

2 The Banks,
Rudyard,
Leek,
Staffordshire.
ST13 8PN.

20th of October 2024

To Whom It May Concern:

Regarding planning application number: **SMD/2024/0434 & SMD/2024/0433**

Application No: **HNT/2023/0017** was approved on the 24th November 2023 with no consultation with neighbouring property, 2 The Banks, Rudyard.

We are the homeowners at the adjoining property to the proposed planning site at Greenacres and Dorian.

Dorian is shown on our original deeds as a single dwelling next door, over the years next door has been split into two accommodations, one being a single storey bungalow now referred to as Greenacres, and the other a garage with attached annexe outbuilding referred to as Dorian.

We saw the signage for planning by Green Tree Farm on the 3rd of October 2024 and reviewed the application, at that point we found that planning for a two storey dwelling had been passed on the 24th of November 2023. We informed the council the next day via their contact form that we had not received any communication for the consultation from October 2023 and therefore had not had opportunity to share our objections to the previous planning application. We have discussed this with the council and have been advised to make a formal complaint and then review with the Ombudsmen if required. We have fortunately received a consultation letter for the current application although this is incorrectly addressed to The occupier of The Banks, Ivy Cottage, Green Lane. I suspect a year ago our consultation letter was similarly addressed and delivered to either next door referred to as The Banks or Ivy Cottage a property on Green Lane. It is understandable how an error can happen as the Royal Mail postage code finder has sixteen addresses for the ST13 8PN. Post code. Our own deeds show next door as a single dwelling called Dorian and our property as The Banks, with the surrounding land attached to the previous Greenacres Farm. Due to the complexities of the addresses and the lack of consultation we would hope the council would still at this stage take into consideration this our objections to the planning application of a second storey would have on our home.

We would like the council to consider each of our objections to the new application
SMD/2024/0434

1. Loss of Privacy:

2 The Banks is immediately adjacent to the southwest elevation of the proposed planning application. Our property has one window on the ground floor southeast elevation on the wall looking into our open plan kitchen, dining and living area, I have direct line of sight from my living area to next doors property, currently obscured by a large conifer. The proposed plans would impact our privacy, visual intrusion and also increased noise disturbance, from open windows and door on that side of the property.

The plans passed in 2023 HNT/2023/0017 allowed for one window, keeping with the current existing window on the ground floor southwest elevation of Greenacres, the new planning application submitted has three windows, one door and a first floor elevation window. The new proposed elevation on the Southwest would impact significantly on our right to privacy within the home and also our main garden being at the front of our property. The two properties, 2 The Banks and Greenacres are positioned extremely close to each other and I am concerned the impact that a two storey building will not only disturb my privacy but also overlook with two storeys instead of the existing one storey.

We have no objections to a single storey building being built on Greenacres of Dorians existing plot, but we do object to two houses with multiple windows overlooking a property that has always had total privacy from the adjoining property.

The application does suggest that the current foliage protects our property from the impact of a house, but we have no long-term guarantee that the foliage which grows next door will not at any point be removed, significantly opening up the areas. Due to the close proximity of the property we would not have enough land on our side to rectify this and plant our own foliage screening.

2. Access highway issues:

Access to the properties are from an unadopted lane off Green Lane. There is access to multiple properties granted in individual deeds with the lane being owned I believe by the applicant of this planning application. The first part of the unadopted lane was tarmacked many years ago before we moved into 2 The Banks. Parts of the lane are in a poor state of repair and I would be interested whether the developer would rectify any further damage after the development was finished. The last part of the lane is gravel lane and grass verges that we have maintained since we moved into our property in 2006, initially as we had elderly neighbours, but then in the last ten years the properties next door have had tenants

and not owner occupiers. Again we would like to know whether the developer would rectify any damage to the last part of the lane approaching ours and the adjoining properties, as we have infilled holes with MOT aggregate and looked after and mowed the verges for the past eighteen years. The amount of traffic associated with a building site will significantly impact on the state of this last section of access.

3. Design and Visual Impact:

The properties Greenacres, Dorian and 2 The Banks are visually similar in appearance, finished with white render. The proposed new builds of red facing brick are not in character with the other properties on the unadopted access off Green Lane. Whilst none of the properties are within the Conservation Area they do all adjoin directly to the conservation area and a stone or white rendered property would have a similar appearance to the other nearby properties.

Application No: **HNT/2023/0017** was approved on the 24th November 2023. The new application **SMD/2024/0434** differs significantly to the agreed condition's granted in 2023.

AA.2.—(1)Development is permitted by Class AA subject to the conditions set out in sub-paragraphs (2) and (3).

(2) The conditions in this sub-paragraph are as follows—

(a) the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse; - proposed materials are to match existing.

Objection: New proposal has brick facing external walls

(b) the development must not include a window in any wall or roof slope forming a side elevation of the dwelling house; - the plans show no windows on side elevations of the proposed development.

Objection: New proposal has multiple windows on the side elevations

3) The conditions in this sub-paragraph are as follows—

(a) before beginning the development, the developer must apply to the local planning authority for prior approval as to—

(i) impact on the amenity of any adjoining premises including overlooking, privacy and the loss of light;

Objection: New proposal has a significant impact to privacy and potential loss of light from the East to the adjoining property 2 The Banks.

(ii) the external appearance of the dwellinghouse, including the design and architectural features of—

(aa) the principal elevation of the dwellinghouse, and

(bb) any side elevation of the dwellinghouse that fronts a highway;
(iii) air traffic and defence asset impacts of the development; and
(iv) whether, as a result of the siting of the dwellinghouse, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15th March 2012 issued by the Secretary of State; - the proposal does not have windows on the first floor side elevations which face the neighbouring properties, meaning no overlooking issues, and the height of the proposal as well as the distance away from neighbours also means no loss of light or privacy. No neighbour representations received.

Objection: New proposal not in keeping with protected vistas issued by the Secretary of State.

4. Impact on Amenity

Assessment of impact on Amenity

(a) before beginning the development, the developer must apply to the local planning authority for prior approval as to—

(i) impact on the amenity of any adjoining premises including overlooking, privacy and the loss of light;

No new side windows are proposed as a result of the proposal, as such there would be no overlooking of the two dwellings to either side.

Windows in the front and rear elevations would overlook open countryside .

Objection: New application has multiple windows door overlooking adjoining property 2 The Banks

The addition of a second storey to the property 'Greenacres' could ordinarily have the effect of overshadowing to the neighbouring property 'The Banks' when the sun is in the east. However, a visit to the site showed that the boundary between the two properties is occupied by a hedge and tall evergreen trees, which already impact this property to a significant degree and so the addition of a second storey behind this would not have any significant impact in terms of loss of amenity. The proposal would have no impact on the other neighbouring property 'Dorian' due to the distance between them. Furthermore, it is noted that Dorian is in the same ownership and subject to a similar HNT application.

Objection: The impact of a second storey and the unknown consequence of owner occupiers removing hedge and trees which would then significantly impact on loss of amenity

The materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse; the development must not include a window in any wall or roof slope forming a side elevation of the dwelling house; the roof pitch of the principal part of the dwellinghouse following the development must be the same as the roof pitch of the existing dwellinghouse; and following

the development, the dwellinghouse must be used as a dwellinghouse within the meaning of Class C3 of the Schedule to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the primary use as a dwellinghouse.

Reason: - To comply with the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Policies SS10 and H1 of the Local Plan make provision for the erection of replacement dwellings provided they do not have a significantly greater detrimental impact on the existing character of the rural area than the original dwelling or result in the loss of a building which is intrinsic to the character of the area.

Objection: As the two properties are adjoining a conservation area and a brick build would not be in keeping with traditional stone built properties or the existing white bungalow at 2 The Banks.

The reason for the proposal to replace the existing dwelling is not a desire or requirement for a larger dwelling. The proposed replacement dwelling is in fact smaller in regards to its footprint than the existing dwelling. Whilst the existing property is of traditional appearance it is not a significant property in regards to its contribution to the character and appearance of the area.

Objection: The appearance will be significantly different to the neighbouring property if built in red brick, and though the size is smaller in footprint it will appear significantly bigger to the adjoining property at 2 The Banks with the additional storey and roof pitch being higher.

The current occupancy for the existing building has three bedrooms and the proposal is for four bedrooms increasing occupancy for the new property. Dorian is also increasing occupancy from a one bedroom to a three bedroom. The increase in size by going up a storey on each property not only increases capacity for more people but also the impact of increased noise to the adjoining property of 2 The Banks.

Bat Survey Considerations:

Foraging and commuting habitat

58. Based on the size and nature of the proposed development, with the existing footprint(s) being retained, and no alteration to existing landscape / habitat proposed, negligible to low impact on foraging and commuting habitat for bats is predicted.

Objection: This is difficult to predict as neither developer or planner knows what new occupants may do to existing trees/landscape.

59. Conversely, the proposed application site is located within a semi-rural area being of low district brightness (E2). Should any additional, artificial lighting be intended post-development, then it is important to consider potential light-spill / increased sky-glow around site can affect the foraging and commuting strategy of local bat species and should be avoided onto nearby trees and hedges/shrubs at all times

Objection: as above

Landscaping

68.

Although no trees considered suitable for roosting bats understood to be subject to any silvicultural works or removal as part of the proposed development; should any works to mature trees with Potential Roost Features (PRFs) be required in the future (e.g. felling, lopping, crowning, trimming) then a Ground level Tree Assessment (GLTA) should be undertaken to determine if the trees have any potential for roosting bats and nesting birds. A GLTA can be undertaken at any time of the year although winter months are more preferable, when vegetation is in cessation and there is less foliage. Any tree survey work should be carried out by an appropriately qualified and experienced ecologist in line with the Bat Conservation Trust's Bat Survey: Good Practice Guidelines (4th edition).

Concerns as above any new occupier may not have the same consideration for wildlife and conservation and remove some or all of the existing trees without undertaking a tree survey as above.

Considerations for development:

As stated in the planning application the dwelling sits within a substantial private plot with ample private amenity space and ample parking. Gardens lie to both the front and rear of the property with the access drive and parking being to the east.

Social Context

The site is located in an isolated location and the immediate area is predominantly agricultural.

The existing plot size/domestic curtilage, including the access drive and parking area measures 2500m².

The proposed dwelling has an overall footprint of 121m², an internal ground floor area of 102.50m² and a first floor area of 94m².

As the proposed dwellings are on such a significantly large plot, I would hope consideration is given by planners when reviewing the application as to whether there is a need to build a two storey dwelling so close to an adjoining property. The developer has opportunity at this point to relocate the dwelling further away from

the adjoining property to mitigate many of the objections put forward by ourselves to the council planners reviewing the plans.

Sara & Graham Wells.