

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

**Minutes**

**THURSDAY, 17 OCTOBER 2019**

PRESENT: Councillor P Roberts (Chair)

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

IN ATTENDANCE: S Hampton                      Member and Community Services Officer  
P Trafford                                      Member & Community Services Officer  
B Haywood                                      Head of Development Services  
A Swithenbank                                Planning Officer  
Z Walker                                        Legal Advisor, Freeths LLP

APOLOGIES:                      None

**50      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.
- d) Agenda Item 11 (Section 106 Agreement at Churnet View Road, Oakamoor) to be heard before Agenda Item 10 (SMD/2019/0465 – 71 Woodhouse Lane, Biddulph) as Cllr. Davies would later declare a Disclosable Pecuniary Interest in item 10 and would need to leave the room.

**51      MINUTES OF THE PREVIOUS MEETING**

**RESOLVED** – That the Public Minutes of the meeting of the Planning Applications Committee held on 19 September 2019 be **APPROVED** as a correct record and signed by the Chair.

**52      URGENT ITEMS, IF ANY.**

There were no urgent items.

53 **DECLARATIONS OF INTEREST**

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

<b>Agenda Item</b>	<b>Member Declaring Interest</b>	<b>Nature of Interest</b>
Agenda Item No. 6 – SMD/2019/0436 – Olive Tree Park, Uttoxeter Road, Checkley	Cllrs. Flunder, Hulme & Wilkinson	“Other” – Discussed the matter at previous Parish Council meeting
	Cllr. Hulme	Lobbied – No response given
Agenda Item No. 7 – SMD/2019/0398 – School Green, Ipstones	Cllrs. Cawley, Coleman, Davies, Emery, Flunder, Gledhill, Holmes, Hoptroff, Hulme, Lea, Riley, Roberts, Whitehouse & Wilkinson	“Other” – Speaker was a fellow SMDC Cllr.
Agenda Item No. 8 – SMD/2019/0213 – Land off Macclesfield Road, Leek	Cllrs. Cawley, Coleman, Davies, Emery, Flunder, Gledhill, Holmes, Hoptroff, Hulme, Lea, Riley, Roberts, Whitehouse & Wilkinson	“Other” – Speaker was an ex-SMDC employee
	Cllrs. Cawley & Emery	“Other” – Ward Cllrs.
Agenda Item No. 10 – SMD/2019/0465 – 71 Woodhouse Lane, Biddulph	Cllr. Davies	Disclosable Pecuniary Interest – Application site is neighbouring to residence

54 **SMD/2019/0436 - OLIVE TREE PARK, UTTOXETER ROAD, CHECKLEY.**

**EXTENSION TO EXISTING BRICK BUILT AMENITY BUILDING FOR MR. & MRS. PRICE.**

(Report recommended Approval)

*(Councillors Flunder, Hulme and Wilkinson had declared “other” interests and left the room, taking no part in the discussion or vote. Councillor Hulme had declared a lobbying interest.)*

RECEIVED – Representation from the undermentioned speaker:-

**For the application:**

Mr. Roger Yarwood - Applicant’s Agent

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NOTED - 1. Only 'Touring' rather than 'Static' caravans were allowed on this site, hence the need for an amenities building.

**RESOLVED** – 1. That the application be **APPROVED** for the reasons and based on the policies contained in the report, subject to the conditions and informative also contained in the report.

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 Gledhill and seconded by Councillor Davies.)

### 55 SMD/2019/0398 - SCHOOL GREEN, IPSTONES.

#### ALTERATIONS AND CHANGE OF USE FROM GARAGE TO HOLIDAY ACCOMMODATION FOR MR. ALAN SWANCOTT

(Report recommended Approval)

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

RECEIVED – Representations from the undermentioned speakers:-

#### Against the application:

Mrs. Julie Ann Salt	- Objector
Cllr. Linda Malyon	- Ward Cllr.

NOTED - 1. LRR contained:-

- Name of Applicant – Mr. Alan Swancott;
- Change to the officer recommendation "to approve subject to result of ecology survey to be submitted – with final decision delegated to the Head of Development services in consultation with the Chair";
- Officer comments relating to the impact on the Ipstones Conservation Area;
- Additional condition to remove Permitted Development Rights;
- Additional Neighbour representation regarding 'Drying Rights' on the site for 3 neighbouring dwellings.

2. Members expressed concern regarding parking provision in Ipstones generally and particularly on School Green. Clarified that the proposal would result in no nett loss of parking spaces.

3. Clarified that the pathway through to the High Street would remain unaffected.

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It was proposed by Councillor Cawley and seconded by Councillor Emery that the application be **APPROVED**. However when the vote was taken, the motion was **LOST**.

**RESOLVED** – That, contrary to officer recommendation, the application be **REFUSED** for the reasons / policies stated below:-

### Reasons / Policies:

- Lack of amenities:- inappropriate window design, drying rights within the site for other properties, impractical parking facilities, insufficient floorspace;
- Incongruous design – impact on the setting of the Conservation Area;
- Lack of Bat Survey.

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

### 56 SMD/2019/0213 - LAND OFF MACCLESFIELD ROAD, LEEK.

#### APPROVAL OF RESERVED MATTERS FOLLOWING OUTLINE APPROVAL SMD/2013/1201 FOR GRACE STREET DEVELOPMENTS LTD.

(Report recommended Approval)

*(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:-

- Comments from the Agent – extension to 31 October 2019 for assessment of the revised landscaping scheme. Revised facing materials palette;
- Arboricultural Officer comments;
- Case Officer comments – additional condition required for the protection of trees during construction works.

2. Clarified that the private access lane from Macclesfield road was not owned by the Applicant and that there was no dedicated pedestrian footway within 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 informative also contained in the report and the additional condition referred to above.

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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 Gledhill and seconded by Councillor Cawley.)

57 **SMD/2019/0005 - LAND OFF BLACK LANE, TO THE EAST OF NO'S 4 AND 5 THE PLAIN, WHISTON.**

**ERECTION OF 4 DWELLINGS FOR MR. PETER BULL**

(Report recommended Approval)

RECEIVED – Representations from the undermentioned speakers:-

**Against the application:**

Mr. John Steele - Objector

**For the application:**

Mr. Jim Malkin - Applicant's Agent

NOTED - 1. LRR contained:-

- Case Officer/Agent discussion regarding materials. Agent requested brick with stone quoins. Additional condition for stone to be used;
- Correction of paragraph 7.27, should read 4 dwellings, not 2;

2. Two appeals dealt with in the area regarding sustainability recently, 1 dismissed and 1 upheld indicated that this was a subjective judgement.

3. Additional conditions requested for:-

- Re-instatement of the wall surrounding the site;
- Highways considerations regarding comments received from SCC Highways Dept;
- To explore and record the Well on the site;
- Access road to end earlier than shown on plan to avoid any potential further development of the area at the end of the road as shown;
- Chimneys required for each dwelling.

4. Members considered that the dwellings should be constructed in stone.

5. Councillor Emery left the meeting part way through this item and was advised not to return until the item was concluded.

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**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 also contained in the report and the additional conditions referred to above.

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 Cawley and seconded by Councillor Gledhill.)

### 58 SECTION 106 AGREEMENT AT CHURNET VIEW ROAD.

The Section 106 Agreement had been put in place under previous legislation. This had since been succeeded by the revised National Planning Policy Framework (NPPF) in 2018. The new NPPF would not have required any provision for affordable housing on the scheme in question and the application therefore requested a Deed of Revocation in respect of the agreement attached to planning permission SMD/2015/0161 and SMD/2017/0713.

**RESOLVED** – That the affordable housing requirement in respect of the site be removed and a Deed of Revocation be entered into.

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

### 59 SMD/2019/0465 - 71 WOODHOUSE LANE, BIDDULPH.

#### REMOVAL OF PREFABRICATED SINGLE GARAGE, CONSTRUCTION OF A DOUBLE GARAGE WITH OFF-WHITE RENDER FINISH, RENDER FINISH TO EXISTING BUNGALOW FOR MR. R BEECH

(Report recommended Approval)

*(Councillor Davies had declared a Disclosable Pecuniary Interest and left the room, taking no further part in the discussion or vote.)*

- NOTED -
1. LRR contained deletion of condition 4 and re-numbering of condition 5 as condition 4.
  2. Members felt that while an off-white render finish was appropriate for the garage, the existing brick finish should be retained for the existing bungalow – set out in the conditions.

**RESOLVED** – 1. That the application be **APPROVED** for the reasons and based on the policies contained in the report, subject to the conditions and informative also contained in the report and the additional condition referred to above.

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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 Roberts and seconded by Councillor Cawley.)

60 **APPEALS REPORT.**

Ben Haywood advised that no appeals had been lodged since the last report and that 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/2018/0466	Park Lodge Farm, Cheddleton	Delegated 19/10/2018	Refuse	Refused	Dismissed 23/7/2019
SMD/2018/0038	High Bent, Biddulph Moor	Delegated 23/10/2018	Refuse	Refused	Dismissed 23/07/2019
SMD/2019/0027	2 The Cottages, Mobberley	Delegated 29/03/2019	Refuse	Refused	Allowed 29/07/2019
SMD/2019/0045	56 Moss Park Avenue, Werrington	Delegated 27/03/2019	Refuse	Refused	Dismissed 05/08/2019
SMD/2019/0060	1 Badnall Close, Leek	Delegated 29/03/2019	Refuse	Refused	Dismissed 06/09/2019
DET/2018/0043	Heath House Farm Cottage, Cheddleton	Delegated 28/01/2019	Refuse	Refused	Dismissed 13/09/2019
SMD/2019/0110	6 Nevin Avenue, Knypersley	Delegated 09/05/2019	Refuse	Refused	Allowed 18/09/2019
SMD/2018/0174	Land at Cheddleton Park Avenue, Cheddleton	Committee 22/11/2018	Refuse	Refused	Dismissed 19/09/2019
SMD/2019/0088	Cheadle Equestrian Centre	Delegated 18/04/2019	Refuse	Refused	Dismissed 18/09/2019

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The 2 'lost' appeals were both based on design, which was a subjective judgement.

In general, the Council's performance on appeals had improved considerably over the previous 18 months. Performance was judged and monitored by government with an intervention level set as the number of 'lost' appeals as a percentage of the total number of applications determined by the authority.

- Minor applications – 10% lost of the total number of decision;
- Major applications – 50% lost of the total number of applications.

Members requested that the next Appeals Report contain further detail to show the trend, if any, of appeals and results for both Major and Minor applications.

**RESOLVED** – That the report be **NOTED** and the extra information referred to above be included on the next report.

The meeting closed at 4.12 pm

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