

STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL

PLANNING APPLICATIONS COMMITTEE MEETING

Minutes

THURSDAY, 24 JANUARY 2019

PRESENT: Councillor S Ellis (Chair)

Councillors B Cawley, M Gledhill, P Jackson, C R Jebb, L D Lea,
I J Lucas, D Ogden, C Pearce, T Riley, P Roberts and S Scalise

IN ATTENDANCE: J Curley Principal Planning Officer
S Hampton Member and Community Services Officer
B Haywood Operations Manager - Development Services
A Swithenbank Planning Officer
P Trafford Member & Community Services Officer
S Massey Tree & Woodlands Officer
Z Walker Legal Advisor, Freeths LLP

110 **CHAIR'S ANNOUNCEMENTS**

- a) The Chair apologised for the late start to the meeting, caused by late return from the morning site visits.
- b) The Chair confirmed that the meeting was being broadcast live to the internet 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. It was likely that recording cameras would capture the image of persons seated in the public gallery and that image would become part of the broadcast. 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.
- c) Members of the Committee and Officers present were introduced by the Chair.
- d) To better accommodate registered speakers, agenda items 11 (Blakehall Fisheries - Campsite), 12 (Blakehall Fisheries - Clubhouse), 13 (Adderley Mill) and the 4 Tree Preservation Order applications were heard after the applications where speakers had registered.

111 **MINUTES OF THE PREVIOUS MEETING**

RESOLVED – That the Public Minutes of the meeting of the Planning Applications Committee held on 13 December 2018 be **APPROVED** as a correct record and signed by the Chair.

112 **URGENT ITEMS, IF ANY.**

There were no urgent items.

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113 DECLARATIONS OF INTEREST

The following declarations were made at this point, unless otherwise stated:-

Agenda Item	Member Declaring Interest	Nature of Interest
Agenda Item 6 – T.P.O. at St. Chad’s Church, Bagnall	Cllrs. Cawley, Ellis, Gledhill, Jackson, Jebb, Lea, Lucas, Ogden, Pearce, Riley, Roberts & Scalise	“Other” – Site managed by SMDC
Agenda Item 7 – T.P.O. at Ballington View/Ashcombe Way, Leek	Cllrs. Cawley, Ellis, Gledhill, Jackson, Jebb, Lea, Lucas, Ogden, Pearce, Riley, Roberts & Scalise	“Other” – Site managed by SMDC
Agenda Item 8 – T.P.O. at Christ Church, Upper Tean	Cllrs. Cawley, Ellis, Gledhill, Jackson, Jebb, Lea, Lucas, Ogden, Pearce, Riley, Roberts & Scalise	“Other” – Site managed by SMDC
Agenda Item 9 – T.P.O. at Brough Park, Leek	Cllrs. Cawley, Ellis, Gledhill, Jackson, Jebb, Lea, Lucas, Ogden, Pearce, Riley, Roberts & Scalise	“Other” – Site managed by SMDC
	Steve Massey	Disclosable Pecuniary Interest – Tree in question behind own property
Agenda Item 10 – SMD/2018/0509 – Land adj. to Daisy Bank Farm, Upper Tean	Cllr. Colin Pearce	“Other” – Chair of Checkley Parish Council. Took no part in Parish Council discussions
	Cllrs. Cawley, Ellis, Gledhill, Jackson, Jebb, Lea, Lucas, Ogden, Pearce, Riley, Roberts & Scalise	“Other” – 2 speakers were fellow district councillors.
Agenda Items 11 & 12 – SMD/2018/0677 & 705 – Blakehall Fisheries, Cheadle	Cllr. Jackson	“Other” – Made comments at Cheadle Town Council re previous application – alleged predetermination
	Cllr. Roberts	“Other” – Ward Councillor, took no part in Parish Council discussions
Agenda Item 13 – SMD/2018/0704 – Adderley Mill, Cheadle	Cllr. Roberts	“Other” – Ward Councillor, took no part in Parish Council discussions
Agenda Item 14 – SMD/2018/0711 – Highfield, Leek	Cllr. Ogden	“Other” – Assisted with previous events at Leek Cricket Club

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Agenda Item	Member Declaring Interest	Nature of Interest
Agenda Item 14 – SMD/2018/0711 – Highfield, Leek	Cllrs. Cawley, Ellis, Gledhill, Jackson, Jebb, Lea, Lucas, Ogden, Pearce, Riley, Roberts & Scalise	“Other” – 1 speaker was a previous SMDC employee
Agenda Item 16 – SMD/2018/0696 – Land SE of A521/A50 Bypass, Blythe Bridge	Cllr. Pearce	Disclosable Pecuniary Interest – A relation owns land adjacent
Agenda Item 17 – SMD/2018/0521 – 153 Park Lane, Biddulph	Cllr. Redfern	“Other” – Near neighbour (6 properties away)
	Cllrs. Cawley, Ellis, Gledhill, Jackson, Jebb, Lea, Lucas, Ogden, Pearce, Riley, Roberts & Scalise	“Other” – Speaker was a fellow District Councillor

114 **SMD/2018/0509 - LAND ADJACENT TO DAISY BANK FARM, UTTOXETER ROAD, UPPER TEAN**

OUTLINE PLANNING PERMISSION WITH DETAILS OF ACCESS (ALL OTHER MATTERS RESERVED) FOR RESIDENTIAL DEVELOPMENT OF UP TO 55 DWELLINGS INCLUDING CREATION OF A NEW ACCESS, CAR PARKING AND ANCILLARY LANDSCAPING FOR BELMONT INVESTORS..

(Report recommended Approval)

(All Councillors present had declared “other” interests.)

RECEIVED – Representations from the undermentioned speakers:-

Against the application:

- | | | |
|---------------------|---|--|
| Mrs. Amanda Perrett | - | Local Resident |
| Mr. Dave Stafford | - | Local Resident |
| Mr. Nigel Marsh | - | Vice-Chair – Upper Tean Residents’ Association |
| Cllr. Keith Flunder | - | On behalf of Ward Cllr. |
| Cllr. Mark Deaville | - | County Cllr. |

For the application:

- | | | |
|---------------|---|-------------------|
| Mr. Doug Hann | - | Applicant’s Agent |
|---------------|---|-------------------|

NOTED - 1. Late Representations Report (LRR) contained:

- 1 letter of objection;
- amendment to condition1 to reflect the fact that this was an outline application;
- additional condition to confirm 2 storey development only and maximum height 7.5m.

2. Objectors referred to a previous appeal decision on the same site. This related to a proposed barn extension.

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3. Members sympathised with objectors but could find no valid planning reasons for refusal.

Councillor Pearce proposed **REFUSAL**. However the motion was not seconded.

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 the additional and amended conditions referred to above.

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 Executive Director (Place) be delegated authority to do so in consultation with the Chairman 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 Cawley.)

115 SMD/2018/0711 - HIGHFIELD, LEEK

PROPOSED OUTLINE PLANNING PERMISSION WITH ALL MATTERS RESERVED (EXCEPT ACCESS) FOR THE ERECTION OF DWELLINGS FOR SAMMONS ARCHITECTURAL.

(Report recommended Refusal)

(Councillor Ogden had declared an "other" interest. Councillor Pearce remained out of the room for this application.)

RECEIVED – Representations from the undermentioned speakers:-

Against the application:

Mr. Neal Simpson - Local Resident

For the application:

Mrs. Teresa Critchlow - Applicant's Agent

Mr. David Allen - Applicant

NOTED - 1. LRR contained:-

- correction to the quoted Ward, should be Leek North rather than Kingsley;
- Highways objection (together with an informative to be included with the Decision Notice that this refusal would not prejudice a later application if the access improvements as formally proposed under SMD/2017/0635 were included.)
- Tree & Woodlands officer's objection maintained.

2. Applicant's Agent confirmed that the 'red edge' was retained from the previous application in order to secure a 2nd 'free go'.

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3. Trees & Woodlands officer confirmed that this application would involve the removal of 6 TPO protected trees which, although of lower quality to others on the site, were assessed as a group.

RESOLVED – 1. That the application be **REFUSED** for the reasons and based on the policies contained in the report and the update report.

(Proposed by Councillor Roberts and Seconded by Councillor Gledhill.)

116 **SMD/2018/0773 - BRIAR CLOUGH, CLAY LAKE, ENDON**

APPLICATION FOR DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF 2 NEW DWELLINGS FOR MR. RUSHTON.

(Report recommended Approval)

Councillor Cawley left the meeting prior to this application being heard.

RECEIVED – Representation from the undermentioned speaker:-

For the application:

Mr. David Woodfine - Applicant's Agent

NOTED - 1. LRR contained 5 additional highways conditions concerning:-

- Visibility splays;
- Access drive surfacing;
- No gates on the access;
- Access to the public highway to be completed prior to the development being brought into use;
- Dropped pram crossing.

2. Members requested removal of Permitted Development Rights.

Councillor Roberts proposed **REFUSAL**, which was seconded by Councillor Pearce. However the motion was not voted upon as the proposal to **APPROVE** was carried.

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 the additional conditions referred to above.

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 Executive Director (Place) be delegated authority to do so in consultation with the Chairman of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

(Proposed by Councillor Gledhill and Seconded by Councillor Jebb.)

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117 SMD/2018/0696 - LAND SOUTH EAST OF A.521/A.50 BYPASS, BLYTHE BRIDGE

FULL APPLICATION FOR A HAUL ROAD TO PROVIDE TEMPORARY CONSTRUCTION ACCESS TO PHASE 1 (REF. SMD/2017/0512) FOR ST. MODWEN HOMES.

(Report recommended Approval)

(Councillor Pearce had declared a disclosable pecuniary interest and left the room, taking no part in the discussion or vote.)

RECEIVED – Representation from the undermentioned speakers:-

Against the application:

Mr. Paul Meredith - Local resident

For the application:

Mr. Peter Hayward - Applicant's Agent

NOTED - 1. LRR contained:-

- 3rd party reference to there being no right of way to cross Woodlands Lane at the point intended;
- Ecology officer comments – no objection;
- Trees & woodlands officer comments and request for conditions relating to Great Crested Newts, Breeding Birds, Bats, Hedgehogs, Badgers, Hedgerow, Woodland habitats, Tree protection and Archaeology.

2. Clarification given regarding timescale – 12 months use of the Haul Road, then 6 months to re-instate.

3. Legal Advisor confirmed that there were no technical objections.

4. Condition requested that, in the event of approval, if the main Uttoxeter Road access was implemented within the 12 months use, the Haul Road was to cease use and the 6 month period for reinstatement was to commence immediately.

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 the additional conditions referred to above.

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 Executive Director (Place) be delegated authority to do so in consultation with the Chairman 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 Scalise.)

118 SMD/2018/0521 - 153 PARK LANE, BIDDULPH

OUTLINE APPLICATION WITH DETAILS OF ACCESS, LANDSCAPING, LAYOUT AND SCALE (OTHER MATTERS RESERVED) FOR THE CONSTRUCTION OF A NEW DETACHED DWELLING FOR MR. S. LOWNDES.

(Report recommended Approval)

(All Councillors present, including Councillor Redfern had declared "other" interests.)

RECEIVED – Representation from the undermentioned speaker:-

For the application:

Cllr. John Redfern - Ward Councillor

Miss Rebecca Taylor had registered to speak against the application but declined to speak. The Legal Advisor read out a short message from an email sent in by Miss Taylor.

NOTED - 1. LRR contained an additional condition to remove Permitted Development Rights, comments from neighbour and case officer.

2. Application was called-in to committee by Councillor Redfern.

RESOLVED – 1. That, contrary to officer recommendation, the application be **REFUSED** for the reasons and based on the policies stated below:-

Reasons / Policies:

- Space about dwellings;
- Design – no principal windows on 3 sides;
- Overlooking surrounding properties.

(Proposed by Councillor Roberts and Seconded by Councillor Scalise.)

Councillor Pearce left the meeting at this point.

119 SMD/2018/0677 - BLAKEHALL FISHERIES,, NEW CLOSE FIELDS, CHEADLE

PROPOSED CAMP SITE ANCILLARY TO BLAKEHALL FISHERIES FOR MR. J. HEATH.

(Report recommended Approval)

(Councillor Jackson had declared a disclosable pecuniary interest and left the room, taking no part in the discussion or vote. Councillor Roberts had declared an "other" interest.)

NOTED - 1. LRR contained:-

- Ecology Officer request for an additional condition for a Botanical survey and Landscape Management Plan;
- Trees & Woodlands Officer comments;
- Case Officer request to amend condition 4 regarding tree planting..

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2. This was a re-submission following committee refusal in 2018.
3. Additional conditions requested by Case Officer:-
 - Maximum of 20 tents;
 - Restriction on amplified music;
 - Lighting;
 - Management strategy to run the site.
4. Additional informative that if roadways were needed, a further planning application was required.

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 the additional conditions and informative referred to above.

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 Executive Director (Place) be delegated authority to do so in consultation with the Chairman of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

(Proposed by Councillor Roberts and Seconded by Councillor Gledhill.)

120 **SMD/2018/0705 - BLAKEHALL FISHERIES, NEW CLOSE FIELDS, CHEADLE**

PROPOSED ALTERATIONS AND EXTENSION TO THE EXISTING CLUB HOUSE FOR MR. J. HEATH.

(Report recommended Approval)

(Councillor Jackson had declared a disclosable pecuniary interest and remained out of the room, taking no part in the discussion or vote. Councillor Roberts had declared an "other" interest.)

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 Executive Director (Place) be delegated authority to do so in consultation with the Chairman of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

(Proposed by Councillor Roberts and Seconded by Councillor Gledhill.)

121 SMD/2018/0704 - ADDERLEY MILL, ADDERLEY, CHEADLE

DEMOLITION OF EXISTING BUILDING AND ERECTION OF A PORTAL FRAMED BUILDING FOR WAREHOUSE AND WELFARE FACILITY, ANCILLARY TO THE EXISTING INDUSTRIAL UNIT. CLASS B2/B8 FOR TRUCK AND MARINE CRANES Ltd.

(Report recommended Approval)

(Councillor Roberts had declared an "other" interest.)

NOTED - 1. The existing cottage building was already subject to Planning Permission to demolish. Applicant (Mr. Wain) was present at the meeting and confirmed that the cottage was uneconomical to bring back into use.

2. Additional condition requested for windows to be installed in the new building to counteract the disbenefits to staff using it.

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 the additional condition referred to above.

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 Executive Director (Place) be delegated authority to do so in consultation with the Chairman of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

(Proposed by Councillor Roberts and Seconded by Councillor Scalise.)

Councillor Riley left the meeting at this point.

122 COUNCIL APPLICATION TO PRUNE TREE PRESERVATION ORDER PROTECTED TREES, ST. CHAD'S CHURCH, THE GREEN, BAGNALL

(All Councillors present had declared "other" interests.)

CONSIDERED – An application by Staffordshire Moorlands District Council to carry out routine maintenance work on protected trees within Area A2 under TPO No. SM.7 as outlined in the Appendix to the report.

RESOLVED – That consent be **GRANTED** for the proposed pruning work, subject to the conditions set out in the report.

(Proposed by Councillor Jebb and seconded by Councillor Jackson.)

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123 COUNCIL APPLICATION TO PRUNE TREE PRESERVATION ORDER PROTECTED TREE AT OPEN SPACE AT BALLINGTON VIEW / ASHCOMBE WAY, LEEK

(All Councillors present had declared "other" interests.)

CONSIDERED – An application by Staffordshire Moorlands District Council to carry out routine maintenance work on a protected tree known as T8 under TPO No. SM.13 shown on Appendix B to the report.

RESOLVED – That consent be **GRANTED** for the proposed pruning work, subject to the conditions set out in the report.

(Proposed by Councillor Roberts and seconded by Councillor Lucas.)

124 COUNCIL APPLICATION TO PRUNE TREE PRESERVATION ORDER PROTECTED TREES AT CHRIST CHURCH, HOLLINGTON ROAD, UPPER TEAN

(All Councillors present had declared "other" interests.)

CONSIDERED – An application by Staffordshire Moorlands District Council to carry out routine maintenance work on protected trees protected under TPO No. SM.18.

RESOLVED – That consent be **GRANTED** for the proposed pruning work, subject to the conditions set out in the report.

(Proposed by Councillor Jebb and seconded by Councillor Lucas.)

125 COUNCIL APPLICATION TO PRUNE AND FELL TREE PROTECTION ORDER PROTECTED TREES AT BROUGH PARK, LEEK (REAR OF BADGERS RISE).

(All Councillors present had declared "other" interests. Steve Massey had declared an "other" interest and left the room, taking no part in the discussion or vote.)

CONSIDERED – An application by Staffordshire Moorlands District Council to carry out routine maintenance work on protected trees which were covered by a TPO and identified as T1, T3 and T4 (crown lifting and side pruning) and T2 (felling).

RESOLVED – That consent be **GRANTED** for the proposed pruning and felling work, subject to the conditions set out in the report.

(Proposed by Councillor Lucas and seconded by Councillor Roberts.)

126 APPEALS REPORT

Ben Haywood presented the report showing:-

- Appeals submitted – none
- Appeal decisions received – 5, detailed as follows:-

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Reference	Address	Decision Date	Recommendation	Decision	Appeal Decision
SMD/2017/0199	Land adj, The Cross, Main Road, Hollington	Delegated	Minded to Refuse	Minded to Refuse	Dismissed 18 December 2018
SMD/2017/0513	Heather Hills, Birchall Lane, Leek	Committee 3 November 2017	Approve	Refused	Dismissed 20 December 2018
SMD/2017/0813	Land south of Hill Crest, Longsdon	Delegated 16 March 2018	Refuse	Refused	Dismissed 7 November 2018
SMD/2018/0301	Limerick Farm, Devils Lane, Longsdon	Delegated 20 July 2018	Refuse	Refused	Dismissed 11 January 2019
SMD/2018/0322	1 Moorville Cottages, Cellarhead	Delegated 27 July 2018	Refuse	Refused	Dismissed 11 January 2019

Members were pleased to note that the Council had suffered no ‘defeats’ on any of the appeals reported upon and requested that a message of thanks and congratulations should be forwarded to all officers involved for their hard work.

RESOLVED – That the report be **NOTED**.

127 EXCLUSION OF THE PRESS AND PUBLIC

“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.”

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

Members considered the Exempt Minutes of the meeting of the Planning Applications Committee held on 13 December 2018.

The meeting closed at 6.20 pm

_____ Chairman _____ Date