

PLANNING STATEMENT

**LAND AT BRYN HELYG
LEEK**

DECEMBER 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: 1ST December 2023

Job Reference: RDP/2023/105

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 dwelling on land at Bryn Helyg, Kiln Lane, Leek, along with the associated conversion of an existing agricultural building to ancillary residential use.
- 1.2 The application represents a re-submission following the refusal of application SMD/2023/0090 which had proposed the erection of a two storey dwelling on land further to the west of the proposed property. That application was refused by the Local Authority for the following reasons:
1. The proposal would result in a prominent intrusion and encroachment beyond the visual edge and form of the existing settlement into an undeveloped area of open countryside to the north west. The land has a countryside and rural character and the dwelling would occupy high ground on what would appear as an exposed ridge line location. A new dwelling here would appear oddly located, intrusive, overbearing and relate poorly to its surroundings and the adjacent settlement. There would be significant harm to the attractive countryside that can be identified as being important to the setting of Leek. The intrusive building would be visible and very apparent from the nearby residential area to the south west, from Macclesfield Road on approach from the north and passing beneath the site, and it would loom above the amenity path and cycle way of the former Leek to Rudyard railway that edges the bottom of the hill to the south west. A dwelling in this location 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. As such, the development would be contrary

to Staffordshire Moorlands Local Plan Policies SS1, SS5, H1, DC1, DC3 and the NPPF.

2. The proposed development would result in harm to the character and appearance of its surroundings which is, despite these latest revisions, considered to be significant. The provision of one dwelling in a reasonably accessible location would make a small contribution towards the Government's aims of significantly boosting housing land supply. It would also, through its construction and future occupiers, provide modest economic and social benefits to the local area. However, as the proposal is for one dwelling, these benefits are attributed only limited weight. The adverse impacts of granting permission would significantly and demonstrably outweigh the benefits raised above. The proposal would conflict with the development plan and there are no other considerations, including the Framework, that outweigh this conflict.

1.3 This revised application incorporates substantial revisions to the scale of the dwelling, changing it from a two storey property to a single storey bungalow. The dwelling is also to be partially countersunk into the land. The dwelling is to be constructed from red / orange facing brickwork with a Staffordshire Blue tiled roof. The bungalow will have a gross internal floor area of 200.6 square metres and will stand to a ridge height of 6 metres. Its accommodation will comprise of an open plan lounge / kitchen, a utility, dining room, hallway, cloakroom, office, three bedrooms (one ensuite) and a family bathroom.

1.4 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. 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. That building is proposed to conversion to ancillary residential use as part of this application. The agricultural building is located to the northwest 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 far western boundary of the 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 statutorily listed building within the surrounding locality.
- 2.5 The site also occupies a sustainable location that is within walking and cycling distance of the numerous day-to-day services on offer within Leek, with public transport connections also available nearby at the bottom of Kiln Lane.

3 Planning Policy

3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission be determined in accordance with the Development Plan taking into consideration any relevant material considerations. 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.
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- 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 policies, *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 application.

5 Planning Assessment

Principle of Development

- 5.1 The application site lies within the settlement boundary for Leek as defined by the adopted Local Plan. Policies SS3, SS5 and H1 of the Local Plan all 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 is consequently acceptable in principle.

Landscape Impact

- 5.2 The previously submitted application for a detached two storey dwelling, had followed on from three previous applications for residential development in the general vicinity of the application site. Those three previous applications had all proposed the erection of two storey dwellings on a parcel of land located to the northwest of the existing agricultural building on the site. The most recently refused application (SMD/2023/0090) was located in a similar position within the site to the current proposal, and had also proposed the erection of a two storey dwelling. That application was refused on the grounds that the development would be harmful to the landscape.
- 5.3 To address the concerns raised by the Local Authority in the determination of the previous application, a number of fundamental revisions have been made to the proposed development. First and foremost, the proposed dwelling now adopts a wholly single storey form, with a ridge height of 6 metres. By resultant effect it will stand some 2.4 metres shorter in height than the previously refused dwelling, and only 0.71 metres taller than the adjacent agricultural building.

- 5.4 The continued siting of the building to the southeast of the existing agricultural building also means it will have a close physical association with surrounding residential development, in particular Bryn Helyg and Rookery Nook to the immediate north which lie only 35 metres distant.
- 5.5 The submitted proposal also provides for further landscaping and planting to be undertaken along the site boundaries to further soften the impact of the development and to anchor the building into the landscape. There is also scope for additional 'off-site' planting to be undertaken the south and southwest of the plot, including along the existing hedge line at the brow of the hill, thereby facilitating further softening the impact of the development and assimilating it further into its surroundings. The proposed muted palette of materials will also assist in reducing the visual impact of the development.
- 5.6 The 3D images accompanying the application have been prepared to demonstrate the extent of the impact arising from the development from various public viewpoints, including from the Macclesfield Road and from the former railway line to the southwest, which lies at a much lower level within the landscape. These are compared in the Viewpoints enclosed as Appendix A, with comments on each viewpoint discussed 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 that runs along the former Leek to Rudyard Railway. Owing to the siting of the dwelling away from the brow of the hill

and its reduction in scale to a single storey bungalow, only a very small proportion of its gable end will be visible in such views, and is readily capable of being fully screened by planting along the brow of the hill to infill the existing gap in the vegetation. The proposed development will not appear prominent or harmful in such views.

- **Viewpoint C** is located to the southwest 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, coupled with its single storey scale, means the building will not appear prominent or harmful in such views. The provision of supplementary landscaping at the brow of the hill will serve to further 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.
- **Viewpoint E** is located to the northwest of the site on the Macclesfield Road, not far from the entrance to the cricket club. The dwelling will be visible in such views, but will be read in the context of the existing agricultural building to the right, and against a backdrop of much taller trees and other vegetation. The provision of additional landscaping will serve to soften the impact of the development in such views and anchor the building into the landscape, such that it will not appear prominent or harmful in such views.

- **Viewpoint F** is located to the north of the site close to the entrance to Leek Hockey Club. The dwelling will be visible in such views, being set behind the existing rendered dwelling of Bryn Helyg in the foreground. It will also be viewed in the context of the existing agricultural building to the right which is also visible from this vantage point. With appropriate landscaping the dwelling will not appear unduly prominent or incongruous in such views.

5.7 In consideration of this matter it must be borne in mind that the erection of dwellings at the top of hillsides is a common characteristic within Leek. We draw attention in this regard to the conclusions of the Planning Inspector in Appeal Decision 2223254 for land at Bridge End, Leek to the north of the site on the opposite side of the Macclesfield Road. In allowing planning permission for the construction of 11no. dwellings on a former reservoir site, the Planning Inspector concluded that:

*“Notwithstanding the proposals for screening, which may take some time to mature, **it is clear that housing on the site will be visible from some vantage points around the town.** It would also adjoin a Landscape Character Area, albeit it lies outside this area and it is not clear how many of the viewpoints from which the site can be seen identified by either the appellants or objectors are within this area. **However, once the trees and shrubs have matured, the visual impact of development on the site will be mitigated. Indeed, development on the top of hills is a feature of the town of Leek,** whose town centre itself occupies such a location. As such **it would be neither unusual nor detrimental for further development to occur in such a location**”. (our emphasis)*

5.8 The introduction of a dwelling in this particular location will not appear as an alien or incongruous form of development within the surrounding area, since hilltop development is a common feature of the town, and the 3D images submitted serve to demonstrate that the single storey form of the bungalow will not have a strident impact on the character and appearance of the landscape.

5.9 We consequently submit that this revised proposal will not result in a prominent, incongruous or harmful form of development and has served to constructively address the concerns raised by the Local Authority in the refusal of application SMD/2023/0090. The proposed development is consequently held to meet the requirements of policies SS1, SS5, H1, DC1 and DC3 of the Local Plan in this regard.

Design

5.10 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, and subservient projecting gables.
- A modest scale of development, with 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 openings throughout.
- The achievement of a high solid to void ratio.

- A harmonious arrangement of openings, with windows and doors having 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.

5.11 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.

5.12 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.

5.13 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

- 5.14 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.
- 5.15 No issues were raised by the Local Authority in respect of neighbouring amenity during the determination of application SMD/2023/0090 and given that this revised proposal now encompasses a single storey form of development, any impact will be further reduced.
- 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.

Highway Safety

- 5.17 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.

- 5.18 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 single storey bungalow will not give rise to significant adverse harm to the character of the landscape and has served to address the concerns raised by the Local Authority in the previous application.
- 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 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.