

From: [Curley, Jane](#)
To: [Planning Comments \(SMDC\)](#)
Subject: FW: SMD/2021/0210 - Greywoods, Cheddleton Road, Birchall, Leek
Date: 09 August 2021 12:32:31
Attachments: [TPO SM.323 provisional Order.pdf](#)

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From: Steve Massey <Steve.Massey@highpeak.gov.uk>
Sent: 09 August 2021 12:02
To: Curley, Jane <jane.curley@staffsmoorlands.gov.uk>
Subject: SMD/2021/0210 - Greywoods, Cheddleton Road, Birchall, Leek

Jane

Summary: no objection subject to conditions; informative notes also requested.

This application for outline planning permission for a single detached dwelling within the present curtilage of Greywoods, together with new access to serve the retained existing dwelling, has evolved through several variations during its period of processing and assessment. Layout has now been deferred as a reserved matter for future approval and so the latest revised layout plan, Drg. No. RLM1003/4 Rev H, is for indicative purposes only – although approval of access details is also sought at this stage.

A previous application, seeking outline planning permission for two new dwellings, was refused partly on the grounds of a lack of information about existing trees and how they might be affected. Accordingly, a tree survey has been submitted in support of the current application.

A new TPO has been made to protect the most significant individual tree and groups of trees within the boundary – see TPO SM.323 attached. A few trees of lesser importance and/or poor quality/condition have not been included in the TPO – mainly along the rear half of the Birchall Lane boundary, around the existing garage, and close to the rear of the existing dwelling. The TPO reflects the significant contribution to both the character and amenity of the local area, and the character and setting of Greywoods itself, made by the included trees, and was initially considered at a time when approval of layout was also sought and the then-layout would have required removal of a group of mature Yews subsequently protected as G1 in the TPO. Whilst the latest layout has been amended and would now avoid these trees, this remains only indicative at this stage and in addition the property seems likely to change ownership imminently with a future prospect of being divided into two separate ownerships; therefore the TPO remains relevant.

The Rev H indicative layout would retain the existing vehicle access off Birchall Lane to form the access for the proposed new dwelling; this would clearly have no impact on important or protected trees. The existing garage would be demolished, and the position for the new dwelling is suggested to the rear of but set back from the existing dwelling, adjacent to the boundary with

Croxteth. The indicative new dwelling position would be well clear of the Root Protection Areas of all TPO so as to avoid any direct impact, and also at substantial distances from their crowns such that there would be no significant indirect effects such as excessive shading or overbearing. Whilst this layout remains indicative, it demonstrates that a new dwelling could be comfortably accommodated on the site without detrimental impact on or from proximity to important trees.

The proposed new vehicle access off Cheddleton Road, to serve the retained dwelling at Greywoods, together with turning provision within the site, would also not have any impact on protected trees.

There is an indication for a new detached garage, also to serve the existing dwelling, and as shown this would appear to require the removal of the western-most of a group of 5 Lime trees protected as G3 under the TPO. To some extent, this may have little substantive impact on the overall amenity value of the group, as these Limes have historically been pollarded (quite possibly repeatedly so over the years) and the group is and would still be seen end-on from public viewpoints at Cheddleton Road. However, this is a specific matter for future assessment and would no doubt bear further consideration in the context of impact on trees and also impact on the setting of the existing dwelling. For avoidance of doubt and notwithstanding any indication on the application plans, outline planning permission if granted would not authorise any removal of or other work to trees protected by TPO.

The indicative layout plan shows a proposal for a new hedge diving the new plot from the retained garden of the Greywoods, and this would replace an existing internal Laurel hedge slightly further to the east which would need to be removed in order to accommodate the proposed development. In addition, a small section of existing frontage hedge would need to be removed to accommodate the new access off Cheddleton Road, and one or two non-protected trees are also shown to be removed. Landscaping would be a reserved matter, but a subsequent landscaping scheme would need to be fully detailed/specified, and should seek to demonstrate appropriate compensation which also achieves a net gain in biodiversity proportionate to the size and scale of development.

In conclusion, I have no objection in principle to this outline application with access details, but would request that the following condition be imposed in the event that planning permission is granted:

1. The first action on commencement of development, prior to any further action (including any demolition, site clearance, site stripping, site establishment or formation/improvement of temporary/permanent access) shall be the erection of temporary tree protection barriers and advisory notices for the protection of the existing trees to be retained, in accordance with guidance in British Standard 5837:2012 *Trees in Relation to Design, Demolition and Construction – Recommendations*, and these shall be retained in position for the duration of the period that development takes place, unless otherwise agreed by the LPA. Within the fenced areas there shall be no excavation, changes in ground levels, installation of underground services, provision of hard surfacing, passage of vehicles, storage of materials, equipment or site huts, tipping of chemicals, waste or cement, or lighting of fires unless otherwise agreed by the LPA.
2. No trees, shrubs or hedgerows shall be removed other than those whose

removal is directly required to accommodate the development, as hereby approved in detail or as subsequently approved in detail under a related reserved matters application, unless otherwise approved by the LPA. There shall be no removal of any trees, shrubs or hedgerows during the bird nesting season (March to August inclusive), unless otherwise agreed by the LPA and in this case only following careful inspection by a competent person immediately prior to removal in order to establish that such trees, shrubs or hedgerow are not in active use by nesting birds.

In addition, the following informative notes are also requested:

1. Notwithstanding any indication on the indicative layout plan submitted with the application hereby approved, including in relation to a proposed new garage to serve the existing dwelling, this outline planning permission does not authorise any removal of or other work to trees protected by Tree Preservation Order, and specific consent following separate application to the local planning authority under the terms of Tree Preservation Order would be required to carry out any such work other than where specified as exempt under the Town and Country Planning (Tree Preservation) (England) Regulations 2012.
2. Landscaping is a reserved matter, and the applicant is advised that any subsequent reserved matters application seeking approval of landscaping will be expected to make provision for sufficient and suitable new planting to compensate for loss of any trees, shrubs and hedges which would be removed to accommodate the approved development, and demonstrate a net gain in biodiversity proportionate to the size and scale of development. Such provision should be fully specified in terms of location, species, numbers/densities and planting sizes of all new trees, shrubs and hedges etc in a detailed and fully comprehensive planting scheme to be submitted with a subsequent reserved matters application for approval of landscaping.

Steve Massey

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