

DELEGATED DECISION REPORT

SMD/2023/0587
Valid 30/11/2023

LAND AT BACK LANE
BELLE VUE ROAD
LEEK

**PROPOSED DETACHED 4
BEDROOM DWELLING WITH
RETAINING WALL.
TEMPORARY STRUCTURE TO
BE ERECTED THEN REMOVED
UPON COMPLETION OF THE
DWELLING.**

(FULL - MINOR)

MAIN ISSUES

- Design
- Street scene
- Heritage

DESCRIPTION OF SITE

A prominent elevated position set on a levelled 'platform' cut into steeply rising hill side above a vertical rock outcrop and retaining wall with former kilns at its base. There are free-growing trees and bushes at the edge of the outcrop which at present screen the site from below but without these the development would be very prominent to the immediate street scene where Belle Vue joins with Mill Street – a main road 'gateway' point to the town. The development site would be seen in conjunction with public views from Mill Street of Brindley Mill, a scheduled monument and Grade II Listed Building.

There are three neighbouring dwellings of which The Bungalow to the east is closest; also 5 to 6 Kiln Lane and Rudyard View to the west and the latter is perhaps least 'connected'.

PROPOSAL

The application is a re-submission of an approved application SMD/2020/0403. As first submitted the application was seeking to re-establish a balcony proposal that had been omitted / removed from the 2020 proposal by negotiation.

Large detached two storey dwelling accessed via Back Lane which runs between Belle Vue and Kiln Lane on the south (and upper) side of the site. Vehicle parking would be accommodated within the site. A first floor entrance on the south side would be accessed on foot via a short bridge across from Back Lane.

Amendments negotiated for the 2020 scheme included some added brick work detailing and a revision of the north boundary along the exposed cliff top edge.

A structural survey and archaeology investigation accompany the application submitted at the Council's request following the initial application submission.

The applicant has taken the opportunity to address the materials proposed by submitting a materials schedule reference 00982 Rev A (06.08.2021).

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (adopted 9th September 2020)

SS1 Development Principles
SS5 Leek Area Strategy
DC1 Design Considerations
DC2 The Historic Environment
DC3 Landscape and Settlement Setting
H1 New Housing Development
NE1 Biodiversity and Geological Resources
NE2 Trees, Woodland and Hedgerows
T1 Development and Sustainable Transport

National Planning Policy Framework February 2019

Paragraph(s) 1 – 14;

Section(s) 4 – Decision making; 8 Promoting healthy and safe communities; 11 – Making effective use of land; 12 – Achieving well designed places; 15 – Conserving and enhancing the natural environment; 16 – Conserving and enhancing the historic environment.

Adopted Supplementary Planning Documents/Guidance (SPD/G):

- Space About Dwellings SPG
- Design Principles SPG
- Design Guide SPD adopted 21st February 2018

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

07/01367/FUL – erection of three dwellings – approved – not implemented

11/00155/FUL – construction of 3 No. dwellings and parking / turning area – withdrawn

12/00547/FUL – detached 4 bedroom dwelling (amended plans) – approved – not implemented

SMD/2020/0403 – proposed detached 4 bedroom dwelling with retaining wall.

Temporary caravan to be erected then removed upon completion of the dwelling – approved

CONSULTATIONS

Publicity

Site Notice expiry date: 23.01.2024
Neighbour consultation period ends: 02.01.2024
Press Advert: N/A

Public Comments

None – an objection had been raised from the occupier of The Bungalow in response to the previous approved scheme and conditions were attached to address possible over-looking / intrusion.

Town / Parish Comments

None

Severn Trent Water

In a change to the recommendation given in relation to the previous approved scheme STW request a condition that 'The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority, and the scheme shall be implemented in accordance with the approved details before the development is first brought into use. This is to ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.

Otherwise no objections. Add informative re possible unrecorded public sewer within the site.

Staffordshire County Council Highways

No objection subject to condition that the parking and turning area be provided and with "important informative" to be added.

SCC Archaeology

Despite the assertions given in the SS that excavations relating to the proposed development will be minimal and that the construction of the development will have no detrimental effect on the below-ground archaeological remains, there undoubtedly remains the potential for the scheme to encounter archaeological deposits associated with post-medieval industrial activity. Taking the above into consideration, together with the nature and scale of the proposals, should permission be granted, it is advised that an archaeological watching brief be maintained on all groundworks, such as foundation trenches, service runs, significant landscaping / engineering/clearance works. The watching brief should be scalable to a strip, map and sample excavation should significant archaeological remains be observed during the archaeological monitoring works.

OFFICER COMMENTS

Principle of Development

Confirmed by the grant of the previous permission SMD/2020/0403 and within the Leek Town Development Boundary therefore acceptable in principle in policy terms – subject to consideration of all material planning matters including in particular the relationship to the street scene; neighbours and impacts on heritage assets and / or their setting.

Design

The scheme, amended to omit the balcony, is essentially the same as the one approved under SMD/2020/0403 with minor changes of detail.

Amenity

The scheme is found to meet all relevant Space About Dwellings standards. Notably the site ground level is set down significantly relative to the closely adjacent 'The Bungalow' to the east, e.g. file photo 7816 shows the roof top height of the already stationed temporary caravan is at about floor level for the bungalow and therefore the proposal although taller again would not be considered to be overbearing on The Bungalow. It can also be noted that the dwelling would be some 16m away to the west from the boundary with The Bungalow. A first floor side window serving as a non-principal (secondary) window to 'bedroom 1' and a second floor apex gable window serving a kitchenette would face the bungalow. The Bungalow has a window facing these side elevation windows. Given the separation distances and that the proposal windows are non-principal the inter-relationship can be considered acceptable subject to requirement for obscured glazing as stipulated by condition to the approved scheme.

Highway Safety

The Highways Authority have provided no objection to the development, subject to conditions. It is noted that Back Lane is a private/unadopted road, however the lane has good access points onto public highways at Kiln Lane and Belle Vue Road, and therefore the proposal presents no highway safety issues. Attach requested informative.

Heritage

Again, as concluded for the previous approval the scheme can be accepted subject to the recommended conditions save that (as considered previously) a suggested

interpretive board would be a step beyond what would be reasonable or justified for this application.

CONCLUSION / PLANNING BALANCE

The proposed development area is located adjacent and within the setting of a number of listed buildings and structures, one of which is also a Scheduled Ancient Monument. There are no listed buildings within the proposed development area, or within its immediate vicinity. There will be no direct physical impact upon listed buildings. The proposed development of a new domestic dwelling within a mixed urban landscape, can be judged not to impact harmfully on the heritage significance of the designated listed buildings / SAM.

On balance, it is concluded that this proposal does not present significant issues in regard to amenity, highway safety, or design, and would not significantly diminish the character of the area. Planning permission had been approved on this site in the past, but since having lapsed. The recent approval under SMD/2020/0403 is a strong material consideration as this re-submission is now essentially the same. The proposal has been determined to have no significant impact on the heritage of the area, including the kilns / cellars considered to be non-designated heritage assets situated directly below the development. Further consultation took place previously with the County Archaeologist following the applicant's submission of a detailed archaeology assessment and a condition is recommended to require an archaeology watching brief.

With the previous consent a condition was added (condition 8) to require obscured glazing in the east end gable windows and this should be repeated.

Details of materials are submitted.

New condition added to reflect Severn Trent Water up-dated response.

In consideration of all of the above the application is recommended for approval.

OFFICER RECOMMENDATION : Approve subject to condition

Case Officer: Arne Swithenbank

Recommendation Date: 09.04.2024

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Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

