
From: Planning <Planning@sammonsLtd.co.uk>
Sent: 20 May 2024 10:38
To: North2
Subject: RE: Planning Inspectorate APP/B3438/W/24/3338540: 403 Cheadle Road, ST13 7BH
Attachments: RE: Confirmation of Questionnaire for APP/B3438/W/24/3338540

FTAO: Michael Joyce,

Good morning Michael, I refer to your email below and attachment and would offer the following response on behalf of the appellant:-

In paragraph 2.3 the council claim that the matters raised in respect of ground 1 are not related to the appeal and that they provided the appellant with the opportunity to address consultee comments which narrowed the issues of concern and objection. This is not the experience of the appellant.

Consultation responses were not provided in a timely manner, the council failed to respond to several emails, telephone calls and requests for updates and the issue of bats was not raised until more than 6 months after the application had been received by the council. If the bat survey was so important, the appellant considers that the application should not have been validated. The application was submitted to the council two months before the optimal period for bat surveys commenced. Had the request been made in a timely fashion then the appellant would have had the entire surveying period of May-Sept 2021 to commence the works. The fact that the request came in October meant that the optimal survey period had passed and therefore the appellant incurred unnecessary expense in commissioning a preliminary roost assessment, which the council did not accept and meant that they had to wait from October 21 to May 22 before the necessary surveys could be undertaken.

The council's claim in paragraph 2.4 that their approach allowed the application to "move swiftly through the process" is nothing short of laughable. As set out in the cost application the time taken for the council to determine the application took 2 years 4 months and 17 days. This cannot be deemed "swift" by any stretch of the imagination and is seriously at odds with the Government's planning guarantee which sets out at paragraph 002 Reference ID 21b-002-20140306 that "the government's policy that no application should spend more than a year with decision makers including any appeal".

In response to their comments on Ground 2 the council have made reference to the live webcast recording. If the council are to rely on this as a defence then a copy of this should be made available to the Inspector or a transcript at the very least. I cannot confirm whether this has been provided by the council or not as part of their supporting information as whilst I did receive a copy of the completed questionnaire no supporting documents have been provided. Whilst I did request this by return of email the same day – see attached email but nothing has been forthcoming, which only serves to show their continuing inefficiencies.

The live web cast does not identify "awkward and tortuous arrangements for the parking and turning of vehicles within the site that would limit the functioning of the development for future users and residents to the extent that it would be harmful to their amenity and living conditions" as suggested rather it shows, in the appellant's view, that the Members purposefully and deliberately ignored their own parking standards by stating that garages could not be included within the parking requirement as "nobody used them for such" despite the correct size and number of spaces being provided and the agent specifically stating that a planning condition could be imposed to address this.

Interestingly no changes to the size of parking spaces or garaging arrangements were made to the subsequent application for three dwellings on the site which was approved. It is noted that no response is provided in relation to the issue of amenity. As set out in the statement all technical standards are met and it is contended that this part of the refusal cannot be substantiated. It is clear from the live web cast that the members had difficulty in finding a robust reason for refusing the application and that assistance had to be provided by the council officers in this regard.

The appellant maintains that the council were inept in the process and that they have acted unreasonably in that members struggled to reach a clear and unambiguous reason for refusal and did not appropriately apply planning policy. The reasons for refusal given by the members were not fully considered nor were they based on a sound application or understanding of the council's policies or supporting SPG. This clearly constitutes unreasonable behaviour. The refusal of this application has resulted in the appellant (a) having to make a subsequent application for a smaller reduced level of development and (b) having to incur costs associated with this proposal which should clearly have been approved.

The statement that the council "engaged" with the applicant prior to submission of a revised application has no bearing on this application. Indeed it is the council's role to be proactive and to foster development proposals to bring them forward.

It is the appellant's view that the appellants claim for costs should be awarded.

Kind Regards

Teresa Critchlow BA(Hons), MPlan

For and behalf of



t: 01538 386002 | w: www.sammonsltd.co.uk

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From: North2@planninginspectorate.gov.uk <North2@planninginspectorate.gov.uk>

Sent: Thursday, May 16, 2024 10:53 AM

To: Planning <Planning@sammonsltd.co.uk>

Subject: Planning Inspectorate APP/B3438/W/24/3338540: 403 Cheadle Road, ST13 7BH

The Planning Inspectorate (England)
Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN

The Planning Inspectorate (Wales)
Crown Buildings, Cathays Park, Cardiff, CF10 3NQ

<http://www.planningportal.gov.uk/planninginspectorate>

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From: Planning <Planning@sammonsltd.co.uk>
Sent: 19 April 2024 11:44
To: Ben Hurst
Subject: RE: Confirmation of Questionnaire for APP/B3438/W/24/3338540

Thanks Ben the applicant has requested copies of all supporting documents submitted with the questionnaire. Could you please provide?

Kind Regards

Teresa Critchlow BA(Hons), MPlan

For and behalf of



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From: Ben Hurst <Benjamin.Hurst@staffs Moorlands.gov.uk>
Sent: Friday, April 19, 2024 11:14 AM
To: Planning <Planning@sammonsltd.co.uk>
Subject: FW: Confirmation of Questionnaire for APP/B3438/W/24/3338540

Hi Teresa

Copy of submitted questionnaire attached.

Mr. Benjamin R Hurst Planning Officer

Planning

High Peak Borough Council and Staffordshire Moorlands District Council

Mob: **077385 06367**

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www.staffs Moorlands.gov.uk | Follow SMDC on X (Formerly Twitter) | [Facebook](#)



From: Planning (SMDC) <Planning@staffsmoorlands.gov.uk>
Sent: Friday, April 19, 2024 8:10 AM
To: Ben Hurst <Benjamin.Hurst@staffsmoorlands.gov.uk>
Subject: FW: Confirmation of Questionnaire for APP/B3438/W/24/3338540

From: noreply@planninginspectorate.gov.uk <noreply@planninginspectorate.gov.uk>
Sent: Thursday, April 18, 2024 6:00 PM
To: Planning (SMDC) <Planning@staffsmoorlands.gov.uk>
Subject: Confirmation of Questionnaire for APP/B3438/W/24/3338540



Appeals Casework Portal

Your Planning appeal questionnaire has been received.

Appeal Details

Questionnaire Receipt Date/Time: 18/04/2024 18:00
Appeal Reference: APP/B3438/W/24/3338540
Appeal By: Mrs T J Bode
Site Address: 403 Cheadle Road
Local Planning Authority: Staffordshire Moorlands District Council

Attached is a copy of your form.

Important Information:

You must send a completed copy of the questionnaire form and supporting documents to the appellant/agent.

All further correspondence should be directed to the Case Officer dealing with the appeal. If forwarding supporting documents by email please send to [Michael Joyce](#). Any correspondence you send to us should clearly state the appeal reference number to avoid any delays.

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