

Comments on the Council's Statement and Third Party Responses

**APP/B3438/W/22/3313195: Land adjacent to The
Bungalow, High Street, Kingsley,
Staffordshire, ST10 2AE**

High Street Kingsley – Final Comments

Project	Land Adjacent to The Bungalow
Client	Mr Matthews
Reference	1864
Project Team	Jon Imber
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1 Introduction

- 1.1 This document responds to the Council's statement and third-party representations submitted in relation to this appeal.

2 Comments on the Council's Statement

- 2.1 Paragraph 5.3 of the Council's statement suggests that there has been a material change in circumstances since the original reserved matters approval insofar as a side conservatory has been erected at 40 High Street. This conservatory was erected (without planning permission) whilst the planning application subject to this appeal was being considered. It was therefore built in the knowledge that the appeal scheme could be implemented. In the subsequent application to regularise it, the Council's planning officer assessed the relationship between the conservatory and the dwelling subject to this appeal, concluding that since the two do not directly face one another there would be no unacceptable loss of privacy or overbearing. It is also pertinent that the conservatory does not contain principal windows.
- 2.2 Paragraphs 5.5, 5.10 and 5.11 of the Council's statement completely disregard the fact that in July 2018 it approved reserved matters for an identical scheme. The site and its context have not materially changed since.
- 2.3 Paragraph 5.12 of the Council's statement suggests that the proposals will result in less than substantial harm to the setting of the listed building at 44 High Street. This completely contradicts the consultation response of the Council's specialist Conservation Officer (Appendix 3 of the Appellant's original statement), which it is respectfully suggested should attract significantly greater weight.

3 Comments on Highways Report

- 3.1 The Highways Report leans heavily on the Highway Authority's response to the initial outline application using the presence of on street parking bays, which have since been removed, to justify a lack of objection in highway safety terms. The report states that had the parking bays not been present when the outline application was submitted, the outcome could well have been different.
- 3.2 However, access was a reserved matter when the outline application was considered. As such, precise access arrangements will not have been fully assessed until reserved matters stage. By the time reserved matters were submitted in 2018, the on-street parking bays had been removed. Even so, the Highway Authority raised no objections to the scheme. There has been no material change in highway terms since the access was formally approved as part of the reserved matters.
- 3.3 It is clear from Page 14 of the Council's committee report (previously submitted as Appendix 1 to the Appellant's original statement), that the Highway Authority has robustly assessed the current proposals in full knowledge of the on-street parking restrictions, raising no objections given the minimal impact of one additional dwelling in a predominantly residential area with no recent recorded history of accidents.

4 Comments on the Third-Party Representations

- 4.1 The third-party representations do not raise any matters not addressed in either the Appellant's original statement or the Council's Committee report already submitted as Appendix 1 of that statement.