

STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL

PLANNING APPLICATIONS COMMITTEE MEETING

Minutes

THURSDAY, 25 APRIL 2024

PRESENT: Councillor P Wilkinson (Chair)

Councillors B Cawley, B Emery, K Flunder, T Holmes, K Hoptroff, A Hulme, J Kempster, V O'Shea, I Plant, O Pointon, P Roberts and L Swindlehurst

IN ATTENDANCE: S Beech Democratic Services Officer
H Burkinshaw Democratic Services Assistant
S Hampton Senior Democratic Services Officer
B Haywood Head of Development Services
Lisa Li Planning Officer
S Massey Arboricultural Officer
J Price-Jones Legal Advisor

APOLOGIES: Councillors M Johnson

163 **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.

164 **MINUTES OF THE PREVIOUS MEETING**

RESOLVED:

That the minutes of the previous meeting held on 28 March 2024 be approved as a correct record.

165 **URGENT ITEMS, IF ANY.**

There were none.

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166 **DECLARATIONS OF INTEREST**

Agenda item	Member Declaring Interest	Nature of Interest
SMD/2023/0103 Nicholson Institute, Stockwell Street, Leek	Cllr P Roberts	'Other' – Participated in LUF bid conversations in previous capacity as Leader of the Council. Withdrew during the consideration and voting on the application
	Cllr Flunder	'Other' Had some involvement in previous capacity as Portfolio Holder for Regeneration
	Cllr L Swindlehurst	'Other' Ward Councillor
SMD/2021/0113 Land at Bridge End, Macclesfield Road, Leek	All members present	'Other' Councillor C Atkins (speaker) is a fellow District Councillor Mr Rob Duncan (speaker) is a former employee of the Council.
	Cllr L Swindlehurst	'Other' Ward Councillor
10 SMD/2023/0598 54 Froghall Road, Ipstones	All members present	'Other' – Mr Rob Duncan (speaker) is a former employee of the Council 'Other' – Councillor Malyon (speaker) is a fellow District Councillor
	All members present	'Other' – Councillor Jones (speaker) is a fellow District Councillor
SMD/2024/0041 Bradda Farm, Barrage Road, Biddulph Moor	All members present	'Other' – Councillor Jones (speaker) is a fellow District Councillor
SMD/2024/0031 Land off Tenford Lane Upper Tean	Cllr O'Shea	'Other' Ward Councillor
	Cllr Flunder	'Other' Parish Councillor and Cllr Buckley (speaker) is known to him.
	Cllr Plant	Lobbied
SMD/2023/0651 John Hall Gardens, Fowlchurch Road, Leek	Cllr L Swindlehurst	'Other' Ward Councillor
DET/2023/0044 Ladygreen Farm, Huntley Road, Denford	Cllr Hulme	'Other' Property was previously owned by a family member and had built the buildings being considered by the committee.

167 **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.

168 **SMD/2024/0031 - LAND OFF TENFORD LANE, UPPER TEAN**

Variation of Conditions 1 and 10 of Reserved Matters approval SMD/2021/0491 for a residential development of up to 40 houses.

(Report recommended approval subject to conditions)

Received representation from the undermentioned speakers:

Against the application:

Cllr Steve Buckley – Parish Councillor

For the application:

Caroline Payne – Agent

Mr Mark Ellis – Markden Homes

Mr Gareth Small - Keytech Design

Detailed discussion took place around the variation of ground and floor levels and it was emphasised that the agreed levels must be adhered to. Some members were of the opinion that the application included improvements to the previous scheme and welcomed the affordable housing. Others had concerns about the discharge of pre-commencement conditions and the adverse impact the development may have to existing residents.

Legal advice was provided to the Committee in relation to the Section 73 and members sought and received information from the applicant in terms of the drainage scheme.

RESOLVED:

1. That the Late Representations report be noted;
2. That the application be APPROVED for the reasons and based on the policies contained within the report, subject to the additional conditions;
 - a. Gaps in boundary fences to allow wildlife to move freely.
 - b. Removal of permitted development rights to those properties facing Tenford Lane.
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 delegated authority to do so in consultation with the Chair of the Committee, provided that the changes do not exceed the substantive nature of the Committee's decision

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(Proposed by Councillor Cawley and seconded by Councillor Hoptroff)

169 **SMD/2024/0094 - SYLVESTER FARM, LAND OFF ROWNALL ROAD, WETLEY ROCKS DEFERRED**

This application had been deferred to another meeting.

170 **SMD/2021/0113 - LAND AT BRIDGE END, MACCLESFIELD ROAD, LEEK**

Erection of 12 detached, single storey five bedroomed dwelling houses rection of 12 detached, single storey five bedroomed dwelling houses.

(Report recommended approval subject to completion of a Section 106 Agreement)

Received representations from the undermentioned speakers:

Against the application:

Ross Ankers - Resident

Lorraine Menzies - Resident

Sam Depetrillo - Resident

Councillor Charlotte Atkins – Ward Councillor

For the application:

Rob Duncan – Agent

Consideration was given to the access road to the proposed development which was a cause of concern to some members of the Committee and clarity around private roads was provided by the Legal Advisor.

It was suggested that further engagement with the existing residents in relation to the construction management plan was required.

RESOLVED:

That the application be deferred to enable the applicant to look at alternative access to the site.

(Proposed by Councillor Hoptroff and seconded by Councillor Roberts)

171 **SMD/2023/0598 - 54 FROGHALL ROAD, ST10 2NA**

Proposed demolition of existing dwelling and erection of 2 proposed dwellings.

(Report recommended approval subject to conditions)

Received representations from the undermentioned speakers:

Against the application:

Councillor Linda Malyon – Ward Councillor

For the application:

Rob Duncan - Agent

Jennifer Walker – Supporter

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The Officer advised that a covenant on the property was not a material planning consideration and that the positioning of the properties protected the amenity of the occupiers.

It was commented that the development would be an improvement to the current site and the inclusion of various environmental measures were suggested by members.

RESOLVED:

1. That the Late Representations report be noted;
2. That the application be APPROVED for the reasons and based on the policies contained within the report;
3. That an informative be added suggesting the inclusion of solar panels, sustainable heating and bat and bird boxes.
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 delegated authority to do so in consultation with the Chair of the Committee, provided that the changes do not exceed the substantive nature of the Committee's decision

(Proposed by Councillor Roberts and seconded by Councillor Cawley)

172 SMD/2024/0041 - BRADDA FARM, BARRAGE ROAD, BIDDULPH MOOR

Agricultural building to house & feed livestock with underfloor slurry store.

(Report recommended refusal)

Received representations from the undermentioned speakers:

For the application:

Jo Harrison - Agent

Mr James - Applicant

Councillor John Jones – Ward Councillor

Members considered the siting of the proposed building and the sustainability of the farm. Reference was also made to the recent notice of motion at Full Council in relation to support for farmers. The importance of tree planting and bunding to screen the building was noted.

RESOLVED:

1. That contrary to officers' recommendation the application be APPROVED for the following reasons:
 - a. The proposal is in accordance with policies DC3,SS10, S4, NE1 and NE2.
 - b. Satisfies Green Belt Policy Section 154 (Agriculture and Forestry)

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- c. Support for the sustainability of the farm and offers employment opportunities.
2. That authority be delegated to the Head of Development Services in consultation with the Chair to agree conditions which should include bunding and native planting.
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 delegated authority to do so in consultation with the Chair of the Committee, provided that the changes do not exceed the substantive nature of the Committee's decision

(Proposed by Councillor Plant and seconded by Councillor Roberts)

173 **DET/2023/0044 - LADYGREEN FARM, HUNTLEY ROAD, DENFORD**

Application to determine if prior approval is required for a proposed: Change of Use of Agricultural Buildings to 2 Dwellinghouses.

(Report recommended refusal)

Received representation from the undermentioned speaker:

For the application
Michael Bamford – Agent

A late representation had been submitted by the applicant in relation to a structural engineers report which was read out by the Head of Development Services.

Members debated the structural integrity of the buildings and the suitability for conversion into domestic dwellings.

1. That the Late Representations Report be noted;
2. That the application be REFUSED for the reasons and based on the policies contained within the report;
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 delegated authority to do so in consultation with the Chair of the Committee, provided that the changes do not exceed the substantive nature of the Committee's decision

(Proposed by Councillor Roberts and seconded by Councillor Swindlehurst)

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174 **SMD/2024/0103 - NICHOLSON INSTITUTE, STOCKWELL STREET, LEEK**

Application for Listed Building Consent for a programme of maintenance required for the lower ground floor of the Nicholson Institute building.

(Report recommended approval)

There were no registered speakers for this application.

The Committee welcomed the regeneration of this historic building and hoped the project would be a success.

1. That the Late Representations Report be noted;
2. That the application be APPROVED for the reasons and based on the policies contained within the report and additional condition as set out in the Late Representations Report;
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 delegated authority to do so in consultation with the Chair of the Committee, provided that the changes do not exceed the substantive nature of the Committee's decision

(Proposed by Councillor Emery and seconded by Councillor Cawley)

(Having declared an interest Councillor Roberts withdrew from the meeting during the consideration of and voting on the application)

175 **SMD/2023/0651 - JOHN HALL GARDENS, FOWLCHURCH ROAD, LEEK**

Works to existing building- new door to kitchen, and servery hatch to be in place of an existing window, including the alteration of the structural opening. Garden room-proposal of the garden room to the south of the site.

(Report recommended approval with conditions)

There were no registered speakers for this application.

Members were of the opinion that the proposed scheme of works would enhance this valuable asset to the town.

RESOLVED:

1. That the application be APPROVED for the reasons and based on the policies contained within 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 delegated authority to do so in consultation with the Chair of the Committee, provided that the changes do not exceed the substantive nature of the Committee's decision

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(Proposed by Councillor Roberts and seconded by Councillor Emery)

176 TREE PRESERVATION ORDER NO. SM.331 - CHEADLE ROAD AND MAIN ROAD, WETLEY ROCKS

The Committee considered whether notwithstanding the objections received, Tree Preservation Order (TPO) No. SM.331 be confirmed, with modifications as noted in Section 2.4 of the report and shown on the proposed amended plan attached at Appendix B, and proposed amended Schedule attached at Appendix C.

The report recommended approval in order to maintain legal protection over significant trees, but replace the indiscriminate Area designation with specifically identified Groups and Individual Trees.

Received representations from the undermentioned speakers:

Against the application:

Clinton Ball on behalf of Philip and Frances Ball - Resident

Alwine Gater - Resident

Alwine Gater speaking on behalf of Mr John Ellis - Resident

Consideration was given to the current maintenance, responsibility and amenity value of the trees.

RESOLVED:

- 1) That the Late representation be noted;
- 2) That notwithstanding the objections received, Tree Preservation Order (TPO) No. SM.331 be confirmed, with modifications as noted in Section 2.4 of the report and shown on the proposed amended plan attached at Appendix B, and proposed amended Schedule attached at Appendix C.

(Proposed by Councillor Wilkinson and seconded by Councillor Flunder)

(Councillor Emery had left the room and did not take part in the consideration of and voting on the application)

177 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 nature of the proceedings whereby it is likely that exempt 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 100I (1) of Part 1 of Schedule 12A of the Act would be disclosed to the public by virtue of the paragraphs indicated.

178 PERFORMANCE ON PLANNING APPEALS

Members received a report which set out the performance on planning appeals.

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179 **PERFORMANCE ON PLANNING ENFORCEMENT**

Consideration was given to a report in relation to planning enforcement.

The meeting closed at 18:10

_____ Chairman _____ Date