

Name of Applicant	Proposal	Expiry Date	Plan Ref.
Mr Andy Dane	Extend existing dropped kerb by 3m along the front of property in order to allow wider driveway access 385 Stourbridge Road, Catshill, Bromsgrove, Worcestershire, B61 9LG	27.07.2019	19/00713/FUL

RECOMMENDATION: That planning permission be **Granted**

Consultations

Highways - Bromsgrove

The Highway Authority has no objection to this (revised) application.

The dwelling is located in a residential location off a classified road. The site benefits from an existing vehicular access with good visibility in both directions. Stourbridge Road benefits from footpaths on both sides with a grass verge located opposite the front garden of the dwelling. Street lighting is also provided on both sides of the road, no parking restrictions are in force in the vicinity.

I have not requested a speed survey for the new vehicular access in this instance since the width of the footpath fronting the property is approx. 5.5m which includes a 2m grass verge. Due to the location of the proposed vehicular access I have also not requested a pedestrian visibility splay, since pedestrian visibility would not be impeded in this instance.

The Highway Authority has undertaken a robust assessment of the planning application and based on the information contained on Drawing SJD-253-002 I have concluded that there would not be a unacceptable highways impact and therefore there are no justifiable grounds on which an objection could be maintained.

Catshill and North Marlbrook Parish Council

The Parish Council support the application

Councillor Shirley Webb

Supports the application and considers the proposals to be acceptable in planning terms

Publicity

4 letters posted in notification. No response received

Relevant Policies

Bromsgrove District Plan

BDP1 Sustainable Development Principles

BDP16 Sustainable Transport

Others

NPPF National Planning Policy Framework (2019)

Relevant Planning History

None

Background

This application was reported to the Bromsgrove Planning Committee on 5th August 2019. The application was called in by the ward member, Cllr Webb and the recommendation at that time was one of refusal for the following reason:

1) *Insufficient details and justification have been advanced to demonstrate that this application is acceptable in highway safety terms. Further, in the absence of adequate turning facilities within the application site, vehicles reversing from or onto the Stourbridge Road (the B4091) would prejudice the safety and free flow of moving traffic on the highway and the safety of pedestrians using the adjoining footpath. The application is therefore contrary to Policy BDP16 of the Bromsgrove District Plan, the Worcestershire County Council Streetscape Design Guide and Chapter 9 of the NPPF*

At the meeting of 5th August 2019, the Planning Committee determined to defer the application in order for County Highways to provide additional clarification to the applicant in terms of what might be required in order to overcome their concerns. The resolution, as set out in the published minutes requires the application to be returned to the Planning Committee for determination in due course.

Assessment of Proposal

Schedule 2, Part 2, Class B (means of access to a highway) of the General Permitted Development Order allows for the formation, laying out and construction of a new or widened means of access to a highway which is not a trunk road or classified road, where that access is required in connection with development permitted by any Class within Schedule 2 (other than by Part 2, Class A - erection of gates, fences and walls). Such permitted development would include (for example) the provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse, under Schedule 2, Part 1, Class F.

In this case however, the applicant proposes to create a means of access onto the Stourbridge Road which is a 'B' Class, classified road (B4091), triggering the need for a planning application to be submitted.

Policy BDP16 (16.1) of the Bromsgrove District Plan comments that development should comply with the Worcestershire County Council's Transport policies, design guide and car parking standards (currently set out within the WCC Streetscape Design Guide) and shall incorporate safe and convenient access and be well related to the wider transport network.

Paragraph 108 of the National Planning Policy Framework comments that: in assessing applications for development, it should be ensured that (b) safe and suitable access to the site can be achieved for all users.

Worcestershire County Council (WCC) Highways had previously commented that insufficient details had been advanced to demonstrate that the application was acceptable in highway safety terms stating that the absence of adequate turning facilities within the application site would not enable vehicles to enter and exit the site in a forward gear. This in turn would leave the applicant with no option but to reverse from or onto the B4091, which was considered to have an adverse impact on highway safety.

Detailed additional plans have now been submitted which now clearly show that vehicles can enter and exit the site in a forward gear. Members will note that WCC Highways are raising no objection to this (revised) application for an extension to an existing dropped kerb to the front of the property subject to compliance with details as shown on submitted drawing SJD-253-002.

Having regard to the development plan and to all other material planning considerations and in the absence of any objections to the application, it is recommended that planning permission be granted.

RECOMMENDATION: That planning permission be **GRANTED**

Conditions:

- 1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of the grant of this permission.

Reason: In accordance with the requirements of Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) The development hereby approved shall be carried out in accordance with the following plans and drawings:

Drawing SJD-253-002 - amended 9th November 2020

Reason: To provide certainty to the extent of the development hereby approved in the interests of proper planning.

- 3) The Development hereby approved shall not be brought into use until the access, parking and turning facilities have been provided as shown on drawing SJD-253 - 002.

Reason: To ensure conformity with submitted details.

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