

DELEGATED DECISION REPORT

HPK/2023/0188
Valid 06/06/2023

15 BALVARRAN BURLOW
ROAD
HARPUR HILL
BUXTON

KERBS DROPPED IN FRONT
ON PROPERTY TO MAKE
ENTRANCE FOR A DRIVE ON
THE EXISTING FRONT LAWN

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Highway Safety

DESCRIPTION OF SITE

15 Burlow Road is a semi-detached rendered property, located along a residential thoroughfare with small line of shops opposite. This section of Burlow Road, comprises of an assortment of dwellings, predominantly of a semi-detached character.

The application site has no off-street parking, with land to the front of the dwelling enclosed by a low stone wall. A number of dwellings along Burlow Road have converted their front gardens to off-street parking.

PROPOSAL

Planning permission is sought to drop the kerb outside of no. 15 and create off-street parking. The proposed off-street parking space would be 4.30M by 4.80M following submission of revised plan, with 2.40 by 4.7M sight lines along Burlow Road.

The proposal would remove a portion of the existing stone wall to create a vehicle entrance, and make good the remaining wall. The proposal would allocate space for bin storage, a 2.40 by 4 M parking space and retain an existing pedestrian path/entrance.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan 2016

S 1 Sustainable Development Principles
S 1a Presumption in Favour of Sustainable Development
S 2 Settlement Hierarchy
EQ 6 Design and Place Making
CF 6 Accessibility and Transport

National Planning Policy Framework

Section 4
Section 12

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

No previous planning history

CONSULTATIONS

Publicity

Site Notice expiry date: 21/07/2023
Neighbour consultation period ends: 06/07/2023
Press Advert: N/A

Public Comments

None received

Town / Parish Comments

N/A

Environmental Health

N/A

Derbyshire County Council Highways

29th June 2023

The proposal seeks to create a new vehicular access to Burlow Road, to serve an off-street parking space / bin dwell area.

The application site is located on Burlow Road which is a classified road subject to a 30mph speed limit, the Sight lines plan demonstrates emerging visibility sightlines of 2.4m x 47m in both directions which are acceptable. As Burlow Road is a classified road, typically, space should be provided within the site to enable vehicles to manoeuvre to enter and exit the site in a forward gear. However, majority of the properties in the vicinity of the site don't benefit from manoeuvring space, therefore, it is not considered there are grounds for a highways objection.

Off-street parking bays should measure a minimum of 2.4m x 4.8m with an additional 0.5m of width to any side adjacent to a physical barrier e.g. wall, hedge, fence, etc. The depth of the proposed parking area is in the region of

3.7m - 3.8m, which is significantly below the minimum dimensions for a parking bay as stated above.

Therefore, it is recommended the applicant considers a revised layout in order to provide a parking area with a minimum depth of 4.8m.

Accordingly, I would be obliged if you could ask the applicant to submit revised plans in view of the above comments and in the meantime, please hold the application in abeyance until revised plans have been submitted.

4th August 2023

The depth of the parking area would not be acceptable as it is significantly below the minimum recommended standard for a parking bay (2.4m x 4.8m), whilst it is appreciated there are similar instances as the proposed layout in the vicinity of the site each application is assessed on its own merit.

It is considered that the substandard depth of the proposed parking area would be likely to result in vehicles encroaching onto fronting footway, a situation against the best interests of highway safety.

It is worth pointing out that the vehicle demonstrated on the location plan parking within the site overhangs the parking area to the rear and encroaches onto the fronting footway.

On an as submitted basis, the Highway Authority would recommend refusal of the proposal on the following grounds:

- No adequate provision is included in the proposals for the parking of vehicles clear of the public highway, which would be likely to result in vehicles overhanging the fronting footway, a situation considered to be against the best interests of highways safety.

The applicant may wish to consider a revised layout to provide a parking space measuring a minimum of 2.4m x 4.8m, and upon receipt of revised plans I would comment further.

OFFICER COMMENTS

Principle of Development

LP Policy S 2, which states that development should be directed towards sustainable locations, including Market Towns such as Buxton. The site is situated within this built-up area boundary. Therefore the principle of the development is acceptable subject to consideration of the following policy.

Design

LP Policy EQ 6 states that all development should be well designed, of a high quality and respond to the areas character, history and scale.

The proposal will remove a small section of the existing wall. Many properties along the street scene have previously removed these walls, to create off-street parking. Therefore the proposal will not visual harm the character of the street scene.

Amenity

LP Policy EQ 6 states that all development should achieve a satisfactory relationship to adjacent development and doesn't cause unacceptable effects by reason of vision intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity.

The nature of the proposal will not lead to overlooking, loss of privacy or any other loss of amenity upon neighbouring properties. As such there are no amenity concern.

Highway Safety

LP Policy CF 6 states that all development should deliver sustainable patterns of development by ensuring that it does not lead to an increase in on street parking to the detriment of the free and safe flow of traffic.

Burlow Road, a main thoroughfare in the Harpur Hill area of Buxton. This section of Burlow Road is typically characterised by on-street parking, if both residents and those using the handful of shops located along Burlow Road.

Two highways objections have been received, both of which object to the size of the proposed parking space. The space provided falls 0.80M short of the minimum required 4.80 by 2.40M. DCC Highways therefore consider this to present a highway safety concern, as vehicles are likely to overhang the driveway, obstructing the pavement. The applicant has not been able provide revisions demonstrating they can meet the 4.80M depth requirement.

DCC Highways considered the sightlines to be acceptable, but, raises a brief concern regarding turning space. However, as there is precedent along Burlow Road for dwellings to lack the typically required turning space this is not a sustainable objection.

Overall the small size of the parking space proposed raise highway safety concerns, which render the proposal unacceptable.

Nutrient Neutrality

The site lies within the catchment of the River Wye which forms the Peak District Dales Special Area of Conservation (SAC). The Council has been notified that action must be taken to address exceedances of phosphorus in the River. As such, the Council cannot grant consent for development unless it can rule out "likely significant

effects” on the SAC. A Habitats Regulations Assessment (HRA) will be required when the plan or project creates a source of water pollution or has an impact on water quality and when it is within the catchment of the SAC. Initially, a screening assessment will be required to consider if “likely significant effects” (alone or in combination) on the SAC can be ruled out. If not, this will be followed by an “Appropriate Assessment” where the impact of the plan or project is considered in detail.

Screening Assessment

The proposal is not directly connected with or necessary for the conservation management of a European site. The proposal will not increase overnight stays. However, the proposal does involve additional hard surfacing and will therefore increase surface water run-off. However, given the very limited extent of the hardstanding it will not significantly increase run-off from the site and in turn will not risk having a significant negative effect on the SAC either on its own or in combination with other proposals and therefore it is not necessary to carry out an Appropriate Assessment

CONCLUSION / PLANNING BALANCE

In conclusion the proposal does not provide an adequate off street parking space and poses a risk to highway safety. As such the proposal fails CF6 of the HPBC Local Plan and NPPF.

OFFICER RECOMMENDATION : Refusal

Case Officer: Rachel Robinson

Recommendation Date: 4th December 2023

X 

Signed by: Ben Haywood

On behalf of High Peak Borough Council