

Committee Report

Item No: 7D

Reference: DC/22/06013

Case Officer: Lily Khan

Ward: Combs Ford.

Ward Member/s: Cllr Gerard Brewster. Cllr Keith Scarff.

RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS

Description of Development

Householder Application - Construction of vehicular hardstanding in front garden with associated footpath crossing and dropped kerbs for a disabled person.

Location

127 Poplar Hill, Stowmarket, Suffolk, IP14 2AX

Expiry Date: 28/01/2023

Application Type: HSE - Householder Planning Application

Development Type: Householder

Applicant: Babergh and Mid Suffolk District Council

Agent: N/A

Parish: Stowmarket

Site Area: 1368sqm

Details of Previous Committee / Resolutions and any member site visit: None

Has a Committee Call In request been received from a Council Member (Appendix 1): No

Has the application been subject to Pre-Application Advice: No

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason:

The application site is owned by Mid Suffolk District Council.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

Mid Suffolk Local Plan [2008]

GP01 - Design and layout of development

H16 - Protecting existing residential amenity

CLASSIFICATION: Official

T09 - Parking Standards
T10 - Highway Considerations in Development

Mid Suffolk Core Strategy [2008]

CS01 – Settlement Hierarchy
CS05 - Mid Suffolk's Environment

Mid Suffolk Core Strategy Focused Review [2012]

FC1 - Presumption In Favour Of Sustainable Development
FC1.1 - Mid Suffolk Approach To Delivering Sustainable Development

Stowmarket Area Action Plan [2013]

SP4.1 - Presumption In Favour Of Sustainable Development

The National Planning Policy Framework (NPPF)

Particularly relevant elements of the NPPF include:

Chapter 4: Decision-Making
Chapter 12: Achieving Well-Designed Places

Neighbourhood Plan Status

This application site is not within a Neighbourhood Plan Area.

Consultations and Representations

[Click here to view Consultee Comments online](#)

During the course of the application Consultation and Representations from third parties have been received. These are summarised below.

A: Summary of Consultations

County Council Responses (Appendix 5)

SCC - Highways Comments Received 15/12/2022

No objection, subject to conditions:

- to control visibility splays and pedestrian visibility splays
- to construct the access in accordance with SCC standard access drawing DM03
- to control the gradient of proposed accesses
- to surface the access with a bound material

Internal Consultee Responses (Appendix 6)

Contract and Asset Management

No comment made in relation to this application.

B: Representations

No representations were received.

PLANNING HISTORY

No planning history available.

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1. The application site is a 1368sqm area which hosts a detached bungalow located in an established residential area. The sites neighbouring dwellings to the east and west are of similar size and appearance.
- 1.2. The building is not listed, the site is not located in a conservation area, nor designated landscape area, nor has any trees with preservation orders on them.
- 1.3. The site is located within Flood Zone 1 and is not vulnerable to pluvial or fluvial flooding.

2. The Proposal

- 2.1. The proposal seeks permission for the construction of a vehicular hardstanding in the front garden with associated footpath crossing and dropped kerb for a disabled person.
- 2.2. The plans propose construction of a dropped kerb access off Poplar Hill which would be constructed in Tarmac to meet SCC Highways standards. The proposal details a 45m vehicular visibility splays in both directions. The new access will be 5.5m in width and constructed to SCC drawings DM03 specification.
- 2.3. The existing tarmac footpath, which runs between the site and the highway would be lowered and finished in tarmac. It is proposed to meet current highways standards to allow a vehicle to pass over without causing damage.
- 2.4. A portion of the garden to the front of the dwelling would be excavated before laying Geotextile membrane, followed by crushed stone, then 80mm thick permeable paving blocks (colour red brindle) to create a permeable block paved parking bay.
- 2.5. The dimensions of the proposed parking bay would measure 6m x 3.6m and laid in a 90° Herringbone pattern.

3. The Principle Of Development

- 3.1. As a Householder Application for the construction of vehicular hardstanding with associated footpath crossing and dropped kerb for a disabled person, the application is assessed under Local Plan policies GP1, H16, T9, T10 and Core Strategy Policies CS1, CS5, FC1, FC1.1 and the NPPF.

- 3.2. Key considerations will be the design of the proposed accesses, their impact on the surrounding road safety, landscape considerations and residential amenity of neighbouring properties. The policies seek to provide safe access to and egress from the site whilst protecting the needs and safety of pedestrians and cyclists and ensure residential amenity is maintained with consideration to the existing landscape and design of the local area.
- 3.3. Subject to compliance with the details of these policies the proposal is considered acceptable in principle.

4. Design, Access, Parking and Highway Safety Considerations

- 4.1. NPPF paragraph 130(c) states that planning decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting.
- 4.2. Policy GP1 calls for proposals to, amongst other matters, maintain and enhance the character and appearance of their surroundings.
- 4.3. The proposal would create a new vehicular access off Poplar Hill which would run across the existing footpath and grass verge. It is considered that the frontage of the dwelling has sufficient space to accommodate the proposed vehicle hardstanding and the purpose of the development would accommodate the needs of the disabled resident.
- 4.4. By way of creating a new vehicular accessway off the highway, the proposal engages highways considerations. In respect of Policy T9 and T10 and Paragraph 111 of the NPPF, development should not adversely affect the highway network and associated safety.
- 4.5. The Highway Authority were consulted and have no objection, subject to conditions to ensure the access is developed to highways standard drawing DM13, with proposed visibility splays, and conditions ensuring the gradient and surface of the existing footway are safe and suitable for pedestrians and cycling access.
- 4.6. The proposed finishing surface of the parking space would be 'Formwave Aquaflow' 80mm thick permeable paving blocks in the colour 'Red Brindle'. It is considered that proposal would appear visually unobtrusive and sufficient to withstand regular vehicular movements. The proposed hardstanding surface being of a permeable material, would allow water to be collected on the surface to flow to the ground, and mitigates any surface water drainage issues. Given that the site is also within flood zone 1, which is considered the lowest risk of flooding, it is therefore considered acceptable.
- 4.7. The road is speed limited to 30mph and affords good visibility in both directions, ensuring safe access to and egress from the site. The footpath is to remain the same width and material, ensuring the needs of pedestrians are met, in accordance with policy T10 of the Local Plan.
- 4.8. Due to the potential impact of noisy work effecting the nearby residents during the construction phase of the development Officers recommend applying a condition limiting construction work hours to protect residential amenity and to ensure that noisy works do not take place at sensitive times.

- 4.9. To conclude, the proposal would not erode the character of the area, nor reduce the amenity of the area by means of appearance, traffic generation, nuisance or safety and accords with policies GP1 and H16 of the Local Plan.

PART FOUR – CONCLUSION

5. Planning Balance and Conclusion

- 5.1. Decision taking begins with the development plan and it is of vital importance that planning decisions are plan-led. The NPPF, an important material consideration, reiterates this fundamental point.
- 5.2. The basket of policies identified hold full weight, of specific importance and relevance are Core Strategy policies CS5, FC1 and FC1.1 and Local Plan policies GP1, H16, T9 and T10. The proposal is considered acceptable with no adverse impacts to the character of the surrounding area, residential amenity, highways safety or flood risk.
- 5.3. The access is onto a 30mph road serving the existing residential dwelling. There are no design concerns, and the highways team are satisfied with the accesses from a safety perspective. The proposal offers no residential amenity concerns sufficient to warrant the refusal of the application. The proposal would accommodate the needs of the disabled resident and ease on-street parking pressure within the area.
- 5.4. The application accords with relevant development plan policies and national planning guidance and permission should be granted with the added safeguards provided by the recommended conditions.

RECOMMENDATION

That authority be delegated to the Chief Planning Officer to GRANT planning permission, including the imposition of relevant conditions and informative as summarised below and those as may be deemed necessary by the Chief Planning Officer:

- Standard time limit (3yrs for implementation of scheme)
- Approved Plans (Plans submitted that form this application)
- Vehicular visibility splays provided as shown on Drawing No. 03 and thereafter retained in perpetuity.
- Pedestrian visibility splays to be provided within 2 metre by 2 metre triangular areas each side of the access.
- No obstruction to visibility over 0.6m high within visibility splays
- Access to be provided in accordance with SCC standard access drawing DM13 with an entrance width of 3m and thereafter retained in perpetuity
- New access onto the highway to be surfaced with a bound material
- Gradient of vehicular access to not be steeper than 1 in 20 for the first five metres measured from the nearside edge of the highway.

- Gradient of the access driveway to not be steeper than 1 in 12 measured from the nearside edge of the highway.
- Restriction on construction times during development: 0800 to 1800 Monday to Fridays and 0900 to 1300 on Saturdays, no works on Sundays and Bank Holidays.

Informative notes

- Pro active working statement
- SCC Highways notes