

DELEGATED DECISION REPORT

DOC/2021/0093
Valid 15/09/2021

OLD NURSES COTTAGE
HAZLES CROSS ROAD
KINGSLEY

DISCHARGE OF CONDITION 2
RELATING TO SMD/2021/0140

(DISCHARGE OF
CONDITIONS)

MAIN ISSUES

- Highway safety
- Heritage
- Neighbour amenity

DESCRIPTION OF SITE

The property is a one bedroom dwelling permitted following consent 05/01113/FUL and 05/01114/LBC.

Condition 4 of the 2005 consent 05/01113/FUL was that:

4. Before the building works are commenced the parking area arrangements shall be in accordance with plans to be submitted to and agreed in writing with the Local Planning Authority. Reason: In the interests of highway safety.

There is no record of this condition having been addressed. However, at some point post 2005 a small pull-in parking space has been brought into use across the drive from the dwelling in the position shown on the now submitted drawings 2009-1641-41 and 2009-1641-42.

A recent application SMD/2021/0140 to vary the 2005 consent by removing a condition restricting occupancy to local persons was approved (18th June 2021). However, a condition was repeated to reflect that of the 2005 consent in terms of requiring the parking area arrangements to be agreed in writing with the LPA.

PROPOSAL

This DOC application seeks to discharge condition 2 of SMD/2021/0140 which states:

2. Within 6 months of the date of this consent details of the parking area arrangements shall be submitted to and agreed in writing with the Local Planning Authority. The approved parking shall thereafter be provided, maintained and retained throughout the life of the development. Reason: In the interests of highway safety.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (adopted 9th September 2020)

SS1 Development Principles
SS8 Larger Villages Area Strategy (Kingsley)
DC1 Design Considerations
DC2 The Historic Environment
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; 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

Local Plan Supporting Evidence Documents:

- Landscape and Settlement Character Assessment (2008)

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

87/00654/OLD – Methodist Sunday School Hazles Cross Road Kingsley - conversion of disused Sunday school to dwelling – refused

87/00983/OLD – conversion of barn to furniture restoration facility – approved

88/00269/OLD – partial demolition of listed building (demolition of single storey extension and construction of replacement extension) – approved

05/01113/FUL – change of use of existing farm house and semi-detached cottage (with internal doorway) to form two separate dwelling houses – approved

05/01114/LBC – infilling of internal doorway between a Listed Building farm house and semi-detached cottage – approved

09/00993/LBC – Replacement windows – approved – but NB this seems to have related solely to New Hall Farm House

SMD/2021/0140 – Removal of condition 3 (local occupancy requirements) relating to SMD/2005/1183 – approved

SMD/2021/0269 – Retrospective listed building consent for rebuilding works, replacement glazing and infilling of internal doorway between farmhouse and semi detached cottage – pending – applicant advised to withdraw and seek 'letter of assurance' – letter of assurance has been provided

SMD/2021/0233 – Retrospective permission for rebuilding works, replacement glazing and infilling of internal doorway between farmhouse and semi-detached cottage – approved

CONSULTATIONS

Staffordshire County Council Highways

The guidance on meeting parking space needs contained at appendix 2 to the newly adopted Local Plan (2020) advises two spaces for dwellings of up to three bedrooms. The County Highways officer has advised that for a one bedroomed dwelling a single parking space could reasonably be argued to be acceptable at this site. He also notes that a single space seems to have been the intention and expectation at the time of the 2005 consent. He does comment about there being limited space for manoeuvring but he notes that the space is existing and has been for some time and they are making it work. He considers therefore that objecting on those grounds would be unreasonable.

Heritage

The proposal has been discussed with the Council's Conservation Office and it is noted that the 2005 application had first proposed parking adjacent to the south west end of the dwelling but the case officer at the time had sought to avoid this due to appearance in the street scene and effect on the setting of the Listed Building – hence the condition to resolve separately. In terms of appearance and heritage setting the Conservation officer expresses some reservation about the pull-in space proposed but concedes that the alternative adjacent to the dwelling is likely to be more adversely impactful.

OFFICER COMMENTS

Principle of Development

Within the larger village development boundary.

Design

The existing brick boundary walls and the tarmac surface are consistent with the general layout and appearance of the drive way.

Amenity

There are no obvious adverse impacts for neighbours who share the driveway to access their properties. In public comments in response to application SMD/2021/0140 objections were however received from neighbours – occupiers of Windy Ridge; Windy Hollow and 11 Hazels Cross Road – on grounds of parking arrangements not being sufficient and alleging a parking space has been created that is not in accordance with previous consents. By the submission of this DOC any lack of previous consent is now being regularised and an assessment of the space and position is being made.

Heritage

It may be considered that there is at least a degree of harm to the setting of the Listed Building – less than substantial harm within the meaning of the NPPF. It may also be judged that there is a public benefit in achieving at least this single off-street parking space. On this basis the proposal can reasonably be supported as meeting the requirements of DC2 and NPPF paragraph 202.

Highway Safety

On the basis of the response from the Highways Officer reported above, the proposal can be considered acceptable in Highways terms.

CONCLUSION / PLANNING BALANCE

On the basis of the above report considering possible neighbour impacts, heritage and highways the proposal is recommended for approval.

OFFICER RECOMMENDATION : **approve**

Case Officer: Arne Swithenbank

Recommendation Date: 23rd September 2021

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council