Rob Duncan
Planning
Consultancy

PLANNING STATEMENT

LAND AT BRYN HELYG
LEEK

FEBRUARY 2023

Site Address:
Land at Bryn Helyg, Kiln Lane, Leek, Staffordshire, ST13 8LJ

Applicant:
Mr. L. Stonier

Proposal:
Erection of detached dwelling

Planning Statement:
Date Issued: 14th February 2023
Job Reference: RDP/2023/008

Report Prepared By:
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1 Introduction

1.1 Rob Duncan Planning Consultancy Ltd. has been instructed by Mr. Lyndon Stonier to submit a full planning application for the erection of a detached, two-storey dwelling on land at Bryn Helyg, Kiln Lane, Leek.

1.2 The application represents a resubmission following the refusal of planning permission for the erection of a detached dwelling on land to the west of the application site (LPA Reference: SMD/2020/0597). That application was refused on the grounds of harm to the character and appearance of the surrounding area and landscape and was also dismissed at appeal.

1.3 This revised application incorporates significant revisions to the siting and design of the dwelling, such that it will occupy a much less visually conspicuous position compared to the proposal that was dismissed at appeal. The proposed dwelling is to be located to the east of the existing agricultural building and be served via the existing access track off Kiln Lane.

1.4 The proposed dwelling will have a gross internal floor area of 249 square metres and stand to a ridge height of 8.4 metres. Its accommodation will comprise of a living room, dining room, kitchen, utility, hallway and cloakroom at ground floor with stairs leading up to four bedrooms (two ensuite) and a family bathroom at first floor. The dwelling is to be constructed from red / orange facing brickwork with a Staffordshire Blue tiled roof.

1.5 The application also proposes the change of use of the existing portal framed agricultural building to ancillary residential use (domestic storage etc), which was not found to be contentious in the determination of the previous application and appeal. No external changes are proposed to this building.

2 Site & Surroundings

2.1 The application site is located within the defined settlement boundary of Leek and constitutes a parcel of pastoral land located approximately 35 metres south of the appellants existing property Bryn Helyg and its attached neighbour Rookery Nook.

2.2 Vehicular access to the site is provided via an existing track which serves a portal framed agricultural building on the site that was approved under application SMD/2016/0300, and which is proposed to conversion to ancillary residential use as part of this application. That building is located to the west of the proposed dwelling.

2.3 Further pastoral land extends to the north, west and south of that agricultural building, with the landscape beyond sloping steeply down towards the former Leek to Rudyard railway line which now comprises a public footpath. A row of semi-mature trees / hedgerows encloses the western boundary of that field.

2.4 To the east of the site lies no.46 Kiln Lane, whilst to the southeast lies Nab Hill House. Oakwood Cottage is located to the south further down the hillside. The site is not located within a Conservation Area, nor are there any nearby Heritage Assets within the surrounding locality.

3 Planning Policy

3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application. The Development Plan for this area comprises the Staffordshire Moorlands Local Plan 2020 of which the following policies are of relevance to the determination of the application:

3.2 Policy SS1 of the Local Plan relates to 'Development Principles' and states that the Council will expect the development and use of land to contribute positively to the social, economic and environmental improvement of the Staffordshire Moorlands in terms of delivering (amongst others):

- a mix of types and tenures of quality, affordable homes, to meet the needs and aspirations of the existing and future communities;

- easy access to jobs, shops and transport services by all sections of the community;

- a healthy, safe, attractive, active, well-designed and well-maintained environment;

- development which maintains the locally distinctive character of the Staffordshire Moorlands, its individual towns and villages and their settings;

3.3 Policy SS2 of the Local Plan relates to the 'Settlement Hierarchy' and confirms that the towns of Leek, Biddulph and Cheadle are the largest settlements in the District and accommodate half of the District's population and the majority of its services and facilities. The spatial strategy seeks to focus future growth in these settlements and to strengthen their role as service centres. These settlements will be defined by a Development Boundary.

3.4 Policy SS3 of the Local Plan relates to 'Future Provision and Distribution of Development' and states that provision will be made for at least 6080 additional dwellings (net of demolitions) to be completed in Staffordshire Moorlands during the period 2014 to 2033 - an annual average of 320 homes per year. Sufficient deliverable land will be identified to provide at least 5 years of development at all times. It goes on to state that development will be located in accordance with the Spatial Strategy and will be distributed between the towns and rural area, with 30% of the total housing requirement (1824 dwellings) to be accommodated within Leek. In identifying land for new development or in considering planning applications, development shall also be compatible with the settlement hierarchy in terms of the development approaches set out in the Area Strategies.

3.5 Policy SS5 of the Local Plan relates to the 'Leek Area Strategy' and states that the Council and its partners will seek to consolidate the role of Leek as the principal service centre and a market town and support its regeneration. This will be achieved through a number of actions, including (amongst others):

- Increasing the range of available and affordable house types, including for first time buyers and older people.

- Allocating a range of suitable, deliverable housing sites sufficient to meet the requirements of the area.

- Supporting the development of new housing on sustainable sites within the Development Boundary.

- Conserving and enhancing buildings, sites and areas of heritage and cultural importance, including heritage assets, complemented by new distinctive, sensitively designed, high quality, sustainable buildings.

3.6 Policy H1 of the Local Plan relates to 'New Housing Development' and states that all development will be assessed according to the extent to which it provides for high quality, sustainable housing and to which it meets identified housing needs, having regard to the location of the development, the characteristics of the site and the economics of provision. All housing development should be at the most appropriate density compatible with the site and its location, and with the character of the surrounding area. Higher densities will generally be appropriate in locations which are more accessible by public transport and which have good access to services. All new dwellings should aim to provide flexible accommodation which is capable of future adaptation by seeking to achieve adequate internal space for the intended number of occupants in accordance with the Nationally Described Space standard and delivered to meet accessibility standards set out in the Optional Requirement M4(2) of Part M of the Building Regulations. This will be determined on a site-by-site basis subject to considerations such as viability and design. All new dwellings must be of sufficient size to provide satisfactory levels of amenity for future occupiers of the dwellings whilst respecting the privacy and amenity of occupiers of existing dwellings. Within the development boundaries of the towns and larger villages, residential development and development on unidentified (windfall) sites will be permitted, subject to compliance with the Spatial Strategy and wider Local Plan policies. In all cases the development will not lead to a prominent

intrusion into the countryside or have a significant adverse impact on the character and appearance of the countryside

3.7 Policy DC1 of the Local Plan relates to 'Design Considerations' and states that all development shall be well designed and reinforce local distinctiveness by positively contributing to and complementing the special character and heritage of the area in line with the Council's Design Guide SPD. In particular, new development should (amongst other requirements):

- be of a high quality and add value to the local area, incorporating creativity, detailing and materials appropriate to the character of the area;

- be designed to respect the site and its surroundings and promote a positive sense of place and identity through its scale, height, density, layout, siting, landscaping, character and appearance;

- protect the amenity of the area, including creation of healthy active environments and residential amenity, in terms of satisfactory daylight, visual impact, sunlight, outlook, privacy, soft landscaping as well as noise, odour and light pollution;

- provide for safe and satisfactory access and make a contribution to meeting the parking requirement arising from necessary car use;

- new developments to be well integrated for car, pedestrian and cycle use as well as other sustainable transport links;

3.8 Policy DC3 of the Local Plan relates to 'Landscape and Settlement Setting' and states that the Council will protect and, where possible, enhance local landscape and the setting of settlements in the Staffordshire Moorlands by:

1. Resisting development which would lead to prominent intrusion into the countryside or have a significant adverse impact on the character or the setting of a settlement or important views into and out of the settlement as identified in the Landscape and Settlement Character evidence;

2. Supporting development which respects and enhances local landscape character and which reinforces and enhances the setting of the settlement as identified in the Landscape and Settlement Character evidence;

3. Supporting developments which conserve or enhance the biodiversity qualities of any natural or man-made features within the landscape, such as trees, woodlands, hedgerows, walls, watercourses or ponds;

4. Supporting opportunities to positively manage the landscape and use sustainable building techniques and materials which are sympathetic to the landscape;

5. Ensuring that development does not adversely affect the wider setting of the Peak District National Park.

3.9 Policy T1 of the Local Plan relates to 'Development and Sustainable Transport' and state that the Council will promote and support development which reduces reliance on the private car for travel journeys, reduces the need to travel generally and accommodates residual development traffic in line with the Integrated Transport Strategy. This will be achieved by:

1. Ensuring that all new development is located where the highway network can satisfactorily accommodate traffic generated by the development or can be improved as part of the development.

2. Ensuring that major development is located in areas that are accessible by sustainable travel modes or can be made accessible as part of the proposal

3. Considering appropriate parking provision on a case by case basis with recourse to the parking guidance set out in Appendix 2.

4. Where appropriate all new development shall facilitate walking and cycling within neighbourhoods and town centres, and link with or extend identified walking or cycling routes. In addition applicants should also consider how their schemes can enhance the existing path network in line with the Staffordshire County Council Rights of Way Improvement Plan and also give consideration to the protection of non-definitive public footpath routes in addition to definitive routes.

4 Other Material Considerations

National Planning Policy Framework

4.1 The National Planning Policy Framework (NPPF) seeks to secure the delivery of sustainable development and sets out guidance, *inter-alia*, in respect of significantly boosting the supply of housing nationally, securing high quality design and ensuring highway safety. The content of the NPPF has been taken into consideration in the preparation of the application.

SMDC Design Guide SPD

4.2 This document sets out guidance aimed at securing the delivery of high quality design within the District. The content of this document has been taken into consideration in the preparation of the application.

SCC Planning for Landscape Change SPG

4.3 This document appraises the character of the landscape within the wider Staffordshire Area, breaking it down into defined character areas. The application site is located within the Dissected Sandstone Uplands Landscape Character Type. The content of the SPG has been taken into consideration in the preparation of the application.

Appeal Decision 3269459 – Bryn Helyg, Kiln Lane, Leek

4.4 The above appeal related to the proposed erection of a detached dwelling on land approximately 32 metres to the northwest of the application site, on the opposite side of the existing agricultural building (LPA Reference: SMD/2020/0597). The conclusions of the Planning Inspector in the determination of that appeal have been taken into consideration in the formulation of this revised application.

5 Statement of Case

Principle of Development

5.1 The application site lies within the defined settlement boundary for Leek as defined by the adopted Local Plan. Policies SS3, SS5 and H1 of the Local Plan provide clear support for the erection of new residential dwellings within the defined settlement boundaries of the larger towns, with Leek being identified as a target for 30% of the total housing growth of the District over the plan period to 2033. The proposed development accords with those policy objectives and consequently is acceptable in principle.

Landscape Impact

5.2 There have been three previous applications submitted for residential development in the general vicinity of the application site, the most recent relating to a parcel of land to the northwest of the existing agricultural building on the site (SMD/2020/0597). The principal issue raised in all three applications was that the proposed development would lead to a prominent intrusion into the countryside with a significant adverse impact on the character and appearance of the countryside, the landscape, settlement setting and public amenity.

5.3 An appeal was lodged against the refusal of application SMD/2020/0597, which was dismissed. In doing so the Planning Inspector concluded that:

> *"The site is surrounded by open fields which stretch down the hillside away from Kiln Lane to open countryside. The wider area loosely north-west of Kiln Lane is characterised by predominantly undeveloped hills and valleys with sporadic development associated with agriculture. Conversely, along Kiln Lane and within Leek, development is common up and around the hills, and*

> *I note that an Inspector on a nearby appeal found similarly. The appeal site whilst within the development boundary is clearly visually read within the open countryside that is considered to be an important landscape setting to Leek".*

5.4 The Planning Inspector then went on to conclude that:

> *"The proposed dwelling, by way of its position* ***near the brow of the hill and visible from a number of public vantage points including highways and public footpaths would be a prominent feature****. In these views the proposal would be read as a single dwelling detached from Leek, which has a strong visual boundary formed by Kiln Lane, and would therefore be an incongruous feature within an otherwise open landscape". (our emphasis)*

5.5 This revised application is substantially different to the one considered by the Planning Inspector in the previous appeal. The proposed dwelling occupies a much less visually conspicuous location that lies circa 35 metres to the east of previous appeal site, and on the eastern side of the agricultural building, away from the brow of the hill. By resultant effect the dwelling has a much closer physical association with surrounding residential development, in particular Bryn Helyg and Rookery Nook to the immediate north which lie only 35 metres distant.

5.6 Re-siting the dwelling into this less conspicuous location serves to dramatically reduce its visual impact. The previously dismissed scheme was noted to lie at the brow of the hill and be visible from a number of public vantage points. The revised proposal moves the building well away from the brow of the hill such that it will not appear prominent or dominant in views from the public footpath to the west of the site. The presence of the existing agricultural

building will also serve to further mitigate and reduce the impact of the development.

5.7 By re-siting the dwelling to this revised location there are also ample opportunities to undertake further landscaping and planting to further soften the impact of the development and anchor the building into the landscape. The Planning Inspector expressed concerns about the feasibility of such landscaping providing effective screening of the dwelling, given its proximity to the brow of the hill.

5.8 The revised location offers ample scope to provide considerable landscaping to the south / southwest of the building to ensure the dwelling does not appear prominent in views from the surrounding area or from Kiln Lane. Such planting is shown on the submitted layout plan and will serve to infill the existing gaps in planting along the far southwestern boundary of the field. Further planting is also proposed in the form of an indigenous hedgerow which will enclose the domestic curtilage of the property. The proposed muted palette of materials will also assist in reducing the visual impact of the development.

5.9 Attention is drawn in this regard to the photomontages enclosed as Appendix A, which have assessed the visual impact of the proposal from various public viewpoints in and around the site. These are assessed in turn below:

- **Viewpoint A** is located to the south of the site and taken from Kiln Lane on approach northwards towards Oakwood Cottage whose detached double garage can be seen in the foreground. Owing to the presence of existing boundary vegetation, the proposed dwelling will not impact on this existing viewpoint at all, and consequently will not appear prominent or harmful within its surroundings.

- **Viewpoint B** is located to the southwest of the site and taken from the existing public footpath than runs along the former Leek to Rudyard Railway. Owing to the re-siting of the dwelling away from the brow of the hill, only the upper portion of the gable end of the building will be visible in such views and will not appear prominent or incongruous. The provision of supplementary planting along the brow of the hill, as shown on the submitted layout plan, will serve to soften and screen such views of the building.

- **Viewpoint C** is located to the west of the site and is also taken from the existing public footpath that runs along the former Leek to Rudyard railway line. Similar to viewpoint B, the siting of the dwelling away from the brow of the hill means only part of the gable end of the building would be visible in such views, seen alongside the existing agricultural building. The provision of supplementary landscaping at the brow of the hill will serve to soften and screen much, if not all, views of the building from this public vantage point.

- **Viewpoint D** is located to the northwest of the site and also taken from the former Leek to Rudyard railway line. Considerable landscaping / planting already exists in the foreground of the dwelling such that the dwelling will be screened from view, and consequently not appear dominant or harmful within its surroundings.

5.10 Having regard to the considerations set out above it is concluded that the revised siting of the dwelling will not result in a prominent, incongruous or harmful form of development, and as a consequence has served to address the concerns raised by the Planning Inspector in the determination of the previous appeal. The proposed development is consequently held to meet the requirements of policies SS1, DC1 and DC3 of the Local Plan in this regard.

Design

5.11 The proposed dwelling encompasses a high-quality design that takes its design cues from surrounding built development and guidance set out within the adopted Design Guide SPD. The dwelling exhibits the following:

- A horizontally proportioned, ground hugging form that incorporates strongly defined eaves and ridge lines.

- A scale of development which is in keeping with the scale of nearby properties which are typically two storeys in nature.

- A balance of proportions between the overall shape of the walls and the openings contained therein.

- The use of a similar size and proportion of opening throughout.

- The achievement of a high solid to void ratio.

- A harmonious arrangement of openings, with windows and doors aligned in columns and storeys rather than randomly placed, and with a vertical emphasis.

- A dominant roof line emphasised by gables.

- A roof that spans the shorter side of the dwelling.

- A steep pitched roof to reflect traditional Moorlands vernacular.

- Window frames to be recessed by 50mm to avoid a flat appearance to the elevation and to emphasise the solidity of the walls.

- Provision of traditional headers and cills to the windows and doors.

5.12 For these reasons the design of the proposed dwelling is considered to be in keeping with Moorlands vernacular as defined by the Design Guide SPD and will secure the delivery of high-quality design on the site.

5.13 The existing agricultural building is to remain unaltered from its current appearance and will be utilised to provide ancillary residential accommodation in the form of parking, storage etc. By resultant effect the change of use of that building will not have any material impact on the character and appearance of the surrounding area.

5.14 The proposed design of the development is therefore held to meet the requirements of policies SS1, H1 and DC1 of the Local Plan and guidance set out within the Design Guide SPD.

Residential Amenity

5.15 The nearest neighbouring properties to the proposed dwelling are Rookery Nook to the north, no.46 Kiln Lane to the east and Oakwood Cottage to the south. All of those neighbouring properties lie in excess of the 22 metre interface distance required by the Local Authority's Space about Dwellings standards, and consequently no adverse impact to neighbouring residential amenity will ensue.

5.16 The proposed dwelling will be provided with an area of private amenity space to its rear that is free from overlooking and which exceeds the minimum required size as set out in the Space About Dwellings standards. The gross internal floor area of the dwelling also exceeds the requirements set out in the DCLG Technical Housing Standards. Consequently, future occupiers of the

dwelling will benefit from an acceptable level of residential amenity and meets the requirements of policies H1 and DC1 of the Local Plan.

Sustainability

5.17 The previous application on the site (SMD/2020/0597) was refused by the Local Authority in part because of the perceived unsustainable access arrangements to the site. The Planning Inspector disagreed, concluding that:

> *"The council have objected to the level of accessibility within the site given the steepness of the existing track and its surfacing material.* ***This is not a main issue on which the appeal turns and, I find that the gradient of the slope and its surfacing materials are not unlike many properties, especially those in hillier locations.*** *Therefore, while I find accessibility within the site may be made more difficult by the topography, I do not find it would be to such an extent as to be unacceptable. (our emphasis)*

5.18 This revised application sees the dwelling located on a part of the site that does not require a level of excavation like the previous proposal, and which is located much closer to the existing access off Kiln Lane. Having regard to the Planning Inspector's conclusions it can be held that the site constitutes a sustainable location for new housing, in accordance with the requirements of policies SS1, SS5, T1 and H1 of the Local Plan, and guidance contained within the National Planning Policy Framework.

Highway Safety

5.19 The application site benefits from an existing vehicular access which connects the site with Kiln Lane to the east/northeast. This access is appropriate for the nature of the proposed development and will be shared with the adjacent agricultural building which is to be converted for ancillary residential purposes.

Space is to be provided within the site for the parking of at least three vehicles, along with associated manoeuvring space so that vehicles may exit the site in a forward gear.

5.20 The proposed means of access – shared with the existing building – is the same as that which was considered under the previous application, and which was found to be acceptable to the Local Highway Authority. Consequently, it can be held that the proposed means of access will not give rise to any adverse harm to highway safety in the locality and accords with the provisions of policy T1 of the Local Plan.

6 Conclusion

6.1 The submitted proposal constitutes a sustainable form of development having regard to the following conclusions:

- The application site lies within the settlement boundary of Leek.
- Leek is a target for significant housing growth up to 2033.
- The proposed development will not give rise to significant adverse harm to the character of the landscape and has served to address the concerns raised by the Planning Inspector in the previous appeal.
- The proposed development is of a scale, massing and design which is in keeping with the character of the area.
- The proposed development will not derive any material adverse impact to the amenity of neighbouring residential properties and will provide an appropriate level of amenity for future occupiers of the dwelling.
- The site occupies a sustainable location.
- The proposed development will not give rise to harm to highway safety within the locality.

6.2 The proposed development is therefore in accordance with policies SS1, SS3, SS5, H1, DC1, DC3 and T1 of the Staffordshire Moorlands Local Plan (2020) and guidance contained within the National Planning Policy Framework, Design Guide SPG and Planning for Landscape Change SPG.