

BY HAND

12 Springfield Drive,
Leek,
Staffordshire
ST13 6ET

6th July, 2015

SMDC, Planning Department
Leek

Dear Sir,

Planning Application No. SMD-2015-0390
Proposed development at The Orchard, Springfield Drive, Leek

I refer to your letter of 23rd June 2015, and to my letters of 26th April 2015 and 15th May 2015 regarding Planning Application No. SMD-2015-0208. I still await a reply from you on the points and questions raised in my letters.

From my enquiries into your letter of 23rd June, I have discovered that my adjoining neighbour, Mr. John Hurst, was, on 4th June 2015, refused his application for outline planning permission to develop The Orchard with a 4 bedroom dormer bungalow, and he has now submitted a further outline planning application to develop The Orchard with a 4 bedroom dormer bungalow.

The statement by the applicant in the new application that the Council is failing to meet it's target for new homes implies that this is good reason to approve the new application. I trust that the Council will decide the matter in accordance with planning policy and statutory guidance as it did Planning Application No. SMD-2015-0208.

The new application suggests that matters of easements (light, access and drainage); the building line; and the siting of the proposed dwelling, are all settled. This is not the case.

The objections set out in my letter of 26th April remain the same in relation to this new application No. SMD-2015-0390, namely:

1. The proposed development is 'over development' of the plot of The Orchard:

(a) Firstly, the proposed development does not stand up on it's own.

It is totally dependent upon on the construction of the new road included within the scheme for the planning permission granted to the applicant for the development of eight dwellings in his field that adjoins The Orchard. Without this, the original dwelling of The Orchard, will have no means of access under the proposed scheme. Is it feasible to authorise two neighbouring development

schemes where sole access to one property within one scheme, is via a road authorised by another permission?

My understanding is that the applicant's original intention was to develop his field with nine dwellings but this scheme had to be revised down to eight dwellings. It is both my view and that of my neighbours in Springfield Drive, that this new application is a 'back door approach' by the applicant to try to get a ninth dwelling by now seeking to combine the field site with that of the site of The Orchard. It is over development.

It seems that the proposed new dormer bungalow will be far more in keeping with the field development and yet it will be a completely separate development which will not sit well within the Springfield Drive although it's access will be via Springfield Drive.

(b) Secondly, the new dormer bungalow is too big and too close to the boundary with my property, number 12 Springfield Drive.

It will adversely affect the use and enjoyment of 12 Springfield Drive in various ways including restricting my right to light (which 12 Springfield Drive has enjoyed since it was built in 1967); dramatically increasing the noise and activity levels alongside my property; and massively impacting on my privacy and the privacy of my immediate neighbours in Springfield Drive.

In his email to Mr Hurst dated 19th February, 2015, the Tree Preservation Officer seems to suggest that the proposed new dormer bungalow is sited satisfactorily to avoid conflict with protected trees on the site, but equally, he seems to imply that the new building is very close to the boundary with my property number 12 Springfield Drive.

It seems that one reason why the dormer bungalow has to be located so close to my boundary is because it is the only position for a dormer bungalow of this great size given the presence of protected trees on the site. Another reason, is because the site is not large enough to accommodate a driveway to the original dwelling of The Orchard and also to the proposed new dormer bungalow. I put this to you as another reason that this proposed development is an over development of the site.

2. The proposed development will change the nature of the neighbourhood of Springfield Drive

No doubt that when you inspected the site, you appreciated the peace and tranquility of the location particularly, at the top end of the private no through drive. The proposed development will adversely affect the use and enjoyment of the established bungalows which, by their size and location, are currently occupied as retirement dwellings. The proposed development is not in keeping with this long established residential location.

3. Concerns over the **drainage connection, use and capacity** for the development

The route of the drains for my property and all of the other properties in Springfield Drive access the mains drain down Springfield Drive that connects into Springfield Road. The drains for The Orchard are different and connect into the drive at Leek High School and run down into Springfield Road. I assume that the route of the drains for the new development would run and connect into the school drain rather than under the private land at the top of Springfield Drive which I am advised may be a ransom strip.

The residents in Springfield Drive of nearly 50 years have never experienced any problems with the drains. Mr Hurst has informed me that he has been advised that the drains have capacity for "200 dwellings". Both myself and my neighbours seek your full reassurance that the connection, and capacity and use of the drains will not in any way be adversely affected by Mr Hurst's developments.

4. Possibility of **Springfield Drive being used as a cut through** to the new development

Finally, but of no less importance, the proposed development could provide an opportunity in the future for residents from the approved development of the field, using Springfield Drive as a cut through. The new properties are of a size suitable for occupation by families, and in time, they may befriend their neighbours and even agree to them walking through their properties to access Springfield Drive for a quick route to Leek High School, East Street First School, Asda supermarket and the town. Springfield Drive is a private drive and the future owners of the field development will have no right of way over it. Only the owners of each of the properties in Springfield Drive up to and including The Orchard have rights of way over the drive.

Both myself and all of the residents I have spoken to in Springfield Drive, have grave concerns over the proposed development opening up access to Springfield Drive. Mr Hurst had a similar experience when the properties on the Mount were developed and people decided to use his field as a shortcut from the Mount and Buxton Road area to school and town. This was addressed by Mr Hurst placing a warning notice within the field site at the end of Deebank Avenue. This notice is still in place today.

As with the previous planning application that has been refused, my neighbours in Springfield Drive object to Mr Hurst's new outline application and have added their signatures to this letter.

As previously requested, I should be very grateful if you would advise me on the planning process from here onwards, and also provide a written response to the questions raised again in respect of this application.

Yours faithfully,

Frank Gilman

We support wholeheartedly all of the points raised in this letter of 6th July by Mr F. Gilman to SMDC Planning Department relating to Planning Application No. SMD-2015-0390. We feel that the proposed development is 'over development' of the plot of The Orchard, and will adversely change the nature of the neighbourhood. Further, we share the same concerns over the drainage connection, and use and capacity of the drains for the development; and also, the possibility of Springfield Drive being used as a cut through to the new development.

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Mr & Mrs G. N. Hyde
1, Springfield Drive

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Mr & Mrs O. Rivett
6, Springfield Drive

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Mr J. Wright & Mrs S. Loton
7, Springfield Drive

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Mr D. Williams
10, Springfield Drive

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Mr & Mrs K. Hill
11, Springfield Drive