

1. Application under consideration:

Application No:	22/04419/LDC	
Location:	The Stables Church Street Malpas SY14 8PH	
Proposal:	Parking provision at The Stables to be solely for use of the residents / occupants of The Stables.	
Consultation Deadline Date	31 st January 2023	

2. Executive Summary: *(Delete which statements are not appropriate and add reasons.)*

1/ Malpas Parish Council supports this application because:

2/ Malpas Parish Council objects to this application after careful consideration of the observations given below.

3/ Malpas Parish Council would make the observations as documented below:

4/ If the Cheshire West Council Planning Authority is minded to approve the application the Parish Council would request that the following conditions be included:

i/	
ii/	

3. Background Factors:

Open countryside	<input type="checkbox"/>	Within settlement boundary	<input checked="" type="checkbox"/>	Conservation area	<input checked="" type="checkbox"/>
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Listed Building	<input type="checkbox"/>	Tree Preservation Orders	<input type="checkbox"/>
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Relevant Neighbourhood Plan Policies	
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4. Positive aspects of development

Potential benefits to the community	None identified
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5. Material considerations against development (visual, noise, pollution etc.)

Potential impact on neighbours	The proposal would remove parking from the Hayes Lodge which would create a Highway safety hazard and displace neighbours cars that are already parked on Church Street in this area.
Potential impact on wider community	The proposal would remove 2 off road parking spaces from the Hayes Lodge which could potential create a Highway safety hazard in an already congested area.

6. Other relevant information for consideration

Section 4 of the Planning Officer report dated 10th September 2008 relevant to planning application 08/01210/FUL that granted permission for The Stables property to be constructed, states the proposal would remove parking from the Hayes Lodge which would generate a Highway safety hazard

See extract below:

4. Highway safety

As described above, the proposal would utilise the existing access and courtyard area to the front of the dwelling and provide for 4 parking spaces, with two spaces reserved for Hayes Lodge. The Hayes already has parking located at the rear and this would not be affected by the proposal. The County Highway Engineer has advised that this level of parking is acceptable in this location and that utilising the existing access for the proposal would not be detrimental to highway safety.

Condition 10 of the planning permission granted for the Stables development (08/01210/FUL) states in the interests of Highway safety 4 parking spaces should be provide with the development. See extract below:

10. The access and four parking spaces as indicated on site layout plan ref. CH001 (submitted 26/6/08) shall be made constructed and made available for use prior to the first occupation of the dwelling hereby approved commencing and two of the spaces shall be maintained for use for car parking for the dwelling hereby approved and two spaces shall be maintained for use for car parking for Hayes Lodge thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: It is in the interests of highway safety and in accordance with Policies TR13 and TR19 of the Chester District Local Plan.

A previous planning application 21/00120/S73 with the objective of obtaining a similar result was objected to by the Parish Council on highways safety grounds. It is noted that this application was subsequently withdrawn.

A further application, 21/03648/LDC with the purpose of achieving the same outcome as the current application was again objected to by the Parish Council on the grounds of Highway safety in this area. This application was also withdrawn.

Statutory Declarations

The Parish Council also notes that there are three declarations associated with this application.

The Parish Council would contest that all 3 declarations are irrelevant in terms of the purpose of condition 10 of the original permission granted for the Stables development.

Even if the occupiers of The Hayes Lodge since the stables was completed, have chosen not to park in the allocated parking spaces, a future occupier/owner of the Lodge will be forced to park on the highway if permission is granted for the LDC application.

Statutory Declaration - APPLICANT

It is fully expected that the applicant would make a declaration to support his case that there has never been a need for the residents of the Hayes lodge to park at the stables.

This statement is irrelevant in terms of the purpose of Condition 10 of the original permission granted for the Stables

Statutory Declaration – THE HAYES

The declaration states that the author has lived at the property for 11 years (This would indicate a initial date of July 2011. The picture evidence below from Google Earth dated September 2021 clearly shows a vehicle parked at the stables on an established parking surface and not a garden. This declaration is irrelevant to the purpose of condition 10 of the original permission for the Stables.

Statutory Declaration - HAYES LODGE

The submission states that at no time between December 2019 and April 2019 that they did not park at the stables.

The fact that the then occupier did not park at the stables is irrelevant in terms of the condition 10 (See above) of the original permission granted to the stables.

An aerial view (below), taken from Google Earth clearly illustrates that vehicles have been parked in the garden area which appears to be constructed as a parking courtyard. This is contrary to the declarations submitted in support of this planning application



Aerial view of the stables property 28th September 2021.



Street view of the Stables site at July 2011

Highway Safety

The road width on Church Street in the area adjacent to the Stables development is very narrow section of the highway. In addition the pavement is less than 1 metre wide at this point.

The above picture taken in July 2011 before the stables had been constructed, illustrates that residents parking in the area was already at a premium.

There have been a number of minor collisions in this area with parked cars being damaged.

Since this photograph was taken, there has been a further development of 4 large properties at Battarbee Bank (Application 12/01032/EXT) just beyond the line of vehicles shown. This has further added to the parked traffic in this area.

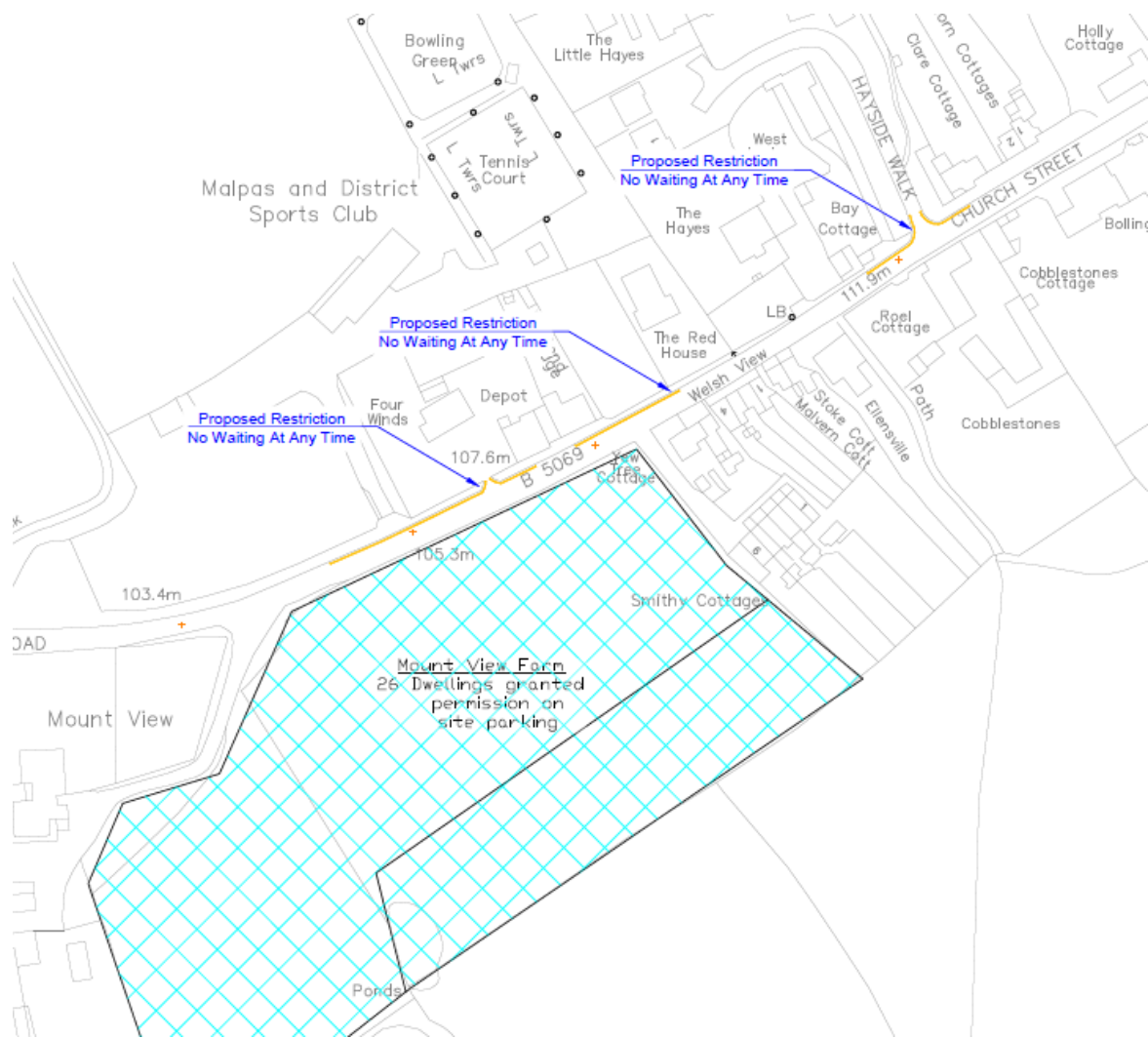
If the additional 4 parking spaces deemed appropriate to the Stables development would not be available, future owners/occupiers of The Hayes Lodge would need to park on the Highway at this point; thus increasing the hazards in this area.

Village Traffic Master Plan

Since 2016 the Parish Council have been working closely with Cheshire Highways Officers on a village traffic master plan; this aimed at reducing traffic congestion and addressing residents' safety concerns.

The plan current contains proposals for additional parking restrictions in this Church Street area. See map extract below.

Whilst yet to be publically consulted on, Highways officers are in support of these measures.



If these are subsequently implemented they would add further weight to the need for condition 10 of the original stables application to be maintained, and this application refused.

Malpas Parish Council like CW&C, has declared a climate emergency and would expect all proposals for new developments, extensions or alterations to recognise this, specifically by ensuring properties are at least carbon neutral, avoiding the use of fossil fuels and have facilities for the charging electric vehicles.

Signed: Clerk Malpas Parish Council

Dated: