

BOROUGH OF KETTERING

Committee	Full Planning Committee - 13/03/2018	Item No: 5.4
Report Originator	Amy Shepherdson Development Officer	Application No: KET/2017/1021
Wards Affected	Rothwell	
Location	41 Desborough Road, Rothwell	
Proposal	Full Application: Creation of vehicular access	
Applicant	Mrs K Golden	

1. PURPOSE OF REPORT

- To describe the above proposals
- To identify and report on the issues arising from it
- To state a recommendation on the application

2. RECOMMENDATION

THE DEVELOPMENT CONTROL MANAGER RECOMMENDS that this application be APPROVED subject to the following Condition(s):-

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.

2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.

REASON: In the interest of securing an appropriate form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

3. The use of the access hereby approved shall not commence until visibility splays of 0.7m metres by 2m in accordance with approved plan P1/01D have been provided at the junction of the access road with the public highway, and these splays shall thereafter be permanently kept free of all obstacles to visibility over 0.6m in height above access / footway level.

REASON: In the interests of highway safety in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

4. The access and drive shall be constructed from a hard-bound permeable material and have a maximum gradient over the 5m distance from the highway boundary of 1 in 15 in accordance with approved plan P01/01D and shall be permanently retained in this form thereafter.

REASON: In the interests of highway safety in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

5. No gates, barriers or other means of enclosure shall be erected across the access at any time.

REASON: In the interests of highway safety in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

Officers Report for KET/2017/1021

This application is reported for Committee decision because there are unresolved, material objections to the proposal.

3.0 Information

Relevant Planning History

KET/2017/0690 - Creation of vehicular access – Withdrawn

Site Visit

Officer's site inspection was carried out on 31/01/2018.

Site Description

The application is a two storey detached property which fronts Desborough Road, Rothwell which is one of the main routes through Rothwell and a classified B road.

The application site has a small front garden which is currently planted and bound with a wooden picket fence. It has an approximately 3m wide grassed verge to the front between the garden and the public footpath.

A number of dwellings to the north have existing vehicular parking within their front garden and also No. 37 to the south. As you travel south from the site the houses are set at an increasingly a higher land level relative to the road.

Proposed Development

This application seeks planning permission for the creation of a vehicular access off a classified road and an area of hardstanding to the front of the house for the parking of vehicles.

The applicant has amended the plans within the application process to get as close as possible to highways' standard requirements.

Any Constraints Affecting the Site

Classified B Road

4.0 Consultation and Customer Impact

Rothwell Town Council

No objection to the proposal

Highway Authority

Original plans

Objection

- No turning available for an access onto a classified road.
- Pedestrian visibility splays unachievable in land under the applicant's control.
- Required gradients unachieved – (this objection was subsequently withdrawn as the applicant has shown the at the gradient would be less than 1 In 15)

Revised plans

Objection

- No turning available for an access onto a classified road.
- Pedestrian visibility splays unachievable with required access width in land under the applicant's control.

It is evident that many other dwellings have accesses onto the Desborough Road with no turning available, should the LPA seek to approve it the LHA request that the following conditions be applied.

- Access width of 3m (3.3m where solid side boundaries exist and/or it is also the sole means of pedestrian access to the dwelling).
- shall be paved with a hard bound surface for the first 5m from the highway boundary
- The maximum gradient over the 5m distance shall not exceed 1 in 15
- Visibility splay of 2.0m x 2.0m, the splays shall thereafter be permanently retained and kept free of all obstacles to visibility over 0.6m in height above access / footway level.
- Drainage to stop surface water from the vehicular access discharging onto the highway.
- No gates within 5.5m of the highway boundary.
- Control of debris etc. on the Highway.

Neighbours

Notification letters were sent out to neighbours in close proximity and a site notice was erected at the site; one response was received which is detailed below:

- 43 Desborough Road, Rothwell – Support the application.

5.0 Planning Policy

National Planning Policy Framework

Para 14 - Presumption in Favour of Sustainable Development

Para 17 - Core Planning Principles

Policy 6 – Delivering a wide choice of high quality housing

Policy 7 – Requiring Good Design

Development Plan Policies

North Northamptonshire Joint Core Strategy

Policy 1 Presumption in favour of Sustainable Development

Policy 8 North Northamptonshire Place Shaping Principles

6.0 Financial/Resource Implications

None

7.0 Planning Considerations

The key issues for consideration in this application are:-

1. Principle of the Development
2. Highways matters
3. Character and Appearance of the Area.

1. Principle of the Development

The application site is in an established residential area to the northwest of Rothwell. Policy 8 of the North Northamptonshire Joint Core Strategy is supportive of householder development provided the proposals do not result in adverse impact on character and appearance, residential amenity and the highway network. The principle of development for this proposal is therefore established subject to the satisfaction of the development plan criteria.

2. Highways matters

Policy 8 (b) of the JCS states that new development should not have an adverse impact on the highway network or prejudice highway safety.

The proposal for on-plot parking is to assist the residents of the dwelling to park closer to the front door, this is requested due to medical treatment and health issues which affects a resident's mobility.

The site has a 4.5m wide frontage and as such cannot accommodate an access which meets the LHA guidance of 3.3m for vehicular and pedestrian access and 2m pedestrian visibility splays on each side which would resultantly need a site width of 7.3m to be accommodated. The LHA have objected to the application on this basis as well as there being no turning space available on site.

The applicant has amended plans during the application process following Highways' initial objection and discussions with the case officer. The size of the permeable hard standing has remained the same with a length of 5m and a width of 3.8m at the widest point which narrows to 3m at the point of entry. This space will comfortably accommodate 1 car parking space with good accessibility to the front door. The use of soft landscaped triangles to narrow the permeable hard surface at the entry point results in the site having an access of 3m width and visibility splays of 0.75m by 2m. The tarmac driveway over the highway verge has also been narrowed to 3m to allow as much visibility as possible between pedestrians and vehicles exiting the site (which would likely be reversing).

It is acknowledged that the visibility splays are below the LHA requirements however the parking area is set back from the footpath by a verge of 3m and although pedestrians could be walking along the highway verge rather than the footpath, this would be anticipated to occur infrequently. This part of the road is also straight and there is good visibility in both directions.

When considering the number of properties within the street which have on-plot parking through a very similar arrangement the introduction of an additional access does not raise undue concerns, even it doesn't meet highways standards. The proposed access offers the best possible arrangement and visibility splays for the site and is not considered to have an adverse impact on the highway network or prejudice highway safety.

A condition has been recommended to ensure that the access is constructed in accordance with the approved plan which confirms the access width and the use of hardbound permeable materials to avoid surface water running onto the highway. Separate conditions have also been added to ensure the visibility splays that are obtainable are permanently retained; the gradient is no steeper than 1 in 15; and that no gates are erected over the access. An informative is also recommended to remind the applicant that construction materials and debris should be kept clear of the highway at all times.

3. Character and Appearance of the Area.

Policy 8(d) of the North Northamptonshire Joint Core Strategy requires development to respond to the sites immediate and wider context and local character.

The local area is characterised by small front gardens. The neighbouring properties of No.37 and No. 43 both have vehicular accesses and on plot parking. The introduction of a vehicular access and parking area would not impact adversely upon the local area and as such is in accordance with Policy 8 of North Northamptonshire Joint Core Strategy.

Conclusion

It is therefore recommended that that application be approved subject to the recommended conditions.

Background Papers

Title of Document:

Date:

Contact Officer:

Amy Shepherdson, Development Officer on 01536 534316

Previous Reports/Minutes

Ref:

Date: