
From: planningcomments@staffsmoorlands.gov.uk
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To: Planning Comments (SMDC)
Subject: Comment Received from Public Access

Categories:

Application Reference No. : SMD/2021/0565 Site Address: Land Adj The Bungalow High Street Kingsley
Staffordshire Comments by: Jan Hubert

From:
40
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Kingsley
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Phone:
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Submission: Objection
Comments: Janice Hubert

Planning (SMDC) SMD/2021/0565

Dear Sir/Madam,

I wish to object to the proposed 2 storey, 4 bedroom dwelling that has been proposed opposite my property, and hereby request a site meeting to discuss the matters listed below with all residents concerned in the immediate vicinity of the site. Below I have set out reasons for my serious concerns.

IMPACT ON SETTING, PRIVACY, APPEARANCE AND CHARACTER OF THE AREA (including the fact it is in the close vicinity of a Grade II Listed Building (Old Smithy) + the character property: Old Wesleyan Chapel):

It is worth reiterating that no. 40 does indeed have windows overlooking the site of the proposed dwelling, both from my bathroom, kitchen conservatory that used to look out onto unspoilt heathland and trees over the lane will instead overlook a fence that will only partially mask a towering new build property. It is important to note that our conservatory was built while there was no active planning in place. Were this view to be taken away from us together with the loss of morning light - it would significantly affect our quality of life having chosen to live in this relatively secluded spot for this specific reason. If these plans are to go ahead we will also be overlooked considerably, despite a fence and despite the fact this large house will be partially embedded in the sloped land. In

fact, due to the nature of the landscape it is unavoidable that our privacy will be massively compromised, unless they build it underground. There will also be an impact in terms of loss of light to our property in general (not just the conservatory) to have such a large, imposing property dominating the landscape and dwarfing our cottage.

Also, there seems to be no consistency with how planning matters are dealt with regarding properties being forced to be in keeping with the character and appearance of the area. This proposed development - with original outline planning being said to be a small bungalow, is a 2 storey 4 bedroom house in all but name. It is in no way in-keeping in style and design with its surroundings being in very close proximity to two stone-built pre-18th Century properties as well as a grade II listed building (The Old Smithy) and the old Wesleyan Chapel adjacent to it. How can this be acceptable? Also, the original plans were for a Bungalow which could not fully be seen from the Old Smithy. It is clear now from the plans that this huge family home will dominate the landscape and certainly be seen from the listed property.

ACCESS ISSUES:

I'd firstly like to discuss the significant impact on neighbours who have access to the three existing properties via the shared drive. Due to the Deed of Easement, nos. 40, 42 and 44 each are permitted 24/7 access. As the property owner of the house directly opposite the proposed site I am very concerned that there is no provision for proper passing of vehicles, nor is there a sufficient turning space. The plans suggest the possibility of a space to turn (turning circle) but the size of which and access to it is unclear. Currently the fence that is presumably marking the new proposed boundary of the lane makes it impossible for those who live in nos. 40, 44 and 42 from accessing their homes without being forced to reverse down in the event that their neighbours' cars are in their allotted spaces (if someone happens to be out, there is just enough space to turn). It is surely not acceptable for property owners with deeds of easements granting them rights to access their properties to be suddenly told they can no longer do so without reversing onto a dangerous highway with limited visibility (contravening rule 201 of the Highway Code). It is either that or to attempt to reverse up, which in icy conditions is extremely difficult, even with 4 wheel drive, (which not all existing residents have). This is currently the predicament the residents have been faced with. Putting these fences up and moving them toward the lane to the point where no one can access their properties without being forced to reverse has had a significant impact on our day to day life, particularly as my husband's employment necessitates the use of a large van.

The lane width outside no. 40 needs to be properly defined and at least 5 metres (or likely more considering the increasing sizes of average vehicles) would provide the opportunity for vehicles to pass and properly turn their vehicles. A site meeting is essential for this to be properly agreed upon by all residents who access the area (no 40, 42 and 44) but also the owners of the boundary wall to the right of the lane (The old Wesleyan Chapel/The Bungalow) as it concerns their boundary wall too. It is not sufficient to simply say that the residents can turn their vehicles using their own parking space, as this requires at least one vehicle to be absent from the space. What about when all residents are at home? Even if there were a turning circle, it is not clear that all residents would be able to access this. The specifics of all measurements and details need to be properly defined to prevent existing residents from being forced to have their access significantly compromised. Currently, in contrast to what has been told to residents, if the plans are built as proposed, the parking spaces created would need to be used to allow neighbours to turn, and if they were all occupied there would be no ability to manoeuvre cars. There is no 'turning circle' on the plans, instead these are designated parking for the new proposed dwelling.

Proper facilities for turning vehicles around should not be dependent on other neighbours' vehicles happening to not be present in their parking spaces at their properties and being forced to turn on their neighbour's land. There

should be an accessible turning space for all. Bear in mind there is a potential of total 10+ vehicles with rights to access this lane, should the planning go ahead. Is this really workable without a passing space and a turning circle designated for all to use?

I would like to reiterate what was stated by the Kingsley Parish Council following their recommended rejection of the proposed planning:

¿In the event of a recommendation to approve this application it would be essential to impose conditions to protect the access rights of the occupiers of Nos. 40 and 42 including a). The ability to turn vehicles and b). The use of parking adjacent to their properties by retaining the existing access road profile and gradient.¿

OTHER SAFETY RISKS RELATING TO ACCESS ISSUES:

The tarmac on the road just outside no. 40 is already cracking. Due to the more fragile nature of these properties made from the infamously weak Kingsley stone, there are concerns that the constant repeat damage already done by huge construction vehicles reversing up and down the lane that further cracking could reach the footings of the property, particularly concerning as many of these houses do not have proper foundations due to their age. More immediate concerns include the muddiness of the lane in the coming year before proposed developments will be due to commence. The road at the bottom of the lane in particular is going to be increasingly dangerous as the winter months set in. Since the initial excavation that began in the summer, the resulting debris from all of the soil and clay is already causing concerns for the residents accessing their homes. This will be particularly worrying when icy conditions will compound the issue. The current situation whereby the landowner has prevented residents from accessing their properties without reversing will be even more dangerous as reversing vehicles up effectively means they have the control of a rear wheel drive.

RISKS AND DANGERS TO SCHOOL CHILDREN AND PEDESTRIANS USING THE PAVEMENT BY THE ENTRANCE TO THE SITE:

There have been numerous concerns not just about residents' vehicles being forced to reverse into the road, but also the dangers to pedestrians of huge heavy construction vehicles reversing onto the pavements (which is the only way they can get access to the lane. The parking situation in the village is already saturated and has got worse in recent years. Cars will continue to park on the roads during heavy traffic times, it is not safe for school children walking to school at the best of times, and having these huge vehicles reversing with no visibility could result in a child being seriously injured or worse. To be clear, these construction vehicles literally *cannot access the site* without reversing onto the pavement which has already resulted in damage to the electrics which lie beneath this portion of pavement. There is also a drain near to the right of the lane entrance that is being repeatedly driven over by these extremely heavy vehicles which could be dangerous if this were to collapse under the weight.

OTHER DANGERS:

The boundary wall at Wesley House that goes alongside the lane has already suffered some damage as a result of these heavy construction vehicles driving closely along the muddy verge, pushing some of the lower stones (central to the wall's construction) and destabilising it in places. If this is not suitably underpinned, there could be the risk of it falling. The verge that has been taken away acted as a kind of support for this ancient wall, and it was removed without any notification, how can this be permitted?

SPECIFICS/OTHER TECHNICALITIES REGARDING DETAILS OF THE PROPOSAL:

There isn't actually 4.2 metres at the access, without actually encroaching on the land belonging to residents at nos. 42 and Wesley House. If you look carefully at the title plans for these properties, this is pretty plain to see, so how the outline planning ever got passed missing this fundamental oversight makes no sense? unless the pavement itself counts as the site entrance width, in which case arguably any site entrance that opens on to a pavement could be made 4.2metres in width, rendering the act of stipulating this irrelevant?

DRAINAGE:

Also, one of the stipulations of the planning was for there to be suitable drainage from the proposed dwelling to the road. It does not look as if any attempt has been made to do this, although looking at the documents on this case, it seems to suggest that it has. I am not convinced that highways may not have fully understood the issues that the excess water running off this land would cause. There is no catchment tank as is one of the provisions. Bear in mind this is almost all rock, so there is no current provision for drainage from this site whatsoever. Certainly there is no soakaway /drainage, as there should be. This needs looking into.

In summary I strongly object to this proposed development and as I am the owner of the property that stands to be most detrimentally affected by this proposed new build (being situated directly opposite) I hope that my comments will be given due consideration.

Yours sincerely,

J Hubert

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