

# **STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL**

## **PLANNING APPLICATIONS COMMITTEE MEETING**

### **Minutes**

**THURSDAY, 9 MARCH 2023**

PRESENT: Councillor S Ellis (Chair)

Councillors B Cawley, S Coleman, J Davies, B Emery, K Flunder,  
K Hoptroff, A Hulme, P Jackson, I Plant, L Swindlehurst and  
P Wilkinson

IN ATTENDANCE: S Hampton Democratic Services Officer  
B Haywood Head of Development Services  
J Price-Jones Legal Advisor  
S Lawson Planning Consultant  
B Phillips Planning Consultant  
A Swithenbank Planning Officer

APOLOGIES: Councillors T Holmes and T Riley

#### 421 **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.

#### 422 **MINUTES OF THE PREVIOUS MEETING**

RESOLVED:

That the minutes of the meeting held on 16 February 2023, be approved as a correct record and signed by the Chair.

#### 423 **URGENT ITEMS, IF ANY.**

There were none.

#### 424 **DECLARATIONS OF INTEREST**

**Planning Applications Committee - 9 March 2023**

<b>Agenda Item</b>	<b>Member Declaring Interest</b>	<b>Nature of Interest</b>
SMD/2022/0662 Crossways Farm, Morrige Top Road, Onecote	Cllrs: Cawley, Colman, Davies, Ellis, Emery, Flunder, Hoptroff, Holme, Jackson, Plant, Swindlehurst and Wilkinson	'Other' – Cllr Malyon is a fellow councillor and has submitted a written statement in objection to the application
SMD/2022/0361 Churnet Works, Abbey Green Road, Leek	Cllr Swindlehurst	'Other' – ward member for Leek North, was invited on a preliminary visit in September 2021 and was previously a member of Leek Town Council Planning Committee
	Cllr Flunder	'Other' – Daughter is employed by McDonald's
SMD/2022/0456 Land to the east of Froghall Rd & north of Ayr Road	Cllrs Ellis and Plant	'Other' – know Mr & Mrs Millward who have attended a number of Cheadle Town Council meetings and Cheadle Town Councillor Upton (objectors)
	Cllr Plant	'Other' – member of Cheadle in Bloom who have received a donation from Persimmon
SMD/2022/0249 Land off Cheadle Road, Upper Tean	Cllr Wilkinson	'Other' – Ward Councillor for the area
	Cllr Hulme	'Other' – Ward / Parish Councillor for the area
	Cllr Flunder	'Other' – previous knowledge and support of the residents. Chair of Neighbourhood Planning Group. Will withdraw during the consideration and voting on the application
DET/2022/0044 Land at Heath House Lane, Lower Tean	Cllrs Ellis and Plant	'Other' - knows applicants as they own Cheadle Town Council Offices and have a contract with Cheadle Town Council
	Cllr Wilkinson	'Other' – Ward Councillor for the area and knows the applicant

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<b>Agenda Item</b>	<b>Member Declaring Interest</b>	<b>Nature of Interest</b>
	Cllr Hulme	'Other' – Ward / Parish Councillor for the area
	Cllr Flunder	'Other' – Parish Councillor for the area

425 **TO NOTE 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**.

426 **SMD/2022/0662 - CROSSWAYS FARM, MORRIDGE TOP ROAD, ONECOTE**

Construction of portal frame building for the handline and storage of animal by products and the change of use of existing agricultural building for purposes associated with that use

(Report recommended refusal)

Received representation from the undermentioned speakers:-

Against the Application:

Mrs Sally Roberts – Local Resident

Mrs Sally Mellor – Local Resident

Mr Stuart Jaggars – Local Resident ( a written submission was read out by the Chair as he was unable to attend the meeting)

Cllr Linda Malyon – Ward Councillor (a written submission was read out by the Chair as the Councillor was unable to attend the meeting)

For the Application:

Mr Stephen Edwards – Local Resident (a written submission was read out by the Chair as he unable to attend the meeting)

Mr Andrew Dukesell – Agent

Mr Mark Flanders – Applicant

Members debated the visual impact on the open countryside, including from the Peak District National Park, effect on the local tourism industry, impact on the amenity of the area, particularly in relation to odour, and increased traffic movements in the area.

**RESOLVED:**

1. That the details within the Late Representation report be noted.
2. That the application be **REFUSED** for the reasons and based on the policies contained within the report.

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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 Cawley and seconded by Councillor Wilkinson)

### 427 SMD/2022/0361 - CHURNET WORKS, ABBEY GREEN ROAD, LEEK

Erection of freestanding restaurant and drive-thru facility, car parking, landscaping and associated works, including Customer Order Displays (COD) and Play Frame

(Report recommended approval subject to conditions and the completion of a Unilateral Undertaking relating to Management of a Travel Plan)

Received representation from the undermentioned speakers:-

#### Against the application:

Mr David Brooks – Local resident  
Mr Edward Wilson – Local Resident

#### For the application:

Mr Adam Farrell – Agent

Matters discussed included visual impact and the need for appropriate planting and screening, carbon neutral building, traffic management issues, litter, and the potential for a bench or area to commemorate victims of the COVID pandemic in the garden area.

#### RESOLVED:

1. That details within the Late Representations report be noted;
2. That planning permission be **GRANTED** for the reasons and based on the policies contained within the report, subject to:
  - a. No objection being raised from the Environment Agency;
  - b. Amended plans to be submitted by the agent as set out in the Late Representations Report;
  - c. The additional 4 conditions requested by the LLFA as set out in the Late Representations Report
  - d. The completion of a unilateral undertaking relating to Travel Plan monitoring;
  - e. The conditions as set out in the report
3. That the following informatives be added:
  - a. consideration be given to carbon neutral building and bio-diversity gain, particularly given the proximity of the Staffordshire Wildlife Trust Site
  - b. potential for a bench or area to commemorate victims of the COVID pandemic in the garden area

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- c. liaise with the Climate Change Working Group around how to tackle litter issues
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 Cawley and seconded by Councillor Emery)

### 428 **SMD/2021/0456 - LAND TO THE EAST OF FROGHALL ROAD AND NORTH OF, AYR ROAD AND CHELTENHAM AVENUE, CHEADLE**

Variation of condition 2 (retrospective) relating to planning permission ref. SMD/2018/0180 seeking minor amendment to Phase 1 Planning Layout Rev Z3 (ref: ARCH/PL/PH1 Rev Z3) and 'Site Location Plan' (ref: ARC/LP/01 Rev B) for reconfiguration of approved SuDS pond, addition of retaining walls to plots 60 – 67 and 70, resiting of garage servicing plots 66/67 and resiting of plots 1-5, including correction of redline ownership adjoining The Gables boundary

(Report recommended approval subject to recommended planning conditions)

Received representation from the undermentioned speakers:

Against the application:

Mrs Tracy Milward – Local Resident  
Mr Adrian Milward – Local Resident  
Cllr Paulette Upton – Town Councillor

For the application:

Mr Steven Thornton – Local Resident  
Mr Sean McBride – Agent

Members discussed residential amenity issues, including overlooking, amenity relationships and privacy standards particularly in respect of those plots where the ground levels have been raised as well as boundary treatment issues.

**RESOLVED:**

1. That the details within the Late Representations report be noted;
2. That consideration of the application be deferred to enable further investigation of all the issues raised and to establish if mitigation can be agreed.

(Proposed by Councillor Wilkinson and seconded by Councillor Cawley)

**(Having declared an interest, Councillor Flunder withdrew from the meeting during the consideration and voting on the following application)**

### 429 **SMD/2022/0249 - LAND OFF CHEADLE ROAD, UPPER TEAN**

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Full Planning Application for residential development of 67 houses with a mix of two and two and a half storey dwellings, consisting of new access to Cheadle Road, new public open space, sustainable urban drainage, landscaping, pumping station and associated works.

(Report recommends approval with conditions)

Received representation from the undermentioned speakers:

Against the application:

Councillor Sandra Peck – Checkley Parish Council

For the application:

Mr David Onions – Agent

The Planning Officer made reference to outstanding matters and resolutions set out in the Late Representations Report.

Members considered viability issues and the contribution offered by the applicant as set out in the Late Representations Report, which it was noted was far short of being policy compliant.

RESOLVED:

1. That the details within the Late Representation report be noted;
2. That consideration of the application be deferred pending further clarification around viability and S106 matters;
3. That Councillor Wilkinson present the two options set out in the Late Representations Report to Checkley Parish Council to seek their view on their preferred option.

(Proposed by Councillor Ellis and seconded by Councillor Jackson)

### 430 **DET/2022/0044 - LAND AT HEATH HOUSE LANE, LOWER TEAN**

Change of Use of agricultural building to one Dwellinghouse (Use Class C3), and for building operations reasonably necessary for the conversion

(Report recommended Refusal)

Received representation from the undermentioned speakers:

For the application:

Mrs Kelly Jeffrey – Applicant

Miss Jasmine Jeffrey – Supporter

Mr Richard Piggott – Agent

Members considered matters relating to Class Q and the impact of the proposed development on the rural setting as well as that of Heath House.

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RESOLVED:

1. That the information set out in the Late Representation report be noted;
2. That, contrary to officers' recommendation, the application be **APPROVED** for the following reasons:
  - a. That the proposed development would not affect the siting of Heath House; and
  - b. That the application satisfies the GPDO (2015) Schedule 2 Part 3 Class Q criteria
3. The following conditions be applied to the planning consent:
  - a. Adequate screening measures, including that the trees to the rear of the development should remain;
  - b. Climate change mitigation measures
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 Hulme and seconded by Councillor Wilkinson)

### 431 **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."

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

RESOLVED:

That the exempt minutes of the meeting held on 16 February 2023 be approved as a correct record and signed by the Chair.

The meeting closed at 6.10 pm

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\_\_\_\_\_ Chairman \_\_\_\_\_ Date