

## DELEGATED DECISION REPORT

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**SMD/2023/0217**  
**Valid 10/05/2023**

**BRAMPTON CHEDDLETON**  
**ROAD**  
**LEEK**

**PROPOSED TEMPORARY**  
**ACCESS FOR**  
**CONSTRUCTION PURPOSES**

**(FULL - MINOR)**

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### MAIN ISSUES

- Impact on highway safety; and the character and appearance of the area

### DESCRIPTION OF SITE

The applicant's dwelling is in Birchall, the southern-most 'peninsula' of the Leek Town settlement. The dwelling is on the eastern side of Cheddleton Road overlooking Leek Golf Club to the west. The dwelling is at the end of a private driveway that has an access with Cheddleton Road, the private drive serves a total of three dwellings all fronting and parallel to the highway.

From the point of access with the private drive, the rising gradient of Cheddleton Road, from north to south, steepens and the applicant's dwelling, in comparison to its neighbour's to the north, marks a step up in height and profile resulting from its position on a notably greater plot height and its three storey front elevation. The dwelling is therefore apparent above the roadside hedgerow below and can be seen from Cheddleton Road.

The applicant's dwelling is split level with a three storey front elevation and two storey rear where it is built into rising garden land to the east an rear of the property. The dwelling presents relatively simple form and character with a flat fronted elevation and roof ridge parallel to the road. The architecture perhaps dates from the 1970s – buff brick, wide picture windows, and tile cladding to the front. It appears to have been extended at the front with a two storey flat roof addition that has a garage below at ground floor and a large entrance porch at first floor with a roof that sits below the second floor bedroom windows above.

The dwelling is located between a hipped roof bungalow on the lower side to the north and a pre-war hipped roof dwelling on the higher side to the north.

### PROPOSAL

The applicant has recently had planning permission granted to make enlargements and alterations to the dwelling, make alterations to rear garden gradients, and to erect an outbuilding.

The proposal is to create a new second access for a temporary period during construction (the existing access is shared with four other dwellings each with their private drives). The applicant's dwelling is on high ground at the far end of the shared

drive, the proposal is to construct a new driveway that would take a direct straight line between the highway and the front of the dwelling. It is said that the access would reduce the disturbance to neighbours providing heavy construction vehicles and machines direct passage to the site.

The access would cut through and cross highway verge, an established stone retaining wall and mature roadside hedgerow. The gradient up from roadside to dwelling is that of a very steep garden and the proposal is to excavate and fill with soil to create a 1:6 driveway gradient.

## **RELEVANT LOCAL AND NATIONAL PLANNING POLICIES**

### **Local Plan Development Plan Document (Adopted 2020)**

S01 Spatial Objectives  
SS1 Development Principles  
SS5 Leek Area Strategy  
DC1 Design Considerations  
T1 Development and Sustainable Transport

### **National Planning Policy Framework**

### **SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS**

SMD/2021/0847 Extension and alterations. ALLOWED at appeal.  
SMD/2023/0146 Outbuilding. APPROVED.

## **CONSULTATIONS**

### **Publicity**

Site Notice expiry date: 27<sup>th</sup> June 2027  
Neighbour consultation period ends: 27<sup>th</sup> June 2027  
Press Advert: N/A

### **Public Comments**

None

### **Town / Parish Comments**

Leek Town Council: No objection.

### **Environmental Health**

Awaited

### **Staffordshire County Council Highways**

Object/Refusal

- Proposed access is of over steep gradient contrary to the interests of highway safety
- Proposed access will obstruct pedestrian movements.
- Proposed developments fails to define adequate turning area for large vehicles.

## **OFFICER COMMENTS**

### **Highway Safety**

The application is for a temporary access for construction of an extension. Access is stated as being at a gradient of 1:6. By comparison, maximum highway gradient at a junction is desirable at 1:20. Maximum highway gradient away from junction is 1:14. Maximum gradient for private driveway is 1:10. 1:6 is extremely over steep particularly for heavy delivery vehicles. This cannot be considered safe and reasonable. There is evidence of pedestrians walking on the verge. Proposal will obstruct this pedestrian desire line.

No turning area is shown for large delivery vehicles. Reversing onto A520 is not acceptable, the only option is to turn on the existing driveway. This raises the question of why not use the existing driveway for access. There is no reference to surfacing or drainage. In heavy rain, access would create a steep ramp to discharge surface water directly onto the highway. Proposal would create a scar on the verges and dry stone wall. Proposal will reduce clearance to overhead lines. Overall the proposals would cause harm to highway safety in that vehicles may need reverse onto the main A road, and with the gradient of the resultant land would prove unsafe for all road users.

### **Design and Impact on Character and Appearance of the Area**

The development would be harmful to the character and appearance of the area by removing a section of roadside hedgerow, verge and stone retaining wall. The development would open roadside views to a steep driveway and area of parking to the front of the property. While the development is described as temporary, it is likely that it would impose lasting and irredeemable harm, creating a scar on the verges and dry stone wall, and permanent changes to land levels. The application proposal does not include details of how gradients, stone wall and verge would be restored with hedgerow and shrubbery taking considerable time to re establish. The development would conflict with policies SS5 and DC1 of the Staffordshire Moorlands Local Plan 2020.

### **Other Considerations**

The application is couched as a means of reducing the disturbance to the applicant's neighbours during construction. However, the harm that would be imposed by the proposed development itself would be disproportionate and outweigh any benefits in those regards.

It is inappropriate to inconvenience users of the highway and compromise highway safety for all users of the highway simply to avoid inconveniencing two neighbours during construction works. Any incidental damage to the driveway can be more easily fixed than the intentional damage to the highway verge caused by this proposal.

### **CONCLUSION / PLANNING BALANCE**

The development would cause disproportionate harm to highway safety and the character and appearance of the area. Harms in these regards are likely to be lasting and difficult to undo or to restore pre-existing conditions. There would be conflict with policies SS5, DC1 and T1 of the Staffordshire Moorlands Local Plan 2020.

**OFFICER RECOMMENDATION : REFUSE**

**Case Officer: Ben Hurst**

**Recommendation Date: 05/07/2023**

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Signed by: Jane Colley Signature

**On behalf of Staffordshire Moorlands District Council**