

Our Ref: CPC/SMO/2022/25

Jane Curley
Planning Department
SMDC,
Moorlands House,
Stockwell St,
Leek
ST13 6HQ

31st January 2023

RE: Strong objection to planning application: SMD/2022/0667

Dear Jane,

I am writing on behalf of Checkley Parish Council who on the 17th January 2023, at the monthly Parish Council meeting voted unanimously in favour of submitting a very strong objection to this planning application.

The Parish Council feels this refusal of this application should be made because:

1. ***Flooding concerns:*** The Applicants planning statement states that "the site lies in flood zone 1 which is at the lowest risk of flooding" however in contradiction the Applicants drainage strategy report states that "The site boundary to the West abuts the River Tean (main river) with an associated flood zone (flood zones 2 and 3) which covers a significant portion of the site".

The Applicant has failed to satisfy a reasonable Flood Risk Exception Test which should demonstrate that the risk of flooding elsewhere won't be increased - if the ground levels on a site are just raised above the likely height of flooding, then that water will flow - and flood - somewhere else instead.

The Applicant has also failed to satisfy a reasonable Flood Risk Sequential Test which should demonstrate that for planning applications on sites that don't have a development allocation there aren't any other suitable sites at a lower risk of flooding.

The Applicant has failed to prove that the sustainability benefits to the community outweigh the risk of flooding.

The Applicants Drainage Strategy Report as stated is based on a site walkover carried out on 14 June 2022, which is not atypical of the environmental and ground water conditions for this site. According to the Met office UK monthly climate summary for June 2022, this month saw plenty of fine and settled weather, but also some showers

during the first week and the final week. Around mid-month there was a short very warm spell. Overall, it was slightly warmer, drier and sunnier than average. Mean temperatures for the month were 0.5 °C above average. Rainfall was below average in many areas with 69% of average. Sunshine was broadly above normal giving an overall figure of 118%.

The Parish Council has been inundated with photographs of this area under water, we are more than happy to share these with you.

2. ***Locally Important Views:*** The development would unacceptably impact upon our cherished locally important views.
As part of the development of our Neighbourhood Plan public consultation has identified that maintaining the rural look and feel of the villages and the parish of Checkley is of paramount importance. A large part of this consultation referring to maintaining the existing setting, views being the key element. During the planning process the impact of any implications on setting should be a key consideration including pre-application consultation with the Parish Council and the local community in accordance with National Planning Policy Framework recommendations.

Each individual village group worked with their communities to establish the views that define their individual villages and setting. Views that are key to setting, locally important and it is deemed worthy of protection within the planning process.

Upper Tean in the valley of the River Tean currently enjoys views of the hill tops on either side of the river valley, these are currently not impacted upon by development, are beautiful and define the rural landscape setting of the village. There are also opportunities for views at river valley level.

Opportunities to view the River Tean in a natural setting are becoming more limited. The most recent planning approval for a new housing estate alongside the river on Cheadle Road is an example of development impacting previously enjoyed river views. For the community of Upper Tean the remaining views of the river from within the village boundary are locally important and pending on-going development, one of the last remaining views of the river with a natural/rural setting backdrop with public access is the river from the foot bridge on the east side of The Recreation Ground and looking across from the Tean Hall Mills Development including the fields and beyond forming the river valley behind the existing terraced row of houses on Uttoxeter Road. Similarly looking out from the village and down onto the village the setting is defined by the natural and unspoiled fields, woodland and open countryside of the valley high ground and hill tops. Any impact on these natural landscape high level views would significantly deter from the village's valley setting and quiet enjoyment of the same by current and future generations of villagers. The locally important open view of the river and river valley from Tean Hall Mills and Uttoxeter Road (looking south and southeast) and the view of the high tops to the south of the River Tean, in particular, features such as Jubilee Woods would all be severely impacted by this proposed development.

3. ***Vehicle Entry to and Exit from the Proposed Development:*** Safe vehicles exit from the proposed development would be impossible to achieve from the proposed location of the entry/exit. An effective vision splay is not achievable, particularly looking northwest from the exit. Looking in this direction the main road is reduced to effectively

a single carriageway. Cars are parked throughout the day and night at the front of the terraced houses fronting Uttoxeter Road. See photograph taken from what would be a driver's view looking northwest from the proposed exit location.

4. ***Pre-Application Engagement:*** The Parish Council is surprised that the applicant has moved to planning application stage without pre-engagement with the strategic planning authority. Equally surprising is the fact that the strategic planning authority has not engaged, pre-application with the local community. This despite being encouraged to do so in the NPPF and the community previously highlighting the lack of community engagement on recent applications for major housing schemes both within and adjacent to the parish. Disappointment in the community and disregard in this way is difficult for your moorlands residents to understand.

This lack of engagement faces an unfair burden on local communities and is not according to NPPF advice good practice.

5. ***Established Right of Way:*** Until recently taken away, there was by decades of long-term use, an established right of way to the rear of the terraced housing in Uttoxeter Road. Rear gates onto this established right of way are still in place. The proposed development does not acknowledge any existing rights or rear access.

The proposed development as it currently stands would be:

6. Contrary to the emerging Neighbourhood Plan policy HSG1 Housing and site allocations by virtue that it is not within the defined settlement boundaries or an identified site allocation for residential development. Nor is the proposed development an infill or a brownfield site.

It would also fail clause 4 of this policy as it is encroachment into the open countryside.

7. Contrary to the emerging Neighbourhood Plan policy HSG2 Housing Mix as it does not include a balanced mix of homes to meet the needs of the community. Specifically smaller houses suitable for first-time buyers or those wishing to downsize; or accommodation suitable for older or disabled persons or those requiring specialist care.

The scheme is not compatible with the growth strategy set for the neighbourhood area and does not present any special or exceptional circumstances to depart from these policies.

The adopted Local Plan has allocated sites for the district and a 5-year land supply. This adds further weight to the argument that there is no need for additional housing growth beyond that identified in the adopted Local Plan and emerging Neighbourhood Plan through site allocations and planning policy.

Paragraph 132 of the NPPF states: "Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot. "

CHECKLEY

PARISH COUNCIL

We would also like to add that the applicant did make contact and asked for a meeting, we responded positively but unfortunately, they never replied or took up our offer to engage directly. This is disappointing but also demonstrates the lack of regard for meaningful consultation and engagement. Their engagement consisted of a letter to explain intent to submit an application and have done so without consultation or engagement prior to submission with the Parish Council or wider community.

If you require any further information or images of this area flooded then please do not hesitate to ask.

Yours sincerely



Siân Morgan-Owen
CPC Clerk and Proper Officer
On behalf of Checkley Parish Council