

DELEGATED DECISION REPORT

SMD/2025/0529
Valid 30/12/2025

LAND ADJACENT TO 9
COMPTON HOUSE
COMPTON
LEEK

CHANGE OF USE FROM A
LANDSCAPED VERGE TO
DOMESTIC GARDEN FOR A
SMALL PARCEL OF LAND
(OUTLINED IN RED ON THE
SUBMITTED PLAN) TO BE
USED IN CONNECTION WITH
THE ADJOINING RESIDENTIAL
PROPERTY AT 9 COMPTON
HOUSE. NO BUILT
DEVELOPMENT IS PROPOSED
AS PART OF THIS
APPLICATION.
THE PROPOSAL IS LIMITED
STRICTLY TO A CHANGE OF
USE

(FULL - MINOR)

MAIN ISSUES

- Visual Amenity
- Highway Safety

DESCRIPTION OF SITE

The site comprises a small plot of land (currently a landscaped verge) which forms part of the streetscape on Challinor Avenue and sits outside the domestic curtilage of 9 Compton House. It is situated in the Leek South Ward and is within the Leek Development Boundary, where the Staffordshire Moorlands Local Plan seeks to concentrate development. No. 7 Sleigh Grove lies to the East of the site, No. 27 Challinor Avenue is located to the West and No. 30 Challinor Avenue is situated across the highway to the South. The Challinor Avenue highway runs adjacent to the Southern boundary of the site.

PROPOSAL

The proposed development comprises the change of use from a landscaped verge to domestic garden for a small parcel of land (outlined in red on the submitted plan) to be used in connection with the adjoining residential property at 9 Compton House.

No built development is proposed as part of this application. The proposal is limited strictly to a change of use.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan (Adopted 2020)

SS1 Development Principles
S1a Presumption in Favour of Sustainable Development
SS2 Settlement Hierarchy
SS5 Leek Area Strategy
DC1 Design Considerations
T1 Development and Sustainable Transport

National Planning Policy Framework

Paragraph(s) 1 – 14
Section(s) 4 – Decision making, 12 – Achieving well designed places

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

N/A

CONSULTATIONS

Publicity

Site Notice expiry date: 07/02/2026
Neighbour consultation period ends: 06/02/2026
Press Advert: N/A

Public Comments

One public comment has been received, as follows:

We have no objection to the plan for No. 9 Compton House (Mrs Kim Bradford) to have the small plot and pull-in. However, we would kindly request that the area behind be fenced off. Our concern is that without fencing, it could become a walk-through for non-residents, this is why the green metal fencing at the bottom adjacent to Challinor Avenue was put in place.

Town / Parish Comments

At the planning committee of Leek Town Council, it was resolved that the Council have no objection to this application and that it is not un-neighbourly.

Staffordshire County Council Highways

The proposal is for a change of use from a landscaped verge to a domestic garden.

The proposal will not have an effect on the adopted highway. I have no objection (application number SMD/2025/0529).

OFFICER COMMENTS

Principle of Development

In accordance with Policies SS1 and SS2 of the Staffordshire Moorlands Local Plan the Council expects all new development to make a positive contribution towards the sustainability of communities and to protect and where possible enhance the environment. A concentrated focus on future growth is to be directed to larger settlements, including Leek. When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF).

In compliance with Policy SS5, new development should be directed to the most sustainable locations. The site lies within the market town of Leek, which is one of the main urban areas where the focus of new development will be directed, with the aim of crafting all development to enhance the character and appearance of the town.

The site is within the Development Boundary, thus the proposed works are acceptable in principle, subject to conformity with other relevant national and local planning policies. The main issues which need to be considered as part of the assessment of the proposed works include visual amenity and highway safety.

Visual Amenity

Policy DC1 seeks to ensure that all development is well designed and of a high quality, contributing to local distinctiveness and harmonising with sense of place.

The existing parcel of land which the applicants seek to change the use of comprises of an important part of the landscape swathe, a grass amenity verge. The substantial depth of the landscaped area comprises part of the wider landscape strip of land which bounds the curve of the highway. A photograph of the land can be seen below:



This parcel of land is deliberately designed to give relief to the street scene from residential development, softening the approach of the road into the residential area. Carving up this visually important parcel of landscaping would be visually harmful to the character and appearance of the streetscape, which is in situ to contribute soft landscaped relief from the built-up area. It is considered that this strip of land should remain in its existing use due to its significant, purposeful contribution to the street scene.

One public comment has been received, requesting that the area behind the plot be fenced off. I note that no alternative work has been proposed except from the change of use of the land, therefore nothing would change about the existing landscaping. No green metal fencing relating to the properties adjacent to Challinor Avenue would be removed.

The proposal would not maintain the character of the streetscape. The proposal would therefore not accord with the provisions of local plan policy DC1 and section 12 of the NPPF in this regard.

Highway Safety

Paragraph 109 of the NPPF states that patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places. Policy T1 seeks to provide safe and sustainable access and ensure that development does not lead to an increase in on street

parking.

Staffordshire County Council Highways department have stated that the proposal would not have any impact on the adopted highway. Therefore, they have no objections to the proposed change of use of the land.

Thus, the proposed development would have no impact on highway safety, in accordance with Policy T1.

CONCLUSION / PLANNING BALANCE

In consideration of all of the above, the application is recommended for refusal. Although the application would have no overall impact on the highway, it would have an adverse impact on the character and appearance of the street scene, thus it is not deemed acceptable under planning policy. Therefore, the proposed development is recommended for refusal.

OFFICER RECOMMENDATION: REFUSE

Case Officer: Hannah Varley
Recommendation Date: 19/02/2025

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council