



Committee Report

Planning Committee North – 9 January 2024

Application no DC/23/3527/FUL

Location

1 Adams Lane
Walberswick
Southwold
Suffolk
IP18 6UR

Expiry date 16 November 2023

Application type Full Application

Applicant Mr Michael Davis

Parish Walberswick

Proposal Re-establish a driveway/access point to the property 1 Adams Lane from the street - B1387.

Case Officer Fabian Danielsson
fabian.danielsson@eastsuffolk.gov.uk

1. Summary

1.1. This application proposes a new driveway access off the B1387 into the garden of 1 Adams Lane in Walberswick. The application site is located within the Walberswick settlement boundary and the Suffolk and Essex Coast and Heaths National Landscape.

1.2. The Walberswick Parish Council object due to the following summarised reasons (included in full below):

“The application suggests that the proposed drive is a reinstatement of an access that existed approximately 25 years ago. No evidence to support this has been supplied. The property is currently served by an existing vehicular access via Adams Lane. Located opposite 1 to 5 Adams Lane are a number of parking spaces for residents and visitors.

There is concern about the highway safety aspects of the proposal. Adding an additional access point would endanger highway safety at this location.

The new access would require the removal of a sizable section of grass verge and hedge, containing a number of trees, and destroying potential habitat.

A vehicular opening onto The Street would erode the rural character and 'green corridor' currently enjoyed when travelling from open countryside into the Conservation Area, and would harm the AONB."

- 1.3. The objections from the Parish Council were contrary to the officer's 'minded-to' recommendation of approval, therefore the Planning Referral Process was triggered. The application was presented to the Referral Panel on the 21st November 2023. The decision at the referral panel was for the case to be presented to the full planning committee for determination.

2. Site Description

- 2.1. The application property is a mid to late 20th century end-of-terrace bungalow located within the settlement boundary of Walberswick. The application dwelling forms part of a terrace of dwellings running north to south and facing towards Adams Lane, with the application dwelling forming a return of the terrace at the southern end towards the east, effectively being attached to the rear of 2 Adams Lane. The site is currently accessed either via a pedestrian access from Adams Lane to the west, or via a vehicular access running along the rear of the neighbouring properties to the north. The plot is relatively large, with hedges forming boundaries to the west, south and east, and a boarded fence to the north. Neighbouring dwellings to the north and west form part of the same terrace, with neighbours to the east and south mainly consisting of detached dwellings of varying size and date.
- 2.2. The property sits at the edge of Walberswick village, outside of the conservation area although within the National Landscape.

3. Proposal

- 3.1. Planning permission is sought for the construction of a new driveway access from The Street - B1387 into the garden of 1 Adams Lane, Walberswick. The driveway is proposed to be constructed from permeable block paving.

4. Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Walberswick Parish Council	28 September 2023	10 October 2023
Summary of comments: The site is located within an AONB. The application suggests that the proposed drive is a reinstatement of an access that existed approximately 25 years ago. No evidence to support this has been supplied, and Google earth (1999) shows the proposed site with established hedge, and		

without a drive access to the south. The property is currently served by an existing vehicular access via Adams Lane. There is also a separate pedestrian access to the west of the site. Located opposite 1 to 5 Adams Lane are a number of parking spaces (approximately 6-8) for residents and visitors. The proposal is close to the entrance to Adams Lane. Notwithstanding the physical creation of the opening for the gates and splay (which has a detrimental impact on the street scene as described), there is concern about the highway safety aspect of the proposal. There are three other access points, including Adams Lane, within 30m, just as The Street transitions from 30mph to 20 mph. Adding an additional access point would endanger highway safety at this location. The new access would require the removal of a sizeable section of grass verge and hedge, containing a number of trees, and destroying potential habitat. The application form states that no important biodiversity on or near the site is likely to be affected by the proposals, yet this is unsubstantiated, and the claim is a surprising one given the age and maturity of the hedge/trees to be removed, and the proximity to open countryside. The application is therefore contrary to SCLP 10.1 Biodiversity and Geodiversity. A vehicular opening onto The Street would erode the rural character and 'green corridor' currently enjoyed when travelling from open countryside into the Conservation Area, and would harm the AONB, contrary to SCLP 10.4 Landscape Character. Looking east along The Street the hedges and trees make a positive contribution to the rural approach to the village and Conservation Area, as well as potentially providing habitat.

Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	28 September 2023	12 October 2023
Summary of comments: Until the specified concerns have been addressed, a holding objection to the proposal will be maintained.		

Non statutory consultees

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	28 September 2023	4 October 2023
Summary of comments: We have looked at the proposal and in our opinion there would be no significant impact on known archaeological sites or areas with archaeological potential. We have no objection to the development and do not believe any archaeological mitigation is required.		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	28 September 2023	5 October 2023
Summary of comments: Whilst it is regrettable that a section of hedge will need to be removed, it is a relatively short section because the hedge is set back from the road edge and the required visibility splays can be		

achieved without needing to remove any more. There are plenty of other such openings further along the road and the proposed new access will not look out of place in this respect.

Overall I have no grounds for objection for landscape related reasons.

Reconsultation consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	7 November 2023	21 November 2023
Summary of comments: Notice is hereby given that the County Council as Highway Authority recommends that any permission which that Planning Authority may give should include the specified conditions.		

Third Party Representations

One letter of support has been received, with a summary of their comments included below:

- Numerous driveways already present in the area
- Trimming of the hedge welcome
- Permanent driveway to The Street preferred over permanent driveway towards Adams Lane to the rear

5. Publicity

None

Site notices

General Site Notice

Reason for site notice: General Site Notice

Date posted: 27 September 2023

Expiry date: 18 October 2023

6. Planning policy

SCLP11.1 - Design Quality (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.2 - Residential Amenity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP7.2 - Parking Proposals and Standards (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

7. Planning Considerations

Visual Amenity, Street Scene and Landscape

- 7.1. Policy SCLP11.1 - Design Quality sets out that proposed development should respond to local context and the form of surrounding buildings in relation to the overall scale and character of the development, that the layout should fit in well with the existing neighbourhood layout, that the height and massing of developments should be well related to their surroundings, that there should be clear relationships between buildings and spaces, and that high quality materials appropriate to the local context should be used.
- 7.2. The proposal would involve the removal of a section of hedge to allow for the creation of the proposed driveway. This would have a visual impact on the streetscene as it would create another gap in the hedge at this green entry point to the village. The property is situated at the edge of the village and other than Adams Lane itself, there are no further breaks in the green roadside boundaries to the west of the proposed access road. However, further driveway access points begin appearing a short distance to the east and continue at irregular but frequent intervals as one enters the village. As has been noted by the Landscape Team, the driveway would not appear out of place in that respect.
- 7.3. Although the Parish Council has commented regarding the 'green corridor' entrance to the village, it can be considered that at this point the character of the village approach is already changing, as marked by the passing of Adams Lane to the left when entering the village, with more tightly clipped hedges, glimpsed properties, a lower speed limit and further driveways a short distance ahead. In that sense, the feeling as one approaches is already that of 'arriving' in the village. The introduction of a further driveway at this point would not significantly change this character. As has been noted by the Landscape Team, the hedge is set back from the road such that the section of hedge that will need to be removed is relatively limited, and the green character of the village approach will remain.
- 7.4. A gate is also proposed for the new access. This will be located 6m in from the edge of the carriageway and will be hidden from view in longer distance views by the retained hedge. The visual impact will be limited. With the above points in mind, the overall visual impact from the proposed access will be acceptable as it will not significantly change the character of the area.

Residential Amenity

- 7.5. Planning policy SCLP11.2 - Residential Amenity states that the council should consider the impact of any proposed development on privacy/overlooking, outlook, access to light, noise and disturbance, the physical relationship with other properties, light spillage, air quality or other pollution, and safety and security.
- 7.6. The main impact on the amenity of neighbouring residents is through the potential impact on highways safety due to the introduction of a new access point onto the highway. The Parish Council have raised concerns over this aspect of the scheme. However, the vehicular speed limit at this point of the village is 20 mph and the appropriate vehicle splays have been demonstrated in the provided plans. Suffolk County Council as Highways Authority have, following the submission of amended plans, raised no objections to the

proposal although have requested further information as conditions regarding certain aspects of the scheme. Based on the low speed limit and the lack of an objection from the Highways Authority, the impact of the proposal on highway safety is considered to be acceptable.

- 7.7. Proposals that involve the provision of new parking would typically be assessed against Policy SCLP7.2 - Parking Proposals and Standards. However, there is already a current access to the site from the north side of the garden, whereby access to the proposed parking spaces can already be gained. Additionally, the driveway is proposed to be constructed from permeable materials which would not require planning permission.

Biodiversity

- 7.8. The Parish Council have raised concerns over the impact on biodiversity arising from the removal of the hedge. The site is not within the Walberswick Conservation Area, nor is the hedge protected by a TPO, and therefore this hedge could be removed at any time without consent needed from the LPA. Accordingly, officers have no concerns regarding the biodiversity impact of the proposed hedge removal - and, in any case, the section of hedge to be removed is relatively minor.
- 7.9. Overall, the proposal is considered to cause no significant impact on residential amenity, the visual appearance of the street, or the biodiversity of the area. The scheme is therefore considered to be acceptable.

8. Conclusion

- 8.1. While the property currently has vehicular access and off-road parking from the rear, the current proposal must be judged on its merits. While the loss of some roadside hedgerow is unfortunate, for the reasons given above, the impact of this is not significant and with no objection raised by the Highways Authority, there are no concerns in respect of highway safety either. The proposal therefore accords with the relevant national and local policies and guidance listed above, and are therefore acceptable.

9. Recommendation

- 9.1. Approve subject to conditions.

Conditions:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.

2. The development hereby permitted shall be carried out in all respects strictly in accordance with the following approved plans and documents for which permission is hereby granted:

- Drawing no. DM01 - Layout received on 03 November 2023.

Reason: For the avoidance of doubt as to what has been considered and approved.

3. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed in writing with the local planning authority.

Reason: To ensure the satisfactory appearance of the development in the interests of visual amenity

4. Before the access is first used visibility splays shall be provided as shown on Drawing Ref. DM01 - Layout with an X dimension of 2.4 metres and a Y dimension of 22 metres to the nearside edge of the carriageway and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

Reason: To ensure drivers of vehicles entering the highway have sufficient visibility to manoeuvre safely including giving way to approaching users of the highway without them having to take avoiding action and to ensure drivers of vehicles on the public highway have sufficient warning of a vehicle emerging in order to take avoiding action, if necessary.

5. No other part of the development hereby permitted shall be commenced until the new vehicular access has been laid out and completed in all respects in accordance with Suffolk County Council's standard access drawing DM01 with an entrance width of 3 metres for a distance of 5 metres measured from the nearside edge of the metalled carriageway. Thereafter it shall be retained in its approved form.

Reason: To ensure the access is laid out and completed to an acceptable design in the interests of the safety of persons using the access and users of the highway. This needs to be a pre-commencement condition because access for general construction traffic is not otherwise achievable safely.

6. The gradient of the vehicular access shall not be steeper than 1 in 20 for the first five metres measured from the nearside edge of the highway.

Reason: To ensure that vehicles can enter and leave the public highway in a safe manner.

7. The gradient of the access driveway shall not be steeper than 1 in 12 measured from the nearside of the edge of the highway.

Reason: To avoid unacceptable safety risk from skidding vehicles and provide for pedestrian and cycling access.

8. Gates or other means of obstruction to the access shall be set back a minimum distance of 5 metres from the public highway and shall not open towards the highway.

Reason: To avoid unacceptable safety risks and traffic delay arising from vehicles obstructing the public highway while the obstruction is removed or replaced by enabling vehicles to clear the highway while this is done.

9. Prior to the development hereby permitted being first occupied, the new vehicular access onto the highway shall be properly surfaced with a bound material for a minimum distance of 5 metres measured from the nearside edge of the metalled carriageway, in accordance with details that shall have previously been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure construction of a satisfactory access and to avoid unacceptable safety risks arising from materials deposited on the highway from the development.

10. Before the development is commenced, details of the areas and infrastructure to be provided for the manoeuvring and parking of vehicles shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To ensure the provision and long-term maintenance of adequate on-site space for the parking and manoeuvring of vehicles in accordance with the current Suffolk Guidance for Parking (2023) where on-street parking and manoeuvring would be detrimental to highway safety. This needs to be a pre-commencement condition to avoid expensive remedial action which adversely impacts on the viability of the development if, given the limitations on areas available, a suitable scheme cannot be retrospectively designed and built.

11. Before the development is commenced, details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway including any system to dispose of the water. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.

Reason: To prevent hazards caused by flowing water or ice on the highway. This needs to be a pre-commencement condition to avoid expensive remedial action which adversely impacts on the viability of the development if, given the limitations on areas available, a suitable scheme cannot be retrospectively designed and built.

Informatives:

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.
2. It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing, all works within the public highway shall be carried out by Suffolk County Council or its agents at the applicant's expense.

Suffolk County Council must be contacted on Tel: 0345 606 6171.

For further information, go to: <https://www.suffolk.gov.uk/roads-and-transport/parking/apply-and-pay-for-a-dropped-kerb/>
or;

<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>

Suffolk County Council drawings DM01 - DM14 are available from:

<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/standarddrawings/>

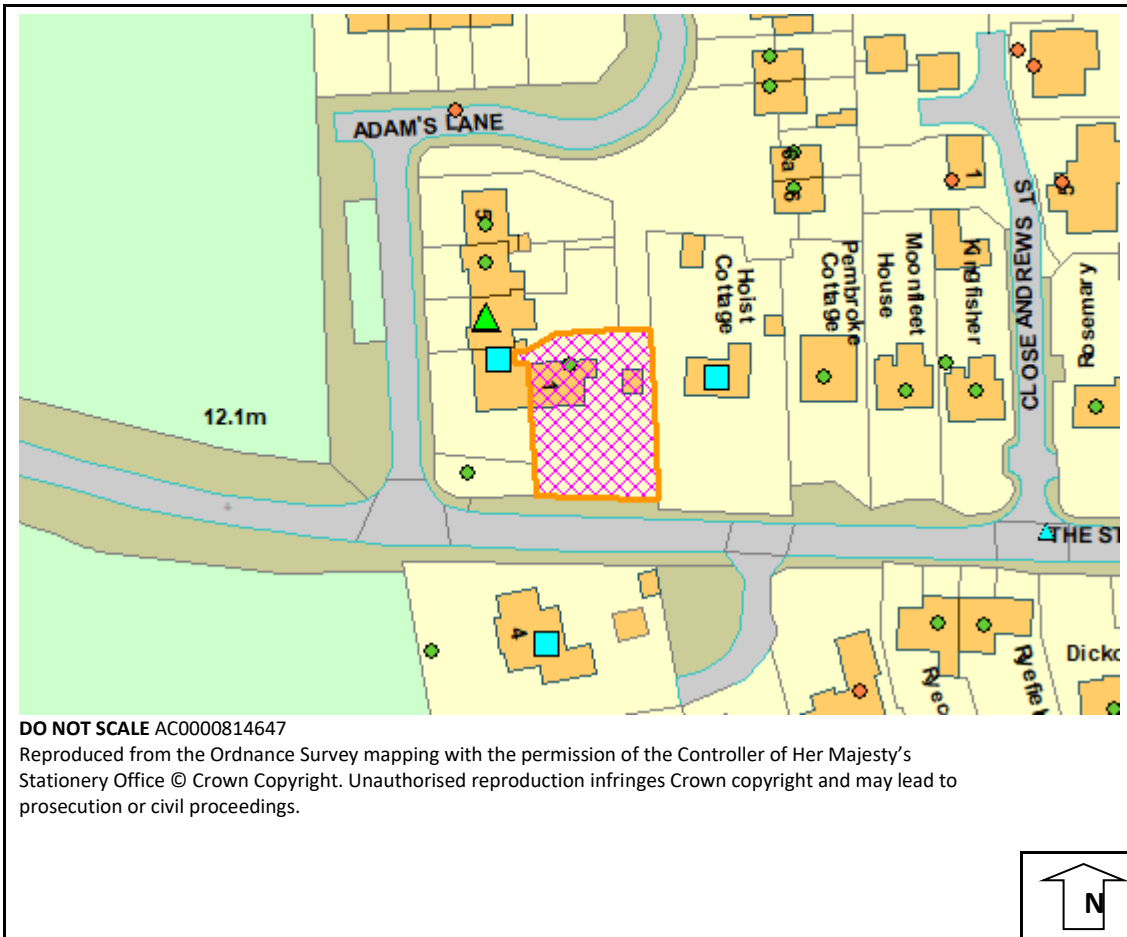
A fee is payable to the Highway Authority for the assessment and inspection of both new vehicular crossing access works and improvements deemed necessary to existing vehicular crossings due to the proposed development.

3. Suffolk County Council's highway apparatus appears to be affected by this proposal. The applicant must contact Suffolk County Council, telephone 0345 606 6067 to agree any necessary alterations to be carried out at the expense of the developer.
4. Sufficient vehicle turning facilities should be provided to ensure vehicles can exit and enter the site in a forward-facing gear. It has not been evidenced that vehicles could complete this manoeuvre when both vehicle parking spaces are occupied.

Background information

See application reference DC/23/3527/FUL on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support