

STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE MEETING

Minutes

THURSDAY, 15 DECEMBER 2022

PRESENT: Councillor S Ellis (Chair)

Councillors B Cawley, S Coleman, J Davies, B Emery, K Flunder,
T Holmes, K Hoptroff, P Jackson, I Plant, T Riley and P Wilkinson

IN ATTENDANCE: J Curley Principal Planning Officer
S Hampton Democratic Services Officer
B Haywood Head of Development Services
J Price-Jones Legal Advisor
R Rourke Member and Community Services Officer

APOLOGIES: Councillors A Hart and A Hulme

382 **CHAIR'S ANNOUNCEMENTS**

The Chair announced the following:

- a) The meeting was being broadcast live to the internet via the usual webcasting facility and was capable of repeated viewing. The images and sound recording could be used for training purposes within the Council. The Chair had the discretion to terminate or suspend filming if it was his opinion that continuing to do so would prejudice the proceedings of the meeting. Any views expressed by any speaker in the meeting were the speaker's own and did not necessarily reflect the views of Staffordshire Moorlands District Council.
- b) Members of the Committee and Officers present were introduced by the Chair.
- c) Members had made site visits during the morning of the meeting.

383 **MINUTES OF THE PREVIOUS MEETING**

RESOLVED:

That the minutes of the meeting held on 10 November 2022, be approved as a correct record and signed by the Chair.

384 **URGENT ITEMS, IF ANY.**

There were no urgent items of business.

Planning Applications Committee - 15 December 2022

385 DECLARATIONS OF INTEREST

Agenda Item	Member Declaring Interest	Nature of Interest
Agenda Item 7 – SMD/2021/0550 – Fole Dairy, Fole	Cllr Flunder	‘Disclosable Pecuniary’ – Owner of a nearby property. ‘Other’ – Speakers are known to him (Mr Podmore & Mr Johnson)
	Cllr Wilkinson	‘Other- - Parish/District Councillor for this area.
Agenda Item 8 - . SMD/2022/0444 Land adjacent Cellarhead Substation, Rownall Road, Wetley Rocks.	Cllrs: Cawley, Coleman, Davies, Ellis, Emery, Flunder, Holmes, Hoptroff, P. Jackson, Plant, Riley and Wilkinson	‘Other’ – Cllr Mike Worthington (Speaker) is a fellow councillor.
	Cllr Hoptroff	‘Other’ – Speakers are known to him.
	Cllr Flunder	‘Other’ – County Councillor for the area near to the site. The Council had declared a ‘Climate Emergency’.
Agenda Item 9 – SMD/2022/0532 Land East of Sugar Street, Rushton Spencer and Agenda Item 11 – Woodhead Garage, Froghall Road, Cheadle	Cllrs: Cawley, Coleman, Davies, Ellis, Emery, Flunder, Holmes, Hoptroff, P. Jackson, Plant, Riley and Wilkinson	‘Other’ - Mr Rob Duncan (speaker) is a former officer of the Council and known to members of the Committee.
Agenda Item 10 – SMD/2022/0183 - 18 Riverside, Churnet View, Oakamoor	Cllr Flunder	‘Other’ SMDC Cabinet Member and a Member of Checkley Parish Council.
Agenda Item 11 – Woodhead Garage, Froghall Road, Cheadle	Cllrs Ellis, P. Jackson and Plant	‘Other’ – Mr Shirley (speaker) is known to members as a former Cheadle Town Councillor.
Agenda Item 12 - Tree Preservation Order No. SM.325 – 17 Hugo Street, Leek	Cllr Hoptroff & Coleman	‘Other’ – Ward Councillors for this area
	Cllrs: Cawley, Coleman, Davies, Ellis, Emery, Flunder, Holmes, Hoptroff, P. Jackson, Plant, Riley and Wilkinson	Lobbied – No response given.
Agenda Item 13 – TPO/2022/0018 Lance House, Clay Lake, Endon	Cllr Flunder	‘Other’ – County Councillor for the area.

386 LATE REPRESENTATIONS REPORT (CIRCULATED PRIOR TO THE MEETING I.E. ANY REPRESENTATIONS RECEIVED SINCE THIS AGENDA WAS PUBLISHED).

RESOLVED: That the Late Representations Report be **NOTED**.

387 SMD/2021/0550 - FOLE DAIRY, UTTOXETER ROAD, FOLE

Approval of reserved matters, appearance, landscaping, layout and scale relating to SMD/2018/0234.

(Councillor Flunder left the room and did not take part in the vote)

(Report recommended approval subject to conditions)

Late representation report provided further advice from the Council's Landscape consultant. Prior to issuing the Decision, Officers advised obtaining an amended plan with the native hedgerow along the site frontage clearly identified as 'advanced' and the hedge realigned as suggested by the Council's Landscape consultant.

Received representation from the undermentioned speaker:-

For the Application:

Mr Ian Ritchie – Architect

The Chair read out a letter of thanks on behalf of Mrs Flunder as the applicant had taken into account concerns around highway safety, pathways has been removed and the hedging retained the rural look of the development.

RESOLVED:

- 1 That the application be **APPROVED** for the reasons and based on the policies contained in the report, subject to the conditions and informatives in the report and Officers obtaining an amended plan prior to the Decision being issued as per the Late Representation report.
- 2 That an additional informative be added in relation to appropriate street lighting for wildlife.
- 3 That in the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval / refusal) prior to the decision being issued, the Head of Development Services be given delegated authority to do so in consultation with the Chair of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

(Proposed by Councillor Davies and seconded by Councillor Wilkinson)

388 **SMD/2022/0444 - LAND ADJACENT CELLARHEAD SUBSTATION**

Erection of a Flexible Energy Facility.

(Report recommended approval subject to conditions)

Received representation from the undermentioned speakers:-

Against the application:

Mr Ian Podmore – Local resident

Miss Susan Wilton - Objector

For the Application:

Mr Mark Johnson – Moorlands Climate Action

Cllr Mike Worthington – Ward Councillor

Mr Jake Stentiford – Agent

A statement of objection to the application was read out by the Chair on behalf of Ms Penny Dabell.

In response to requests from members, officers advised that Condition 7 contained within the report, set out noise limits and controlled noise levels and Condition 21 took into account restoration of the site.

RESOLVED:

- 1 That the application be **APPROVED** for the reasons and based on the policies contained in the report, subject to the conditions and informatives in the report.
- 2 For Condition 15 to make reference to as much of the excavated material to remain on site for the provision of extra screening.
- 3 That in the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval / refusal) prior to the decision being issued, the Head of Development Services be given delegated authority to do so in consultation with the Chair of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

(Proposed by Councillor Hoptroff and seconded by Councillor Davies)

389 **SMD/2022/0532 - LAND EAST OF SUGAR STREET, RUSHTON SPENCER**

Variation of Condition application in relation to Planning Permission SMD/2021/0784 for the erection of four dwellings.

(Report recommended approval subject to conditions)

Received representation from the undermentioned speaker:-

For the application:

Mr Rob Duncan – Agent

RESOLVED:

- 1 That the application be **APPROVED** for the reasons and based on the policies contained in the report, subject to the conditions and informatives in the report.
- 2 That in the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval / refusal) prior to the decision being issued, the Head of Development Services be given delegated authority to do so in consultation with the Chair of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

(Proposed by Councillor Jackson and seconded by Councillor Ellis)

390 **SMD/2022/0183 - 18 RIVERSIDE CHURNET VIEW, OAKAMoor**

Single storey rear and side extension, dormer and replacement garden room.

(Report recommended refusal)

Received representation from the undermentioned speakers:-

For the application:

Ms Stephanie Rigby – Applicant

Mr Tony Loynes – Supporter

Mr Andrew Dukesell – Agent

During the debate discussion took place around design guidance and pre-application advice, particularly in relation to the proposed dormer extension. The Committee sympathised with the applicant's circumstances.

Councillor Wilkinson proposed approval of the application which was seconded by Councillor Holmes. However the vote was lost.

RESOLVED:

1. That, contrary to the officer recommendation, the application be approved subject to a condition to grant permission for the side extension and garden room only, (split decision) for the following reasons:

The dormer window was found to be unacceptable for the reasons set out in the report but Members shared the view of officers that the side extension and garden room were compliant with policy. A condition to secure a split decision was considered to be appropriate because the acceptable and unacceptable parts of the proposal are clearly distinguishable.

2. That delegated authority be granted to the Head of Development Services to impose appropriate conditions on the permission.

(Proposed by Councillor Ellis and seconded by Councillor Flunder)

391 **SMD/2022/0175 - WOODHEAD GARAGE, FROGHALL ROAD, CHEADLE**

Proposed extension to existing yard area to provide additional vehicle parking and associated landscaping works.

(The report recommended refusal)

Received representation from the undermentioned speakers:-

Against the application:

Mr Don Leeming – Local resident

For the application:

Mr Rob Duncan – Agent

Mr Mick Shirley – Applicant

Cllr Mike Worthington – Supporter

Members wished to support the expansion of the business and minimise the impact on local residents. The applicant agreed to discuss the possible reinstatement of the boundary hedging of Park View Bungalow with local residents.

RESOLVED:

- 1 That contrary to officer recommendation, the application be **APPROVED** for the reasons and based on the policies below:
 - a. The economic benefits of the application outweigh the potential harm to the green belt.
2. For the following informatives to be included:
 - a. Review of a lighting scheme to reduce off site glare;
 - b. A boundary scheme.;
 - c. Drainage and water retention facilities to be reviewed.
3. That delegated authority be granted to the Head of Development Services to impose appropriate conditions on the permission.
4. That in the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval / refusal) prior to the decision being issued, the Head of Development Services be given delegated authority to do so in consultation with the Chair of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

(Proposed by Councillor Davies and seconded by Councillor Flunder)

392 **TREE PRESERVATION ORDER NO. SM.325 - 17 HUGO STREET, LEEK**

(Councillors Cawley and Plant left the meeting)

The Committee gave consideration to the confirmation of Tree Preservation Order No. SM.325 – 17 Hugo Street, Leek

Planning Applications Committee - 15 December 2022

RECOMMENDATION: That notwithstanding the objections received, Tree Preservation Order (TPO) No. SM.325 be confirmed without modification.

Reason for recommendation: In order to maintain legal protection over a significant tree which would otherwise be removed.

Received representations from the undermentioned speaker:-

Against the application:

Mr Steve Pashley - Owner of the tree/objector

RESOLVED:

That Tree Preservation Order (TPO) No. SM.325 **NOT** be confirmed, due to inconsistency, the tree left unbalanced and no objections to the removal of the tree from immediate neighbours.

(Proposed by Councillor Hoptroff and seconded by Councillor Emery)

393 **TPO/2022/0018 - APPLICATION TO FELL A PROTECTED TREE - LANCE HOUSE, CLAY LAKE, ENDON**

Application to fell a protected tree.

(Report recommended refusal for the reasons contained within the report)

There were no speakers for this application.

RESOLVED:

1. That consent to fell a Sycamore tree at Lance house, Clay Lake, Endon, protected as T15 under Tree Preservation Order (TPO) No. LR.6, be **REFUSED** for the reasons contained within the report.

(Proposed by Councillor Flunder and seconded by Councillor Davies)

394 **EXCLUSION OF THE PRESS AND PUBLIC**

The Chair Moved:-

“That, pursuant to Section 100A(2) and (4) of the Local Government Act, 1972, the public be excluded from the meeting in view of the nature of the business to be transacted or the nature of the proceedings whereby it is likely that confidential information as defined in Section 100A (3) of the Act would be disclosed to the public in breach of the obligation of confidence or exempt information as defined in Section 100 I (1) of Part 1 of Schedule 12A of the Act would be disclosed to the public by virtue of the Paragraphs indicated.”

395 **TO APPROVE AS A CORRECT RECORD THE EXEMPT MINUTES OF THE LAST MEETING**

RESOLVED:

That the exempt minutes from the meeting held on 10 November 2022, be approved as a correct record and signed by the Chair.

Planning Applications Committee - 15 December 2022

The meeting closed at 5.25 pm

_____ Chairman _____ Date