

Staffordshire County Council
Town and Country Planning Act, 1990
Development Management Procedure Order 2015

To: Development Control Manager,

Applicant:

Address:

Application Type:

Application Number:

Officer:

Date Received:

Date:

AILSA

Particulars of Development: Change of use of land to form a vehicular access to the property

SMD/2021/0623 REFUSAL

Location of Development: 37 High Street Kingsley

This application should be refused for the following reasons:-

1. The proposed development fails to make adequate provision for the turning of vehicles within the site curtilage resulting in an increase in the likelihood of highway danger due to drivers having to manoeuvre into the A52, High Street.
2. Insufficient/conflicting information

Reasons;

ALL In conflict with NPPF paragraph 108; in conflict with SMDC Core Strategy Policy DC1;
Contrary to the interests of highway safety.

NOTES TO PLANNING OFFICER

Dwelling was originally constructed under planning approval SMD/2013/1150. There are differences between what was shown on drawings for that approval, what was conditioned and the details shown as existing on this current application.

Drawings under SMD/2013/1150 showed the original access, which is now labelled as a garage as remaining open to allow vehicular access to the parking and turning area to the rear. Condition 8 required this access to remain ungated. Condition 9 required parking and turning area to be provided in accordance with drawing 06153 F03 and condition 10 required this parking and turning area to be kept free from obstruction.

In addition, condition 11 required the footway on the frontage to be increased in width and condition 13 required the length of redundant access crossing to be reinstated as footway with full height kerb which do not appear to have been completed.

Access approved under SMD/2013/1150 is gated with a roller shutter door contrary to the approved drawings and condition 8 of SMD/2013/1150.

The 'garage' is the access to the parking and turning area approved under SMD/2013/1150. Under that approval, this should not be a garage.

Proposal title states that an improved vehicular access and parking are proposed. Existing ground floor plan and proposed ground floor plan show no difference in the access. Existing access differs from that approved under SMD/2013/1150 where vehicles would pass through the undercroft, but this layout, although approved and required, is not present.

The proposed rear extension detailed in Drawing No. 20L62 P01 Rev A (SMD/2021/0299) was shown taking up the turning area of the dwelling. This proposed rear extension does not form part of this proposal; the area to the rear of the "garage" is detailed in Drawing No. 20L62 P01 Rev B (SMD/2021/0623) as a parking and turning area. The proposed parking and turning area are considered inadequate space to allow vehicles to manoeuvre to allow access to the A52 High Street in a forward gear. Manoeuvring in the A52 is contrary to the interests of highway safety and cannot be encouraged.

Red line on Drawing No. 20L62 P01 Rev B submitted (SMD/2021/0623) does not appear to match the red line on Drawing No. 06153 (F03SMD/2013/1150)

Note on drawing 20L62 P01 Rev B states 'Boundary as constructed following Planning Approval SMD/2013/1150'. This is not the boundary shown on drawings submitted for SMD/2013/1150 and is not the boundary approved under SMD/2013/1150

Drawing 20L62 P01 Rev B shows vehicles parked to the rear of the dwelling. No dimensions are stated. The alignment of the departing vehicle is presumably intended to suggest it has somehow turned round? The outline of the vehicles scales at 4m – a relatively small vehicle. Maximum width of the parking area scales at 6.1m which is only 1.3m longer than minimum parking space. This does not constitute and cannot be considered to be a turning area.

Development approved under SMD/2013/1150 needs to be constructed as approved.

If the revised access were to be approved, it would require surfacing in a bound material which may be inappropriate in the green belt.

It is not clear why limited photographs of the rear of the dwelling are shown on drawing 20L62 P01 Rev B on an application for a vehicular access.

2. Background;

The detached property fronts onto High Street (Road No. A0052) an A classified road with a speed limit of 30 mph and street lighting. High Street is the main route through the village of Kingsley.

3. Description of Proposal;

Change of use of land to form a vehicular access to the property. The proposal is titled; Amended application for reference SMD/2021/0299 including change of use of land to form a vehicular access to the property.

Previous Applications;

SMD/2021/0299 – Conversion of garage and rear extension along with improved vehicular access and parking - Refusal

SMD/2013/1150 - Proposed detached 2 storey, 3-bedroom dwelling – Conditioned by the Highways Authority.

4. Comment;

The proposal is for a change of use of land to form a vehicular access to property.

There is inadequate space remaining to allow vehicles to manoeuvre to allow access to the A52 High Street in a forward gear. Manoeuvring in the A52 is contrary to the interests of highway safety and cannot be encouraged.

The proposal to form of a vehicular access to the property does not address the issue of the inadequate parking and turning area within the curtilage of the property or the non-compliance with SMD/2013/1150

Commissioner for the Built County
On behalf of the County Council
As Highway Authority