
From: Ben Haywood
Sent: 13 May 2024 11:05
To: Planning Comments (SMDC)
Subject: FW: Response to WHARFE Planning Consultants Planning submission dated 24 April concerning application SMD/2024/0094

Ben Haywood Head of Development Services

Development Services

High Peak Borough Council and Staffordshire Moorlands District Council

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From: Ian Podmore <>
Sent: Friday, May 10, 2024 1:15 PM
To: Ben Hurst <>; Ben Haywood <>
Cc: Wilkinson, Peter (CLLR) <Peter.Wilkinson@staffsmoorlands.gov.uk>; Mark Trillo <>; karen.bradley.mp <karen.bradley.mp@parliament.uk>
Subject: Fwd: Response to WHARFE Planning Consultants Planning submission dated 24 April concerning application SMD/2024/0094

Ben,

I note this "Save Rownall and Bagnall Green Belt" campaign response below has not yet been published on the application portal!

For the benefit of all, could I ask please, for this to be published promptly allowing good time for consideration before the deferred Committee date

Thank you

Ian Podmore

Spokesman for the Save Rownall & Bagnall Green Belt Campaign

Sent from my iPad

Begin forwarded message:

From: Ian Podmore <>
Date: 1 May 2024 at 11:15:14 BST
To: Ben Hurst <>
Cc: Ben Haywood <>, Mark Trillo <>, "Lyn Swindlehurst (CLLR)" <lyn.swindlehurst@staffsmoorlands.gov.uk>, "Peter Wilkinson (CLLR)" <peter.wilkinson@staffsmoorlands.gov.uk>
Subject: Response to WHARFE Planning Consultants Planning submission dated 24 April concerning application SMD/2024/0094

WITHOUT PREJUDICE

Rownall and Bagnall Community Response to WHARFE Planning Consultants Planning submission application SMD/2024/0094

The submitted independent photographic evidence of the real time line of this northern extension proved undeniably that construction started on the 13th July 2017 and was completed post September 2022, therefore dispelling the applicants claim that the extension is more than 4 years old.

In these circumstances it seems the Council decision rests alone on **“establishing the applicants original intentions”** as queried by the Council in the Committee meeting dated 24 April 2024

APPLICANTS ORIGINAL INTENTIONS

Paragraph 3.5 of the committee report states, *“Establishing and examining the applicant’s original intentions therefore, is the task at hand. The Council will need to determine whether, as the applicant claims, he had only the intention of providing an open sided roof only hay barn, but for a later unanticipated change in circumstances; or whether the provision of an enclosed storage shed was what he had contemplated from the start, having regard, in particular, to an examination of his stated intentions and the character and design features of the building.*

In reaching a decision on this point of law, I offer the following related information some of which, might not have been known or briefed to the applicants Counsel.

1. The steel frame extension erected on the 13th July 2017 from the outset, was constructed almost 70% larger than the plans approved by the LPA
2. The roof lights on the applicants plans in the extension totalled 6 whereas 20 roof lights were installed which aligns precisely to the configuration, spacing layout and size of the existing roof lights in the former existing enclosed building. This might suggest that applicants intention was to fully enclose this extension to form one enlarged building?
3. The concrete wall panelling installation shown in the independent witness photo of 22 March 2022 not only enclosed the one side and the northern end but also the western facing side in one complete operation, save for a gap to facilitate a vehicle access entrance which later became the commercial vehicle roller shutter door entrance.
4. The screening application for the Rownall Solar Farm application SMD/2019/0568 dated 13/09/2019 when both Pointon brothers were co Directors in joint holdings, included this mega sized agricultural shed within the proposed Solar farm curtilage suggesting perhaps, the future intended use of this building prior to September 2019?
5. The protracted building time should perhaps be viewed as nothing unusual as the owners have many concurrent property developments underway at any time and indeed this extension was not started for almost exactly one year after consent was granted. In this case the delays included two and half years of COVID restrictions and afterwards probably lengthy talks and negotiations involving the Pointon brothers sale of the family business and the separation of some of their previously joint held assets.
6. Of the current 13 publicly listed registered companies in which Carl Pointon is a Director, his brother Martin Pointon resigned from at least 3 of them on the 1st of March 2021 including JCM Holdings (UK) Ltd in which he acted as an Executive Director in July 2016 when the business applied for the portal agricultural extension DET/2016/0040 and more importantly in July 2017 when the enlarged unlawful steel frame work extension was erected etc, etc. As Martin went on to pursue the Rownall Solar Farm development and presumably acquire the land outright, the **‘original intention’** now in consideration, must relate to the joint brothers original intention, which I suggest is now in no doubt?
7. The lawful certification application SMD/2024/0094 relates specifically to this unlawful shed extension whereas there are also two other SMDC confirmed continuing planning breaches on this

same site running for the last years where enforcement action has still not been exercised. The first is the unlawful B8 industrial use including outside storage which has caused continual substantial community reported nuisance since 2022. This site has never been granted B8 industrial consent or granted 'change of use' for B8 industrial use and the associated heavy HGV traffic. This severely contravenes the present agricultural consent and such violating usage in this highly rural Green Belt is completely inappropriate.

8. Whilst the ownership of this shed and the surrounding Rownall Farm land appears now in severed ownership, the two neighbouring pending applications are indeed 'related' by history and its probable in the future as well, if conditions dictate combined actions become in both brothers significant mutual best interests?

9. There remains also the large unlawful welfare extension block which was built on this site along the length of the sheds eastern side in 2023 without planning consent. Such a purpose again suggests a wholly different intended future use other than agricultural storage and should surely be removed without further accommodation?

Sincerely Ian Podmore

1st May 2024

Spokesman for the current "Save Rownall & Bagnall GREEN BELT" campaign.

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