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PLANNING APPLICATIONS COMMITTEE SUPPLEMENT AGENDA

Date: Thursday, 16 November 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 (circulated prior to the meeting i.e. any representations received since this agenda was published). **(Pages 3 - 10)**

MARK TRILLO
EXECUTIVE DIRECTOR & MONITORING OFFICER

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Late Representations – 16 November 2023

FILE REF.	SITE AND DETAILS	PAGE NO.
SMD/2023/0439	<p><u>The Orchard Leek (New Dwelling)</u></p> <p><u>Site Plan</u></p> <p>An amended site plan was received on 6.11.23 (91 Rev D) to show some additional clarification detail of the tree survey of the trees close to the north-west corner of Plot 8 and to show consistency with the site plan submitted for SMD/2023/0440.</p> <p><u>Further Representations</u></p> <p>Two further letters of objection have been received. The points raised are as follows:</p> <ul style="list-style-type: none"> -The three protected trees are too close to the proposed house. -The proposed house is too close to neighbouring dwellings leading to harm to residential amenity and an overdevelopment of the site -Excessive removal of trees not compensated by replacement tree planting. 	
SMD/2023/0440	<p><u>The Orchard (Extensions)</u></p> <p><u>Site Plan</u></p> <p>An amended site plan was received on 6.11.23 (89 Rev C) to show some additional clarification detail of the tree survey of the trees close to the north-west corner of Plot 8 so that it is consistent with the site plan submitted for SMD/2023/0439 (relating to Plot 9).</p> <p><u>Further Representations</u></p> <p>One further letter of objection has been received. The points raised are as follows:</p> <ul style="list-style-type: none"> -The extensions are still excessive leading to an overbearing development due to the raising of the roof ridge line and extensions to the roof. -Trees in Plot 8 not shown consistently in the site plan with that of the site plan for SMD/2023/0439. -Tree Survey Report out of date <p><u>Officer Comment</u></p> <p>The site plan has since been corrected (received on 6.11.23 as above) to show the tree details are consistent with the site plan</p>	

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	for 0439.	
SMD/2020/0502	<p><u>Land off Thorley Drive Cheadle</u></p> <p><u>Local Highway Authority – updated response 9th November 2023</u></p> <p>No objection subject to conditions and the prior completion of a S106 agreement to secure</p> <p>a) £59,000.00 towards works for footway upgrades on the routes from the site to the town centre (dropped kerbs to current standards/tactile paving/resurfacing/crossing points) and upgrade of the bus stop on Thorley Drive all to encourage and facilitate alternative modes of travel.</p> <p>b) £10000 for Travel plan sum payable on commencement of works</p> <p>Conditions recommended as per the Committee report</p> <p>1. No development hereby approved shall be commenced until full details of the following have been submitted to and approved in writing by the Local Planning Authority:</p> <ul style="list-style-type: none"> - Layout and disposition of roads and buildings; - Provision of parking, turning and servicing within the site curtilage; - Means of surface water drainage - Surfacing materials <p>The development shall thereafter be implemented in accordance with the approved details and be completed prior to first occupation of the development.</p> <p>2. The development hereby permitted shall not be commenced until details of the 2.0mx33m visibility splays at the junction with the access road currently under construction on phase 1 have been submitted to and approved in writing by the Local Planning Authority. The visibility splay 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> <p>3. The Travel Plan which is hereby approved shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the Local Planning Authority. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually on each anniversary of the date of the planning consent to the Local Planning Authority for approval for a period of five years from first occupation of the development permitted by this consent.</p>	

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	<p>4 The development hereby permitted shall not be commenced until a Construction Management Plan is submitted to and approved in writing by the Local Planning Authority detailing the management and routing of demolition/construction traffic, delivery times, internal compound arrangements and wheel washing facilities. The approved Traffic Management plan shall be implemented on the commencement of construction and thereafter be adhered to for the full period of construction unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reasons:- ALL To comply with NPPF paragraph 111; to comply with SMDC Local Plan Policy DC1 and T1; in the interests of highway safety. For condition 3 the reason is to encourage alternative means of transport and comply with SMDC Local Plan Policy T1</p> <p>IMPORTANT INFORMATIVES TO BE INCLUDED ON DECISION NOTICE</p> <p>This consent will require approval under Section 7 of the Staffordshire Act 1983 and will require a Section 38 of the Highways Act 1980. Please contact Staffordshire County Council to ensure that approvals and agreements are secured before commencement of works.</p> <p>NOTES TO PLANNING OFFICER</p> <p>This recommendation is issued on the understanding that the developer enters into a S106 agreement to provide: £59, 000.00 towards works for footway upgrades on the routes from the site to the town centre (dropped kerbs to current standards/tactile paving/resurfacing/crossing points) and upgrade of the bus stop on Thorley Drive all to encourage and facilitate alternative modes of travel. £10000 for travel plan sum payable on commencement of works</p> <p>This is an outline application with only means of access to the site to be determined at this stage. The submitted layout drawing is purely indicative, accordingly the internal layout and access to individual plots has not been assessed in detail and will be considered fully at reserved matters stage.</p> <p>The detailed layout to be submitted at reserved matters stage should benefit from the following:</p> <ul style="list-style-type: none"> - good internal and external pedestrian connectivity. - parking provision to comply with Local plan standards and be of sufficient geometry. For example a width of 3.0m if hard up against a boundary to aid vehicle manoeuvring. - swept path analysis to cater for a 12.0m long refuse vehicle. - drainage to SUDS principles <p>Access will be through a previously approved development currently under construction.</p>	

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	<p>Under that approval, 30mph speed limit was extended. Committee requested that the speed limit be extended to beyond the bend to the south east, which has been implemented.</p> <p>There are no recorded personal injury accidents on B5032 Ashbourne within 50m of the site access (the recently constructed access to phase 1) within the last five years.</p>	
SMD/2023/0240	<p><u>Land at Tenford Lane</u></p> <p>DEFERRED TO DECEMBER MEETING TO ALLOW FURTHER PUBLIC NOTIFICATION</p>	
SMD/2022/0426	<p><u>The Green Man, Bottom House – four lodges</u></p> <p>Case officer Para. 7.2 in the report refers to the raised extended verandahs which are a substantial physical design component of each proposed lodge. This suggests that outdoor usage at each lodge should be regarded as a likely additional impact with significance in terms for example of both lighting with visual impacts on the area and sound / noise outputs potentially affecting living conditions for neighbouring dwellings.</p>	
SMD/2022/0631	<p><u>The Green Man, Bottom House – site manager lodge</u></p> <p>None</p>	
SMD/2023/0343	<p><u>Land at Ball Green Farm, Woodhouse Lane, Brown Edge</u></p> <p><u>SMDC Environmental Health</u></p> <p>No comment to make on the application. The conditions relevant to the application were not recommended by this department.</p>	
SMD/2023/0367	<p><u>Gorseysdale, Cheddleton Heath Road, Cheddleton</u></p> <p>No updates.</p>	
SMD/2023/0263	<p><u>Land off Draycott Cross Road, Brook Houses, Cheadle</u></p> <p>Late consultee responses:</p> <p><u>SCC Rights of Way</u></p> <p>The Definitive Map of Public Rights of Way for Staffordshire shows a public right of way crossing the application site. From the submitted information, it appears it will be directly impacted</p>	

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	<p>by the proposed development.</p> <p>The following should be brought to the attention of the applicant and noted in the planning consent if granted:</p> <p>Public Footpath No.18 Cheadle Parish runs through the proposed site access and heading south west across the application site .</p> <p>NPPF 100. states that: Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.</p> <p>The granting of planning permission does not constitute authority for any interference with the public right of way and associated items - or its obstruction (temporary or permanent).</p> <p>The term obstruction, in this context, also applies to items such as gates or stiles which are regarded as licenced obstructions which must be sanctioned by the highways authority.</p> <p>Users of the path must be able to exercise their public rights safely and at all times and the path be reinstated if any damage to the surface occurs as a result of the proposed development.</p> <p>If any public right of way needs diverting as part of these proposals the developer must apply to your council under section 257 of the Town and Country Planning Act 1990 to divert the public rights of way to allow the development to commence. For further information the applicant must read section 7 of DEFRA's Rights of Way Circular (1/09). It is also strongly suggested, in order to avoid unwanted complications, that guidance should be sought from Staffordshire County Council as Highways Authority, regarding the exact position of the Public Right of Way shown on the Definitive Map.</p> <p>Should this planning application be approved and any right of way require a temporary closure, please see the County Council website for guidance and an application form.</p> <p>Any works that affect the surface of the footpath require discussions with the County Council Rights of Way Team.</p> <p>Where private rights exist that allow the use of vehicles along a footpath, drivers of vehicles must give way to pedestrians. This needs to be reflected in signage on the site.</p> <p>In the absence of private rights, driving a vehicle on a public</p>	

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	<p>right of way is a criminal offence.</p> <p>Any trees/shrubs/hedging planted within 3 metres of the public right of way are the responsibility of the landowner not the Highways Authority (including maintenance and liability).</p> <p>Staffordshire County Council has not received any application to add to or modify the Definitive Map of Public Rights of Way in that vicinity.</p> <p>The possibility of the existence of a currently unrecognised public right of way, makes it advisable that the applicant pursue further enquiries and seek legal advice regarding any visible route affecting the land, or the apparent exercise of a right of way by members of the public.</p> <p>The proposals should be discussed with the County Council Rights of Way Team at the earliest possible opportunity.</p> <p><u>Lead Local Flood Authority</u></p> <p>We have reviewed the Flood Risk Assessment and Revision G of the Proposed Surface Water Drainage Layout provided by the applicant.</p> <p>We have no objection to the application at this stage subject to the pre-commencement condition below being attached to any decision notice.</p> <p>We ask to be consulted on the details submitted for approval to your Authority to discharge this condition and on any subsequent amendments/alterations. Please also consult us again on any future major changes to the proposed development or drainage scheme.</p> <p>Condition: No development shall begin until the final detailed surface water drainage design has been submitted to and approved by the Local Planning Authority in consultation with the Lead Local Flood Authority.</p> <p>The design shall be based upon surface water drainage strategy outlined in the Flood Risk Assessment and Drainage Strategy Document (KRS.0310.065.R.001.G) and as shown upon Revision G the proposed Surface Water Drainage Layout and must demonstrate:</p> <ul style="list-style-type: none"> • The final, detailed design (plans, network details and full hydraulic calculations) in support of any surface water drainage scheme, including details on any attenuation 	

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	<p>system (attenuation basin), SuDS features (Swale System) and the outfall arrangements.</p> <ul style="list-style-type: none"> The final design shall include the finished floor level (FFL) of any essential infrastructure. <p>To mitigate against surface water, the FFL of all essential infrastructure shall be 150mm above the surrounding ground where appropriate. At the very minimum (and where level access is required), all surrounding ground shall slope away from essential infrastructure to ensure that surface water does not affect the proposed development.</p> <ul style="list-style-type: none"> A management plan to detail the maintenance requirements of the drainage system, including a named body responsible for undertaking maintenance of the system over its design life. <p>Reason To reduce the risk of surface water flooding to the development and surrounding properties over the lifetime of the development.</p> <p>Advisory Consent is required for any works associated with the development which may impact upon the flow within the ordinary watercourse along the sites northern boundary.</p>	
SMD/2023/0484	<p><u>Unit 8a, Leek Road, Leek Brook</u></p> <p><u>SMDC Asset Team</u></p> <p>The Team are aware of the proposal and have agreed to the change of use as part of a letting. We therefore do not have any objections.</p>	

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