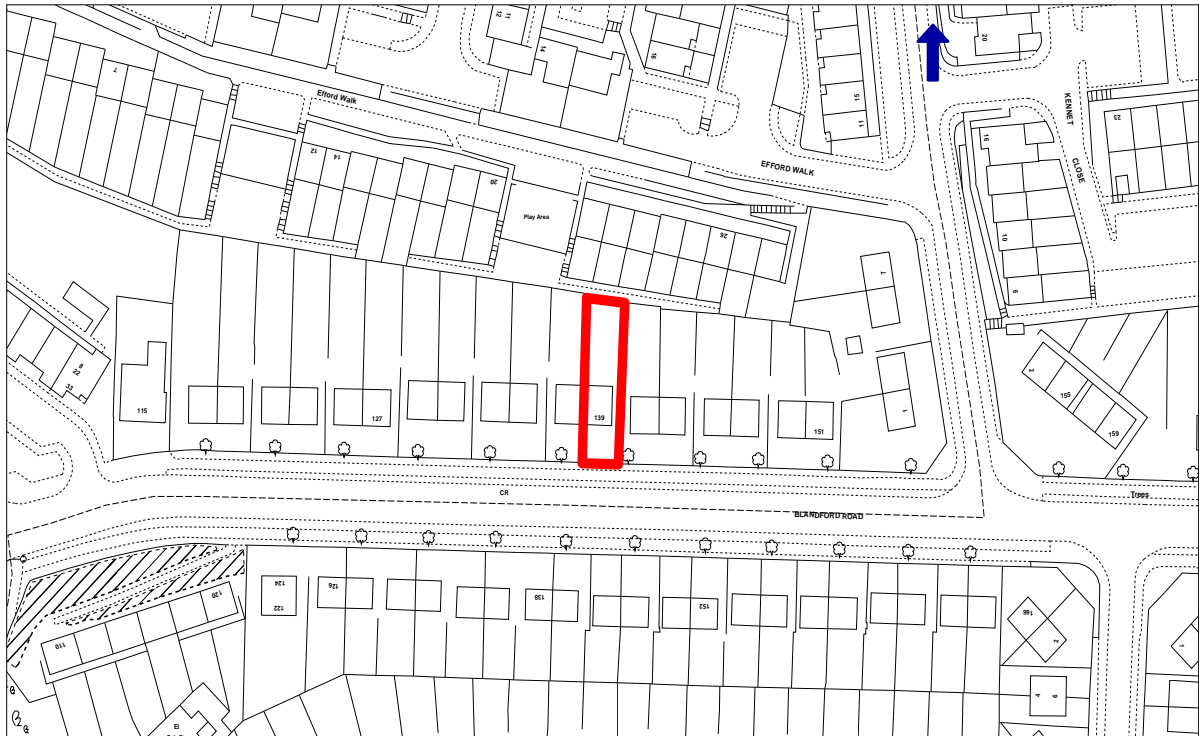


PLANNING APPLICATION REPORT



ITEM: 02

Application Number: 13/01927/FUL
Applicant: Miss Claire Rushmere
Description of Application: Widening access onto classified road
Type of Application: Full Application
Site Address: 139 BLANDFORD ROAD PLYMOUTH
Ward: Compton
Valid Date of Application: 08/10/2013
8/13 Week Date: **03/12/2013**
Decision Category: Member/PCC Employee
Case Officer : Liz Wells
Recommendation: Grant Conditionally
Click for Application Documents: www.plymouth.gov.uk



This application has been brought to Planning Committee because the applicant is an employee of the Council.

Site Description

139 Blandford Road is a semi-detached residential property in the Compton ward of the city.

The property has an existing single footway crossing and the majority of the front garden has been block paved. Blandford Road is a classified road and therefore planning permission is required to any new access or widening access onto it.

Proposal Description

Widening access onto classified road.

The proposal will involve widening the existing footway crossing from 3 metres to 4.8 metres wide and moving the access slightly downhill. Amended plans have been negotiated during the course of the application to clarify the precise width of the access and the separation distance between the proposed vehicle crossing and the adjacent vehicle crossing. Due to the minor nature of the amendments, the amended plans have not be subject to further public consultation.

Pre-Application Enquiry

None formal. Advice sought confirmed planning permission required for widening access due to the road classification.

Relevant Planning History

No planning history for application site.

A number of nearby properties have existing hardstandings and vehicle crossings. Number 133 has approval from 2012 – application reference 12/00536/FUL – APPROVED CONDITIONALLY.

Consultation Responses

Local Highway Authority – no objections subject to a condition that the car parking provision and vehicle footway crossing comply with all approved council standards. An informative is recommended to advise the applicant to contact Amey Highways who in accordance with approved council standards manage the provision of vehicle footway crossings in the public highway.

Amended plans have been negotiated following the Local Highway Authority response. The revised submitted plan B accords with the recommended condition.

Further comments detailed in analysis section below.

Representations

One letter of representation has been received objecting to the application on the basis of loss of on-street parking in the street, commenting that parking in this street is already horrendous and that the applicant can manage with a single width access.

Analysis

1. The National Planning Policy Framework seeks to actively encourage and promote sustainable forms of development. It replaces all previous Planning Policy guidance issued at National Government Level.
2. This application has been considered in the context of the Council's adopted planning policy in the form of the Local Development Framework-Core Strategy 2007 and is considered to be compliant with National Planning Policy Framework guidance.
3. The main consideration in assessing this planning application are the impact on highway safety and the impact on streetscene. The most relevant policy of the Core Strategy is CS28 (Local Transport Considerations) and the detailed guidance set out in the Development Guidelines Supplementary Planning Document (SPD) First Review 2013 and National Planning Policy Framework Chapter 7 (Requiring Good Design) and 4 (Promoting Sustainable Transport).

Highway safety/Parking

4. Turning provision: Generally, for highway safety reasons where there is off-street parking with access and egress from a Classified Road (as in this case) turning provision is also required within the private property to enable a car to turn and enter and leave the property safely in forward gear. However, the application property has long established vehicular access/egress and off-street car parking without turning provision (as have some other properties on Blandford Road), so in this case the application is for the modification of the existing arrangements which is considered acceptable in principal.
5. Width and spacing: The Local Highways Authority consultation response states PCC conditions for a domestic vehicle crossing including the current Conditions of Construction and Use for Domestic Vehicle Crossings indicate vehicle crossing shall have a maximum width in the street along the application property frontage not exceeding 4.8 metres at its widest point, with a minimum of 6 metres distance from any adjacent vehicle crossing. This spacing is to allow room for on-street parking. An amended plan has been submitted confirming that a 6 metre separation distance from the adjacent vehicle crossing for no. 137 Blandford Road can be achieved whilst still requesting the vehicle crossing of 4.8 metres width. As such, the 'revised plan B' submitted plan, accords with the Council's standards and the recommended condition.
6. Levels: The ground levels of the off-street parking area would appear not to have properly taken account of the gradient or slope of the street, and at the

west side of the application property the off-street parking area is slightly higher than the threshold of the street. As the managers of the highway network and vehicle crossing provision Amey Highways have confirmed in an e-mail dated 28 October 2013 that 'they usually advise residents that the ground level of the finished private hard-standing needs to match the level of the highway'; and clearly in approving the alterations to the position of the vehicle footway crossing in the highway, Amey Highways shall need to ensure that the level of the hard-standing and the vehicle crossing meet one another appropriately, in order to provide safe access/egress without detriment to the use of the street and the public highway.

7. Drainage: The block paved hard standing installed is understood to be constructed of standard block paving and drain towards the highway. Unless the surface is constructed of an accepted type of permeable paving that would allow surface water to soak through, provision should be made for surface water drain within the site to ensure that surface water would not run off onto the highway and cause a public nuisance. Without this, the hardstand is in breach of the condition set out in the permitted development allowances for hardstands. The amended plan and details provided by the applicant indicate that this could be provided by an ACO concrete rain channel with a galvanised grate on the top, to drain water back into the ground of the applicant's property. The recommended condition requires drainage measures to be put in place before it is brought into use.
8. Streetscene: The application property is currently open fronted with the exception of a narrow raised boarder to the lower side. There is a very slight height difference between the vehicle hard standing and the pedestrian access path to the higher side and across the front of the house. The Development Guidelines SPD acknowledges that paving front gardens to provide parking spaces has become popular but encourages as much original walling as practical to be retained to ensure the appearance of enclosure, and incorporating space for soft landscaping. There are a number of hardstandings to the front of neighbouring properties in the vicinity, the majority are for a single car width which retain some form of boundary treatment. The submitted scheme is contrary to this guidance by virtue of its open nature, however officers consider that due to the set back of the property from the road (due to the unusually wide pavements in this part of the road are very wide, including grass verges and street trees) then the impact of the proposal will not result in any demonstrable harm to the visual amenity of this street. Officers consider a refusal on this ground would therefore be unreasonable and considering that the same visual impact could be achieved from a hardstand built under permitted development allowances. The Local Highways Authority considers that once the exact position of the vehicle footway crossing has been established and approved by Amey highways, then the remaining frontage would benefit from some form of boundary treatment, which would also help to guide a car when entering and the leaving the property.
9. Loss of on-street parking: With regard to the letter of representation, it is acknowledged that the proposed increase in vehicle cross over may result in

the displacement of on-street parking to off-street parking to the benefit of the occupiers of the application site. The loss of on-street parking resulting from the increase of width in vehicle cross over for this property from 3.2 metres (existing) to 4.8 metres (proposed) represents the loss of less than one car length. Some properties are able to park two cars by using a single vehicle cross over. However, it appears that wider hard stand installed requires a wider vehicle crossing and the application seeks the maximum width of cross over permitted under the current Council standards of 4.8 metres. As detailed above, an amended plan has been negotiated to ensure that a 6 metres distance from any adjacent vehicle crossing is achievable to allow for on-street parking. In this instance, the small loss of on-street parking resulting from this proposal is not considered to be significant enough to warrant the application for refusal.

10. Impact on neighbours: Officer do not consider the widened vehicle crossing and associated hard stand will have an adverse impact on neighbour amenity.

11. Human Rights Act: The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Local Finance Considerations

None. No charge under current Community Levy charging schedule.

Equalities and Diversities

None. The planning history suggests that the planning department has consistently applied planning policy where required. Issues raised about recently installed vehicle crossings and off-street parking in the vicinity are being investigated.

Conclusions

The application is recommended for approval in line with the revised plan B submitted 20 November 2013 with the condition recommended by the Local Highways Authority to ensure the hardstand is drained before being brought into use and to maintain a separation from the adjoining vehicle crossing of not less than 6 metres to maintain on-street parking provision.

Recommendation

In respect of the application dated **08/10/2013** and the submitted drawings site location plan, existing plan and proposed plan A as amended, it is recommended to:

Grant Conditionally

Conditions

CAR PARKING PROVISION

(1) The car parking provision and vehicle footway crossing shall comply with all approved council standards, including the current Conditions of Construction and Use for Domestic Vehicle Crossings; and shall have a maximum width in the street along the application property frontage not exceeding 4.8 metres at its widest point, with a minimum of 6 metres distance from any adjacent vehicle crossing. It shall be constructed in accordance with accepted best practice and standards, and drained so as to prevent surface water issuing onto the highway; and without causing detriment to the street and the lawful use of the public highway. The car parking area shall not be brought into use until measures are put in place to ensure that the hard standing does not drain onto the Public Highway, and it complies with all of the requirements of the planning consent; and that area shall not thereafter be used for any purpose other than the parking of vehicles.

Reason:

To enable vehicles used by occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 32 of the National Planning Policy Framework 2012.

DEVELOPMENT TO COMMENCE WITHIN 3 YEARS

(2) The development hereby permitted shall be begun before the expiration of three years beginning from the date of this permission.

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004.

APPROVED PLANS

(3) The development hereby permitted shall be carried out in accordance with the following approved plans: site location plan, existing plan and Revised plan B (received by email 20 Nov 2013).

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61-66 of the National Planning Policy Framework 2012.

INFORMATIVE: VEHICLE FOOTWAY CROSSING

(1) The applicant should contact Amey Highways who in accordance with approved council standards manage the provision of vehicle footway crossings in the public highway. The hard-standing and vehicle footway crossing shall meet the requirements of any associated planning consent and the standards set out in the current 'Conditions of Construction and Use for Domestic Vehicle Crossings'.

INFORMATIVE: CONDITIONAL APPROVAL (2)

(2) In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant and has negotiated amendments to the application to enable the grant of planning permission.

INFORMATIVE: (3) DEVELOPMENT IS NOT LIABLE FOR A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION

(3) The Local Planning Authority has assessed that this development, due to its size or nature, is exempt from any liability under the Community Infrastructure Levy Regulations 2010 (as amended).