

Mr. A. Swithenbank
Development Control
Staffordshire Moorlands District Council
Stockwell Street Leek
Staffordshire
ST13 6HQ

14th July 2021

Dear Arne

PROPOSED ERECTION OF 3NO. DWELLINGHOUSES – LAND ADJ. TO SANDFIELDS, CELLARHEAD

On behalf of my clients Rudbrook Limited, I would be grateful if you would find enclosed a full planning application for the erection of 3no. dwellinghouses at the above site.

The application represents a resubmission following the recent refusal of application SMD/2021/0133 which had also proposed the erection of three dwellings, and which had been recommended for approval. The application was nevertheless refused by the Planning Applications Committee, contrary to Officer recommendation, for the following reasons:

- 1 *Owing to the crowded appearance and tightly spaced cramped layout the proposal amounts to over-development for this site and location contrary to Local Plan policies SS1, SS2, SS10, H1, DC1 and DC3 and contrary to the NPPF.*
- 2 *Giving the appearance of a min-estate and with a single roof ridge height of 8.6m across each of the three dwellings proposed the development presents an unduly high, uniformly and unrelentingly solid built frontage to the street scene out-of-keeping with the local area and surrounding properties and is therefore found contrary to Local Plan policies SS1, SS2, SS10, H1, DC1 and DC3 and contrary to the NPPF.*

This revised application has sought to constructively respond to the concerns raised by the Planning Applications Committee, and incorporates revisions to the siting of the dwellings, along with changes to the proposed house types in order to achieve a greater degree of variance and to reduce the dominance of the ridgelines that had so concerned the Planning Applications Committee. The dwellings continue to exhibit a number of design characteristics that accord with the objectives of the adopted Design Guide SPD, including the provision of dominant ridgelines, a high solid to void ratio, and window openings arranged in columns (amongst others). Each dwelling will be afforded

its own area of private amenity space to the rear, and the spacing achieved between the dwellings will be similar to that exhibited by the neighbouring properties to the east. The scale, massing, design and layout of this revised proposal is considered to be firmly in keeping with the character and appearance of the surrounding area and will accords with the objectives of policies SS1, SS10, H1, DC1 and DC3 of the Staffordshire Moorlands Local Plan.

The application site is located within the Green Belt wherein there is a presumption against the erection of new buildings. The National Planning Policy Framework nevertheless identifies a number of exceptions, which includes *“limited infilling in villages”*. The site benefits from an extant consent for the erection of two dwellings, which the members of the Planning Applications Committee concluded was limiting infilling in a village. Both the Planning Application Committee and officers likewise considered the most recent application on the site for three dwellings to also amount to limited infilling in the Green Belt. I see no reason why a similar conclusion should not be reached on this further revised scheme, which entails the same quantum of dwellings as that previous application.

In terms of policies relating to housing delivery, policy SS10 of the Local Plan seeks to avoid the erection of new dwellings within the rural areas unless it is in accordance with one of the permissible types of residential development listed policy H1. The submitted proposal does not fall into any of the categories of development permitted under policy H1, and therefore technically derives some conflict with the Development Plan. However, planning legislation dictates that planning applications should be determined in accordance with the Development Plan *unless material considerations indicate otherwise*. In this case there is an extant planning consent for the re-development of this site for residential purposes which represents a material consideration of significant weight in the context of this matter and serves to outweigh the conflict of this proposal with policy H1 of the Local Plan. No issues were raised in this regard in the determination of application SMD/2021/0133 so it would be unreasonable to seek to introduce such matters in the determination of this revised application.

The application proposes the same means of vehicular access to the site as that which was approved under the previous application (SMD/2019/0452) and which had been shown to provide adequate visibility in both directions on egress following the carrying out of a speed survey. It is noted that Members of the Planning Applications Committee expressed concerns about the acceptability of this means of access in determining application SMD/2021/0133 but did not proceed to refuse the application on highway safety grounds. The means of access is identical to the one previously approved on the site which was also found to be acceptable to the Local Highway Authority, and consequently there is no reasonable basis to refuse permission on highway safety grounds. To this end the proposal is in full accordance with policy T1 of the Local Plan.

Having regard to the considerations set out above I submit that there is a compelling case for planning permission to be granted for this revised proposal, but should you have any queries or concerns in respect of this matter then please do not hesitate to contact me.

Yours sincerely



Rob Duncan
Planning Consultant