

Mr Michael R Cozens  
The Spinney  
Cheddleton Heath Road  
Leek  
ST13 7DX  
24<sup>th</sup> September 2017

Staffordshire Moorlands District Council  
Planning Department  
Moorlands House  
Stockwell Street Leek  
ST13 6HQ

**Attention: Mr Mark Ollerenshaw**

Dear Sir,

**Ref: SMD/2017/0494**

**GORSEYDALE CHEDDLETON HEATH ROAD LEEK**

**PROPOSED DEVELOPMENT: OUTLINE PLANNING APPLICATION FOR THE ERECTION OF TWO DETACHED HOUSES.**

Being the occupant, since 1984, of the premises immediately adjacent to Gorseydale and the site of the proposed development, I write to you in connection with the above outline planning application and set out my grounds for strong objection to it.

### **Local Development Plan**

Whilst still under consultation and development, the draft local development plan and its predecessors appear to set out a clear hierarchy of development ambitions with a strong preference for development on nominated town centre sites followed by large and then smaller village sites. Other rural areas comprise the countryside and the green belt outside of the development and infill boundaries of these towns and villages including those small settlements and dispersed developments not identified in Policies SS5, SS6a and SS6b. My understanding is that such areas as these provide only for development that meets an essential local need, supports rural diversification and sustainability of rural areas or enhances the countryside. This proposed development offers no tangible argument that it will meet an identified local need that cannot be met within a settlement within the hierarchy or in a sustainable location close to an existing serviced settlement. Developments at St Edwards Park and Cheddleton Park Avenue would seemingly cater adequately for any residual need. SMDC itself, in its consultation on site options and development boundaries, concluded, "that Cheddleton has had more than its fair share of the housing quota". I would contend that this is also true of Cheddleton Heath.

## **Detrimental impact on residential amenities and Setting a Precedent**

Cheddleton Heath is a small rural settlement comprising a residential ribbon development laid out on both sides of the public highway for only part of its length before it changes to a single side of residential development faced on the opposite side of the highway by extensive open heath land. The existing settlement along the ribbon of development in which the existing property Gorseydale is located is characterised by properties close to the highway edges with large gardens and open 'Greenfield' land to the rear. Allowed development along this aspect of Cheddleton Heath has been sparse and where allowed has adhered to this judicious infill layout, thereby retaining the nature and character of the area. Contrary to the applicant's planning statement that the application site is located on the periphery of Cheddleton Heath it is in fact mid way along the length of the highway and development on land to its rear would significantly alter the appearance of the area. Allowing additions to the built environment in the intended location would create a second building line akin to a cul de sac and would be at risk of setting a precedent for a pattern of development and cumulative development that I do not believe is sustainable, desirable or acceptable and would have a major detrimental impact on residential amenities, contrary to Government guidance. This proposed development by reason of its position; size, depth, width, height and massing would have an unacceptably adverse impact on the amenities of properties immediately adjacent to the site and surrounding area by reason of overlooking, loss of privacy and a visually overbearing impact. This is not acceptable.

## **Highway implications**

This development, if approved, will potentially add up to six vehicles to the usage of what is a very narrow lane each gaining access to the highway through what appears to be an entrance shared with the occupants of Gorseydale who also have use of three vehicles. This entrance is located on the highway at a point where it is so narrow that two vehicles cannot pass. This additional traffic will further compromise safety on an already busy highway that is also regularly used by farm vehicles. It is highly improbable that occupants of these proposed properties would resort to other means of transport or walk to amenities, be they shops, schools, medical facilities or hospitality venues all of which are between 1 to 5 miles away at best. Use of cars will inevitably be the overwhelming choice.

## **Habitat and Trees**

Cheddleton Heath is acknowledged as an area of diverse habitat and its historically low development density has enabled a wide species diversity of plant, reptile, insect, bird and animal to remain protected. Reptile species and bats are known inhabitants. The loss of open land and potentially of several tree species risks loss or disruption of such wildlife inhabitants and, if this is the case, runs contrary to the aims of the local plan to protect or enhance the local environment including wildlife habitats and trees..

### **Loss of privacy and the impact of overlooking.**

The proposed development site is so located that the primary amenity area of our garden and patio area would be severely overlooked resulting in a serious invasion of our privacy. I contend that this would be in direct contravention of my rights under the Human Rights Act (Protocol 1, Article 1), particularly with regard to my right to quiet enjoyment of garden amenities. I further contend that the proposed development would have a dominating impact on us and our right to enjoyment of our property. Article 8 of the Human Rights Act states that a person has the substantive right to respect for their private and family life. This proposed development affords no respect for or consideration of those rights and I remind the Local Authority of their responsibilities under this legislation.

### **Land stability and the implications of this development**

Although the final location of the respective two properties is indicative, it is clear that substantial groundwork would be required to accommodate two properties on steeply sloping ground and that similar groundwork would be required to accommodate the access driveway. I raise concern over the impact such works would have on the stability of my own property and pumping services that are located on the boundary between the Spinney and Gorseysdale. Potential impacts on drainage are also a risk. The potential damage that heavy excavation equipment and the extent of the excavation potentially necessary also represents a risk to several mature trees on the boundary between the two properties.

### **In Conclusion**

I object in the strongest possible terms to this application and would also draw attention to the fact that a similar application was made some years ago by the previous occupant Mr Sweatmore. This application was refused on grounds similar to those articulated above. In the time available to me to respond to this matter I have not been able to locate the relevant papers which will certainly be on file in your planning archive.

I would welcome an opportunity to meet you on site to review my letter whilst at the application location and I and other residents will be happy to make themselves available at a time to suit.

Yours faithfully,

Michael R Cozens

This email is sent to Mr Mark Ollerenshaw to whom a copy has been mailed.  
Email also to Leek South councillors

