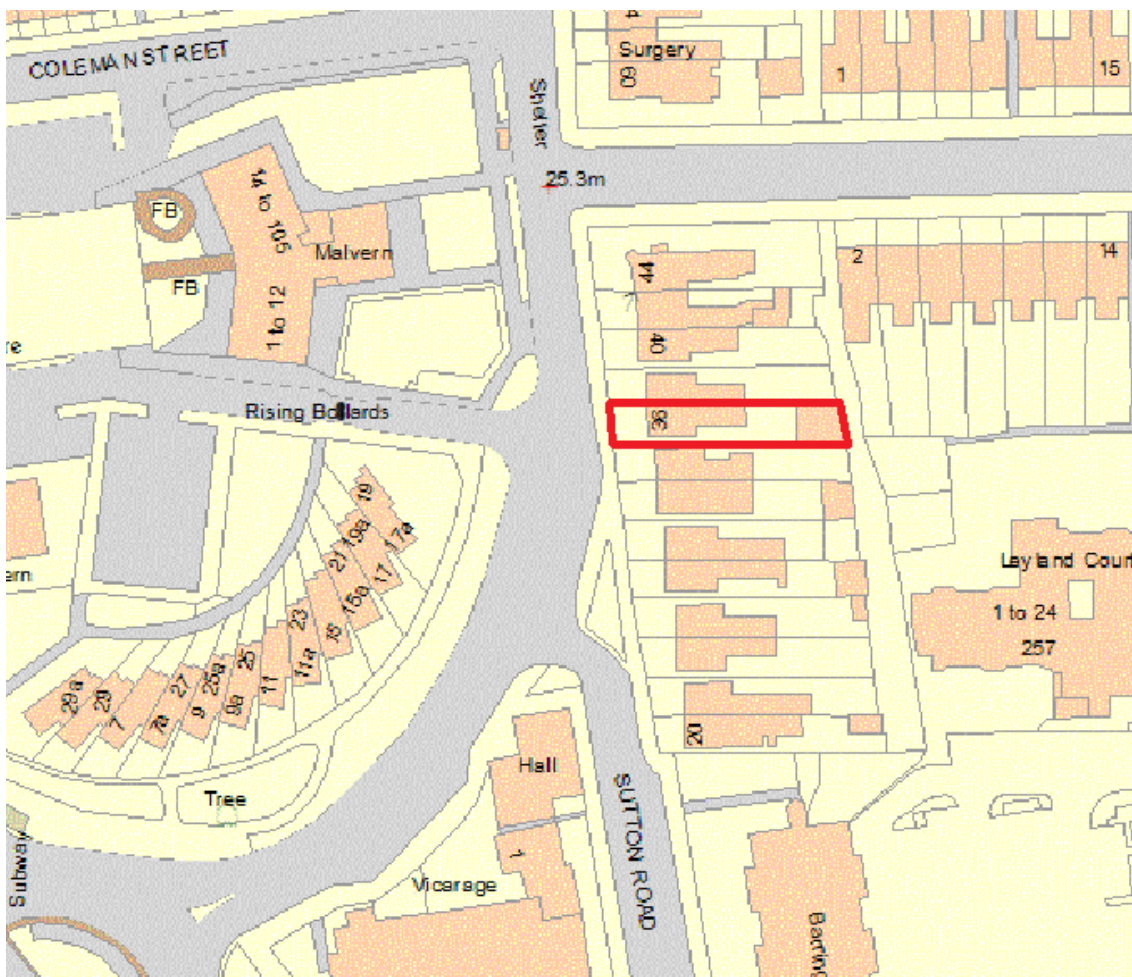


| | | |
|-----------------------------|--|--|
| Reference: | 22/00507/FULH | |
| Application Type: | Full Application - Householder | |
| Ward: | Kursaal | |
| Proposal: | Layout parking to front and form vehicle crossover onto Sutton Road for disabled access (part-retrospective) | |
| Address: | 36 Sutton Road, Southend-on-Sea, Essex, SS2 5EW | |
| Applicant: | Mr Zoran Stepanovic | |
| Agent: | Not applicable | |
| Consultation Expiry: | 18 th August 2022 | |
| Expiry Date: | 13 th October 2022 | |
| Case Officer: | Hayley Thompson | |
| Plan Nos: | Location plan, Plan of front of property, S001A, S003A | |
| Recommendation: | GRANT PLANNING PERMISSION subject to conditions | |

Link to Plans: [#{generalform.title} \(southend.gov.uk\)](#)



1 Site and Surroundings

- 1.1 This site on the east side of Sutton Road contains a semi-detached dwelling. Sutton Road is a Classified Road. The application site is within a residential area with some commercial uses to its north. The site is opposite Malvern, a 12-storey block of flats. There are no examples of vehicular accesses within the immediate locality on Sutton Road.
- 1.2 The site is located within the Sutton Gateway Neighbourhood as defined in the Southend Central Area Action Plan. It is not located within a conservation area nor is subject to any other planning policy designations.

2 The Proposal

- 2.1 Planning permission is sought to create a 4.66m wide vehicular access onto Sutton Road and to lay hard standing to the front garden to measure 4.6m wide and 5.3 deep to allow for the off-street parking for at least one vehicle to improve disabled access. Concrete hardstanding has been laid at the site so the application is part retrospective in nature. It is proposed that surface water would drain to an Aco water drain.

3 Relevant Planning History

- 3.1 The most relevant planning history for the determination of this application is shown on Table 1 below:

Table 1: Relevant Planning History of the Application Site

| Reference | Description | Outcome |
|-----------------|---------------------|---------|
| 21/00315/UNAU_B | Enforcement enquiry | Pending |

4 Representation Summary

Call-in

- 4.1 The application has been called in to Development Control Committee by Cllr Cowdrey.

Public Consultation

- 4.2 134 neighbouring properties were consulted and two letters of representation have been received objecting to the proposal. Summary of objections:
- The property is located on a busy classified road
 - The site is located close to busy junctions
 - The site is close to a raised table crossing and sight lines would be obscured
 - The site has existing off street parking and garage to the rear
 - Plans show an existing rear wall that has been previously demolished
 - The hardstanding is not level
 - Concerns raised that the proposal would be detrimental to the health and safety of residents in nearby sheltered or disabled housing
 - The plans show as existing a front boundary wall that has not been on site for some time.

Officer Comment: All relevant planning considerations have been assessed within the appraisal section of the report. These concerns are noted and they have been taken into account in the assessment of the application however, they are not found to represent a reasonable basis to refuse planning permission in the circumstances of this case.

5 Planning Policy Summary

- 5.1 The National Planning Policy Framework (NPPF) (2021)
- 5.2 Core Strategy (2007): Policies KP2 (Development Principles), CP3 (Transport and Accessibility) and CP4 (Environment & Urban Renaissance)
- 5.3 Development Management Document (2015): Policies DM1 (Design Quality), DM3 (Efficient and Effective Use of Land) and DM15 (Sustainable Transport Management)
- 5.4 Southend Central Area Action Plan (SCAAP) (2018): DS5 (Transport, Access and Public Realm), PA9 (Sutton Road Neighbourhood Area Development Principles)
- 5.5 The Southend-on-Sea Vehicle Crossing Policy and Application Guidance (2021)
- 5.6 Southend-on-Sea Design and Townscape Guide (2009)
- 5.7 Community Infrastructure Levy (CIL) Charging Schedule (2015)

6 Planning Considerations

- 6.1 The main considerations in relation to this application include the principle of the development, the design and impact on the character and appearance of the area, the residential amenity for future and neighbouring occupiers, traffic and parking implications and CIL liability.

7 Appraisal

Principle of Development

- 7.1 Vehicular crossings are considered acceptable in principle, providing that highway safety is not harmed, and there is no harm to the character of the surrounding area or residential amenity.

Design and Impact on the Character of the Area

- 7.2 Local and national planning policies and guidance seek to ensure that new development is well designed. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 7.3 Local development plan policies seek to ensure that new development is designed so that it adds to the overall quality of the area and respects the character of the site, its local context and surroundings, provides appropriate detailing that contributes to and enhances the distinctiveness of place; and contribute positively to the space between buildings and their relationship to the public realm. Policy DM1 and the Council's Design and Townscape Guide provide further details on how this can be achieved.
- 7.4 Paragraph 126 of the National Planning Policy Framework (NPPF) states that, "The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."
- 7.5 The importance of good design is reflected in Policies KP2 and CP4 of the Core Strategy and also in Policies DM1 and DM3 of the Development Management Document. These

policies seek to maintain and enhance the amenities, appeal and character of residential areas.

- 7.6 There are a small number of front gardens that have been hard surfaced in Sutton Road. Concrete hardstanding has been laid at the site with a stark white finish which does not contribute positively to the setting of the dwelling's frontage or the streetscene. It is considered to be poor design. However, as part of an overall balanced judgement in which appropriate weight has been attached to the disabled access improvements represented by the hardstanding and proposed access, it is considered that the identified visual harm could be reasonably overcome by requiring the hardstanding to be finished in a top surface material, including for example an exterior quality concrete paint, to reduce its starkness. A condition is suggested and an informative sets out the expectations in this regard.
- 7.7 Subject to that condition it is considered, on balance, that the proposal would not be of significant detriment to the character and appearance of the application site, the streetscene or the wider area. It would then be acceptable and policy compliant in the above regards.

Amenity Impacts

- 7.8 Policy KP2 seeks to secure improvements to the urban environment through quality design. Policy CP4 seeks to maintain and enhance the amenities, appeal and character of residential areas.
- 7.9 Policies DM1 and DM3 seek to support sustainable development that protects the amenity of the site, immediate neighbours, and surrounding area, having regard to matters including noise and disturbance, visual enclosure and pollution.
- 7.10 The proposal would result in vehicular comings and goings in proximity to neighbouring dwellings. The hardstanding will have a limited impact on the amenity of neighbouring dwellings. Due to the nature of the development it is not considered that the proposal will result in any significantly harmful impact on the amenities of the surrounding residential occupiers. Its impact on residential amenity is therefore acceptable and policy compliant.

Traffic and Transportation Issues

- 7.11 The NPPF states (para 111) that "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or, the residual cumulative impacts on the road network would be severe."
- 7.12 Policy DM15 of the Development Management Document requires that all development should meet the minimum off-street parking standards. The Southend-on-Sea Vehicle Crossing Policy and Application Guidance is a material consideration.
- 7.13 Sutton Road is a classified road and the proposal would result in the gain of at least one off-street parking space. There are double yellow lines in front of the site and so no on-street parking spaces would be lost as a result of the proposal. The Vehicle Crossing Policy & Application Guidance sets out a vehicular crossover minimum parking area which must be equal to or greater than 2.44m by 4.8m when cars are parked at a right angle to the footway to enable a vehicle to be parked wholly within the front curtilage. The proposed parking area meets the guidance requirement for one vehicle when parked at a right angle to the footway. The Highways team have raised no objection to the proposal.

- 7.14 The proposal's impact on highway and pedestrian safety is therefore acceptable and policy compliant.

Community Infrastructure Levy (CIL)

- 7.15 The development is not liable for a payment under the Community Infrastructure Levy Regulations 2010 (as amended).

Equality and Diversity Issues

- 7.16 The Equality Act 2010 (as amended) imposes important duties on public authorities in the exercise of their functions and specifically introduced a Public Sector Equality Duty. Under this duty, public organisations are required to have due regard for the need to eliminate unlawful discrimination, harassment and victimisation, and must advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not. Officers have in considering this application and preparing this report had careful regard to the requirements of the Equalities Act 2010 (as amended) and the purpose of the access and hardstanding to improve the access requirements of a disabled person. They have concluded that the decision recommended will not conflict with the Council's statutory duties under this legislation.

Conclusion

- 7.17 For the reasons outlined above and subject to conditions, the proposal is found, on balance, to be acceptable and compliant with the relevant planning policies and guidance. As there are no other material planning considerations which would justify reaching a different conclusion it is recommended that planning permission is granted subject to conditions.

8 Recommendation

Members are recommended to GRANT PLANNING PERMISSION subject to the following conditions:

- 01 The development hereby permitted shall begin no later than three years from the date of this decision.**

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

- 02 The development hereby permitted shall be carried out solely in accordance with the following approved plans: Location plan, Plan of front of property, S001A, S003A.**

Reason: To ensure that the development is carried out in accordance with the provisions of the Development Plan.

- 03 Notwithstanding the details shown on the plans submitted and otherwise hereby approved, prior to the first use of the hardstanding for parking vehicles, its surface shall be finished in external surface materials the purpose of which is to reduce the existing hardstanding's starkness, the details and specifications of which have previously been submitted to and approved in writing by the Local Planning Authority under the provisions of this condition.**

Reason: To ensure the development is carried out in accordance with the consent sought, has an acceptable design and complies with policy DM1 of the

Development Management Document (2015), advice in the National Design Guide (2021) and the Southend-on-Sea Design and Townscape Guide (2009).

Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework. The detailed analysis is set out in a report on the application prepared by officers.

Informatives:

- 1 You are advised that as the proposed alterations to your property do not result in new floorspace and the development benefits from a Minor Development Exemption under the Community Infrastructure Levy Regulations 2010 (as amended) and as such no charge is payable. See www.southend.gov.uk/cil for further details about CIL.**
- 2 You should be aware that in cases where damage occurs during construction works to the highway in implementing this permission that Council will seek to recover the cost of repairing public highways and footpaths from any party responsible for damaging them. This includes damage carried out when implementing a planning permission or other works to buildings or land. Please take care when carrying out works on or near the public highways and footpaths in the City.**
- 3 The applicant is advised that they are required to apply to the Highways Authority for separate consent to have a vehicular crossover installed.**
- 4 The applicant is advised that external surface materials designed to reduce the starkness of the existing white concrete material may include materials such as slabs, tiles, tarmac, bonded resin or a concrete paint purposely designed for exterior ground surface use.**
- 5 The applicant is advised that failure to comply with condition 03 of this permission is likely to result in the Council considering the expediency of planning enforcement action to seek to remedy the identified harm.**