

STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE MEETING

Minutes

THURSDAY, 25 JANUARY 2024

PRESENT: Councillor P Wilkinson (Chair)

Councillors B Cawley, K Flunder, T Holmes, K Hoptroff, A Hulme, M Johnson, J Kempster, V O'Shea, I Plant, O Pointon, P Roberts and L Swindlehurst

IN ATTENDANCE: S Beech Democratic Services Officer
S Hampton Senior Democratic Services Officer
B Haywood Head of Development Services
S Massey Arboricultural Officer
J Price-Jones Legal Advisor

APOLOGIES: Councillors B Emery

103 **CHAIR'S ANNOUNCEMENTS**

The Chair announced the following:

- a) 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. 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) Members had made site visits during the morning of the meeting.

104 **MINUTES OF THE PREVIOUS MEETING**

RESOLVED:

That the minutes of the previous meeting held on 14 December 2023, be approved, subject to an amendment to Councillor Flunder's declared interest for application ref: SMD/2023/0512, to reflect it being adjacent to his County Division.

105 **URGENT ITEMS, IF ANY.**

There were none.

106 **DECLARATIONS OF INTEREST**

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Agenda item	Member Declaring Interest	Nature of Interest
<p>SMD/2022/0199 Land adjacent to Daisy Bank Farm, Uttoxeter Road, Upper Tean.</p>	Cllr Wilkinson	'Other' Had participated in a judicial review in relation to this application. Withdrew during the consideration of and voting on the application.
	Councillor Holmes	'Other' Knows one of the speakers
	All members present	'Other' Cllr Colin Pearce is a former District Councillor and is known to members.
	Councillor Flunder	'Other' Parish Councillor for the area and involved with the Neighbourhood Plan.
	Councillor Hulme	'Other' Is the Ward Councillor for the area.
	Mr Justin Price-Jones	'Other' Had advised land owner in professional private practice. Withdrew during the consideration of and voting on the application.
<p>SMD/2023/0641 Biddulph Valley Leisure Centre, Thames Drive, Biddulph</p>	Cllr Roberts	'Other' Previous Leader and Portfolio Holder. Withdrew during the consideration of and voting on the application.
	Cllr Flunder	'Other' Is adjacent to his County Division.
<p>SMD/2023/0550 Lilac Grove Farm, Folly Lane, Cheddleton</p>	Cllr Pointon	'Other' Applicant is a family member. Withdrew during the consideration of and voting on the application.
	All members present	'Other' Mrs Teresa Critchlow (speaker) is a former

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		employee of the Council.
SMD/2023/0568 Land adjacent to The Orchard, Ostlers Lane, Cheddleton	Councillor Pointon	'Pecuniary' Applicant rents ground from his family business. Withdrew during the consideration of and voting on the application
	All members present	'Other' (speakers) Cllr Mike Worthington is a fellow District Councillor and Mrs Teresa Critchlow is a former employee of the Council.
SMD/2023/0506 2 Breach Road, Brown Edge	All members present	'Other' Cllr Kate Mills (speaker) is a fellow District Councillor.
	Councillor Flunder	'Other' District Councillor for this area.
	Councillor Plant	'Other' Knows the applicant.
	Councillor Roberts	'Other' Applicant is known to him and has spoken to him in relation to a different application. Been lobbied.
SMD/2023/0469 Land off Kiln Lane, Leek	All members present	'Other' Mrs Teresa Critchlow (speaker) is a former employee of the Council.
	Councillor Cawley	'Other' Ward Councillor
SMD/2023/0571 Unit B High Street, Biddulph	Councillor Flunder	'Other' County Councillor for Biddulph.
TPO SM.327 Windy Ridge, Park Lane, Cheddleton	Councillor Pointon	'Other' Parish and District Councillor for the area.

107 **LATE REPRESENTATIONS REPORT (CIRCULATED PRIOR TO THE MEETING I.E. ANY REPRESENTATIONS RECEIVED SINCE THIS AGENDA WAS PUBLISHED).**

RESOLVED: That the Late Representations report be noted.

108 **SMD/2022/0199 - LAND ADJACENT TO DAISY BANK FARM, UTTOXETER ROAD, UPPER TEAN**

Reserved matters application and associated discharge of conditions 3, 11 and 13 pursuant to outline planning permission ref. SMD/2018/0509 for the residential development of 55 dwellings including the creation of a new access, car parking and ancillary landscaping.

(Having declared an interest, Councillor Wilkinson and Mr Justin Price-Jones withdrew from the meeting during the consideration and voting on the following application)

(Report recommended approval with conditions)

Received representation from the undermentioned speakers:

Against the application:

Mr Dave Stafford – Local resident

Councillor Colin Pearce – On behalf of Checkley Parish Council

For the application:

Mr Geraint John – Agent

In response to concerns, members were assured that the affordable housing was integral to the development of the scheme and all technical consultees were in agreement to proceed with the application.

There was a separate and parallel discharge of conditions application that was dealing with the drainage matters for the site, but it was confirmed that officers had worked collaboratively, alongside the LLFA, to ensure that the approval of this application would neither undermine nor impact on a sensible drainage solution being approved.

Some members were of the opinion that the site was overcrowded, the open space was inadequate and the entrance to the footpath being so close to the main road was a concern. Other members felt the scheme offered a good mix of housing and the sustainable construction techniques were welcomed.

The Officer advised that given the Council's lack of five-year housing land supply, and under the transitional arrangements for the new NPPF (Dec 2023), the 'tilted balance' in favour of delivering housing was enacted on this application and was a material consideration.

RESOLVED:

1. That the Late Representations report including the revised recommendation and informative be noted.
2. For the final boundary scheme to incorporate access for hedgehogs to be noted.
3. A further condition to be added:
 - a. Removal of the footpath
4. That the application be APPROVED for the reasons and based on the policies contained within the report;

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5. 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 Head of Development Services be delegated authority to do so in consultation with the Chair of the Committee, provided that the changes do not exceed the substantive nature of the Committee's decision

(Proposed by Councillor Johnson and seconded by Councillor Cawley)

109 **SMD/2023/0571 - UNIT B, HIGH STREET, BIDDULPH**

Change of use from retail unit (Class E) to a hot food take away (sui generis) external plant and ventilation and extraction equipment and minor external works.

(Report recommended approval)

Received representation from the undermentioned speakers:

Against the application:

Councillor Alan Holdsworth – Biddulph Town Councillor

Mr Mustafa Asan – Objector

Mr Ian Jackson - Objector

For the application:

Mr Joe Davis – Agent

Members debated the possibility of anti-social behaviour taking place in the area and the benefits of the unit coming back into use.

RESOLVED:

1. That the application be APPROVED for the reasons and based on the policies contained within the report;
2. That an informative be added in terms of CCTV;
3. 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 Head of Development Services be delegated authority to do so in consultation with the Chair of the Committee, provided that the changes do not exceed the substantive nature of the Committee's decision

(Proposed by Councillor Roberts and seconded by Councillor Cawley)

110 **SMD/2023/0506 - 2 BREACH ROAD, BROWN EDGE**

Proposed new two bedroom detached bungalow.

(Report recommended refusal)

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Received representation from the undermentioned speakers:

Against the application:

Statement read out by the Legal Advisor on behalf of Mr Elliot Brunt

For the application:

Councillor Kate Mills – Supporter

Discussion took place around the size of the plot and equal standards of amenity for occupiers and neighbouring properties.

RESOLVED:

1. That the application be REFUSED for the reasons and based on the policies contained within 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 Head of Development Services be delegated authority to do so in consultation with the Chair of the Committee, provided that the changes do not exceed the substantive nature of the Committee's decision

(Proposed by Councillor Hoptroff and seconded by Councillor Flunder)

111 **SMD/2023/0469 - LAND OFF KILN LANE, LEEK**

Erection of a single split level detached dwelling with associated means of access and hard and soft landscaping works.

(Report recommended refusal)

Received representation from the undermentioned speaker:

For the application:

Mrs Teresa Critchlow – Agent

Consideration was given to the ground stability and constraints of the site.

RESOLVED:

1. That the application be REFUSED for the reasons and based on the policies contained within 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 Head of Development Services be delegated authority to do so in consultation with the Chair of the Committee, provided that the changes do not exceed the substantive nature of the Committee's decision

(Proposed by Councillor Cawley and seconded by Councillor Johnson)

112 **SMD/2022/0568 - LAND ADJACENT TO THE ORCHARD, OSTLERS LANE, CHEDDLETON**

Outline Planning Permission with some matters reserved, appearance, landscaping, layout & scale for a farm workers dwelling.

(Having declared an interest, Councillor Pointon withdrew from the meeting during the consideration and voting on the following application)

(Report recommend refusal)

Received representation from the undermentioned speakers:

For the application:

Councillor Mike Worthington – Ward Councillor

Mrs Teresa Critchlow – Agent

Members debated security, animal welfare and justification for an agricultural worker to be onsite. The Officer provided an explanation of an agricultural tie.

RESOLVED:

1. That contrary to officers' recommendation the application be APPROVED for the following reasons:
 - a. The proposed development is in accordance with policies SS1, SS10 and H1
2. That the following conditions be added:
 - a. Agricultural condition
 - b. Removal of permitted development rights
 - c. Other conditions to be delegated to the Head of Development Services in consultation with the Chair of the Committee
3. 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 Head of Development Services be delegated authority to do so in consultation with the Chair of the Committee, provided that the changes do not exceed the substantive nature of the Committee's decision

(Proposed by Councillor Wilkinson seconded by Councillor Cawley)

113 **SMD/2023/0490 - MARSH HOUSE, UTTOXETER ROAD, DRAYCOTT IN THE MOORS (DEFERRED)**

This application had been deferred until the meeting in February at the request of the applicant and with the agreement of the Chair.

114 **TREE PRESERVATION ORDER NO. SM.327 - WINDY RIDGE, PARK LANE, CHEDDLETON**

The Committee gave consideration to a report to confirm Tree Preservation Order No. SM.327 – Windy Ridge, Park Lane, Cheddleton.

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RECOMMENDATION:

That notwithstanding the objections received, Tree Preservation Order (TPO) No. SM.327 be confirmed without modification. In order to maintain legal protection over significant trees.

Received representation from the undermentioned speaker:

Against the confirmation of the TPO:

Mr Kevin Sauntry – Local resident

Members took into account the concerns of the speaker, the significant amenity value of the trees and the level of risk involved.

RESOLVED:

1. That the Late Representations report be noted;
2. Tree Preservation Order (TPO) No. SM.327 be confirmed without modification.

(Proposed by Councillor Johnson and seconded by Councillor Flunder)

115 **SMD/2023/0550 - LILAC GROVE FARM, FOLLY LANE, CHEDDLETON**

Redevelopment of the site to provide seven dwellings.

(Report recommended approval subject to conditions)

(Having declared an interest, Councillor Pointon withdrew from the meeting during the consideration and voting on the following application)

Received representation from the undermentioned speaker:

For the application:

Mrs Teresa Critchlow – Agent

Members debated the biodiversity net gain of the development and the heating source of the proposed properties.

RESOLVED:

1. That the application be APPROVED for the reasons and based on the policies contained within the report;
2. That the following conditions be added:
 - a. Installation of solar panels to the south facing roofs of the properties
 - b. Construction of chimneys to the chalet bungalows
3. 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 Head of Development Services be delegated authority to do so in consultation with the Chair of the Committee, provided that the changes do not exceed the substantive nature of the Committee's decision

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(Proposed by Councillor Roberts and seconded by Councillor Flunder)

116 **SMD/2023/0641 - BIDDULPH VALLEY LEISURE CENTRE THAMES DRIVE, STAFFORDSHIRE, BIDDULPH**

123kW Solar PV system installed on existing roof of Biddulph LC sports hall.

(Report recommended approval with conditions)

(Having declared an interest, Councillor Roberts withdrew from the meeting during the consideration and voting on the following application)

There were no registered speakers for this application.

RESOLVED:

1. That the application be APPROVED for the reasons and based on the policies contained within 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 Head of Development Services be delegated authority to do so in consultation with the Chair of the Committee, provided that the changes do not exceed the substantive nature of the Committee's decision

(Proposed by Councillor Flunder and seconded by Councillor Wilkinson)

117 **EXCLUSION OF THE PRESS AND PUBLIC**

The Chair Moved:-

"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 the nature of the proceedings whereby it is likely that confidential 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 100 I (1) of Part 1 of Schedule 12A of the Act would be disclosed to the public by virtue of the Paragraphs indicated."

118 **PERFORMANCE ON PLANNING APPEALS**

Members received a report which set out the performance on planning appeals.

The meeting closed at 6.10 pm

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_____Chairman _____Date