

SMDC
Moorlands House
Stockwell Street
Leek
Staffordshire Moorlands
ST13 6HQ

Westerdale
Birchall Lane
Leek
Staffordshire
ST13 5RA

Dear Sirs

8th March 2023

**Planning Application Reference: [SMD/2023/0085](#)
Detached Bungalow- Land on NE Side of Rivendell Lane**

We would like to strongly raise our points of objection for your consideration and also bringing to your attention various misrepresentations, oversights, omissions and errors.

The Planning Application Statement does not accurately reflect the content of the plans and site itself.

The proposed Planning Application location of the dwelling and its services on the site does not consider the existing Planning Permission Conditions [SMD/2018/0321](#)

The historic planning records show the site of SMD/2018/0321 as only ever being intended to accommodate one house and garden. The house Haven View is now built and this proposed Planning Application is within the garden area of the approved existing planning permission.

SMDC have been consistent in their Refusals of allowing a dwelling on this garden area site and The Planning Inspectorate has supported these decisions and Dismissed Appeals.

The proposed dwelling sits high on rising ground. No other properties have the same elevated prominent location at the junction of Rivendell and Birchall Lanes.

On approaching up Birchall Lane the proposed dwelling would stand proud on the landscape as an imposing dominant gabled roof mass of large thick edge concrete tiles. The height of the current security fencing and the laurel hedge would have a very limited effect on softening the impact.

The South West elevation is misrepresented at this boundary point on the drawings showing the pavement rising when actually it continues to fall towards the junction of Birchall Lane.

This gives a false impression that the proposed dwelling ridge height sits at a lower level when viewed from the roadway.

Despite changing the shape and the positioning of the dwelling from previous attempts with a minimal difference in the overall ridge height this is an overbearing development on the corner of two Lanes in a green landscape.

The proposed frontage onto Rivendell Lane is wider and more imposing than previous proposals with a steep slope in front of the dwelling down to the security fencing and laurel hedge.

The full height windows on this road facing elevation would affect the privacy to Links View and any occupants. Light pollution must also be considered in this unlit area. These points only further emphasize the overly dominant appearance of the proposed dwelling to properties on the opposite side of the lane which are mainly sat discreetly behind their boundaries of mature hedging and planting.

The proposed distance from Haven Views full height windows is much closer than previous proposals and due to the sloping nature of this exposed site would overlook the proposed dwellings windows and the garden area.

Any boundary planting and screening to protect the privacy of Haven View, Links View and the proposed dwelling would be limited.

Birchendell and Westerdale also have elevated open views of this site.

The proposed Planning Application has not taken into consideration the sloping levels of the Lanes down to the junction and its prominent position.

Or the overdeveloping of the site or of maintaining the precedent set in the area of houses set back behind large mature hedging and trees.

Any dwelling on this corner site would appear imposing and overbearing and fail to enhance the visual amenity or the character of the neighbourhood.

A proposed dwelling on this garden site to Haven View would only compound the detrimental and long lasting irreversible harm and impact on this area as previously stated in the Dismissed Appeal Decision.

Ecology and Biodiversity and an Arboriculture assessment planting and screening scheme have not been considered and provided with the application.

The approved planting scheme for this garden site to Haven View was not undertaken by the applicant prior to the proposed Planning Application being submitted.

The applicant has chosen to be Non-compliant over two recommended planting scheme seasons but have installed foul drainage and services within the garden site close to the boundary security fencing/hedge on Rivendell Lane [1448-34 RevE](#)

The Applicants drawings [1797-03](#) and [1797-02](#) do not show the trees present or identify the Tree Root Protection Areas in accordance with the existing Planning Permission Conditions.

The Applicants drawing [1148-31](#) however does show the trees present.

This lack of clarity fails to show the Tree Root Protection Areas lie directly under the proposed dwelling.

The proposed Planning Application does not consider the existing baseline requirements of [1448-34 RevE](#) the removal of the gate onto Birchall Lane, the reinstatement of the verge, the wildflower planting, the boundary and internal hedging or the compensation measures for the removal of a Young Oak T01 (changed from T09) and the felling of the Mature Cherry (was T08).

You will be aware of the confusing tree identifications since the [SMD/2018/0321](#) approval and the discharge of Condition [DOC/2019/0032](#) and also at the non-material amendment [NMA2020/0022](#) stages.

These have been changed or erased at each drawing revision making it difficult to understand and fogging the clarity.

The four tree identifications T04/5/6/7/8 in the East bordering hedge line of the first approved drawing have progressively been changed and now removed from the drawings of this proposed Planning Application.

The Planning Enforcement Department are aware of all related non-compliances and breaches of Conditions on the existing approved planning permission for one house Haven View and its garden on this site

The proposed Planning Application fails to demonstrate that any changes or losses have been compensated for to provide a net gain in biodiversity in accordance with the NE1 and NE2 of the SMDC Local Plan and its Tree Strategy and the terms of the NPPF.

Roadway & Parking

The site plan [1797-02](#) fails to show the narrowness of Birchall Lane and the visibility splays from the proposed driveway and its closeness to the junction of Rivendell Lane and the driveway of Birchendell directly opposite.

The crossing over of the driveway to The Moorings has not been addressed by the applicant.

The parking area is shown on a gradient with crossfall. A level area would be required for safe disabled access or egress.

Insufficient space has been allowed for disabled passing access when the two allocated vehicle spaces are in use. Part M4(2).

There is no suitable vehicle turning area within the boundary. Safety is of concern of vehicles reversing down a sloping drive and gateway onto the narrowness of Birchall Lane, the closeness to the junction of Rivendell Lane and the entrances to two properties.

There is no provision for a garage for cars, the storage of cycles, garden equipment or waste and recycling bins.

Innisfree, Birchendell, Links View and Westerdale all have garages with off-road parking and turning for several cars and discreet storage space for waste and recycling bins hidden from the roadway

We ask you to consider not only the current objections but all the previous Refused Applications and Dismissed Appeal decisions when looking at the current proposed Planning Application.

Little if anything of any significance has changed and any dwelling on this green/garden site would only compound the detrimental and long lasting irreversible harm and impact on the neighbourhood.

Yours Faithfully

G.P.Varley & S.E.Varley