the north of the site and is a Grade II* small country house (formerly listed as Ashcombe Hall). Within the Ashcombe Park estate there are a number of listed buildings and structures (these include an ornamental pool, carriage sheds, tunnel, stable building, cart shed, a lodge and the entrance gates, piers and railed screen. Also to the north of the site lies the Grade II listed Heath House farmhouse.</p> <p>No harm to these heritage assets has been identified and as such there is no conflict with Policy DC2 or the NPPF.</p> <p>There is also a listed Cottage. Late C18 with mid-C19 alterations (now restored and converted in close proximity to the access from the A520. However, given the distance from the development site, the only potential impact arises from additional traffic, which in the light of the highway officer comments is not considered to be significant or detrimental.</p> <p>Ecology</p> <p>The main committee report considered the impacts of the proposal in terms of biodiversity net gain. In the light of the SWT comments above it is not considered that there would be any significant impacts on existing ecological interests in or around the site.</p> <p><u>AMENDED RECOMMENDATION</u></p> <p>This application would need to be sent to the Secretary of State for consideration as a 'Call-in' due to this proposal being a major departure from the Councils Development</p>	

PLANNING APPLICATIONS COMMITTEE

Late Representations – 26th January 2023

FILE REF.	SITE AND DETAILS	PAGE NO.
	Plan.	
<p>SMD/2022/0160</p> <p>Land at Blythe House Farm Draycott</p>	<p><u>Further comment from the Agent</u></p> <p>Solar panels are designed to absorb as much light as possible. This stands to reason: the more light a panel absorbs, the more power it will generate. This is why the industry has developed high-tech anti-reflective coatings, and ultra-transparent glass to improve panel efficiency. Solar panels are less reflective than many common building features – such as windows. Meaningful engagement with the local community is a cornerstone of all successful planning applications, and this is true for our solar project as well. The local community has been extensively consulted throughout the pre application and application stage, with no objections raised from these neighbours.</p> <p>The property at Blythe House is positioned 200m to the south east and contains one residential property. As discussed within the LVIA this property is enclosed by established trees and existing buildings on all sides except the south-eastern aspect which faces away from the proposed development area. In order for there to be any potential glint or glare, the receptor would have to have a clear and uninterrupted line of sight of the development. The established trees and orientation of the property mean that this would not be geometrically possible and as such there would not be any potential for glint or glare on receptors at this dwelling.</p> <p>To provide the Council with further confidence the Applicant is willing to accept a condition requiring the panels to be finished in anti-reflective coatings.</p> <p><u>Amendment to Condition 4 to include for anti- reflective coatings on the panels</u></p>	
<p>SMD/2022/0189</p> <p>Broad Street, Leek Two units</p>	<p><u>Further information from applicant’s agent regarding possible end-users and amount of customer seating provided:</u></p> <ul style="list-style-type: none"> • <i>End user – the applicant Gastronomy has not fully confirmed the final end users at this stage however the brands Gastronomy currently operate are:</i> <ul style="list-style-type: none"> ○ <i>KFC</i> ○ <i>Starbucks</i> ○ <i>Chopstix</i> ○ <i>Planet Doughnut</i> • <i>In terms of seating numbers, this can vary a bit depending on the final fit out however for units of the sizes proposed</i> 	

PLANNING APPLICATIONS COMMITTEE

Late Representations – 26th January 2023

FILE REF.	SITE AND DETAILS	PAGE NO.
	<p align="center"><i>we would expect seating in the order of:</i></p> <ul style="list-style-type: none"> ○ 40-45 seats (Unit 1) ○ 15-20 seats (Unit 2) <p><u>Officer comment with regard to parking provision</u></p> <p>If the maximum number of seats as predicted above was provided then the Council parking standards based on one space per 4 seats would require 16 spaces on this development. There are 20 spaces provided for customers (excluding the two disabled spaces and the staff parking). The parking provision is therefore acceptable.</p>	
<p>SMD/2022/0210 and SMD/2022/0232</p> <p>White Hart Alton</p>	<p>None</p>	
<p>SMD/2021/0794</p> <p>Land opposite Methodist Church, Ankors Lane, Thornccliffe</p>	<p>None</p>	
<p>SMD/2022/0634</p> <p>Charlie Bassetts New Road, Dilhorne</p>	<p><u>Further submission from the applicant</u></p> <p>The applicant has submitted an amended site layout plan showing a suggested revision to the layout of pitches. The revised plan has been attached to the presentation. The grouping of seven would, as an alternative, be arranged in a linear row of adjacent pitches.</p> <p><u>Comments from the Council's Regeneration Officer</u></p> <p><i>Following on from the Tourism Workshop held in Cheadle at the beginning of November, the following five key objectives summarise the overall feedback we received on the day. The key objectives will be added to the Strategy as an appendix. These objectives were sent to the Town Council requesting feedback. The Town Clerk responded to say he was happy with these objectives.</i></p> <p><i>As gateway to the Churnet Valley, the home of Pugin's Gem and the closest town to Alton Towers, Cheadle has clear opportunities. However it is often overlooked and passed through on the way to somewhere else and the plan needs to find a way to keep visitors in the town for longer.</i></p>	

PLANNING APPLICATIONS COMMITTEE

Late Representations – 26th January 2023

FILE REF.	SITE AND DETAILS	PAGE NO.
	<ul style="list-style-type: none"> • <i>Support accommodation development. Especially family accommodation, serviced and non-serviced.</i> • <i>Establish coach parking in a central location to accommodate groups and tie in with the experiences such as St Giles Church.</i> • <i>Strengthen links to walks and cycle trails and improve the sustainable tourism offer.</i> • <i>Develop the evening economy, making use of vacant premises and improve animation of the town across the day and into the evening.</i> • <i>Stay focussed on essential facilities such as signage, toilets, parking, street cleaning.</i> 	
<p>SMD/2022/0589</p> <p>Land east of Sandfields, Kingsley Road, Cellarhead</p>	<p>None</p>	

This page is intentionally left blank