

CHEADLE TOWN COUNCIL

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Observations on applications for planning consents within the Parish of Cheadle as notified to the Cheadle Town Council by the Head of Development Control and Building Control, Staffordshire Moorlands District Council.

Date 24/10/2024

October 2024

SMD/2021/0456 – Land to the East of Froghall Road, Cheadle.

Variation of condition 2 relating to SMD/2018/0180 seeking minor amendment to Phase 1 Planning Layout Rev Z3 (Ref: ARCH/PL/PH1 Rev Z3) for the addition of retaining walls (part retrospective) to plots 60-67 and 70, resiting of plots 1-5 (retrospective), garage serving plots 66/67 and reconfiguration of approved SUDs pond (retrospective) and minor amendment to Site Location Plan (Ref: ARC/LP/01 Rev B).

Cheadle Town Council had a large number of local residents attend its meeting of our Development Services Committee on Monday of this week, and it was apparent that this particular development has had a substantially negative impact on some members of the local Community. It was further apparent that other large developments in the local area are having a similar impact.

These variations are listed as 'minor amendments', however they appear to be retrospective or part retrospective and therefore have already been carried out in some form. There appears to be nothing included in the variations that would provide assurances around the genuine measures and concerns raised by local residents in protection of their homes. As a Statutory Consultee, this does not provide Cheadle Town Council with much scope in terms of response.

As a Town Council we have been made aware that the Ombudsman Service have recently found some of the processes relating to this Application to be inadequate, and we would respectfully ask the Planning Department to comment on these findings, and to provide some assurance that future development is both inclusive and regulated in accordance with policy.

It is the duty of the Local Authority to manage planning and development effectively, and to administer processes that consider the impact that some developments may have on the wider community. Cheadle Town Council supports the assertion of local residents that these processes are not in place, and that larger developments are consistently using the opportunity to 'vary conditions' in order to mitigate circumstances which seek to extend the parameters for which the primary permission was granted.

There is an apparent lack of enforcement on many of the larger sites in Cheadle and its surrounding Parishes, and there seems to be very limited control on the various stages of development. Many of these developments have exceeded their approval and reneged on the local consultations held within the Community, despite many local residents being as supportive as possible towards the outline plans.

Despite this, and in addition to findings that developers had indeed gone beyond the limitations of the approved plans, particularly in terms of height limits and boundary definitions, these variances have gone largely ignored by the local planning department and created extensive distress to those living nearby. It is noted that the Ombudsman Report indicates that negotiations that have taken place have been ineffective, and in some cases conflicting. As a Town Council we would expect those findings to be addressed, in full, before any further Applications were even considered, and only when those affected are satisfied by the outcome should these matters proceed.

We appreciate that there are deadlines to meet, however for some these are life-changing decisions that can have a detrimental impact on peoples' quality of life. Essentially, approval of this Application will result in the removal of any liability on the part of the developer to rectify these matters, and it is noted from the Ombudsman Report that this Application seeks to 'regularise the breaches of Planning Control'. As a Town Council we could not support such wrongdoing given the impact this has had on our residents.

There is a reasonable expectation within the Staffordshire Moorlands that the Local Authority will provide a facility for engagement in terms of concerns raised by residents affected by Planning Development and, at the very least, provide a channel of communication to address some of these concerns. Many e-mails and letters from residents have not been acknowledged, and assured consultation with the developer following a deferral of this Application in March 2023 has not been adhered to with the exception of a futile meeting which remains unfulfilled. From the responses presented at our Committee meeting, these practices does not appear to be accessible, and the significant frustration felt by many is not being addressed. Hence, the residents come to us, and other Parsh Councils, as the forward-facing tier of Local Government in the Community.

Cheadle Town Council makes every effort to support local people with a wide range of issues, however we are particularly limited in our ability to address the specific details of Planning matters, for which we receive very little information following initial consultation.

The matters raised thus far are:-

Matters affecting Residents

- Confirmation from the developer that those who have been affected by invasion of privacy, following the development of dwellings above the levels agreed in the original site plans, will be protected by the use of trees and acoustic boarding to mitigate intrusion.
- Confirmation from the developer that those who have been affected by boundary changes in Donkey Lane, Cheadle, will have appropriate borders reinstated.
- Confirmation that the designated Footpath between Donkey Lane and Tay Close is reinstated, having been inaccessible for two years.
- Confirmation from the Developer and Planning Department that the retaining walls and earth banks utilised on site are adequate and will not result in subsidence or landslide.
- A response from the Planning Department in respect of the findings of the Ombudsman Report, and assurances that larger developments will have some form of control on the various stages of development and enforcement.

Technical Matters

- Drawing ARCH/PS-03 has not been modified to indicate this Amendment and the dimensions between Persimmons Homes and residents housing remains incorrect.
- The leading document in this proposal is missing from the pack Ref :ARCH/PL/PH1 Rev20 without which this application has no context.
- There is no evidence that a qualified and independent Civil Engineer will be available to prove that the 80G Pa pressure wall test will be carried out. This is required for Ness Grove and Persimmon Homes house insurances and resale searches, and to prove that the proposed structure is safe (ref Tobermore Secura Grand Retaining wall).
- For the purpose of the safety and wellbeing of residents, we require that the building inspector provide photographic evidence of land drain and back fill in Persimmon properties.
- There is no evidence of a second inspection of calculation SK24-5839-F1-01, nor is this vital document available in the proposal pack. Without this, the construction drawing Sk24-5839-f1-01 is valueless.
- Sk24-5839-f1-01 is a document issued for comment only. Therefore, it is not complete and could change. It is not professional to approve an application drawing at this early point in design.
- The dispute with Persimmon Homes and the Gables property in Donkey Lane has not been resolved, without which the sound proof fence as indicated in this application cannot be constructed as it could be illegal in terms of boundary definition.

Cheadle Town Council will not support any Planning Application that does not align with the regulations that govern it, and therefore we would look to the Local Authority and its Planning Applications Committee to address the increasing concerns, and the adverse impact, that development outside of regulation has on the health and wellbeing of local people.

Therefore, we object to the Application on both the Personal and Technical Grounds listed above. We would ask that both compensation and consultation on individual cases is discussed with affected residents, and ask the Planning Department/Planning Applications Committee to consider a deferral whilst these matters are addressed.

Should a referral not be appropriate in terms of time limitations, we would ask that both compensation and consultation with residents form part of any conditions attached to the Planning Application Committee decision.

Signed Dave Mullington

Town Clerk

