

Application Number: 16/00623/FUL

Proposal: Extended driveway (Resubmission)

Site: 7 Coppice Walk, Denton

Applicant: Mr Stephen Horsfield

Recommendation: Approve

Reason for Report: At discretion of the Head of Planning

REPORT

1. APPLICATION DESCRIPTION

- 1.1 The application seeks retrospective planning permission for an alteration to the existing driveway to create an increased car parking area in front of the application property. The hard surfaced area is constructed from non-permeable block paving. In addition, a new soakaway is proposed between the driveway and pavement within the curtilage of the dwellinghouse.

2. SITE & SURROUNDINGS

- 2.1 The application relates to the residential property at 7 Coppice Walk, Denton. This is a two storey semi-detached dwelling house which has an existing driveway to the front and an enclosed garden area to the rear. The property lies on the southern side of Coppice Walk within a row of properties of a similar style and design.

3. PLANNING BACKGROUND

- 3.1 In August 2015, a new hard surfaced area (driveway) constructed from non-permeable block paving was installed at the application property. Following a visit from the Councils Planning Enforcement Officers it was confirmed that the new driveway would require planning permission.
- 3.2 The relevant legislation relating to such proposals is contained within Schedule 2, Part 1, Class F of the Town and Country Planning (General Permitted Development) Order 2015 as amended ("GPDO"). The legislation originally provided that within the curtilage of a dwelling house, the provision of a hard surface for any purpose incidental to the enjoyment of the dwelling is permitted development.
- 3.3 The legislation states that planning permission is not required if a new or replacement driveway of any size uses permeable (or porous) surfacing, such as gravel, permeable concrete block paving or porous asphalt, or if the rainwater is directed to a lawn or border to drain naturally within the curtilage of the property. If the surface to be covered is more than five square metres, planning permission will be required for laying traditional, impermeable driveways that do not provide for the water to run to a permeable area.
- 3.4 In this particular case, the proposed hard surface area as installed fails to comply with the GPDO as it exceeds 5 square metres in area, lies between a dwelling house and the public highway, has been constructed of non-porous material and lacks provision for water run-off from the hard surface to a permeable or porous area within the curtilage of the dwelling

house. It is for this reason that it is unauthorised in planning terms and requires planning permission.

4. PLANNING HISTORY

77/07/04987 – Garage – Approved on 19.10.77

96/P/0895/FL – Two storey extension incorporating living room, bedroom and bathroom. Approved on 28.11.96

16/00293/FUL – Extended driveway - Refused on 18 05 16 for the following reason:
The new hardstanding/driveway provided within the front garden area of the application property fails to incorporate adequate drainage and appropriate mitigation measures for surface water flooding. The proposal is therefore contrary to Policies U3 and U4 of the Tameside Unitary Development Plan and Policy RED11: Non Porous Driveways of the adopted Supplementary Planning Document 'Residential Design'.

5. RELEVANT PLANNING POLICIES

5.1 Tameside Unitary Development Plan (UDP) Allocation

Unallocated

Part 1 Policies

1.5 Following the Principles of Sustainable Development

Part 2 Policies

U3 Water Services for Developments

U4 Flood Prevention

H10 Detailed Design of Residential Development

5.2 Other Policies

Guidance on the permeable surface of front gardens – DCLG – September 2008

5.3 National Planning Policy Framework (NPPF) 2019

Chapter 2: Achieving sustainable development

Chapter 14: Meeting the challenge of climate change, flooding and coastal change

5.4 Planning Practice Guidance (PPG)

This is intended to complement the NPPF and to provide a single resource for planning guidance, whilst rationalising and streamlining the material. Almost all previous planning Circulars and advice notes have been cancelled. Specific reference will be made to the PPG or other national advice in the Analysis section of the report, where appropriate.

6. PUBLICITY CARRIED OUT

6.1 Planning Practice Guidance advises that Local Planning Authorities should adopt a proportionate approach to the advertisement of applications made under section 73 of the Town and Country Planning Act.

6.2 Notification letters were sent to adjoining occupiers on 6 September 2016 and two letters of objection have been received.

7. RESPONSES FROM CONSULTEES

- 7.1 Head of Environmental Services (Highways) – no objections. Advise that a note be attached relating to the need to intercept surface water draining from the proposed development prior to its entering this highway across a footway to meet the requirements of Section 163 of the Highways Act 1980.

8. SUMMARY OF THIRD PARTY RESPONSES RECEIVED

- 8.1 Two representations have been received. Main points raised:
- The drainage for the total footage of the driveway is inadequate
 - The excess rainwater cascades onto 8 Coppice Walk
 - Drainage between 7 and 8 Coppice Walk should be considered by applicant
 - It has been suggested that an 'Eco Drain' would probably make the driveway at 8 Coppice Walk worse.
 - The drive at 8 Coppice Walk has been compromised by water from 7 Coppice Walk.

9. ANALYSIS

- 9.1 In accordance with UDP policies U3, U4 and H10 together with advice in the NPPF, the main considerations in the determination of this application relate to the following:
- 1) Impact on street scene/character of area,
 - 2) Residential amenity,
 - 3) Highway and pedestrian safety
 - 4) Surface water drainage/flooding.
- 9.2 These matters are considered in more detail below.

10. IMPACT ON STREETSCENE/CHARACTER OF AREA

- 10.1 With regard to impact on street scene and on the character and appearance of the surrounding area, the proposed driveway does not allow for any landscaped garden area within the front curtilage of the site. However this arrangement is similar to other properties on Coppice Walk which are situated in close proximity to the site. As a result it is not considered that the proposal would have any significant impact on the visual character of the surrounding area or detrimental impact upon the street scene.

11. RESIDENTIAL AMENITY

- 11.1 It is not considered that the proposal would result in any significant harm to the residential amenity of neighbouring properties as a result of this proposal. The proposed hardstanding would not impact the neighbouring properties in terms of visual intrusion, loss of light and loss of privacy and, as a result, accords with UDP Policy H10.

12. HIGHWAY AND PEDESTRIAN SAFETY

- 12.1 The proposal allows for sufficient space on the driveway to park a vehicle without it overhanging the footway. The access and egress arrangements are considered to be acceptable and suitable visibility can be provided at the entrance of the driveway to Coppice Walk. On this basis the proposal is considered to be acceptable and the Head of

Environmental Services (Highways) has raised no objections to the proposal on highway safety grounds.

13. SURFACE WATER DRAINAGE/FLOODING

- 13.1 In respect of drainage and flooding, this is addressed in national and local planning policy guidance where it advises that flood risk should be managed and account given of the impacts of climate change by using opportunities offered by new developments to reduce the causes and impacts of flooding. Paragraph 155 of the National Planning Policy Framework states that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere.
- 13.2 The block paving which has been used in the construction of the driveway is non permeable and the application has provided details regarding surface water drainage. A soakaway drainage channel is proposed along the front boundary of the site between the driveway and adjoining highway. This will allow for the collection of surface water preventing water runoff from the driveway onto the highway. It is considered that this arrangement is acceptable and adequately addresses the reason for refusal on the previous application (application reference 16/00293/FUL) for the driveway at this property.
- 13.3 It is also noted that in accordance with Class F, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 2015, the proposal is 'permitted development' as the soakaway would allow provision to be made 'to direct run off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling house' and this holds significant weight as a material planning consideration.
- 13.4 In accordance with UDP policies U3, U4 and H10 it is recommended that this part of the proposal be carried out within one month of the date of any planning permission should Members be minded to approve the application.

14. CONCLUSION

- 14.1 For the reasons outlined above it is considered that the proposed inclusion of a soakaway addresses the reason for refusal on the previous planning application and the proposal now accords with the relevant planning policies and guidance outlined in the UDP, NPPF and NPG. Furthermore, the planning 'fall back' position is noted which as stated above would allow the provision of a hard surfaced area with the installation of the soakaway to be constructed as 'permitted development' in accordance with Class F, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 2015. On this basis the proposal is considered to be acceptable.

15. RECOMMENDATION

Grant planning permission subject to the following conditions:

- 1. The development hereby approved relates to the red edged site location plan and documentation received by the Council on 6 September 2016.
- 2. Within one month of the date of this permission, the 'Aco Hexdrain' as indicated on the drain location plan, drain cross section and outlined in the drainage work details received by the Council on 25 July 2016 shall be installed in full accordance with the submitted details and shall be retained at all times thereafter.