

## **MINUTES OF THE PLANNING COMMITTEE MEETING HELD ON 15 SEPTEMBER 2020**

### **PRESENT**

Councillor Jones- The Mayor  
Councillor Rushton- The Deputy Mayor  
Councillor Davies  
Councillor Garvey  
Councillor Hawley  
Councillor McLoughlin (arrived mid-way through SMD/2020/0468)  
Councillor Redfern (arrived at the end of SMD/2020/0468)  
Councillor Rogers (arrived mid-way through SMD/2020/0441)  
Councillor Salt  
Councillor Smith  
Councillor Yates

Also, in attendance: Councillor Barlow, Councillor Harper, Councillor Hart (arrived mid-way through SMD/2020/0468), Councillor Baddeley and Councillor Sheldon at the beginning of item 30, Councillor Brady and Councillor Jackson part-way through agenda item 30.

**Councillor Hawley read a statement for the benefit of those viewing the meeting via Zoom on Facebook Live.**

### **23. APOLOGIES**

Councillor Adams

### **24. DECLARATIONS OF INTEREST**

- a) Disclosable Pecuniary Interests and Dispensations: None
- b) Other Interests: Councillor Harper had been approached by residents of Castle View and would raise these issues in item SMD/2020/0468. Councillor Smith would abstain from the vote in SMD/2020/0460 as she knows the agent. Councillor Jones knows the applicant of SMD/2020/0440. All Councillors know Cllr Hall who is a relative of the applicant in application SMD/2020/0441.

### **25. MINUTES**

- a) The Minutes from 25 July 2020 Planning Committee meeting were approved.
- b) The Minutes from 25 August 2020 Planning Committee meeting approved.

Minutes to be signed at a later date.

## 26. PLANNING APPLICATIONS

**Councillor Hawley summarised each application before discussion commenced.**

SMD/2020/0460	32 Conway Road Knypersley	Proposed two storey side extension and single storey rear extension.
<p><b>Approved, Subject to valid neighbour planning concerns.</b> Agreed.</p>		
SMD/2020/0440	33 Hot Lane Farm Hot Lane Biddulph Moor	New agricultural building used to store fodder.
<p>The Ramblers Association had noted that Footpath 125 was close to this development.</p> <p>Councillor Jones noted that this was to be used for a proper agricultural purpose; he had no objections.</p> <p>Councillor Garvey clarified the boundary and added his support to the application.</p> <p>Councillor Yates felt that this looked genuine and had no problem with the application.</p> <p>It was agreed to <b>recommend approval, subject to no contravention of the green belt.</b></p>		
SMD/2020/0441	Victoria Business Park Prospect Way Knypersley	Proposed regrading of land to form 3 plateaus for open storage and formation of 2No. new vehicle access routes.
<p>Councillor Hawley noted that the agent had contacted the Chief Officer on the afternoon of the meeting to advise that there had been an error on the application form. The applicant is related to Councillor Tony Hall; Councillor Hall does not sit on this Committee, but all Councillors know him. The Chief Officer had been unable to contact the SMDC Planning Department in time to seek additional advice, but Councillor Hawley felt it was appropriate to proceed on the basis that this relationship had been acknowledged and that the Town Council was not a decision-maker in relation to planning applications.</p> <p>Councillor Jones agreed; this was a genuine oversight for the architect.</p> <p>Councillor Yates felt that discussion should be deferred on the basis that the disposal of this land was the subject of a call-in at the District Council.</p> <p>Councillor Davies noted that the ownership of land does not matter in relation to determining planning applications; ownership is not a planning matter. The application can still be determined in spite of this.</p> <p>Councillor Jones agreed; it is the applicant's risk is they are not the landowner.</p> <p>Councillor Jones wondered what would be stored on-site. Councillor Garvey noted there would be regulations governing the storage of whatever these items were.</p> <p>Councillor Yates felt that this application does not meet the Developer's Guide in relation to sustainability and the development of commercial buildings. The area should be developed with that in mind, particularly as businesses would be displaced as part of the Local Plan.</p>		

Councillor Jones noted that there was a row of residential properties not far from there; it is important to know what will be stored there.

Councillor Salt wondered about the hours of business.

Councillor Yates was strongly-minded to recommend deferral until more is known.

Councillor Jones hoped this application could be approved, to support a local business.

Councillor Davies did not feel that a deferral was in the interests of the Town Council; an application has to be determined in a set time. It probably won't come back to the Town Council for comment again.

Councillor Jones proposed that **the Town Council defers making a decision on this application, with comments attached. This application does not appear to meet the guidelines set out in the Developer's Guide for Victoria Business Park. In addition, it is unclear about the use of the land; more information is needed.**

This was seconded by Councillor Garvey and agreed.

SMD/2020/0469

1 Park Lane  
Knypersley

Ground floor infill to side extension alongside front Porch extension.

Councillor Smith felt that this addition would make the building look better. Councillor Garvey agreed; this is an improvement.

**No adverse comments.**

SMD/2020/0468

Land Adjacent to 23  
Castle View Biddulph

Proposed detached dwelling with detached double garage and new access.

Councillor Harper noted that a constituent had asked him if he knew about this application. Councillor Harper felt it would be better if the hedge was removed. He queried the times of working and whether there would be mud on the road.

Councillor Jones felt there were standard conditions about working hours and a 'wheel wash'. Councillor Davies noted that this could also be requested.

Councillor Yates wondered if this was out of character with the estate, which was semi-detached properties and bungalows. He was surprised there was no pre-planning advice.

Councillor Smith echoed these concerns and wondered if this was over-development; all the relevant information does not seem to be included.

Councillor Harper wondered whether contractors could be required to park on the site, rather than the roads surrounding. Councillor Harper noted that there was a big farmhouse there; the estate was really out of character with the farmhouse.

Councillor Garvey was concerned about the size, overdevelopment this being out of character.

Councillor Jones had no strong objections, particularly if the neighbours were happy with the development. Councillor Jones **recommended approval subject to valid neighbour planning concerns.**

This was seconded by Councillor Perkin, **with the addition of conditions around working hours, contractor parking and cleaning the site.**

Agreed.

SMD/2020/0479	12 Robin Hill Biddulph Moor	Proposed first floor window to side elevation to create 3rd bedroom
---------------	--------------------------------	---

**Recommend approval subject to neighbours valid planning concerns.**

SMD/2020/0471	Bodkins Bank Farm Congleton Road Mow Cop	Proposed demolition of existing outbuilding and construction of single storey side extension.
---------------	--	---

Councillor Harper wondered whether this was a change of use. Councillor Yates confirmed that this was an improvement to the existing property.

Councillor Garvey **recommended approval subject to not contravening the green belt.**

Agreed.

SMD/2020/0456	41 Denbigh Close Knypersley	Proposed side extension to dwelling.
---------------	--------------------------------	--------------------------------------

Councillor Redfern was in favour of this application.

**No adverse comments.**

SMD/2020/0461	278 New Street Biddulph Moor	Alterations to outbuilding and new highway access
---------------	---------------------------------	---

Councillor Jones felt that anything that removes vehicles from New Street is a good thing.

**Recommend approval.**

## 27. SUPPLEMENTARY APPLICATIONS RECEIVED SINCE AGENDA WAS CREATED

The following application had been sent to Councillor by email for consideration. It was agreed to consider this application to ensure that a response could be provided to the District Council in a timely way.

SMD/2020/0494	Cloverlea Meadowside Biddulph	Single storey rear extension
<p>Councillor Yates noted that this was not classed as permitted development because there had been a previous development.</p> <p><b>No adverse comments.</b></p>		

## 28. DECISIONS AND NOTICES RECEIVED FROM THE DISTRICT COUNCIL

			<b>Biddulph Town Council recommendation</b>	<b>SMDC Decision</b>
SMD/2020/0354	4,Dylan Road, Biddulph	Lawful development certificate for a proposed single storey side extension less than half the width of the original house	Approved, subject to valid neighbour planning concerns.	Certificate of Lawfulness - Lawful (Approved) 27/08
SMD/2020/0345	44,Newpool Road	Construction of two storey side extension over existing garage.	Approved, subject to valid neighbour planning concerns.	Planning Permission - Approved 01/09/2020
SMD/2020/0306	95 Hillview Cottage, Woodhouse Lane	Replacement of existing timber framed general purpose domestic storage building with new steel frame new build.	Recommend approval, subject to not contravening the greenbelt restrictions.	Planning Permission - Approved 04/09/2020

Decisions were received.

## 29. APPEAL(S)

None.

## CONFIDENTIAL

*In accordance with the Public Bodies (Admission to Meetings) Act 1960, s1, the Council is to determine which items, if any, should be taken with the public excluded.*

### **30. DISCUSSION ABOUT ALDI PLANNING APPLICATION FEEDBACK AND APPROVAL OF A WAY FORWARD TO ADDRESS REMAINING ISSUES**

Councillor Smith raised a point of order in relation to this discussion and requested that this should not be a confidential item. The decision had been taken to approve the Aldi planning application; this now fell on SMDC to decide.

Councillor Hawley noted that the Town Council had agreed this, but the discussion now would be about additional improvements, including the potential for inclusion of financial and commercially sensitive information.

Councillor Yates was not aware that there would be discussions about money- unless corrected by the Chair. The Aldi purchase had gone through. It would be good to air the ideas that Biddulph Town Council had to improve the site.

The Chief Officer advised that Town Council could take forward the management and development of an adjacent piece of land, to potentially get public transport on to the site. The Chief Officer wanted to discuss County Council land and the use of this area. At the tentative stages of land acquisition, it was usual for this to be confidential. However, she was happy to try and have these discussions in an appropriate way.

Councillor Jones felt the Committee should try to have these discussions in the public section of the agenda. This Council should try to dispel the myth that the Town Council was holding up the development. Councillor Salt agreed.

Councillor Smith proposed that this was open to the public; seconded by Councillor Jones, who advised proceeding with caution. Agreed.

Councillor Hawley noted that Aldi had responded in writing to the points that had been raised by the Town Council. He would go through these in order.

**Item 1:** There had been discussions about the relationship between Aldi and James Bateman Middle School. Communications had re-opened; thanks were offered to Councillor Salt for supporting this. This was important regarding access and any safeguarding concerns.

Councillor Hawley did not propose to go over this again, as a number of issues had been resolved.

Councillor Salt was pleased that this had happened. Councillor Jones agreed and felt the issues were between them.

**Item 2:** Aldi consultants did not think it was possible to allow access to the site for public transport. The Chief Officer had developed a tentative scheme and discussed a range of options with the parties involved.

The Chief Officer reminded Councillors that the Town Council fund the 93-bus. If you are a bus user, it is not currently possible to get to the site without walking some distance. The Town Council identified that they wanted to try and resolve this. The issue appeared to be that there was no separate exit for a bus to leave the site. The Chief Officer had enquired about the retention of the land at the north of the site by the County Council. Officers had confirmed that this had been retained to ensure that any future developments down the inner relief road could have access off this roundabout.

The Chief Officer presented the following map for consideration:



This would enable buses to have an exit off the site.

The County Council have indicated that they are happy to have a discussion about the lease of license of this land, at a peppercorn rent, in order to facilitate this development.

The Chief Officer has made the point that this is a good strategic fit; there would be connectivity with the town centre and the number of cars at this junction would be reduced. This fits with what the County Council are also attempting to achieve.

The Chief Officer queried whether this was the correct interpretation of what Councillors had wanted to achieve and whether she should proceed with these discussions.

Councillor Jones wondered how Aldi had responded; this seems like a good scheme. The Chief Officer noted that this had not been sent to Aldi yet.

Councillor Yates felt this was a good scheme. It would be impossible to send a bus in and out of the car park, at present. This was the reason for two roundabouts on the previous development. Connectivity is important.

Councillor Garvey felt that this was an essential issue. It would be ideal if an appropriate lease could be negotiated.

Councillor Jackson queried whether all buses could use this route. This map suggested that we may only need County Council land; we could go ahead without Aldi. It is vital to get public transport onto the site.

Councillor Salt felt this was an excellent solution. Given the amount that Aldi have paid the County Council, this shouldn't cost the Town Council anything.

Councillor Hawley noted that this could be negotiated.

Councillor Smith felt this was important for connectivity and was in full agreement; she felt the Chief Officer had done good work.

There was discussion about the road on the site.

Councillor Jones couldn't see why Aldi wouldn't cooperate; this would put more people in front of their tills. The County Council should contribute to the cost of this.

The Chief Officer noted that she had been tasked with identifying how the money the County Council had received would be spent in Biddulph. It had been confirmed that none of this money had been ringfenced for the town. The Chief Officer cautioned that the Town Council may need to contribute to this scheme. This is strategically important and thus the Town Council can justify using reserves, but this is unlikely to be cost-free.

Councillor Garvey provided clarity about the right of way for the County; cooperation with Aldi would be important.

Councillor Redfern felt the bus companies should be approached. The Chief Officer noted that she had spoken to one of the providers and also sought feedback from Highways.

Councillor Jones felt the Town Council should proceed; this is of benefit to the people of the town- 'everybody wins'. The Town Council should use reserve money and 'get it done'.

Councillor Hawley proposed that discussions were progressed; there was a vote and all agreed.

Councillor Jones extended thanks to the Chief Officer.

**Item 3:** Councillor Hawley reminded Committee members that there had been concerns about the external design. Aldi had defended their initial designs, identifying a number of properties in the vicinity that had red brickwork.

Councillor Jones felt that Aldi had a point. Councillor Salt noted that the new development across the road would also be red-brick.

**Item 4:** Councillor Hawley noted that the importance of an access path for pupils had been raised. Councillor Yates noted that County Highways would consider footpaths and that their report would be fundamental for the Planning Committee. It was noted that the Highways report had not been received yet. Councillor Salt would encourage the school to contact County Highways. There was clarification about role of the Planning Committee and delegated decisions.

Councillor Garvey wondered whether there might be other pedestrian routes involving the pocket park.

**Item 5:** Councillor Hawley updated that there would be a footpath to the north of the Pocket Park.

**Item 6:** There is no feasible connection to Biddulph Valley Way footpath because of third party land. This would be one to watch with future developments.

**Item 7:** Councillor Hawley noted that the Neighbourhood Plan should be referenced in the planning applications. The Chief Officer had completed a file transfer to ensure that the planners have a copy of this.



Councillor Harper queried whether there is a crossing; Councillor Salt confirmed that this was in place.

It was agreed that Aldi would be on the next agenda of this Committee.

The meeting closed at 6.55pm

Signature .....

Date .....