

From: planningcomments@staffs Moorlands.gov.uk
To: [Planning Comments \(SMDC\)](#)
Subject: Comment Received from Public Access
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Application Reference No. : SMD/2023/0132

Site Address: The Orchard Springfield Drive Leek Staffordshire ST13 6ET Leek

Comments by: Jane Daly

From:

Dunvegan
Birchall Lane
Leek
Leek

Phone:

Email:

Submission: Objection

Comments: FAO Chris Johnston, Case Planning Officer

I object to this proposal. My mother is 84 and lives at 11 Springfield Drive, and my son is 24 and is beginning his journey to supported independent living at 12 Springfield Drive.

I share the sentiments of the many residents of the 5 adjoining neighbourhoods who too object to this proposal, and I see the main issues as follows:

1. Overdevelopment of garden land (which includes several protected trees).
2. Overbearing and dominating development causing significant harm particularly to the adjoining 12 Springfield Drive.
3. Changing the nature of adjoining neighbourhoods.
4. Loss of amenity.
5. Highway safety and security.
6. Overwhelmingly unneighbourly.

The proposed size and siting of the 2 dwellings at The Orchard would arguably cause the most significant detrimental harm to numbers 11 and 12 Springfield Drive, both attached single storey bungalows. Number 12 especially, would be overwhelmingly dominated by the proposed height of the 2 dwellings running close to the full length of the boundary between number 12 and The Orchard. The proposed substantial 3 storey extended dwelling and the new 2 storey dwelling in their elevated position, would be seen from Springfield Drive overbearing on number 12. Bedroom windows and bathroom windows from the new dwelling and the extended existing dwelling would overlook number 12 and the top end of Springfield Drive. At night time and from late afternoon in the winter, lights in the 2 large dwellings would make the buildings shine like a beacon at the top of Springfield Drive. The big skies and treescape would be replaced with a wall of buildings, windows, and roofs covered in solar panels and windows. The loss of privacy, loss of light, and dramatic increase in noise and activity levels alongside the boundary of number 12 would be beyond significant. Residential amenity in Springfield Drive would be lost.

Paragraph 3.2.4 of the latest PDAS, claims:

¿The proposed new dwelling and refurbishment to The Orchard will develop this site in a way that complements the Deebank Heights development currently underway¿

In saying this, the agents seem to have forgotten to consider the new rear aspect in their design plan; it is not a good design from the view point of Springfield Drive. In my view, the harm to 12 Springfield Drive alone is significant enough to justify refusal of the application. Having read the objections and spoken to other residents in Springfield Drive, Deebank Avenue, Woodfield Court, Mountside Gardens, and Deebank Heights, I have become aware of how far reaching the detrimental impact is for all 5 adjoining neighbourhoods.

The planning history for the site is long and complicated. The online planning history spans 20 years and shows that John has made numerous planning applications over the years relating to schemes for 9 houses, then 8, and in 2016, under delegated powers, you approved the 7 dwellings that now forms the ongoing Deebank Heights development.

In 2015, John applied for outline planning permission for a 4- bedroom 2- storey dormer dwelling south of the existing house and close to the boundary with 12 Springfield Drive. This application was refused by planning officer Lisa Jackson, on the grounds that it would be overbearing and would cause significant harm to 12 Springfield Drive and the existing family house at The Orchard. In an email from Steve Massey, tree officer, to John dated 15th February 2015, Steve Massey warns

¿the relationship of Plot 9 with the existing dwelling at The Orchard and with the existing dwelling at 12 Springfield Drive would need looking at closely but this is beyond my remit and a matter for your agent/our planners¿.

Within 2 weeks of the refusal, John resubmitted a similar application which you approved saying it did not cause significant harm to 12 Springfield Drive. The Council at that time was under significant pressure to increase its housing supply and this was a key point in the PDAS which accompanied the second application. Interestingly, the agents continue to maintain in their PDAS for this latest application, that it should be approved because of the shortage of housing in the area. This claim no longer carries the same weight today given the recent announcement by Michael Gove, housing secretary, that the Government would no longer be pursuing the mandatory target of 300,000 new homes each year.

To me, the provision of one extra dwelling that causes significant harm to 12 Springfield Drive and detriment to 5 adjoining neighbourhoods, is not a good development for Leek. We need to protect our neighbourhoods, not downgrade them in this way. This proposal would make these neighbourhoods worse places to live rather than better. The total harm caused would be huge.

It becomes very apparent from the planning history that neighbours have been troubled for years and years by John and his agents¿ persistent approach of seeking out schemes for maximum density and their intent on trying to get a plot 9. Again, in paragraph 3.2.4 of the latest PDAS, the agents continue to claim that the proposal:

¿makes best available use of the total space available.¿

In my opinion, the proposed new dwelling is overdevelopment. There isn¿t enough space for a new dwelling of this size without it being cramped close to the boundaries with number 12 and the existing dwelling, and with that comes significant harm. The decision notice for SMD/2015/0208 states:

¿Furthermore, the site constraints including the presence of the protected trees and close proximity of neighbouring dwellings would result in an inappropriate and cramped form of development within the plot at odds with the spacious character of The Orchard and southern facing ribbon of residential development along Springfield Drive.¿

There are several protected trees in the garden of The Orchard:

¿ The proposed new house is to be built as close as is physically possible to a protected group of 1 Ash tree and 2 Lime trees located at the entrance to The Orchard from Springfield Drive. These trees are identified in the

Tree Survey attached to the application as T3, T4, and T5.

¿ The new access to the new dwelling and the new garage for the dwelling, are proposed to be located very close to several mature trees, only one of which is now protected, T10, a Lime tree. From the online planning history documentation, it appears that T9 and T11 Lime trees were previously part of a Group TPO with T10. It seems that T10 is a singularly protected tree after a downgrading of the two trees T9 and T11 around 2013 when reserved matters approval was granted for a development scheme for 8/ 9(?) dwellings which combined garden land with the paddock at The Orchard. I have already raised this with you and asked for an explanation. I have also raised with you one of many significant changes between a new "List of Trees for Retention or Removal FAO Chris Johnston and Steve Massey" sent by Megan Askham from the agents, and the Tree Survey recommendations that have been posted online for public consultation. I can see that, according to the agent, the two Lime trees T9 and T11 at the proposed new access are to be removed. However, in the Tree Survey, T11 is listed with T10 as having an estimated remaining contribution of 20+ years and recommends only removal of major deadwood for both of these trees. So, it seems 2 previously protected Lime trees are to be removed to allow for the proposed new access and garage.

¿ There are, of course, protections for tree root systems; special building techniques (including hand dig) and specialist materials will have to be used to ensure no damage would be suffered by the trees at the current entrance from Springfield Drive and the proposed new access from Deebank Heights. But curiously, the PDAS statement for these areas of garden are described as ¿derelict land¿ and ¿under utilised land¿. Probably that is because they have been used as a building site for the Deebank Heights development for so long with the storage of building materials and equipment, a matter I have also advised you of in previous correspondence.

In addition to the protected trees, there are many other trees in the garden of The Orchard that form the treescape for the adjoining neighbourhoods. In the new "List of Trees for Retention or Removal FAO Chris Johnston and Steve Massey" sent by Megan Askham from the agents referred to above, five individual trees (T6, T7, T8, T9 and T11) and a group of 10 trees (G1) are identified as all to be removed. Only two of these 15 trees are categorised in the Tree survey as Poor/Trees for removal; two trees and the group of 10 trees are stated to have 10+ years estimated remaining contribution; and one tree is categorised as B1 having 20+ years contribution. So, all these trees are to be removed as well as T9 and T11, in order to allow space for the new dwelling.

Furthermore, there is yet another apparent difference in approaches to retention and removal of trees between the agent and the Tree Survey: The Tree Survey recommends the removal of 9 trees (T14, T15, T17, T19, T20, T22, T23, T24 and T30) categorised as U (Poor/Trees for removal) with less than 10 years estimated contribution, yet the agent advises that these trees are to be retained. Even more curiously, the agent states that trees T25 and T31 are to be retained yet the Tree Survey recommends that these trees are felled on grounds of safety. Why could this be?

So, it seems that the proposed scheme is to retain poor grade and potentially dangerous trees yet remove better grade trees?

Another important issue in relation to trees is the proposed replanting scheme. I have asked in recent correspondence for clarification of the full replanting scheme for the proposed development site. On the site plan, I can only see a total of 5 new trees:

¿ 2 pear trees next to the eastern boundary of 12 Springfield Drive labelled ¿proposed tree type B¿. (I¿ve seen in another objection letter that the location of these 2 trees so close to the boundary, is considered to be an issue).

¿ A group of 3 cherry trees at the proposed new entrance labelled ¿proposed tree type C¿.

I have looked back at Steve Massey¿s email to you dated 29th April 2016 in relation to the ongoing development of Deebank Heights SMD/2016/0134. Steve Massey says:

Proposed new landscaping is detailed on the layout plan. However, this appears somewhat watered down from that of the previously approved application, comprising just 6 new trees (of which the Hazel and Japanese Maple are more large shrubs, and Cherry Blossom is not particularly specific), together with a proposed native hedgerow along the boundary with existing open space off Mountside Gardens; this hedgerow is appropriate and sufficiently detailed on the layout plan.

In particular, the previous landscape scheme included some structural shrub bed areas to plot frontages which would help to visually break up the built development and potential dominance of roadway and parked vehicles.

Details of species, numbers/densities within identified planting areas, and planting sizes, should all be specified. It would also be appropriate to revise the proposed tree species, perhaps to include as appropriate Birch, Rowan varieties, maybe a Crab Apple variety and/or specific suitable Cherry.

The current scheme is, of course, still under construction. The only replanting that has been done so far is several cherry trees and a close boarded fence at the entrance to the site (rather than the mixed hedge which Steve Massey refers to). I, and I'm sure many adjoining neighbours, will look forward to seeing Steve Massey's detailed requirements for replanting for this latest proposed combined scheme when his report is published. The concern here is that scheme after scheme put forward over such a long, protracted time frame, the requirements get watered down time and time again. It requires a lot of time and effort to keep up with the changes. It is easy to get worn down by it all but protection measures must be maintained.

Finally on trees, I have seen bats flying across the back garden at number 12 Springfield Drive recently. I'm wondering if anyone has carried out a bat detector test to ascertain whether any of the trees within the curtilage of the proposed development site provide roosts for our local bats? Not only does the treescape frame the character of the neighbourhoods, the trees provide possibly the most important habitats and food for our wildlife.

I urge you, as designated Planning Officer, and Ben Haywood, the Head of Development Services, to visit the site at Springfield Drive and the adjoining neighbourhoods of Woodfield Close, Mountside Gardens, Deebank Avenue and Deebank heights. In my opinion, you both need to see for yourselves the detrimental changes that have happened to these neighbourhoods in consequence of planning permission SMD/2023/0134 with some individual properties suffering significant harm as is detailed in the objections. It is my view that this latest development proposal will inflict yet more significant harm and I urge you and your service to refuse this application in its entirety.

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