

DELEGATED DECISION REPORT

SMD/2021/0579
Valid 08/09/2021

BROOKLANDS
LAKE ROAD
RUDYARD

PROPOSED CONVERSION OF
GARAGE TO FORM STUDY

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Highways
- Conservation Area
- Neighbour Amenity
- Green Belt

DESCRIPTION OF SITE

Modern detached dwelling, one of a pair in tight enclave of modern dwellings accessed via a narrow cul de sac from Lake Road.

PROPOSAL

To increase the available parking space within the front garden and convert the integral garage to habitable accommodation. Existing garage door and frame to be replaced with window to match and aligned to that in bedroom above. Necessary new brick work to match existing.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (adopted 9th September 2020)

SS1 Development Principles
SS9 Smaller Villages 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; 13 – Protecting Green Belt Land; 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

02/00067/FUL – Two detached dwellings – approved

- Condition 6 reads:

6 The integral garage forming part of the development hereby permitted shall be maintained for the garaging of private motor vehicles only and for no other purpose without the express consent of the Local Planning Authority.

Reason:-

To safeguard satisfactory car parking facilities on the site.

02/00732/FUL – Two replacement dwellings (revised submission) – approved

- Condition 6 reads:

6 The integral garage forming part of the development hereby permitted shall be maintained for the garaging of private motor vehicles only and for no other purpose without the express consent of the Local Planning Authority.

Reason:-

To safeguard satisfactory car parking facilities on the site.

CONSULTATIONS

Publicity

Site Notice expiry date: 12th Oct 2021

Neighbour consultation period ends: 29th Sept 2021

Press Advert: 13th October 2021

Public Comments

None

Town / Parish Comments

Horton Parish Council – none

SMDC Waste Collection

No issues of concern

Staffordshire County Council Highways

No objections – The property is located on Lake Road (Road No. D1097), which is a D classified road with a 30mph speed limit and has the benefit of streetlights.

Notes that in response to 02/00732/FUL [SMD/2002/0870] the SCC Highways advice at the time had been Conditional – that adequate facilities shall be provided and thereafter maintained for the parking and turning of 3No. private vehicles per plot within the site curtilage.

The property is accessed via a private drive which services 2 [sic] properties. It is approximately 50 metres in length and runs in a north easterly direction from Lake Road. The property currently has a driveway and garage which can accommodate 3 vehicles. The conversion of the garage will incur the loss of a parking space; however, the proposed adjustments to the front garden as detailed on Drawing No. NEPA/PP/01/003 will enlarge the current drive to provide parking for 3 vehicles. It is considered the property will have sufficient parking for a property of this size and therefore the proposal will not have a detrimental impact on the adopted highway. I have no objection (application number SMD/2021/0579).

OFFICER COMMENTS

Principle of Development

Within the smaller village Policy SS9 supports development that meets community, social or economic need including for example by supporting limited new housing development. The principle has been confirmed in this case for this site by the granting of the permission for the extant dwelling. The requirement to “safeguard satisfactory car parking facilities on site” – the stated reason for condition 6 – needs to be considered.

Being within the Rudyard Conservation Area, Section 72 of the Planning (Listed Buildings and Conservation Areas Act) 1990 applies which places a statutory duty on the LPA in assessing planning applications in respect to any land or buildings in a Conservation Area to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. In reaching its decision the LPA has to demonstrate that the Section 72 Duty has been applied and discharged. Section 72 (and Footnote 6 of para.11 of the NPPF) creates a strong presumption in favour of the preservation of Conservation Areas and their setting.

Design and Heritage (Rudyard Conservation Area)

The outward effect of the proposal would be to increase the area available for parked vehicles in the garden space to the front of the house. This would involve reduction in width of a raised garden bed. These may be seen as minor negative impacts. However, in this case (and although the cul de sac is not obviously private – though evidently unadopted by Highways) the site is away from any significant public views. The site is not visible from Lake Road for example and would be seen entirely within the context of the existing modern 20thC enclave of dwellings served by the cul de sac. There would be no change of significance to or consequence for the character or appearance of the Rudyard Conservation Area. The development proposals would continue to sustain the character and appearance of the conservation area.

Amenity

The new window serving the proposed study would be positioned 12m from the side boundary to Linden Cottage, which is formed by a low stone wall and posts with intervening close boarded fence. The new window would look towards this boundary

treatment, which would ensure sufficient privacy would be maintained to this neighbour. No harm to neighbour or public amenity.

Highway Safety

As the Highways Authority is satisfied that, with the extra pull-in parking space provided in the front garden, the proposal is acceptable notwithstanding condition 6 of the original approved development, there can be no rejection on Highways grounds.

Although the Highways response refers to the drive as serving two properties when in fact it serves four in total, given the scheme avoids adding to street parking it can be concluded that no additional impacts or complications would arise for highway safety – especially noting that overall no increase in predicted vehicle numbers for the property is involved.

CONCLUSION / PLANNING BALANCE

In consideration of all of the above the scheme is recommended for approval subject to a condition that the parking space shown in drawing NEPA/PP/01/003 be provided prior to the first coming into use of the converted garage and that this be retained for the life of the development.

OFFICER RECOMMENDATION : **Approve subject to condition**

Case Officer: Arne Swithenbank

Recommendation Date: 15th November 2021

X 

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council