

PARISH Unstone Parish

APPLICATION Change of use of amenity land to parking spaces at various locations in Apperknowle
LOCATION Sharman Close, Apperknowle
APPLICANT Rykneld Homes, Pioneer House, Mill Lane, Wingerworth, Chesterfield
APPLICATION NO. 20/01013/FL
CASE OFFICER Mr Colin Wilson
DATE RECEIVED 20th October 2020

REFERRED TO COMMITTEE

REASON: In accordance with the Council's Scheme of Delegation, applications submitted by the Local Authority (in this case Rykneld Homes) require a committee determination in instances where objections are received, as here.

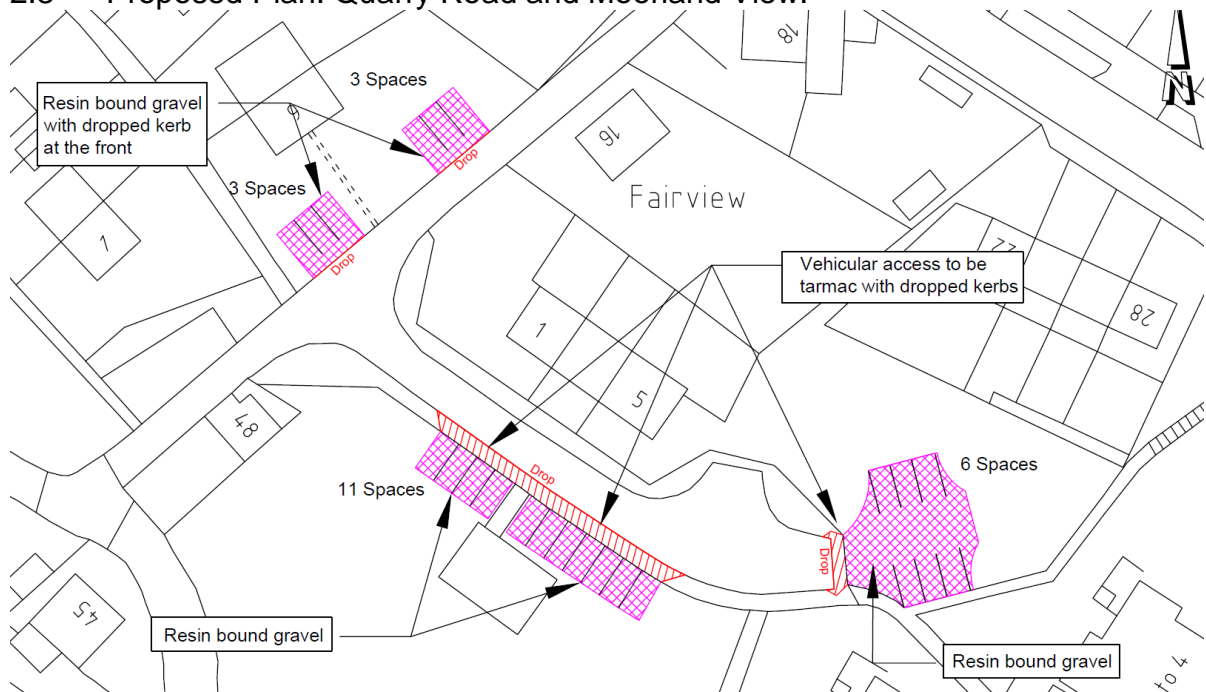
1.0 SITE DESCRIPTION

- 1.1 The application site comprises a variety of locations within the village of Apperknowle. The site includes land situated on land adjacent to various roads within the village, these being New Road, Sharman Close, Moorland View and Quarry Road.
- 1.2 The land forming the sites of this application comprise a variety of verges and amenity land situated within the defined Settlement Development Limits for Apperknowle.
- 1.3 The locations forming the application are all situated within a Development High Risk Area for coal mining legacy.

2.0 PROPOSAL

- 2.1 Full planning permission is sought for the change of use of amenity land to parking spaces at various locations in Apperknowle. The sites identified would result in the creation of 40 off-street parking spaces for the use of residents and visitors to the area. The identified sites (which are listed below) would be surfaced with a permeable resin bond material:
 - Land on the north western side of Quarry Hill (6 spaces).
 - Land on the southern side of Moorland View (11 spaces).
 - Land at the eastern end of Moorland View (6 spaces).
 - Land to west Sharman Close (8 spaces).
 - Land to the west of New Road (9 spaces).
- 2.2 All the parking spaces would be served by dropped kerbs, where applicable.

2.3 Proposed Plan: Quarry Road and Moorland View:



2.4 Proposed Plan: Sharman Close and New Road:



2.1 AMENDMENTS

3.1 The development proposals have been amended throughout the processing of the application. The main revisions to the proposal can be summarised as:

- Amendment of layout and addition of 5 spaces at the verge on the northern side of New Road.
- Omission of 4 parking spaces on the southern side of Quarry Road.

The amendments were made in relation to highway safety concerns identified in the Derbyshire County Council Highways Officers consultation comments (dated 25.11.2020).

- 3.2 For clarity and the avoidance of doubt, the application has been assessed on the basis of the following amended drawings: Amended drawing number P-LOC-SN-DET-W-REVA (uploaded to the Council's website on 21.10.21) and Amended drawing number AP-LOC-SN-DET-W-REVA (uploaded to the Council's website on 26.10.2021).

4.0 PLANNING HISTORY

- 4.1 There is no relevant planning history relating to the locations of the proposed parking provision.

5.0 PLANNING POLICY CONSIDERATIONS

North East Derbyshire District Local Plan 2014-2034

- 5.1 The new Local Plan was adopted on 29.11.2021. The most relevant policies in respect of determining this application are as follows:

- SS1 Sustainable Development
- SS7 Development on Unallocated Land within Settlement with defined Settlement Development Limits
- SDC11 Flood Risk and Drainage
- ID3 Sustainable Travel
- ID4 New Social Infrastructure

National Planning Policy Framework

- 5.2 The overarching aims of the National Planning Policy Framework (NPPF) are also material in the assessment of this application and have been taken into account.

6.0 PUBLICITY, CONSULTATIONS AND REPRESENTATIONS

- 6.1 The application was publicised by way of neighbour letters and the display of a site notice – 5 letters of representation were received and can be summarised as follows:

- The proposed parking provision is disproportionate to the need and will encroach on green spaces and residential gardens within the village.
- It does not appear that an official survey has been undertaken to support the proposals in an evidence based format.
- Concerns that a holly bush in close proximity to 8 Sharman Close would be removed to facilitate the proposed parking spaces. The removal of the holly in question would have a negative impact in biodiversity terms, as it is a haven local and migratory birds. Officer Note: The applicant has stated in the submitted details that no trees would be affected under the proposed development.
- Supporting comments based on the need for additional parking on Moorland View.

- 6.2 The **Ward Member** and **Parish Council** were consulted on the application:

- The **Ward Member** raised no comments.

- The **Parish Council** advised that they have no comments to make regarding the proposals.

6.3 **Derbyshire County Council Highways Officers** were consulted on the application, raising comments. See Assessment below for details.

6.4 **The Coal Authority** were consulted on the application – no comments were received.

6.5 **Yorkshire Water** were consulted on the application – no comments were received.

7.0 PLANNING CONSIDERATIONS

7.1 The main considerations for this application are the suitability of the proposal in this location in policy terms, its effect on the character of the sites and the surrounding area, residential amenity considerations and highway safety issues.

8.0 PLANNING ASSESSMENT

Principal of Development

8.1 The application site is situated within the defined Settlement Development Limits for Apperknowle where the principle of development is acceptable. Policy SS7 of the Local Plan (LP) relates to development on unallocated land within settlements with defined Settlement Development Limits and is therefore relevant. The Policy states that all development proposals on sites within Settlement Development Limits that are not allocated in the Local Plan or in a Neighbourhood Plan, will be permitted, provided that the proposed development: (a) is appropriate in scale, design and location to the character and function of the settlement; and (b) does not result in the loss of a valued facility or service unless it can be demonstrated that it is no longer viable, or is not the subject of a Community Right to Bid, and (c) is compatible with and does not prejudice any intended use of adjacent sites and land uses; and (d) accords with other policies of the Plan.

8.2 In this instance, Officers are of the view that the proposed parking provision would not result in any significant detrimental impacts to the character and appearance of the respective sites and the surrounding environment. Whilst the proposals would result in the loss of grassed amenity land, it is not considered that the creation of the parking provision would result in the loss of amenity space of a high value. Ultimately, Officers are of the view that the loss of the amenity space earmarked for the parking spaces would not result in any unacceptable impacts to the function, or character of the village and that ample amenity space would be retained within the vicinity of the sites.

8.3 Moreover, it is not considered that any of the proposed parking spaces would have any unduly harmful impact from a residential amenity perspective. Some of the proposed parking spaces would be positioned within relatively close proximity of existing residential properties, particularly at Quarry Road. That being said, it is not considered that the anticipated vehicular movements would give rise to any unacceptable impacts to the amenity levels currently enjoyed by the occupiers of properties adjacent to the sites of the proposed parking spaces due to the limited number of vehicle movements that would

ensue and the simple nature of such movements on to and off the adjoining highway.

- 8.4 Given the topography of a number of the sites of the proposed parking spaces, it is anticipated that some engineering operations, specifically alterations of the existing land levels, would be required. In the absence of such detailed information in the submission, Officers are of the view that conditions requiring details of the site levels, any proposed boundary treatments, and precise materials of construction would be required should planning permission be granted (see recommended conditions in the Recommendation section of this report below) to enable control over those elements to be retained.

Highway Safety Consideration

- 8.5 Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 8.6 Derbyshire County Council Highways Officers were consulted on the application, initially raising specific concerns relating to the proposed parking spaces at New Road and those earmarked for the southern side of Quarry Road. Subsequently, the application has been amended by way of revisions to the layout and number of spaces at New Road, and the omission of the four parking spaces initially proposed at the southern side of Quarry Road. It is understood that the amended scheme has been revised following discussions between the applicant and Derbyshire County Council (DCC) Highways Officers.
- 8.7 Accordingly, DCC were reconsulted on the amended details. However, at the time of writing this report, updated consultation comments have not been received. Given their input in the revised parking layout for New Road and Quarry Road, it is not anticipated that any further DCC objections will be raised to the scheme from a highway safety perspective. Any subsequently received DCC Highways comments will be communicated to Members in due course, either as late representations, or by Officers at the Committee meeting.
- 8.8 Based on the above considerations, it is considered that the proposed development would not result any unacceptable impacts on highway safety in the locality.

Conclusion

- 8.9 In conclusion, it is considered that the proposals would not impact harmfully the character of the area, the amenity of neighbouring residential properties of highway safety.
- 8.10 As such, it is concluded the application accords with the policies of the Development Plan and there are no other considerations that outweigh that conclusion. Accordingly, it is recommended that planning consent is granted.

RECOMMENDATION

9.0 Recommendation

GRANT permission subject to the following conditions:

- 1 The development hereby permitted shall be started within 3 years from the date of this permission.
- 2 The development hereby approved shall be carried out in accordance with the details shown on the following drawings unless otherwise subsequently agreed through a formal submission under the Non-Material Amendment procedures and unless otherwise required by any condition contained in this decision notice: Amended Drawing Number P-LOC-SN-DET-W-REVA (uploaded to the Council's website on 21.10.21) and Amended Drawing Number AP-LOC-SN-DET-W-REVA (uploaded to the Council's website on 26.10.2021).
- 3 Before above ground works start, a plan to show the positions, design, materials, height and type of any boundary treatments to be erected shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed before first use of the parking spaces hereby approved and shall be retained as approved thereafter.
- 4 Before above ground works start, details of the existing ground levels, proposed finished levels of the proposed parking spaces, and the proposed finished ground levels adjacent to the parking spaces, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.
- 5 Before above ground works start, precise specifications or samples of the surfacing materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.