

# Public Document Pack



## PLANNING APPLICATIONS COMMITTEE SUPPLEMENT AGENDA

**Date:** Thursday, 19 September 2024

**Time:** 2.00 pm

**Venue:** The Council Chamber, Moorlands House, Stockwell Street, Leek

Please find below an additional report which was unavailable when the agenda was published.

### PART 1

6. Late Representations Report (circulated prior to the meeting i.e. any representations received since this agenda was published). **(Pages 3 - 10)**

**MARK TRILLO**  
**EXECUTIVE DIRECTOR & MONITORING OFFICER**

This page is intentionally left blank

## PLANNING APPLICATIONS COMMITTEE

Late Representations – 19<sup>th</sup> September 2024

FILE REF.	SITE AND DETAILS	PAGE NO.
<p><b><u>SMD/2024/0019</u></b></p>	<p><b><u>Land at Newfields Farm, Wetley Rocks</u></b></p> <p><b>Comments from Staffordshire Fire and Rescue</b></p> <p>Further dialogue has been had between the applicant and SFRA. Latest comments:</p> <p><i>thanks for the explanation below with regards to Fire Service access to the reservoir.</i></p> <p><i>Therefore subject to access details being provided at detailed drainage design stage SFRS have no further comments to make at this stage and consider the plans to be broadly in line with NFCC Guidance.</i></p> <p>The correspondence includes an updated Battery Energy Storage System Planning Checklist (dated 17<sup>th</sup> September 2024) following on from the discussion regarding water supply.</p> <p>The updated checklist can be found here:  <a href="http://publicaccess.staffsmoorlands.gov.uk/portal/servlets/AttachmentShowServlet?imageName=361684">http://publicaccess.staffsmoorlands.gov.uk/portal/servlets/AttachmentShowServlet?imageName=361684</a></p> <p><b><u>Officer Comments</u></b></p> <p>The submitted checklist confirms that there are no outstanding matters relating to the application at this stage. The outstanding details can be secured by condition, including details regarding water supply, as confirmed by SFRA.</p> <p>While there is a condition relating to detailed site drainage, matters relating to water supply may not strictly be matter for this condition. Therefore, a further condition is suggested:</p> <p><i>Prior to the commencement of development, full details of on-site water supply, to be accessed by the fire authority, shall be submitted to the Local Planning Authority, in consultation with the Fire Authority, for approval. Water supply shall be provided in accordance with the approved details and shall be made available for the lifetime of the development.</i></p> <p><b>Parish Council Response</b></p> <p><b><u>Bagnall Parish Council</u></b></p> <p><b>I consider that the Planning Applications Committee report for Agenda Item 7, recommending approval of the BESS installation, has been made prematurely.</b></p> <p>In the report I note that there is reference to “Further Comments” made by Staffordshire Fire and Rescue Authority however these and two further responses made by them and mentioned in your report do not appear on the</p>	

**PLANNING APPLICATIONS COMMITTEE**

**Late Representations – 19<sup>th</sup> September 2024**

FILE REF.	SITE AND DETAILS	PAGE NO.
	<p>SMDC planning website for the Newfields Farm BESS application. I note that reference is also made to a water storage tank however there is no mention of this or the location of the tank on any of the submitted plans that I can access.</p> <p>I further note that mention is made of a “completed checklist and suggestion of conditions “ however as previously stated these do not appear to be reproduced in the public domain. This cannot be acceptable.</p> <p>I note at 7.131 of your report the important aspect of water run off the site is mentioned- why are full details of the installation not available now? The size and location of the system to capture water run off the site is extremely important particularly with the potentially large volumes of contaminated fire fighting water should an incident occur.</p> <p>7.136 Consultation with SFRA has taken place and a document (which Bagnall PC have not seen) has been reviewed by them. I note that neither the document or the SFRA response has been published on the SMDC planning website.</p> <p>Para 7.140, I am unable to make a substantive comment based on the information provided. There is no firm indication to confirm that a hydrant will be able to supply the required volume of water. I note the observation “<u>it may be possible</u> that water could be recycled by connecting to the proposed drainage storage “. (My emphasis.)</p> <p>Regarding para 7.141. Again the writer is unable to make a reasoned comment. Without any available details of the attenuation system I cannot possibly comment on the suitability. The statement “ provided the water is not contaminated it is possible that the water <u>could be</u> recycled by SFRA during the incident”. (again my emphasis). I make the observation that during an incident it must be assumed by SFRA that the water will be contaminated without recourse to on site testing and this, I suggest, would be extremely unlikely to occur.</p> <p>I am afraid the above usage of “may be” and “could be” do not inspire me with confidence regarding the proposed drainage system and for this reason I consider that this aspect should have been fully addressed prior to committee stage.</p> <p>My comment in response to paragraph 7.143 - For the above reasons I am unable to pass comment on the “details” and I would make the observation that the Planning Committee itself should be provided with a full copy of the information discussed in the document without which I do not see how they can come to their own conclusions.</p> <p>At this stage I do not consider the above comments to be late representations- they are simply a view that full disclosure of the documents must be made available to enable a reasoned response by Bagnall PC and others to be formulated. As previously stated the design and capacity of the drainage system itself is very important and I consequently take the view that this should have been formally submitted prior to committee stage. In such circumstances, and also been mindful of the short time available, I would suggest that it would be inappropriate for the Planning Committee to consider the proposal at their meeting on the 18th September.</p>	

**PLANNING APPLICATIONS COMMITTEE**

**Late Representations – 19<sup>th</sup> September 2024**

FILE REF.	SITE AND DETAILS	PAGE NO.
	<p><b>Additional Representations</b> Two further representation has been received from residents:</p> <ul style="list-style-type: none"><li>• 3.9 40 year operation of the land "could" be returned to agricultural use, surely this should say "will be returned to agricultural use"</li><li>• 3.11 Representing the Save Bagnall &amp; Rownall Greenbelt Residents, we are concerned that no cumulative noise assessments have been prepared. No noise assessments have been thoroughly prepared for the two passed BESS and now another one in extreme close proximity. These BESS and associated equipment, fans, transformers etc can omit 70-92 decibels at 1m. When 3 sites all within several hundred metres are at full capacity in the heat, how much noise are we to be subjected to? It is not good enough to not have the answers!</li><li>• 7.52 It is not confirmed and there is no evidence that the Cellarhead Substation has the capacity and the capability to work with the development. After a lengthy discussion with National Grid this is not the case and will only become available with extensive construction works if the several BESS and Solar Projects are approved. If any of these projects are NOT Approved then the National Grid will not carry out the expansion works.</li><li>• 7.59 Grade 4 Land - MAFF ALC Post 1988 shows the land to be Grade 3. Who has decided it is not necessary to carry out Soil Assessments and why? This land has produced some of the best hay/haylage over the last several years and the landowner has been well known for supplying top quality fodder.</li><li>• 7.137 <i>It must firstly be acknowledged that the site is a rural location which has a low population density. Such a location would therefore reduce the population exposure to an incident, when compared to an urban location.</i> So the local community of Bagnall, Werrington, Rownall, Wetley Rocks do not matter, there are only a few of us so we can manage the consequences, I do hope that the Planning Committee have the knowledge to understand the risk to life these projects carry and have the foresight to live with this forever.</li><li>• 8.5 <i>There is an absence of identifiable harm relating to public safety, living conditions, highways, flood risk, drainage, trees, heritage assets and the use of low grade agricultural land. It is considered that these are all neutral matters in the overall balance.</i> There is very real evidence of harm to public safety and the wider countryside. People are not a neutral matter and the planning</li></ul>	

**PLANNING APPLICATIONS COMMITTEE**

**Late Representations – 19<sup>th</sup> September 2024**

FILE REF.	SITE AND DETAILS	PAGE NO.
	<p>committee should be working for the community not the developer.</p> <ul style="list-style-type: none"> <li>• 8.9 The planning officer states that crucially a connection is available. The connection is agreed, but as previously stated, the substation is not at a capacity to take the connection unless further expansion, construction and infrastructure are made. Putting further distress onto local residents and communities. How much destruction and development can one small hamlet take while the benefits are nil to us.</li> <li>• I have noted from this planning application that there seems to be only one single access road to enter and exit from the location of this site which is a dead end so in terms of fire it is not very accessible. The new fire and safety report recommends that two entrance points are needed which is very concerning. It is common knowledge that depending on the weather conditions and which way the wind is blowing this increases the power and can make any strong fire even stronger, wind increases the supply of oxygen which results in the fire burning much more rapidly, the stronger the wind the faster the spread, it does this by providing extra oxygen and it lays over the flames which results in pre-heating and drying the fuel ahead of the fire front, wind influences the speed at which a fire spreads, change in wind direction is one of the most dangerous influences on fire behaviour. How would Staffordshire Fire &amp; Rescue manage to attend if ever a fire or explosion occurred under these circumstances?</li> <li>• I have also noted that the noise report has been done separately and does not take into account the noise from the two already approved BESS sites nearby which I believe neither have any fire &amp; rescue reports in place, there will be three in close proximity so surely the noise combination from all three should be considered too? I find it very alarming when the words “maybe” and “could be” are used in a situation where peoples health and lives could be at risk in the planning application committee report recommended for approval this coming Thursday 19/9/24.</li> <li>• Also noted is that the landowner lives off site and the property at Newfields Farm is occupied by tenants with an understanding that they will be issued with a months notice if this application is approved. When a valid no fault eviction section 21 notice is issued most private tenancies do indeed end through agreement if they have found alternative accommodation, unfortunately this is not always the case, due to the current housing situation it has become so much harder. The new government have just published “The Renters Rights Bill” the section 21 for both new and excising tenancies will be abolished on a date to be determined.</li> </ul>	

**PLANNING APPLICATIONS COMMITTEE**

**Late Representations – 19<sup>th</sup> September 2024**

FILE REF.	SITE AND DETAILS	PAGE NO.
	<p><u>Officer Comments</u></p> <ol style="list-style-type: none"> <li>1) The further comments received from the SFRA, as referred to in the report, are extractions from ongoing email discussions between the applicant and SFRA.</li> <li>2) The discussions between the applicant and SFRA, have included more clarification on the drainage strategy between which included details of the underground surface water attenuation. This information has not been formally submitted to the Council. As part of the application the principles of a sustainable drainage system have been submitted, as required, rather than the detailed design. The principles include underground storage which is confirmed by the LLFA as an acceptable solution. SFRA have also confirmed acceptance. Detailed design, to include a 345,000litre storage capacity, can be secured via the drainage condition.</li> <li>3) SFRA have indicated that a water storage system of 345,000litres, as proposed, would exceed the guidance set out by the NFCC of 228,000litres.</li> <li>4) The checklist is a tool between the applicant and SFRA as a basis to discuss any outstanding matters. The latest version of the checklist (17/09/24) has been posted online and circulated to members with this update.</li> <li>5) The SFRA had queried water supply, however this matter has been resolved and can be dealt with via condition.</li> <li>6) With regard to recycling of water, these comments are made following observations from a meeting. SFRA suggested that their initial tactical response would be to cool nearby units rather than to tackle any fire in the battery unit. As such it is understood that recycling of the fire water <i>may</i> be a viable option. This observation is not determinative.</li> <li>7) Following an amendment to the scheme, SFRA raise no objection to the access arrangements</li> <li>8) With regard to cumulative noise effects, all applications have been subject to consultation with Environmental Health, no concerns with regard to cumulative noise effects have been raised. The recommendation includes a condition restricting noise levels to an appropriate level from the nearest noise sensitive property. The same conditions have been applied to the extant permissions.</li> <li>9) It is confirmed in 7.52 that “the applicant have confirmed that they have an agreement with National Grid to connect via Cellarhead Sub-station and this connection is secured”. The applicant has reiterated this to be the case and that the works can be carried out without any requirement for upgrade to the sub-station.</li> <li>10) Matters relating to agricultural land are covered in the report. It is not considered that the site is of such a scale that a detailed assessment is necessary.</li> </ol>	
<b><u>SMD/2024</u></b>	<b><u>4 Millers View, Cheadle</u></b>	

**PLANNING APPLICATIONS COMMITTEE**

**Late Representations – 19<sup>th</sup> September 2024**

FILE REF.	SITE AND DETAILS	PAGE NO.
<b><u>0241</u></b>	No updates	
<b><u>SMD/2024/0249</u></b>	<p><b><u>33 Cruso Street, Leek</u></b></p> <p>The application and all details can be found using the following link:</p> <p><a href="http://publicaccess.staffsmoorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=179006">http://publicaccess.staffsmoorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=179006</a></p> <p>A further letter has been received from a nearby resident addressed to Members which states the following:</p> <p><i>Dear Committee members,</i></p> <p><i>I am sending this as unfortunately I am at work and unable to attend the planned meeting on Thursday 19<sup>th</sup> September that you had invited me to. Your colleague in Democratic Services over the telephone, kindly suggested I send something in writing that summarises what I would have intended to say had I been able to attend so am including this here.</i></p> <p><i>This note for your consideration below, summarises the objections of a number of residents from the streets surrounding the proposed planning application on Cruso Street.</i></p> <p><i>We object to the planning application for the change of use of 33 Cruso Street from a C3 residential dwelling to a house in multiple occupancy for 7 people. As residents of the streets surrounding the property (Cruso Street, John Street and Victoria Court) we are extremely concerned about the impact this change of use would have on traffic and parking in the area.</i></p> <p><i>The planning application states that there is ample parking in the surrounding area, but we very strongly dispute this.</i></p> <p><i>John Street, Cruso Street and Victoria Court, and the junctions between them, are frequently congested with parked cars. Those of us who do not have our own drives are frequently unable to park and are forced to park on neighbouring Station Street. Those of us who do have our own drives, frequently find them partially or totally blocked by parked vehicles. In addition, vehicles are often parked on the corner of Cruso Street and John Street and the corner of Cruso Street and Victoria Court, both of which are immediately outside number 33. This causes poor visibility for both drivers pulling out of and turning into those streets, and for pedestrians crossing the roads. It is clear to us that there is not 'ample parking in the surrounding area', as claimed in the application.</i></p> <p><i>33 Cruso Street is directly opposite a children's play area and any increase in traffic and the number of parked cars could prove dangerous to children as they enter and leave the play area.</i></p> <p><i>The road outside 33 Cruso Street is the end of a dead-end street, with no access from the top of Cruso Street, John Street or Victoria Court. As such, the road area outside of number 33 has to be used by vehicles to turn around, as the only alternative is to reverse back down Cruso Street. This already dangerous situation would be made more so with the addition of more vehicles.</i></p>	



**PLANNING APPLICATIONS COMMITTEE**

**Late Representations – 19<sup>th</sup> September 2024**

FILE REF.	SITE AND DETAILS	PAGE NO.
	<p><i>As well as the play area, St Mary's primary school is at the bottom of the road and as such there are parents and children walking to and from school. The presence of the school causes heavy traffic on weekdays, with cars often blocking the road. The increase in traffic that a multiple occupancy dwelling would inevitably cause would create added danger in this area.</i></p> <p><i>I trust that you will take these points into serious consideration before making your decision on Thursday.</i></p>	
<p><b><u>SMD/2024/0309</u></b></p>	<p><b><u>Springfield Farm, Werrington</u></b></p> <p>No updates</p>	
<p><b><u>2023/0574</u></b></p>	<p><b><u>Hillcroft Froghall Road Froghall ST10 2HQ</u></b></p> <p>Application deferred.</p>	<p><b>93 - 106</b></p>

**PLANNING APPLICATIONS COMMITTEE**

**Late Representations – 19<sup>th</sup> September 2024**

FILE REF.	SITE AND DETAILS	PAGE NO.