

## Delegated Report

**Planning Ref: 24/00668/HOU**  
**Applicant: Mr Gary Stanborough-Smith**  
**Ward: Burbage Sketchley & Stretton**



Hinckley & Bosworth  
Borough Council

**Site: 11 Balliol Road Burbage Hinckley**

**Proposal: Extension of dropped kerb**

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### **1. Recommendations**

#### **1.1. Grant planning permission subject to:**

- Planning conditions outlined at the end of this report

### **2. Planning application description**

- 2.1. The application seeks full planning consent for the extension of an existing dropped kerb at 11 Balliol Road, Burbage.
- 2.2. The proposed dropped kerb would be extended by approximately 5.65 metres to the west (including the proposed riser), resulting in a total width of approximately 6.80 metres for the entire dropped kerb.

### **3. Description of the site and surrounding area**

- 3.1. The application site relates to a semi-detached dormer bungalow, situated within the settlement boundary of Burbage. The application dwelling comprises the use of predominantly brown brick to the walls, with a stone accent below the window of the front elevation and brown cladding to the flat roof dormer. Brown interlocking tiles are present to the pitched roof and white uPVC to the windows.
- 3.2. A gravelled hardstanding, bordered by red block paving sits to the front of the dwelling which is accompanied by a slabbed walkway immediately forward of the principle elevation and a concrete shared access to the east, between the application dwelling and 9 Balliol Road. To the rear of the dwelling sits a detached single car flat roofed garage.
- 3.3. The street scene is relatively uniform in design, scale and finish, hosting pitched roof bungalows, a select few are also accompanied by flat roof dormers. Various dropped kerbs can be seen throughout Balliol Road, and therefore the proposed development is considered to be acceptable in principle.
- 3.4. Balliol Road is not classified.

### **4. Relevant planning history**

- None relevant.

### **5. Publicity**

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site.
- 5.2. No objections have been received.

## **6. Consultation**

### **6.1. LCC Highways;**

*“The Local Highway Authority (LHA) refers the Local Planning Authority (LPA) to current standing advice provided by the Local Highway Authority dated September 2011.*

*The LHA direct the LPA's attention to the following point for consideration:  
The Applicant should be advised notwithstanding planning permission, to facilitate the proposed extended access, the Applicant would still need to apply to the LHA for a vehicle crossover (dropped kerb) permit. Further details of the requirements can be found at:*

*[https://www.leicestershire.gov.uk/roads-and-travel/cars-and-parking/vehicle-access-dropped-kerbs.](https://www.leicestershire.gov.uk/roads-and-travel/cars-and-parking/vehicle-access-dropped-kerbs)”*

*The Applicant should note that the approval of planning permission does not guarantee permission for the required works permit.*

### **6.2. Burbage Parish Council;**

*“Burbage Parish Council has no objections to this application.”*

## **7. Policy**

### **7.1. Burbage Neighbourhood Plan 2015-2026**

- Policy 1: Settlement Boundary
- Policy 2: Design and Layout

### **7.2. Core Strategy (2009)**

- Policy 4: Development in Burbage

### **7.3. Site Allocations and Development Management Policies DPD (2016)**

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

### **7.4. National Planning Policies and Guidance**

- National Planning Policy Framework (NPPF) (2023)
- Planning Practice Guidance (PPG)

### **7.5. Other relevant guidance**

- Good Design Guide (2020)
- National Design Guide (2019)
- Leicestershire Highways Design Guide

## **8. Appraisal**

### **8.1. Key Issues**

- Design and impact upon the character of the area

- Impact upon neighbouring residential amenity
- Impact upon highway safety

#### Design and impact upon the character of the area

- 8.2 Policy DM10 of the adopted SADMP requires new development to complement or enhance the character of the surrounding area with regard to scale, layout, mass, design, materials and architectural features and for building material to respect existing/neighbouring buildings and the local area generally.
- 8.3 Policy 2 of the Burbage Neighbourhood Plan seeks to ensure that any future residential development respects its surroundings, follows the existing pattern of development and retains existing important natural features on the site.
- 8.4 The Council's adopted Good Design Guide seeks to ensure that where hardstanding is proposed at the front of a property, this should not constitute more than 50% of the total area and that permeable paving materials are supported as a means of minimising the cumulative impact on flood risk.
- 2.3. The application seeks consent to extend the existing dropped kerb fronting the site by approximately 5.65 metres to the west (including the proposed riser), resulting in a total width of approximately 6.80 metres. This would enable provision of three off-street parking spaces of appropriate 5.5 metres length and 2.4 metres width with direct pull-on perpendicular to the public highway to comply with the local highway authority design guide standards. The existing hardstanding is to remain unchanged.
- 2.4. Dropped kerbs are a prevailing feature throughout the street scene, some which have been subject to an extension, therefore by virtue of its minor nature there is not considered to be any adverse impacts upon the character of Balliol Road.
- 8.5 Further to the above, it is noted that Balliol Road is not a classified highway and therefore the proposed development could be constructed under Part 2 Class B of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). By virtue of the above, the proposal would not hold any weight should it be recommended for refusal.
- 8.6 Overall, it is considered that the proposed development would not cause any significant harm to the visual amenity of Stephenson Road. The proposed development would not conflict with Policy DM10 of the SADMP or Policy 2 of the Burbage Neighbourhood Plan.

#### Impact upon neighbouring residential amenity

- 8.7 Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy or amenity of nearby residents and occupiers of adjacent buildings and the amenity of occupiers of the proposed development would not be adversely affected by activities within the vicinity of the site.
- 8.8 By virtue of the nature of the development, there is not considered to be any adverse impacts upon the surrounding neighbouring dwellings and therefore the proposal is considered to be in accordance with Policy DM10 in this aspect.

#### Impact upon highway safety

- 8.9 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.

- 8.10 Part 3, Section 3.165 of the Leicestershire Highways Design Guide seeks to ensure that the minimum parking size is 2.40 metres x 5.50 metres, 0.50 metre should be added if bounded by a wall, fence, hedge, line of trees or other similar obstructions on 1 side, and 1.00 metre if bounded on both sides.
- 8.11 It is noted that the area of existing hardstanding forward of the principle elevation has been calculated as per the submitted scaled site location plan to ensure accuracy, due to the existing and proposed block plans not being scaled drawings and therefore there being discrepancies between the calculated measurements.
- 8.12 The existing hardstanding measures approximately 5.54 metres in depth and approximately 7.82 metres in width, complying with Part 3, Section 3.165 of the Leicestershire Highways Design Guide.
- 8.13 The proposed dropped kerb would measure approximately 6.80 metres in width. Balliol Road hosts a generous off-street parking provision to the frontages of the residential dwellings and sufficient on-street parking. By virtue of the above, the proposal is not considered to have any severe impacts upon the existing road network, subject to approval from LCC Highways.
- 8.14 By virtue of the above the proposal would not have any adverse impact upon the provision of adequate on-street parking nor any severe impacts upon the existing road network. In this regard, the proposal would comply with Policy DM17 and DM18 of the SADMP and the Leicestershire Highways Design guide.

## **9. Equality implications**

- 9.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-
- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
    - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
    - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
    - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2 Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.
- 9.3 There are no known equality implications arising directly from this development.

## **10. Conclusion**

- 10.1. The proposal is located within the settlement of Burbage where there is a presumption in favour of sustainable development as set out in Policy DM1 and the wider policies of the NPPF.
- 10.2. The proposed development would respect the character of the dwelling and street scene, would not adversely affect the amenities of the occupiers of neighbouring properties and would not have a detrimental impact of highway safety. The application is considered to be in accordance with Policies DM1, DM10, DM17 and DM18 of the SADMP, Policy 1 and 2 of the Burbage Neighbourhood Plan, the Council's Good Design Guide and the Leicestershire Highways Design Guide and is therefore recommended for approval subject to conditions.

## **11. Recommendation**

### **11.1 Grant planning permission** subject to:

- Planning conditions outlined at the end of this report

### **11.2 Conditions and Reasons / Reasons**

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

**Reason:** To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. The materials to be used externally shall accord with the approved application form, as received by the Local Planning Authority on the 8th July 2024.

**Reason:** To ensure that the development has a satisfactory external appearance in accordance with Policies DM1, DM10, DM17 and DM18 of the SADMP, Policy 1 and 2 of the Burbage Neighbourhood Plan, the Council's Good Design Guide and the Leicestershire Highways Design Guide.

3. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

- Proposed Layout as received by the Local Planning Authority on the 8th July 2024.
- Site Location Plan as received by the Local Planning Authority on the 10th July 2024.

**Reason:** To ensure a satisfactory form of development in accordance with Policies DM1, DM10, DM17 and DM18 of the SADMP, Policy 1 and 2 of the Burbage Neighbourhood Plan, the Council's Good Design Guide and the Leicestershire Highways Design Guide.

### **11.3 Notes to applicant**

- a) The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at [building.control@blaby.gov.uk](mailto:building.control@blaby.gov.uk) or call 0116 272 7533.
- b) This permission does not give the Applicant approval to work on the public highway. Therefore, prior to carrying out any works on the public highway the Applicant must ensure all necessary licences/permits/agreements are in place. For further information, please telephone 0116 3050 001.