

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL**  
**PLANNING APPLICATIONS COMMITTEE MEETING**

**Minutes**

**THURSDAY, 25 JULY 2019**

PRESENT: Councillor P Roberts (Chair)

Councillors B Cawley, S Coleman, B Emery, M Gledhill, T Holmes,  
K Hoptroff, A Hulme, L D Lea, T Riley and I Whitehouse

IN ATTENDANCE: B Haywood - Head of Development Services  
Z Walker - Legal Advisor, Freeths LLP  
S Hampton - Democratic Services Officer  
P Trafford - Democratic Services Officer  
F Hewitt - Planning Student (observing)

APOLOGIES: Councillors J Davies, P Elkin and K Flunder

20 **CHAIR'S ANNOUNCEMENTS**

- a) 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.
- b) Members of the Committee and Officers present were introduced by the Chair.
- c) The Chair requested that mobile phones be switched off or to silent.

21 **MINUTES OF THE PREVIOUS MEETING**

**RESOLVED** – That the Public Minutes of the meeting of the Planning Applications Committee held on 27 June 2019 be **APPROVED** as a correct record and signed by the Chair.

22 **URGENT ITEMS, IF ANY.**

There were no urgent items.

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23 **DECLARATIONS OF INTEREST**

The following declarations were made:-

<b>Agenda Item</b>	<b>Member Declaring Interest</b>	<b>Nature of Interest</b>
Agenda Item 6 – SMD/2019/0136 – The Oaklands, Uttoxeter Road, Checkley	Cllrs. Cawley, Coleman, Emery, Gledhill, Holmes, Hoptroff, Hulme, Lea, Riley, Roberts & Whitehouse	Other – 2 speakers were fellow District Cllrs, 1 was a previous District Cllr.
Agenda Item 7 – SMD/2016/0083 & SMD/2019/0310 – Vary S.106 Agreement re Land off Thorley Drive, Cheadle	Cllrs. Cawley, Coleman, Emery, Gledhill, Holmes, Hoptroff, Hulme, Lea, Riley, Roberts & Whitehouse	Other – 1 speaker was a fellow District Cllr.
	Cllr. Whitehouse	Disclosable Pecuniary Interest – Friends with owner
Agenda Item 8 – SMD/2018/0563 – Land adjacent to Travellers Rest, Leek Road, Leekbrook	Cllrs. Cawley, Coleman, Emery, Gledhill, Holmes, Hoptroff, Hulme, Lea, Riley, Roberts & Whitehouse	Other – Speaker was a previous SMDC employee

24 **SMD/2019/0136 - THE OAKLANDS, UTTOXETER ROAD, CHECKLEY**

**TO PROVIDE A HOME FOR 4 CHILDREN, AGED 10 – 18 YEARS, WHERE 24 HOUR CARE WOULD BE PROVIDED BY 2 NON-RESIDENT STAFF ATTENDING ON A SHIFT PATTERN FOR BLUE MOUNTAIN HOMES LTD.**

(Report recommended Approval)

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

RECEIVED – Representations from the undermentioned speakers:-

**Against the application:**

- |                       |  |
|-----------------------|--|
| Mr. Steven Buckley    | - Objector   |
| Cllr. Colin Pearce    | - Checkley Parish Council                                      |
| Mr. Gavin Carr        | - Chairman, Checkley Cricket Club                              |
| Cllr. Mark Deaville   | - Ward Councillor  |
| Cllr. Peter Wilkinson | - Ward Councillor (statement read out by the<br>Legal Advisor) |

**For the application:**

- |                 |             |
|-----------------|-------------|
| Mr. Adrian Rose | - Supporter |
|-----------------|-------------|

NOTED – 1. Clarified that this was NOT a planning application, but an application for a Certificate of Lawfulness for a change of use. Objections could not, therefore, be taken into account. The question was whether the change of use would be materially different to the use of the property as a dwelling.

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2. Late Representations Report (LRR) containing 16 objections from local residents.
3. Application was Called-in to committee by Cllr. Peter Wilkinson.
3. Chair requested that Blue Mountain Homes Ltd get together with Checkley Parish Council and Checkley Cricket Club to iron out the difficulties outlined at the meeting.

A motion to **DEFER** was proposed by Councillor Holmes. However, the motion was not seconded.

**RESOLVED** – That a ‘Certificate of Lawfulness’ be **APPROVED** for the proposed use.

(Proposed by Councillor Lea and seconded by Councillor Gledhill.)

### 25 **SMD/2019/0310 - APPLICATION TO VARY THE SECTION 106 AGREEMENT ATTACHED TO SMD/2016/0083 - LAND OFF THORLEY DRIVE, CHEADLE**

(Report recommended Approval)

*(Councillor Whitehouse had declared a Disclosable Pecuniary Interest and left the room, taking no part in the discussion or vote. All Councillors had declared “other” interests.)*

RECEIVED – Representations from the undermentioned speakers:-

#### **Against the application:**

- |                      |   |  |
|----------------------|---|--|
| Mr. Anthony Joynes   | - | Objector   |
| Mr. Tom Baker        | - | Objector   |
| Cllr. Richard Alcock | - | Ward Cllr.   |
| Mr. Nigel Kelsall    | - | Objector (statement read out by the Legal Advisor) |

#### **For the application:**

- |                      |   |                                    |
|----------------------|---|------------------------------------|
| Ms. Helen O’Doherty  | - | Director, Keepmoat Homes           |
| Mr. Chris Tompkinson | - | Technical Director, Keepmoat Homes |
| Dr. Robert Wickham   | - | Planning Consultant                |

NOTED – 1. LRR contained:-

- Clarification of the site address (omitted from the report);
  - Consultation response from Cheadle Town Council;
  - Further letter of objection.
2. The lack of viability of the existing scheme had been found by the Council’s Consultants. The profit level shown was not excessive. The applicant had indicated that it would make an application to Homes England for funding in respect of the shortfall of affordable housing up to policy compliant level but this could not be taken into account as a material consideration as the Council had no control over any such application.

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3. Members preferred option 'A' to option 'B' as this retained the other contributions in the original S.106 agreement, including education.

**RESOLVED** – 1. That the request to vary the Section 106 Agreement to reduce the level of affordable housing provision to 10 units be accepted. All other provisions / obligations as set out in the report to remain.

2. 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 had delegated authority to do so in consultation with the Chairman of the Planning Applications Committee, provided that the changes did not exceed the substantive nature of the Committee's decision.

(Proposed by Councillor Lea and seconded by Councillor Gledhill.)

26 **SMD/2018/0563 - LAND ADJACENT TO TRAVELLERS REST, LEEK ROAD, LEEKBROOK**

**OUTLINE APPLICATION WITH MEANS OF ACCESS (ALL OTHER MATTERS RESERVED) FOR RESIDENTIAL DEVELOPMENT OF UP TO 30 DWELLINGS FOR SAMMONS ARCHITECTURAL LTD.**

(Report recommended Refusal)

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

RECEIVED – Representation from the undermentioned speaker:-

**For the application:**

Mr. David Breakwell - Applicant's Agent

NOTED – 1. LRR contained:-

- Application had been reduced from 55 dwellings to 30;
- Published Location Plan was incorrect – correct one included;
- Trees & Woodlands Officer's comments – no objection but concurred with the reason for refusal contained in the report regarding landscape & visual impact creating substantial & demonstrable harm;
- Planning Officer comments re-iterating the harm to landscape & visual impact.

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

(Proposed by Councillor Gledhill and seconded by Councillor Lea.)

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27 **SMD/2019/0123 - UPPER MOOR END FARM, STONEY LANE, CAULDON LOWE**

**PROPOSED SITING OF 2 HOLIDAY CARAVANS AND NEW HIGHWAY ACCESS DRIVE FOR MR. & MRS. RHODES.**

(Report recommended Refusal.)

RECEIVED – Representations from the undermentioned speakers:-

**Against the application:**

Ms. Alison Heath - Objector

**For the application:**

Mr. Charles Rhodes - Applicant

NOTED – 1. Application was Called-in to committee by Cllr. Edwin Wain in order to consider the impact of the new access drive and because the matter was locally contentious.

2. The application was partially retrospective, in that the hard-standing and caravans were already in place. The applicant apologised to the Committee members for this.

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

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

28 **PERFORMANCE ON PLANNING APPEALS**

Ben Haywood presented the report which showed that no appeals had been lodged with the Planning Inspectorate since the previous report.

Appeal decisions received were as follows:-

<b>Ref.</b>	<b>Location</b>	<b>Decision level</b>	<b>Recom.</b>	<b>Decision</b>	<b>Appeal Decision</b>
SMD/2017/0775	Woodhouse Lane, Biddulph	Committee 18/06/2018	Approve	Refused	Allowed 15/05/2019
SMD/2018/0347	The Gables, Cheddleton Road, Leek	Delegated 10/09/2018	Refuse	Refused	Dismissed 15/05/2019
DET/2018/0016	Biddulph Park Road, Rushton Spencer	Delegated 18/07/2018	Refuse	Refused	Allowed 16/05/2019
SMD/2018/0491	The Hollies, Roughcote Lane, Caverswall	Delegated 26/10/2018	Refuse	Refused	Dismissed 20/05/2019

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SMD/2018/0362	5 Draycott Old Road, Forsbrook	Delegated 27/09/2018	Refuse	Refused	Allowed 22/05/2019
SMD/2018/0075	Parks Farm, Rudyard Road, Biddulph Moor	Delegated 09/11/2018	Refuse	Refused	Dismissed 23/05/2019
SMD/2018/0662	Calverhay Farm, Uttoxeter Road, Blythe Bridge	Committee 12/12/2018	Refuse	Refused	Dismissed 23/05/2019
SMD/2018/0665	Reynolds Hay Farm, Park Lane, Endon	Delegated 11/12/2018	Refuse	Refused	Dismissed 12/06/2019

A correction to the published report relating to 5 Draycott Old Road, Forsbrook, which was reported as 'dismissed' but was actually allowed.

Overall the results were encouraging, particularly those in Green Belt. It was encouraging to see the Planning Inspectors adopting a strong line which reflected the Council's stance.

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

The meeting closed at 4.00 pm

\_\_\_\_\_Chairman \_\_\_\_\_Date