

# STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL

## PLANNING APPLICATIONS COMMITTEE MEETING

### Minutes

**THURSDAY, 22 OCTOBER 2020**

PRESENT: Councillor P Roberts (Chair)

Councillors B Cawley, S Coleman, B Emery, K Flunder, M Gledhill, T Holmes, K Hoptroff, 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  
J Colley                                         Senior Planning & Enforcement Officer  
B Haywood                                     Head of Development Services  
L Burnett                                        Legal Advisor – Freeths LLP

APOLOGIES: Councillors J Davies and A Hulme

#### 156 CHAIR'S ANNOUNCEMENTS

- a) The Chair confirmed that 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. In the light of this meeting being held 'virtually' via the Microsoft Teams platform, all members were asked to adhere to the guidelines previously issued to them for such meetings, to use the 'Hands up' function to register their wish to speak and to speak only when invited to do so by the Chair. All attendees were asked to keep their microphones muted when not in use. 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) Given the social distancing restrictions in place due to the Coronavirus Pandemic, no actual site visits were undertaken relating to this meeting. However, photos/video were shown to all members both before and during the meeting showing all views of the application sites.

#### 157 MINUTES OF THE PREVIOUS MEETING

**RESOLVED** – That the public minutes of the meeting of the Planning Applications Committee held on 17 September 2020 be **APPROVED** as a correct record and signed by the Chair.

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158 **URGENT ITEMS, IF ANY.**

There were no urgent items.

159 **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 Items 6 & 7 – SMD/2019/0766 & SMD/2020/0315 – John Munroe Independent Hospital, Rudyard	Cllrs. Cawley, Coleman, Emery, Flunder, Gledhill, Holmes, Hoptroff, Lea, Riley, Roberts, Whitehouse & Wilkinson	“Other” – 1 speaker was a fellow District Councillor, 1 was a previous SMDC employee
	Cllr. Roberts	Lobbied – No response issued
Agenda Item 8 – DOC/2019/0039 – Land at Thorley Drive, Cheadle	Cllrs. Cawley, Coleman, Emery, Flunder, Gledhill, Holmes, Hoptroff, Lea, Riley, Roberts, Whitehouse & Wilkinson	“Other” – Speaker was a fellow District Councillor
	Cllr. Roberts	Lobbied – No response issued
Agenda Item 9 – SMD/2020/0365 – Land at Cheddleton Park Avenue, Cheddleton	Cllrs. Cawley, Coleman, Emery, Flunder, Gledhill, Holmes, Hoptroff, Lea, Riley, Roberts, Whitehouse & Wilkinson	“Other” – 1 speaker was a previous SMDC employee
	Mrs. Sally Hampton	“Other” – Owns property nearby, had no involvement
Agenda Item 10 – SMD/2020/0379 – The Top Pub, Hill Top, Brown Edge	Cllr. Flunder	“Other” – County Councillor for the area
	Cllr. Lea	“Other” – Ward Councillor – had no discussions
Agenda Item 11 – SMD/2019/0339 – Winkhill Garage, Winkhill	Cllrs. Cawley, Coleman, Emery, Flunder, Gledhill, Holmes, Hoptroff, Lea, Riley, Roberts, Whitehouse & Wilkinson	“Other” – peaker was a fellow District Councillor
	Cllrs. Cawley & Roberts	Lobbied – No response issued
Agenda Items 12 & 13 – SMD/2017/0252 & 0253 and SMD/2018/0578 – Caverswall Castle, Caverswall	Cllr. Roberts	“Other” – Ward Councillor
	Cllr. Flunder	“Other” – Had friends nearby

160 SMD/2019/0766 - JOHN MUNROE INDEPENDENT HOSPITAL, REACLIFFE ROAD, RUDYARD

**REMOVAL OF TWO CONSERVATORIES AND THEIR REPLACEMENT BY THE ERECTION OF TWO DAY ROOM EXTENSIONS AND A FURTHER EXTENSION LINKING THESE FOR JOHN MUNROE HOSPITAL GROUP LIMITED.**

(Report recommended Approval)

*All Councillors present had declared "other" interests. Councillor Roberts had declared a Lobbying interest.*

RECEIVED – Representations from the undermentioned speakers:-

**Against the application:**

Mr. Robin Lichfield - Objector  
Mrs. Suzanne Birch - Objector  
Cllr. Norma Hawkins - Ward Councillor

**For the application:**

Mrs. Teresa Critchlow - Applicant's Agent

**NOTED** - 1. The application had been deferred from the September Committee.

2. LRR contained additional comments in objection.

2. Members were concerned about the extensive history of planning applications on the site.

3. Additional condition requested for demolition / building works to be carried out during normal working hours.

4. Additional condition for there to be no additional services in this block.

Councillor Wilkinson proposed **REFUSAL** which was seconded by Councillor Lea. However when the vote was cast, the motion was not successful.

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

**FURTHER RESOLVED** - 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 Emery.)

161 SMD/2020/0315 - THE LARCHES, REACLIFFE ROAD, RUDYARD

ERECTION OF SINGLE STOREY SIDE EXTENSION FOR JOHN MUNROE HOSPITAL GROUP LIMITED.

(Report recommended Approval)

*All Councillors had declared "other" interests. Councillor Roberts had declared a lobbying interest.*

RECEIVED – Representations from the undermentioned speakers:-

**Against the application:**

Mr. Robin Lichfield - Objector  
Mrs. Suzanne Birch - Objector  
Cllr. Norma Hawkins - Ward Councillor

**For the application:**

Mrs. Teresa Critchlow - Applicant's Agent

- NOTED** - 1. LRR contained an Erratum – the description of the development should have read "Erection of single storey side extension" rather than "Erection of Agricultural Workers Dwelling".
2. Queries raised regarding Parish Council consultation and plans shown, both clarified by Officers.

Councillor Holmes proposed **DEFERRAL** which was seconded by Councillor Emery. After clarification on outstanding queries, Councillor Emery withdrew his second, to be replaced by Councillor Wilkinson. However when the vote was cast, the motion was not successful.

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

**FURTHER RESOLVED** - 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.)

Following the vote, the Chair addressed the meeting to say that there had been 26 planning applications on the John Munroe site in the previous 11 years and 'enough was now enough'.

162 **DOC/2019/0039 - LAND AT THORLEY DRIVE, CHEADLE**

**DISCHARGE OF CONDITION FOR KEEPMOAT HOMES.**

(Report recommended Approval)

*All Councillors had declared "other" interests. Councillor Roberts had declared a lobbying interest.*

RECEIVED – Representation from the undermentioned speakers:-

**Against the application:**

Cllr. Richard Alcock - Ward Councillor (Statement read out)

**NOTED** - 1. Chair requested an additional informative for floor levels to be checked post construction.

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

**FURTHER RESOLVED** - 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 Emery and seconded by Councillor Gledhill.)

163 **SMD/2020/0365 - LAND AT CHEDDLETON PARK AVENUE, CHEDDLETON**

**ERECTION OF THREE DETACHED DWELLINGS AND ASSOCIATED WORKS FOR MOORLANDS HOMES (CHEADLE) Ltd.**

(Report recommended Approval)

*All Councillors and Mrs. Sally Hampton had declared "other" interests.*

RECEIVED – Representations from the undermentioned speakers:-

**Against the application:**

Mr. Paul Sugars - Objector

**For the application:**

Mr. Rob Duncan - Applicant's Agent

**NOTED** - 1. LRR contained:-

- Additional condition stating that no development to take place until details of off site regrading work beyond the access gate had been approved by the Local Planning Authority ;
- Trees & Woodlands Officer comments – no objection.

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2. Officer clarified the level of access available to the field post development (Not suitable for residential access).

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

**FURTHER RESOLVED** - 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 Flunder.)

164 **SMD/2020/0379 - THE TOP PUB, HILL TOP, BROWN EDGE**

(Report recommended Approval)

*Councillors Flunder and Lea had declared "other" interests.*

RECEIVED – Representations from the undermentioned speakers:-

**Against the application:**

Mrs. Carol Rowley - Objector (Statement read out)

**For the application:**

Mr. Ken Wainman - Applicant's Agent

- NOTED** -
1. Officer requested that condition 5 relating to drainage be deleted;
  2. Additional condition requested relating to marking out the route through the car park for safety reasons;
  3. Additional condition requested under policy DC1 for sustainable construction techniques to be used.

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

**FURTHER RESOLVED** - 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.

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(Proposed by Councillor Emery and seconded by Councillor Cawley.)

Councillor Flunder left the meeting at 16:55.

165 **SMD/2019/0339 - WINKHILL GARAGE, ASHBOURNE ROAD, WINKHILL**

**APPLICATION FOR TEMPORARY PARKING ON THE SITE FOR A PERIOD OF 5 YEARS FOR W G TANKERS.**

(Report recommended Approval)

*All Councillors had declared "other" interests. Councillors Cawley & Roberts had declared lobbying interests.*

RECEIVED – Representation from the undermentioned speaker:-

**Against the application:**

Mrs. Linda Malyon - Objector (Statement read out)

- NOTED -**
1. LRR contained:-
    - Additional representations of objection;
    - Comments from Waterhouses Parish Council – no objection but would closely monitor the use of the site for adherence to conditions;
  2. Legal Advisor clarified that the extant planning permission on the site for a workshop would run alongside the parking planning permission, though there would not then be room for 78 tank trailers;
  3. Members requested additional condition – That there be no more than 78 Tankers parked on the site at any one time. Reason:- In the interests of residential and visual amenity and highway safety.
  4. Members requested that the permission be limited to 3 years;
  5. Additional Informative requested – If no action on all conditions within 3 months enforcement action to be taken;

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

**FURTHER RESOLVED** - 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 Hoptroff.)

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Councillor Whitehouse left the meeting at 17:30.

166 **SMD/2017/0252 & 0253 - CAVERSWALL CASTLE, CAVERSWALL**

**CHANGE OF USE OF GRADE 1 LISTED CASTLE TO PERMIT C1 HOTEL USE; MEETING / LECTURE VENUE; DEMOLITION OF SWIMMING POOL BUILDING; CREATION OF A CAR PARK AND ALTERATION AND EXTENSION OF THE EXISTING OUTBUILDING TO PROVIDE COVERED PARKING AND AN ESTATE WORKSHOP WITH STORES IN CONNECTION WITH THE PROPOSED USE. LISTED BUILDING CONSENT FOR REMOVAL OF EXISTING SWIMMING POOL AND ALTERATIONS AND EXTENSION TO OUTBUILDING FOR MR. ROBIN MACDONALD.**

(Report recommended Refusal)

*Councillors Flunder & Roberts had declared "other" interests.*

RECEIVED – Representation from the undermentioned speaker:-

**For the application:**

Mr. Robin MacDonald - Applicant (Statement read out)

**NOTED** - 1. LRR contained representation from the Applicant objecting to the S.106 Agreement.

2. Legal Advisor confirmed that the Applicant was still Mr. Robin MacDonald even though the Castle was in the hands of the Receivers. However, in this situation, the Receivers would need to sign the S.106 Agreement, which applied to the building.

3. Officer confirmed that the Applicant's history was not a material planning consideration.

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

(Proposed by Councillor Emery and seconded by Councillor Hoptroff.)

167 **SMD/2018/0578 - CAVERSWALL CASTLE, CAVERSWALL**

**USE OF PREMISES FOR DAY VISITORS AND COMMERCIAL FILMING FOR MR ROBIN MACDONALD.**

(Report recommended Refusal)

*Councillors Flunder & Roberts had declared "other" interests.*

RECEIVED – Representations from the undermentioned speakers:-

**For the application:**

Mr. Robin MacDonald - Applicant (Statement read out)

**NOTED** - 1.LRR contained representation from the Applicant objecting to the S.106 Agreement.

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2. Officer confirmed that there was no objection with regard to the low-key uses. The S.106 Agreement would restrict only the larger events.

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

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

Councillor Cawley left the meeting at 18:00.

### 168 ENFORCEMENT PLAN REPORT

This item had been issued as an exempt part of the agenda. However the Chair and Officers decided that it could be heard as an ‘Open’ item.

The Council’s Enforcement Plan was adopted in April 2017 for a trial period of 12 months. Since that time, investigations had been carried out in accordance with the plan timescales and priorities.

The plan set out how complaints would be investigated and identified a schedule of priorities which set out a timetable for how the most serious breaches would be investigated, as follows:-

Priority 1 – Serious or permanent threat to public health, safety and the environment. Site visit to be undertaken, wherever possible on the same day or the following working day;

Priority 2 – Less immediate, but harmful with potential to escalate and cause harm to the living conditions of adjoining residents or the environment. Site visit to be undertaken within 5 working days;

Priority 3 – Other breaches likely to remain stable. Site visit to be undertaken within 20 working days;

Priority 4 – Other minor breaches. Site visit only if deemed necessary following desk top appraisal of the issues.

The system had worked well in the period to date, particularly having been tested via a complaint to the Local Government Ombudsman where the Council’s process was found to be robust and the complaint was dismissed.

The plan also set out that officers would aim to resolve most cases within 13 weeks of receipt. The annual Corporate Performance target for resolving cases was 80%. Resolutions involved a range of outcomes including:- the submission of a planning application, the breach being voluntarily resolved by the transgressor, the case not being expedient to pursue and referral to other agencies / bodies (e.g. Environmental Health, the Police).

**RESOLVED-** That the Enforcement Plan be **ADOPTED**.

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

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The meeting closed at 6.15 pm

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