

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

**Minutes**

**THURSDAY, 7 MARCH 2019**

PRESENT: Councillor S Ellis (Chair)

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

IN ATTENDANCE: S Hampton                      Member and Community Services Officer  
P Trafford                                      Member & Community Services Officer  
J Curley                                         Senior Planning Officer  
B Haywood                                    Operations Manager - Development Services  
R Simpkin                                     Senior Planning Officer  
Z Walker                                        Legal Advisor, Freeths LLP

APOLOGIES: Councillors K Jackson and P Roberts

**142 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.

**143 MINUTES OF THE PREVIOUS MEETING**

**RESOLVED** – That the Public Minutes of the meeting of the Planning Applications Committee held on 14 February 2019 be **APPROVED** as a correct record and signed by the Chair.

**144 URGENT ITEMS, IF ANY.**

There were no urgent items.

**Planning Applications Committee - 7 March 2019**

145 **DECLARATIONS OF INTEREST**

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

<b>Agenda Item</b>	<b>Member Declaring Interest</b>	<b>Nature of Interest</b>
Agenda Item 6 – SMD/2018/0700 – Land adjacent to 10 Ox Pasture, Cheddleton	Cllrs. Cawley, Davies, Ellis, Gledhill, P Jackson, Jebb, Lea, Lucas, Ogden, Pearce, Riley & Scalise	“Other” – 2 speakers are fellow District Councillors, 1 is a previous SMDC Employee
	Cllr. Scalise	“Other” – Ward & Parish Councillor – took no part in discussions
	Mr. Ben Hayward	“Other” – Knows objector
Agenda Item 7 – SMD/2018/0614 – Land at Caverswall Old Road, Forsbrook	Cllrs. Cawley, Davies, Ellis, Gledhill, P Jackson, Jebb, Lea, Lucas, Ogden, Pearce, Riley & Scalise	“Other” – 1 speaker is a fellow District Councillor, 1 is previous SMDC Employee
Agenda Item 8 – SMD/2019/0036 – Skate Park, Brough Park, Leek	Cllrs. Cawley, Davies, Ellis, Gledhill, P Jackson, Jebb, Lea, Lucas, Ogden, Pearce, Riley & Scalise	“Other” – Speaker is an SMDC Employee
	Cllr. Ogden	“Other” – Ward Councillor

146 **SMD/2018/0700 - LAND ADJACENT TO 10 OX PASTURE, CHEDDLETON**

**OUTLINE PLANNING APPLICATION FOR RESIDENTIAL DEVELOPMENT FOR L & C HOMES Ltd.**

(Report recommended Approval)

*(All Councillors present and Mr. Ben Hayward had declared “other” interests. Mr. Hayward left the room, taking no part in the discussion or vote.)*

**RECEIVED** – Representations from the undermentioned speakers:-

**Against the application:**

Mr. Paul Jones	-	Objector
Mr. Kevin Barr	-	Objector
Mr. Steven Proffitt	-	Objector
Cllr. Mike Bowen	-	Ward Councillor
Cllr. Mike Worthington	-	County Councillor

**For the application:**

Mr. David Breakwell	-	Applicant’s Agent
Mr. Frank Murray	-	Applicant

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

## **Planning Applications Committee - 7 March 2019**

- Conservation Officer comments stating that there had been no assessment if the impact of the development on the setting of the Conservation Area. This had led to the officer's recommendation being amended to one of Refusal;
  - Regeneration Officer comments regarding the removal of the Local Green Space from the submitted Local Plan;
  - Highways Officer comments stating that the principle of access to the site was acceptable;
  - Lead Local Flood Authority comments requesting a condition regarding surface water drainage;
  - Circa 94 further letters of objection;
  - Agent comments regarding land added at the garden of Fold Court;
  - Planning Officer comments in response to all the above.
2. A Heritage Report had been submitted by the applicant at 12 noon on the day of the meeting, giving insufficient time for consideration. The applicant had refused a time extension.
  3. As the proposal would impact upon a listed building and a conservation area the application did not benefit from the presumption in favour of development and the tilted balance.

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

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

### 147 **SMD/2018/0614 - LAND AT CAVERSWALL OLD ROAD, FORSBROOK**

#### **OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT WITH ACCESS (ALL OTHER MATTERS RESERVED) FOR Mr. N. WALKER.**

(Report recommended Refusal)

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

Representations received from the undermentioned speakers:-

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

Cllr. Keith Flunder - Ward Councillor  
(Mr. Steven Booth had registered to speak but did not attend the meeting)

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

Mr. David Breakwell - Applicant's Agent  
Mr. Neil Walker - Applicant  
Mrs. Carolyn Walker - Applicant

NOTED - 1. LRR contained:-

Confirmation that the Applicant had requested the removal of approval of 'Access' from the application;  
Officer comment relating to the above and the implications of an access from Caverswall Old Road in terms of loss of mature trees including trees protected under a Tree Preservation Order, loss of stretches of hedgerow and resultant adverse impact on the character

## Planning Applications Committee - 7 March 2019

and appearance of the area. Recommendation to amend reason for refusal 3 to reflect these issues;  
1 further letter of objection.

2. Planning Officer verbal update a) that the description of the development had been changed during the application process to remove reference to 14 dwellings. The application was therefore for 'residential development' with no numbers specified. b) The Trees and Woodland Officer objected to the proposed access from Caverswall Old Road. He confirmed that 8 trees on Caverswall Old Road were protected under Tree Preservation Order SM 75. In his view access from Caverswall Old Road was likely to result in the removal of some of these trees and stretches of hedgerow with resultant harm to the amenity and rural character of the area. C) The Ecology Officer had raised no objection in principle but advised that the necessary buffers required for the known protected species on the site may significantly reduce the area available for development.

**RESOLVED** – That the application be **REFUSED** for the reasons and based on the policies contained in the report and the recommendation contained in the LRR with reference to reason for refusal 3.

(Proposed by Councillor Jackson and Seconded by Councillor Ellis.)

148 **SMD/2019/0036 - SKATE PARK, BROUGH PARK, FOWLCHURCH ROAD, LEEK**

### **INSTALLATION OF 5 FREESTANDING LIGHTING COLUMNS EACH WITH A 295 WATT LED LUMINAIRE FOR SMDC.**

(Report recommended Approval)

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

Representation received from the undermentioned speaker:-

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

Mr. Gareth Knapper - Applicant

NOTED - 1. Members felt that condition 3 (relating to the permitted hours of operation) was too restrictive. Following discussion, it was agreed that the condition could be amended to require a Management Scheme to be submitted supported by ecological information to determine operating hours.

**RESOLVED** – 1. That the application be **APPROVED** for the reasons and based on the policies contained in the report, subject to the amended condition 3 as outlined above.

2. That, in the event of 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

## Planning Applications Committee - 7 March 2019

the changes do not exceed the substantive nature of the Committee's decision.

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

### 149 APPEALS REPORT

Ben Hayward presented the report showing:-

- Appeals submitted – none
- Appeal decisions received – 1 as follows:-

Ref. SMD/2017/0766 – Brook Works, Brook Street, Brown Lees, Biddulph.  
Committee decision to **REFUSE** permission to build 10 x 4 bedroom dwellings having been recommended to do so. The Appeal was dealt with via written representations and was **DISMISSED** by the Inspector on 12 February 2019.

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

### 150 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.

### 151 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 14 February 2019.

The meeting closed at 4.30pm

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