DELEGATED REPORT

Recommendation Made: 1 November 2011

Reference:- 11/00673/FUL **Parish:- Ratby Parish Council**

Applicant:- Miss Patricia McGivern
173 Station Road
Ratby
Leicestershire
LE6 0JR

Location:- 173 Station Road Ratby Leicester Leicestershire LE6 0JR

Proposal:- FORMATION OF VEHICULAR ACCESS.

Introduction:-

This is a full application for the formation of a vehicular access to the front of 173 Station Road, Ratby.

An existing hard standing is located to the front of the property which appears to be accessed by vehicles crossing the existing kerbed pavement. This application is to assist with ease of access into the premises.

There is no relevant planning history on this property.

Consultations:-

One letter of objection has been received raising the following concerns: -

a) highway safety
b) a larger part of the street than what is owned will be occupied.
c) due to the double yellow lines parking has already been compromised
d) due to the location of the dropped kerb would this mean that the cost would be pro-rata?

No objection subject to the following note to applicant have been received from: -

Director of Environment and Transport (Highways) the applicant should be made aware that the driveway does not meet the current standards set out in the 6Cs Design Guidance. It is the applicants responsibility to ensure that vehicles do not overhang the footway which is an offence under the Highways Act.

No objection has been received from: -
Head of Community Services (Land Drainage)

At the time of writing the report no comments have been received from: -
Ratby Parish Council

Development Plan Policies:-

Adopted Hinckley and Bosworth Local Plan

The site lies within the settlement boundary of Ratby as defined in the adopted Hinckley and Bosworth Local Plan.

Policy BE1 - Design and Siting of the Development
Policy T5 - Highway Design And Vehicle Parking Standards

Supplementary Planning Guidance: House Extensions Design Guidance (SPG)

Appraisal:-

The main considerations in respect of this application are its impact on the highway safety and visibility.

Highway Visibility and Safety.

The land forward of the dwelling house is currently hardsurfaced and used for the parking of vehicles albeit without the provision of a dropped kerb. The boundary constraints to the front of the site result in a proposal which falls short of the recommended standards contained within the 6Cs Design Guide produced by the County Council. Notwithstanding this the County Highway Authority has been consulted on the application and has raised no objection to the application on highway safety grounds.

The County Highways Authority have advised that the applicant should be made aware that the dimensions of the driveway do not meet the current standards as set out in the 6Cs Design Guide and as such, it is the applicants responsibility to ensure that parked vehicles do not overhang the footway which would be an offence under the Highways Act. Works should also be carried out to the satisfaction of the Area Manager. These details are advised by way of notes to applicant.

Other Matters.

In response to concerns raised over the dangers of off street parking and the ownership of the application site the County Highways Authority has been consulted as land owners and no objection has been raised in terms of the location of the dropped kerb and the acceptability on highway safety. The concern over the location of the dropped kerb and whether the cost would be pro-rata this is a civil matter and is not a material planning consideration.

Conclusion.

Overall which the proposal falls short of the recommended dimensions contained in the design guidance the proposal is not considered to result in significant highway safety concerns to warrant a refusal of planning permission in this instance therefore it is recommended that planning permission be granted.

RECOMMENDATION:- Permit subject to the following conditions:-

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1 and T5
Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below, the proposed development would not be to the detriment of highway safety or visual or residential amenity and it is therefore considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows: Site Location Plan to a scale of 1:1250 received 19 September 2011; Block Plan to a scale of 1:200 and Existing and Proposed Plans and Elevations to a scale of 1:50 received 07 October 2011.

Reasons :-

1 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2 For the avoidance of doubt and in the interests of proper planning.

Notes to Applicant:-

1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such

species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3 As from 6 April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

4 All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

5 It is the applicants responsibility to ensure that vehicles do not overhang the footway which is an offence under the Highways Act.

Contact Officer:- Joanne Orton Ext 5666