

Re: SMD/2024/0031 – Land off Tenford Lane, Markden Homes

I would like to make the following comments on this planning application:

The agent suggest “minor amendments”. I don’t feel that building houses between 1.35m and 2m higher than what they were supposed to be built as a “minor amendment”.

This application seeks to request variation of Conditions 1 and 10 of Reserved Matters approval SMD/2021/0491 and request the following changes (10 in total)

Change: Introduction of two new house types (type F which is single storey with an additional storey served by roof lights and G which is a single storey properties) on plots 31-40 across the frontage of the site. Replacing previous 4-bedroom detached two storey dwellings, some type 2, detached 3 bedroom, 2 storey dwellings and some type 3 detached two storey dwellings. There is no change in the finished floor level from the approved scheme.

Comments: This scheme suggests that the floor levels will be as per originally permitted but the houses will now be lower (as they are bungalows, as opposed to previous 2.5 storey houses). Whilst this is good news in some ways, it is probably just a smokescreen to try and get over the fact that the houses built behind are still too high, were not built in accordance with the original planning permission and are unlawful. Building the rest of the houses lower doesn’t really make up for the houses that are now imposing and affect those people living opposite. 2m too high makes a massive difference. Whilst it is appreciated that Markden homes are now “thinking” about the existing residents, it is too little, too late. The damage has already been done. Whilst building bungalows now, there is no promise that those purchasing the bungalows won’t attempt, at some point, applying for planning permission to add dormers. These bungalows would need some condition or covenant on them to ensure they forever remain true bungalows. The agents also refers to the raised decking now being removed. Again that is good news but unless there is something by way of a condition or covenant, there would be nothing stopping the residents, once they move in, building their own raised decking. A comment was made at the last planning meeting that these bungalows would be give a better mix of housing and also be of benefit to those requiring accessible properties. If the gardens of the bungalows are on plots with gardens which run down or are at varying levels, these may preclude people with limited mobility who may not be able to deal with steps etc. Could there be any thought in turning the bungalows around so the gardens face inwards to the development, with level gardens and with the frontages facing Tenford Lane? Therefore the gardens would not overlook the existing houses on Tenford Lane and make the gardens more private – and afford more privacy to those on Tenford Lane. It would also benefit purchasers with mobility issues if the gardens are on one level.

Change: Changes to ground levels around the distributor road. The levels remain as approved where the distributor road meets the highway and for the first few metres to the rear of the highway i.e. an increase in levels for plot 1 to 10 and a decrease in levels for plots 11-24.

Comment: Comments as above, there remains houses which have been built unlawfully which have an impact on the whole site and those directly across the road. It impacts on amenity. The plans set out to make other areas lower accentuates the unlawful houses built too high. The right thing to do would be to remove those houses, adjust the heights to the correct permitted heights and then re-build or maybe a compromise of reducing the buildings to bungalows to reduce the impact. The developer took a risk by completing the houses unlawfully. Anyone else would be made to take them down, why should there be an exception for large developers? Building regs and enforcement should have been on this from the start, knowing full well the developer had put in alternative plans.

We've been let down and it is a very unfair system if big developers are allowed to get away with taking massive risks when the rest of us don't!

Markden Homes have already gone against many of the conditions set for them, as emails to the Planning Department and Enforcement Office will testify.

Our council should not allow one rule for big developers and different rules for the rest of us.

Change: Removal of one of the three drainage basins to the north of the distributor road.

Comment: I don't think anyone should allow the removal of any drainage basins. During the bad weather we have recently had we have seen the impact this site is having with water gushing down the road and impacting on the flooding in Breach Lane. There have been several occurrences of flooding on Cheadle Road, as the drains have been unable to take this water – and we haven't seen the worst of it yet as the site is still not complete. Further on in Tean we are all seeing the impact of flooding and drains which are spraying waste 10ft in the air and manholes being forced off, as our drains cannot take the strain (excuse the rhyme). This is set to get much worse. The drainage design should remain as originally approved. Maybe once the estate is built and after a few years, where the actual impact can be assessed (working from actual data rather than "potential" data) this could be reviewed.

When experts are quoting that certain areas of Tean will only flood once every 100 years, yet we've seen 3 floods in the past few months, plus many raw sewage spillages, I think we should perhaps start to use our own eyes and common sense rather than rely on information on paper which is proving less than reliable.

Change: Removal of detached garage and introduction of an attached garage on house type A.

No comment

Change: Removal of 1no. dormer on house type B.

No comment

Change: Rearrangement of plots 13, 14 and 17.

No comment

Change: Rearrangement of plots 18, 23 and 24. - House types B & C have changed from 3 beds to 4 Beds

Comment: Assuming that the ratio of car parking spaces to bedrooms have also increased, no issue. The roads are narrow and sufficient car parking spaces are essential to prevent parking half on/half off pavements which can cause problems for the disabled.

Change: Addition of an ensuite above the porch on House Type C

No comment

Change: Driveway alterations on plots 2 - 5.

Comment: Providing these are big enough and sufficient enough to take the car parking ratio's required – no issue. Hopefully, this is something the Highways Officers will comment on to ensure highway safety is of paramount importance.

Change: The 2 roads to the north of the site have been made private.

Why? Could it be that SCC won't adopt these roads because they are not wide enough or suitable? Why are highways allowing developers to build all these houses with no objections and then refuse to adopt the roads? Private, unadopted roads could lead to additional costs for the purchasers/homeowners, as they may be required to purchase additional liability insurance plus they will be liable for the upkeep of those private roads. This may be in addition to maintenance fees for the upkeep of the green space. The whole point of affordable houses is for them to be affordable. All these additional costs really need to be considered when allowing developers to build "affordable" homes.

Other comments:

This is a part retrospective submission to make the current unlawful properties lawful along with amending other conditions. At the last planning committee meeting, Ben Haywood, Head of Planning stated that the application should be determined as if it were a brand new plan – and the fact that the houses had been built too high (unlawfully) was not material to the planning application. The thing is, houses being proposed at that height is material and if this plan had been brought before the committee originally, would it have been passed? If the answer is no – for the various reasons of size, scale, design and appearance, then the answer should remain No. For those members of the planning committee who don't think the houses, built as they are, don't have any impact on those living opposite, I urge them to go and take a look from the perspective of those who live opposite. It is a very different story.

There is ambiguity around what is being asked for under this planning permission/variation of conditions. The application and plans seem to suggest there are still only 40 dwellings being proposed but the council's advice refers to 53. Can absolute clarity be given on what this planning permission is seeking to achieve?

3. Those instructing have decided to bring forward a planning application for the erection of 53 residential units on the site incorporating part of that which is subject of the 1st permission ("the 2nd scheme"). This requires the repositioning of some of the previously approved dwellings at the eastern end of the site and erecting additional units at the western end of the site (on the area set out as public open space). The 2nd scheme represents a net increase in the number of dwellings over the 1st permission (a copy of the site plan showing the intended site layout is before me). I am instructed that the 2nd scheme conflicts with the 1st permission.

For the reasons set out above, I still object. I think Markden Homes have made some improvements and it seems they have taken some comments on board from the last planning meeting. However, I

feel there is still more that could be done to reduce the impact this development has had and will have on the existing residents. I think allowing this planning permission would be setting an undesirable precedent of big developers forcing changes upon planning authorities by building developments unlawfully. There was a correct way to go about this but the developer chose not to, and in so doing, took all the risks.

It should be reflected that this site was extremely contentious and still people wonder how it got passed with the amount of objections and concerns raised on highways alone. Just one person supported this – and they live in Trent Vale!

Regards

Tracy Smith

Address given to the authority but asked to redact due to personal reasons.