

# Planning Committee

28th March 2012

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## MINUTES

### Present:

Councillor Michael Chalk (Chair), Councillor Roger Hill (Vice-Chair) and Councillors Peter Anderson, Andrew Brazier, Bill Hartnett and Alan Mason.

### Officers:

S Edden, A Hussain, A Rutt and S Skinner

### Committee Services Officer:

J Smyth

### 84. APOLOGIES

Apologies for absence were received on behalf of Councillors Wanda King and Quinney.

The Committee noted that Councillor Alan Mason had been appointed a permanent member of the Planning Committee for the remainder of the Municipal Year, as a replacement for former Councillor Robin King.

### 85. DECLARATIONS OF INTEREST

No declarations of interest were made.

### 86. CONFIRMATION OF MINUTES

#### RESOLVED that

**the minutes of the meeting of the Committee held on 29th February 2012 be confirmed as a correct record and signed by the Chair.**

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Chair

## 87. NATIONAL PLANNING POLICY FRAMEWORK

Prior to consideration of the one application on the agenda, the Committee considered a Supplementary Note, tabled by Planning Officers at the meeting, informing them that, as of the 27th March 2012, following the Government's release of the National Planning Policy Framework (NPPF), all National Planning Policy Guidance Notes and Planning Policy Statements had ceased to exist, including other relevant circulations and guidance, and that all Planning Applications for Planning Permission must now be determined in accordance with the Development Plan, unless material considerations indicated otherwise.

It was noted that, whilst the NPPF was a significant material consideration in planning decisions, the Development Plan would continue to include the saved Policies of Local Plan No.3, which could be given full weight as they were prepared and adopted after 2004. Members also noted that the new arrangements would continue for a year, during which time further information would be provided to Members regarding future decision making and that, weight could be given to emerging policies in some circumstances.

(This update was accepted as a matter of Urgent Business – not having met the publication deadline - and was considered at the meeting as such, with the approval of the Chair, in accordance with the Council's constitutional rules and powers vested in the Chair by virtue of Section 100 (B) (4) (b) of the Local Government Act 1972 to agree to matters of urgency being discussed by reason of special circumstances.

In this case the urgency was warranted by the Government's announcement, only the previous day of the release of the National Planning Policy Framework and the need to clarify the policy position before consideration of the following application.)

## 88. PLANNING APPLICATION 2012/025/FUL – MACLELLAN HOUSE, CLEWS ROAD, OAKENSHAW

Demolition of existing office building and  
erection of drive-thru restaurant (Use Class A3/A5)  
with associated parking

The following people addressed the Committee under the Council's public speaking rules:

Councillor C Gandy – Ward Member and objector  
Mr R Wells – Applicant's Agent  
Mr Peach – Applicant.

**RESOLVED that**

**having regard to the Development Plan and to all other material considerations, Planning Permission be GRANTED, subject to the conditions and informatives summarised in the report.**

(Further to Minute 87 above, the Committee was informed that the Planning Application should be considered with the published NPPF in mind. It was noted, however, that the Officer's report had included references to the draft NPPF, published in 2011, and that the policy objectives detailed in the draft had remained the same in the recently published edition. In view of this, Members were advised that, the considerations detailed in the main report, with the addition of the items noted on the Update report, relating to three further letters of objection having been received, remained unchanged.)

**89. APPEAL OUTCOME –  
CRUMPFIELDS FARM, CRUMPFIELDS LANE, WEBHEATH**

The Committee received an item of information in relation to an appeal against an Enforcement Notice for an unauthorised change of use, namely:

Enforcement Notice 2010/024/ENF  
Change of use of Agricultural land to  
Riding School and associated  
operational development

Members noted that, the appeal against the Council's decision to issue an Enforcement Notice had been dismissed by the Inspector, who had considered the development on site and confirmed that a material change of use had occurred and that unauthorised structures were also in place. The Inspector had also considered the notice had been correctly served.

Members further noted that the Enforcement Team investigating the change of use had invited the owner of the land to submit a Planning Application for a change of use, which had not been forthcoming.

**RESOLVED that**

**the item of information be noted.**

**90. APPEAL OUTCOME –  
WOODSILL COTTAGE, WEAVERS HILL, HUNT END**

The Committee received an item of information in relation to the outcome of an appeal against a refusal of Planning Permission, taken by Officers under delegated powers, namely:

Planning Application 2011/277/FUL  
Extensions to dwelling

Members noted that, the appeal against the Council's decision to refuse planning permission had been dismissed on the grounds that having already been significantly extended in the past, the proposed new extensions, when taken together, would amount to a disproportionate addition to the original property, which the Inspector considered would constitute inappropriate development; be visually conspicuous due to the property's elevated position; and would have an adverse effect on the openness of the Green Belt.

The Inspector had further considered that the very special circumstances required to justify the development under the terms of current policies had not existed in this case.

**RESOLVED that**

**the item of information be noted.**

The Meeting commenced at 7.00 pm  
and closed at 7.48 pm

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CHAIR