

Mr. Ben J. Haywood
Operations Manager - Planning Applications
Staffordshire Moorlands District Council
Moorlands House
Stockwell Street
Leek
Staffordshire Moorlands
Staffordshire
ST 15 6 HQ



Mr. P. J. Sutton
Telacre
Town End Road
Foxt
Stoke on Trent
Staffordshire
ST 10 2 HN

30 November 2021

Your Ref: SMD/2021/0706 (Case Officer: Ben Hurst)

Dear Mr. Haywood,

Re:- Planning Application SMD/2021/0706 for:- Erection of Detached Bungalow on Land Adjacent to Sunny View, Foxt Road, Foxt, Staffordshire, for Mr. Patrick Stimpson.

I hereby record my 'OBJECTION' to the above application for the following reasons:- The Site is OUTSIDE Foxt Village Infill Boundary, and Development in this Prominent Location would have a Significant, Detrimental Impact on this part of the Village.

The first application (SMD/2020/0226), for: Erection of a Detached Bungalow on this Site was made on 29-04-2020 and my 'Comments' on that application apply to this one and are available on the Councils Website under Planning Application SMD/2020/0226.

Comments on Application SMD/2021/0706, with reference to Comments on SMD/2020/0226:

On 10 June 2015 SMDC LDF Housing Site Options, Site Assessment Form, Foxt, records: "Land North of Sunny View, Foxt:- Site submitted by the OWNER and it is AVAILABLE". "NOT SUITABLE: Prominent Location and would have a Significant Detrimental Impact".

In her capacity as Ward Councillor Linda Malyon had access to SMDC LDF Site Options Site Assessment Form and so knew the location of the land North of Sunny View, Foxt and the identity of the land owner when she Chaired Ipstones Parish Council meeting on 15 December 2015. Also at the meeting was Councillor Stimpson the land owner who had submitted the land North of Sunny View, Foxt to SMDC (who rejected it), but who did 'NOT' declare an interest when it was agreed at the meeting "To ask for a small amendment to be made to the Village Development Boundary" (confirmed by letter, map and Minute 178/15.g) to include a Plot of Cllr. Stimpson's already 'rejected' land, and on 29-04-2020 Mr. Stimpson submitted a Planning Application SMD/2020/0226 for a dwelling on this Plot, which was refused, so he has applied again in SMD/2021/0706.

The Parish Council has not asked for any other amendment to the Village Development Boundary, and in my honest opinion, this was done solely to benefit Cllr. Stimpson.

Planning History:

06/01253/REM: Erection of a Two Storey Dwelling (Reserved Matters) on land to South East of New Cottages, Foxt Road, Foxt, Stoke on Trent, for Mr. and Mrs P. Stimpson.

Appendix A: 07-12-2006: Copy of a letter of 'SUPPORT' from Ipstones Parish Council.

Appendix B: 18-01-2007: Planning Applications Committee 'APPROVED' the Application.

Appendix C: 26-02-2007: Decision Notice issued to APPROVE Application 06/01253/REM.

SMD/2013/0983: Construction of a House with Ancillary Facilities for the 'Approved' Equestrian Business on Land East of New Cottages, Foxt, for: 'PROVENCE EQUESTRIAN'.

Appendix D: 03-10-2013: JMW Planning Limited, with a Design and Access Statement in support of Application SMD/2013/0983 and wherein it is stated under the Paragraphs: 1.4: "The FIRST House proposed for the site was granted P/P. under SW/06/01253/REM. 1.5: "This is the Statement for a planning application submitted on behalf of 'PROVENCE EQUESTRIAN', which is the name by which Mr. and Mrs. STIMPSON conduct their established equestrian business".

Appendix E: 14-08-2014: Planning Applications Committee 'APPROVED' the Application.

Appendix E: Minutes show that: "Councillor Malyon had declared a lobbying interest".

Appendix F: 19-08-2014: Decision Notice issue to APPROVE Application SMD/2013/0983.

By 19-08-2014 TWO Applications had been APPROVED for a Dwelling on the land East of New Cottages, Foxt. The FIRST: 06/01253/REM on 26-02-2007 for Mr. and Mrs. STIMPSON and the SECOND: SMD/2013/0983 on 19-08-2014 for PROVENCE EQUESTRIAN - "which is the name by which Mr. and Mrs. STIMPSON conduct their established equestrian business". Therefore, Mr. and Mrs. Stimpson have TWO options to erect a dwelling on the site.

SMD/2020/0226: Erection of a Detached Bungalow on land adjacent to Sunny View Foxt.

Appendix G: 28-05-2020: Copy of a letter of 'SUPPORT' from Ipstones Parish Council.

Appendix H: 12-11-2020: Planning Applications Committee Late Representation Letter. Copy of a letter from the applicant (Mr Stimpson) to Planning Committee Members in which he states: "Only ONE application for a NEW dwelling in MY name has been submitted - an outline application in 2002, and also a Reserved Matters application on the same site in 2007"(06/01253/REM).

Comment: The 2007 Reserved Matters application was 06/01253/REM see Appendix A,B,C. However, Appendix D,E and F shows that under SMD/2013/0983 a SECOND application for a NEW dwelling on the SAME site was Approved on 19-08-2014, and that the applicant is PROVENCE EQUESTRIAN and that this is the name by which Mr & Mrs STIMPSON conduct their equestrian business, so when Mr STIMPSON wrote to the Planning Committee that "Only ONE application for a NEW dwelling in MY name has been submitted", he omitted to inform Members that a SECOND application (SMD/2013/0983), was submitted/approved by/for PROVENCE EQUESTRIAN (Mr. Stimpson's business). Therefore, under 06/01253/REM Mr. Stimpson has Approval to erect a NEW dwelling, and under SMD/2013/0983 PROVENCE EQUESTRIAN (His Business) has Approval to erect a NEW dwelling on the SAME site, so Mr. Stimpson has TWO (NOT ONE) Approved options to erect a NEW dwelling on the site but he certainly did NOT make the Planning Committee aware of this on 12-11-2020.

Appendix I: 12-11-2020: Planning Applications Committee, Statement by Cllr. Malyon.

Copy of the Statement by Councillor Linda Malyon read to Members by Pat Trafford MSO in which Cllr. Malyon states "There has been talk that the applicant has 'TWO' further applications in Foxt that are not complete, he only has the 'ONE' which is behind NEW Cottages".

Comment: Appendix H shows that the applicant (Mr. Stimpson) has TWO not ONE further applications in Foxt that are not complete 06/01253/REM which Cllr. Malyon is aware of as it was supported by Ipstones Parish Council and referred to in Appendix D Item 1.4 of JMW Planning Limited Design and Access Statement in support of the SECOND application (SMD/2013/0983) which Cllr. Malyon is also aware of, for when the Planning Applications Committee Approved it on 14-08-2014 the Minutes show "Cllr. Malyon had declared a lobbying interest" (Appendix E), so Cllr. Malyon KNEW that TWO applications had been Approved when her Statement was read out to the Planning Committee on 12-11-2020 so it would seem that her Statement to the Planning Committee was incorrect.

Cllr. Malyon also states "This application is for his son so that they can continue with the successful Arab horse business the applicant operates".

Comment: The applicant already has a choice of TWO Approved dwellings in connection with the Approved equestrian business on land East of New Cottages, Foxt, (06/01253/REM and SMD/2013/0983), whereas the land adjacent to the pending application (SMD/2021/0706) does NOT have equestrian business use planning permission, so why has the Approved House at New Cottages NOT been built ?

Appendix J: 12-11-2020: The Planning Applications Committee REFUSED: SMD/2020/0226. 11 Members voted to 'REFUSE', 2 Abstained, and NONE voted to 'APPROVE'.

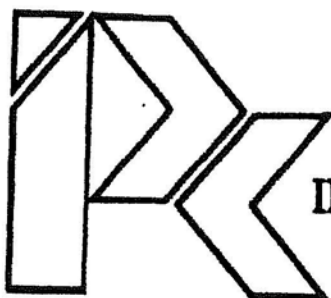
Appendix K: 15-11-2020: Decision Notice issued for: REFUSAL of Planning Permission.

I note that the Application Fee for SMD/2021/0706 is £0.00 so the costs will be met by council tax payers. Considering ALL the circumstances this is vexatious, and the application has already consumed Officer time & public money and should be Refused.

Yours sincerely,

P. J. Sutton

Delivered in person by hand to Moorlands House Main Reception on 30th November 2021



IPSTONES PARISH COUNCIL

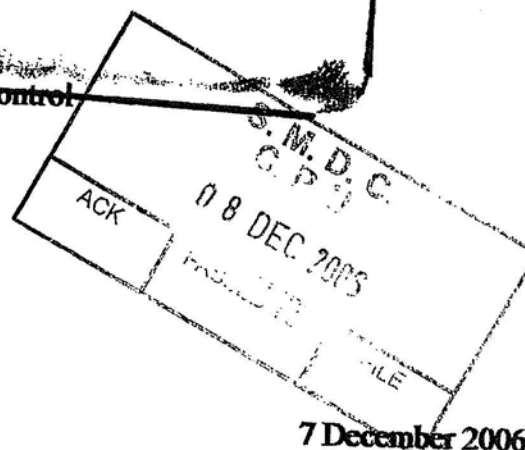
SERVICES

- 8 DEC 2006

Clerk: Mrs J. Chadwick,
48 Froggall Road,
Ipstones,
Stoke-on-Trent,
Staffordshire Moorlands,
ST10 2NA
Phone: 01538 266720

Mr M W Green
Head of Development Control and Building Control
Staffordshire Moorlands District Council
Moorlands House
Stockwell Street
LEEK
Staffs
ST13 6HQ

No:
Referred to:
File No:
Copies to:



Dear Mr Green,

Consultation on Planning Applications

Members have considered the following planning applications: -

CTHORP/06/01117/FUL Alteration to entrance, upgrade toilet facilities and provide small meeting room at the Village Hall, Foxt Road, Foxt.
Members voted in favour of supporting this application.

SLW/06/01251/REM Erection of a bungalow (167 sq floor area) Reserved Matters at Land to the South East of New Cottages, Foxt Road, Foxt.
Members voted in favour of supporting this application.

SLW/06/01253/REM Erection of a 2 storey dwelling (169 sq floor area) Reserved Matters on land South East of New Cottages, Foxt Road, Foxt.
Members voted in favour of supporting this application.

TE/06/01257/FUL Single storey garden ecoshed at Rose Cottage, 67 Brookfields Road, Ipstones. Members voted in favour of supporting this application.

Please can you note these comments on your records.

Yours sincerely,

On behalf of the Parish Council

Planning Applications Committee - 18th January 2007

122. **06/01253/REM - ERECTION OF A TWO STOREY DWELLING (RESERVED MATTERS) ON LAND TO THE SOUTH EAST OF NEW COTTAGES, FOXT ROAD, FOXT FOR MR. AND MRS. STIMPSON** (122)
(Report recommended Refusal)

(Councillors S. Ellis, Hails, Roberts and Worthington had declared personal interests in this item. Councillor Hails had made a declaration also in relation to lobbying.)

RECEIVED - Representations from the undermentioned speakers:-

For the Application:-

Councillor Heath	- County Councillor
Mr. Stimpson	- Applicant

- NOTED -
1. Late Representation Report in respect of this application.
 2. Amended plans had been submitted but these had not yet been fully evaluated by Officers.
 3. Legal advice that only minor amendments could be made to an application without the need for re-advertisement.

It was **PROPOSED** by Councillor Roberts and **SECONDED** by Councillor Elkin that the application be **APPROVED**.

A **NAMED VOTE** having been called by Councillor D. Stone and **SECONDED** by Councillor Edwards, voting was as follows:-

Those voting **FOR**:

Councillors S. Ellis, Elkin, Hails, Roberts and Worthington. (5)

Those voting **AGAINST**:

Councillors Edwards, M. Ellis, Plant and D. Stone. (4)

Those **ABSTAINING**:

Councillor Gregg. (1)

The motion was declared **CARRIED**.

RESOLVED - That, contrary to Officer recommendation, the application be **APPROVED** for the reasons and based on the policies stated below, subject to conditions/informatives deemed necessary by the Officers but to include conditions relating to improved designs/changes for the chimneys/porch/windows and corner treatments of the dwelling, and the removal of permitted development rights for the dwelling, roof space and outbuildings.

Town and Country Planning (General Development Procedure) Order 1995
APPROVAL OF RESERVED MATTERS

Appendix G.

This permission does not carry any approval or consent which may be required under any enactment, byelaw, order or regulation (eg in relation to Building Regulations or the Diversion of Footpaths etc) other than Section 57 of the Town and Country Planning Act, 1990.

Application No: 06/01253/REM

To:
Mr And Mrs P Stimpson
c/o Hulme Upright Manning
Highpoint
Festival Park
Stoke On Trent
ST1 5SH

Determination Date: 26/02/2007

Location of Development:

Land To The South East Of New Cottages Foxt Road Foxt Staffordshire Moorlands ST10 2HL

Description of Development:

Erection of two storey dwelling (reserved matters)

In pursuance of their power under the above mentioned Act, Staffordshire Moorlands District Council as Local Planning Authority, hereby **APPROVE** the following matter(s) which have been reserved for later approval on the grant of outline permission for development, in accordance with plans ref: 400 AL[0]01; 400 AL[0]02 REV B; subject to the following conditions:-

Application Date: 05/10/2015

JMW Planning Limited

Design and Access Statement in support of a detailed planning application by Provence Equestrian to construct a house together with ancillary facilities for the approved equestrian business on land east of New Cottages, Foxt, Staffordshire. ST10 2HL.

Document: 00203-AL (0) 03.

1. Introduction.

1.1 Following the introduction into law of The Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2013 it is no longer necessary to produce a design and access statement to support this application.

1.2 Notwithstanding this, it is felt appropriate to explain why this application for a house has been submitted and why it accords with both the development plan and the National Planning Policy Framework (The Framework).

1.3 This is the statement for a planning application submitted on behalf of Provence Equestrian which is the name by which Mr and Mrs Stimpson conduct their established equestrian business. They were granted outline planning permission for a dwelling on this site under Code No 03/01413/OUT in April 2004. The use of the 13.3 hectares of adjoining land they own for equestrian purposes was granted planning permission in September 2004 under Code No 04/00864/FUL. The site plan shows where a building capable of holding 24 stables has been constructed on the site with the benefit of planning permission.

1.4 The first house proposed for the site was granted planning permission under Code No SW/06/01253/REM. The foundations for this house were constructed to ensure that the dwelling could be completed at any time.

PLANNING APPLICATIONS COMMITTEE

MINUTES

THURSDAY 14th AUGUST 2014

25. **SMD/2013/0983 - CONSTRUCTION OF A HOUSE WITH ANCILLARY FACILITIES FOR THE APPROVED EQUESTRIAN BUSINESS AT LAND EAST OF NEW COTTAGES, FOXT, STAFFORDSHIRE, ST10 2HL FOR PROVENCE EQUESTRIAN.**

(Report recommended Approval)

(Councillor Malyon had declared a Lobbying interest.)

RECEIVED - Representation from the undermentioned speaker:-

For the application:

Mr.J. Wren

-

Applicant's Agent

- NOTED -
1. Late Representation Report in respect of this item.
 2. Condition 3 to be re-worded as stated in the Late Representation Report.
 3. Extra Landscaping Condition regarding the provision of trees.

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

(Proposed by Councillor Worthington and seconded by Councillor Ellis.)
(Conservative) (Conservative)



Simon W. Baker B.Ed MBA MIMSPA
Chief Executive

Mr John Wren
JMW planning limited
Unit 30A Tournament Way
Tournament Way
Ashby-De-La-Zouch
LE65 2UU

Provence Equestrian
C/O Agent

Application no: SMD/2013/0983

Determined on: 19/08/2014

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) England) Order 2010

FULL PERMISSION FOR DEVELOPMENT

This permission does not carry any approval or consent which may be required under any enactment, bylaw, order or regulation (e.g. in relation to Building Regulations or the Diversion of Footpaths etc) other than Section 57 of the Town and Country Planning Act, 1990.

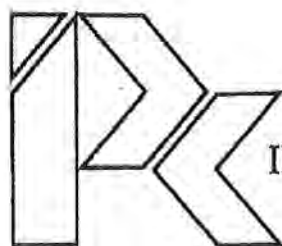
Location of Development:

Land Off Land Off Foxt Road Staffordshire Foxt

Description of Development:

Construction of a house including ancillary facilities for the approved equestrian business.

In pursuance of their power under the above mentioned Act, Staffordshire Moorlands District Council Planning Authority, **HEREBY GRANTS PLANNING PERMISSION** for the development described above subject to the following condition(s):



IPSTONES PARISH COUNCIL

Clerk: Mrs J. Chadwick,
48 Froghall Road,
Ipstones,
Stoke-on-Trent,
Staffordshire Moorlands,
ST10 2NA
Phone: 01538 266720

E-mail:
ipstonespc@hotmail.co.uk

Planning Support
Customer Services
SMDC
Moorlands House
Stockwell Street
LEEK
Staffs
ST13 6HQ

28 May 2020

Dear Sir/Madam,

Consultation on Planning Application No: SMD/2020/0226 Erection of a detached bungalow on land adjacent to Sunny View, Foxt Road, Foxt

Members of the parish council have considered the above, mentioned planning application and have voted in favour of supporting approval of the application as they consider it to be an infill.

Please would you record these comments on your records.

Yours faithfully,

Clerk
On behalf of Ipstones Parish Council

Agenda Item 12

Appendix H.

PLANNING APPLICATIONS COMMITTEE

Late Representations – 12th November 2020

FILE REF.	SITE AND DETAILS	PAGE NO.
SMD/2020/0226	<u>Land Adj. Sunny View, Foxt Road, Foxt, ST10 2HN</u> The applicant has sent a letter for the attention of the Planning Committee. Its content is copied here: <i>Firstly, I would like to pick up on the points raised by a former resident of Foxt in respect of 2 successful planning applications that were passed in my name, neither of which have been built. Only one application for a new dwelling in my name has been submitted. An outline application in 2002, and a reserved Matters application on the same site in 2007.</i> <i>This dwelling is for my son and his family, who wishes to relocate into the village. Surely this need for a former resident to return to the village is what we all should be pushing for. All too often young people who have been brought up in a small village, but due to lack of suitable dwellings in their village, locate to larger towns, never to return, and therefore have a negative impact on the sustainability of smaller villages.</i> <i>As discussed with my agent, should you require the dwelling to be built in brickwork, rather than natural stone, I am quite prepared to change this.</i>	

Staffordshire Moorlands District Council: Planning Applications Committee
Virtual Meeting (Webcast) of 12th November 2020: Item 6 - SMD/2020/0226 -
Land Adjacent to Sunny View, Foxt Road, Foxt. For: Mr. Patrick Stimpson.
For the Application:
Statement by Councillor Linda Malyon read to Members by Pat Trafford MSO:

Cllr. Linda Malyon

First of all I would like to thank the committee for allowing me to speak I would like to speak in favour of the bungalow proposed in Foxt, the parish council would prefer this kind of development to be seen in Foxt for local people. If this application is passed there should be a condition on the land that no more development on this land can take place.

There has been talk that the applicant has two further applications in Foxt that are no complete, he only has one the which is behind new cottages, the reason for that is that it was passed by the planning committee but then later had further conditions put on it which were not viable. The other application referred to is his daughters which is in the process of being built.

This application is for his son so that they can continue with the successful Arab horse business the applicant is very involved with and some of the horses are sold to Arab countries, the horses need constant care and attention the applicant is getting older and the 7 stallions he has plus mares need someone younger to help look after the business. The bungalow would be inline with the houses that are already there and not stand alone.

For these reasons I would ask the committee to support this application and if it feels they need to put a tie onto the property to the Arab horse business as it is important that this continues, they have won many world class awards.

Mr Malcolm Sales
Malcolm Sales
Churchill Suite
Lulworth House
Cheadle
Staffordshire
ST10 1AR

Mr Stimpson
The Heights
Foxt
ST10 2HN

Application no: SMD/2020/0226

Determined on: 13th November 2020

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England) Order 2015

REFUSAL OF PLANNING PERMISSION

Location of Development:

Land Adjacent To Sunny View, Foxt Road, Foxt, Staffordshire

Description of Development:

Erection of a detached bungalow

Staffordshire Moorlands District Council in pursuance of powers under the above mentioned Act hereby **REFUSE** to permit the development described above that is shown on revised plans numbered 1908 19 01B; 1908 19 04; 1908 19 05; and 1908 19 07 for the reason(s) specified below:-

1. The development would undermine and conflict with the Local Plan's spatial strategy for the delivery of housing by providing a dwelling in a relatively unsustainable 'smaller village' rural location that would not be exceptionally provided for by Policy SS9 of the Staffordshire Moorlands Local Plan 2020. In particular, the proposal would not meet the policy criteria in Policy H1 of the Staffordshire Moorlands Local Plan 2020 to be considered as an 'infill development' because it would not be well related to the existing pattern of development; would create and extend ribbon development; would lead to a prominent intrusion into the countryside; and have an adverse impact of significance to the character of the countryside and settlement setting.

2. Any new dwelling in this location would be intrusive and reduce the scale of those countryside views that make special contribution to the villages setting and locally distinct character and appearance. The dwelling would relate poorly to the adjacent neighbour and the other houses in the row because it would be built on a notably higher ground level that would have a form and roof line that would appear above and unduly dominant to its neighbour. In these regards the development would be harmful and contrary to policies DC1 and DC3 of the Staffordshire Moorlands Local Plan 2020.

Informatives

It is considered that the proposals are unsustainable and do not conform with the provisions of the NPPF. It is considered that the applicant is unable to overcome such principle concerns and thus no amendments to the application were requested.

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council