

Rachael Simpkin
Development Management
Staffordshire Moorlands District Council
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ST13 6HQ

Issued via the Planning Portal

25th June 2025

Dear Rachael,

Land to the east of Froghall Road and north of Ayr Road and Cheltenham Avenue, Cheadle, Staffordshire

NON-MATERIAL AMENDMENT TO PLANNING PERMISSION SMD/2021/0456 FOR VARIATION TO CONDITION 14 (AIR QUALITY – PHASE 1)

I am pleased to submit this application on behalf of Persimmon Homes (North West) Ltd, seeking a non-material amendment to application ref: SMD/2021/0456 (“the parent application”) pursuant to Section 96A of the Town and Country Planning Act 1990 for a development at Land to the east of Froghall Road and north of Ayr Road and Cheltenham Avenue, Cheadle (“the site”).

The proposed description of development is:

‘Non-material amendment to planning permission APP/22/01890 for the variation to Condition 14 (Air Quality – Phase 1)’

The S96A seeks to amend the approved Air Quality Mitigation Strategy report pursuant to Condition 14 of the parent application. The details of the proposed amendment are outlined below, and this application is supported by the following documentation:

- Air Quality Mitigation Strategy (Ref: MAN.1033.AQ.050.R.002), dated June 2025, prepared by Enzygo Ltd.

PROPOSED AMENDMENTS

An Air Quality Mitigation Strategy was submitted as part of the parent application and set out a mitigation strategy for Phase 1 and 2 of the development to offset the air quality impacts of the approved development. These were set out in Table 9 of the approved document which is copied



below:

Table 9: Fixed Mitigation Strategy

Mitigation Measure	Description	Quantity		Costing per Unit	Total Costing (£)	
		Ph1	Ph2		Ph1	Ph2
Electric Vehicle Charging Points	Installation of EV-1Q 7 PRO 7.3kW charging points	76	78	£450.00	£34,200	£35,100
Sustainable Transport Assessment	Travel Plan and Travel Information pack to be prepared, implemented, and monitored	1		£3,250.00	£1,625	£1,625
Secure Cycle Storage	Provision of secure cycle parking for each plot, within dedicated shed	49	57	£450.00	£22,050	£25,650
TOTAL					£57,875	£62,375

As set out above, for Phase 1, the mitigation strategy required the provision of 76 x Electric Vehicle Charging Points and 49 x Secure Cycle Storage sheds, as well as a Travel Plan to be prepared, implemented and monitored. The total cost of the recommended mitigation measures across both phases equates to £120,250.

Phase 1 has now been fully implemented, and 76 plots have been fitted with Electric Vehicle Charging Points in accordance with the above recommendation. Furthermore, a Travel Plan has been prepared and implemented with the Travel Plan Coordinator liaising directly with Staffordshire County Council on the necessary implementation and monitoring. However, Cycle Storage sheds were not incorporated into 49 plots per the above recommendation. All plots are now occupied and therefore it isn't possible to retrospectively implement the recommendation of the report regarding Cycle Storage sheds.

It is however noted that 70 plots include garages (either detached or integral), which are capable of storing bicycles. Nonetheless, it is acknowledged that this doesn't meet the requirement set out in the Air Quality Mitigation Strategy. Therefore, an updated Air Quality Mitigation Strategy has been prepared and submitted with this application.

The updated Strategy sets out the following mitigation measures across Phase 1 and 2:



Table 9: Fixed Mitigation Strategy

Mitigation Measure	Description	Quantity		Costing per Unit	Total Costing (£)	
		Ph1	Ph2		Ph1	Ph2
Electric Vehicle Charging Points	Installation of EV-1Q 7 PRO 7.3kW charging points	76	135	£450.00	£34,200	£60,750
Sustainable Transport Assessment	Travel Plan and Travel Information pack to be prepared, implemented, and monitored	1		£3,250.00	£1,625	£1,625
Secure Cycle Storage	Provision of secure cycle parking for each plot, within dedicated shed	0	135	£450.00	£0	£60,750
TOTAL					£35,825	£123,125

As set in the updated Strategy, for Phase 1, the mitigation measures still require the provision of 76 x Electric Vehicle Charging Points and for a Travel Plan to be prepared, implemented and monitored. However, no Secure Cycle Storage sheds are recommended. Instead, all 135 plots on Phase 2 are required to include Electric Vehicle Charging Points and Secure Cycle Storage sheds. This equates to 211 Electric Vehicle Charging Points across both phases (an increase of 57 when compared to the approved Strategy) and 135 Secure Cycle Storage sheds across both phases (an increase of 29 when compared to the approved Strategy).

Under the updated Strategy, the total cost of the recommended mitigation measures across both phases equates to £158,950. This is £38,700 higher than the cost of the previous mitigation measures. On that basis, the mitigation strategy is at least proportional to the DEFRA Damage Cost benchmark and indeed exceeds the suggest financial value for Phase 1 and Phase 2.

To facilitate the proposed amendment, the following conditions are proposed to be amended (as set out in red text):

Current Condition Wording	Proposed Condition Wording
For Phase 1, within one month of the date of the decision notice, details of the scheme of remedial measures for air quality mitigation in accordance with principles established by the following document ref. Air Quality Mitigation Strategy Cheadle North Strategic Development Persimmon Homes (Northwest) Limited MAN.1033.AQ.050.R.002 dated August 2022 shall be submitted to and approved in writing by the	For Phase 1, the development shall be fully implemented in accordance with the scheme of remedial measures for air quality mitigation established by the following document ref. Air Quality Mitigation Strategy (Ref: MAN.1033.AQ.050.R.002), dated June 2025, prepared by Enzygo Ltd. The approved scheme shall be maintained in accordance with those details at all times thereafter for Phase 1.



<i>Local Planning Authority (LPA). The development shall be strictly carried out in accordance with the approved details and within one month of the written approval of the scheme by the LPA for this phase.</i>	
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ASSESSMENT

Section 96A of the Town and Country Planning Act 1990 gives the local planning authority the power to make non-material changes to planning permissions. Subsection (3) of S96A confers the power:

- (a) to impose new conditions;*
- (b) to remove or alter existing conditions.*

Subsection (2) states that *"In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted."*

Planning practice guidance further states that [Paragraph: 002 Reference ID: 17a-002-20140306]:

"There is no statutory definition of 'non-material'. This is because it will be dependent on the context of the overall scheme – an amendment that is non-material in one context may be material in another. The local planning authority must be satisfied that the amendment sought is non-material in order to grant an application under section 96A of the Town and Country Planning Act 1990."

It is considered that the proposed amendment to air quality mitigation measures pursuant to Condition 14 as outlined in this Cover Letter will not result in a material change to the consented scheme having regard to its overall context and the application is therefore considered appropriate to be determined under S96A of the Town and Country Planning Act 1990.

The proposed amendment would have no impact on the quantum of scale of development approved across both phases of the site. The amendment would result in an increased quantum of plots incorporating Electric Vehicle Charging Points and Secure Cycle Storage, which would equate to a higher overall spend on these items. Therefore, the proposed amendment would improve the mitigation measures across the overall site.

The changes would not materially alter the overall development envisaged by the parent permission and would not alter the approved description of development. Therefore, the proposed development remains consistent with that originally approved by the Council. There would be no additional impacts



on residential amenity or other material planning considerations caused by the proposed development as a result of the changes that are proposed.

Therefore, Persimmon consider that the proposed amendment would be 'non-material' and should be approved as such.

The application has been submitted via the Planning Portal, and I look forward to confirmation of receipt and validation of the application in due course.

If you require any further information, please do not hesitate to contact me.

Yours faithfully

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Persimmon Homes (North West)

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