

Delegated Report

Planning Ref: 25/00578/FUL
Applicant: Mrs Aimee Hawkins
Ward: Ambien



Hinckley & Bosworth
Borough Council

Site: 46 Main Street Higham On The Hill Nuneaton

Proposal: Extension to dropped kerb

Case Officer: Zahra Jam-Rotbeh

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

- 2.1. This Full planning application seeks planning permission for an extension to an existing dropped kerb at 46 Main Street, Higham on the Hill. The proposal would be located within the parking area in the rear of the main dwelling. It would extend the existing dropped kerb to cover the whole driveway and accommodating two cars. It would have the same material to be used in the existing dropped kerb.

3. Description of the site and surrounding area

- 3.1. The application site involves garden land and an area of hardstanding used for car parking to the rear of no.44 and no.46 Main Street. Access to the site is gained from the existing dropped kerb at Nuneaton Lane which forms the western boundary of the application site.
- 3.2. The site lies within the defined settlement for Higham on the Hill in a predominantly residential area. The site is also located within the Higham on the Hill Conservation Area. The adjoining properties of no's. 44, 46 & 48 Main Street are early 20th century dwellings and no.1 Nuneaton Lane is a vernacular cottage located to the south of the site. These four buildings are identified as significant local buildings within the Higham on the Hill Conservation Area Appraisal (HHCAA) (2009).

4. Relevant planning history

18/00906/FUL

- Erection of detached dwelling
- REF
- 13.12.2018

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 responses have been received as a result of public consultation.

6. Consultation

6.1. No response has been received from Higham on the Hill Parish Council.

6.2. A response has been received from LCC Highway:

“The Applicant is advised to note that should planning permission be granted, 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-andparking/vehicle-access-dropped-kerbs>.

The Applicant should also note that the approval of planning permission does not guarantee permission for the required works permit, this process comes with its own criteria which must be met in order to gain approval of the required permit.”

6.3. A response has been received from HBBC Conservation Officer:

“This proposal is for an extension to the existing dropped kerb to the side to provide access to a vehicular parking area which serves 46 Main Street but fronts Nuneaton Lane. The proposal is located within the Higham on the Hill Conservation Area. The kerb stones proposed to be removed are a relatively modern concrete material of no historic interest and there is already a large area of hardstanding providing a parking area for the property, meaning that there will be no additional hard landscaping works required to create the vehicular parking spaces and overall only a negligible change in appearance to the road frontage on Nuneaton Lane. Therefore, the proposal is considered to have no adverse impact upon the character and appearance and thus significance of the conservation area, and consequently it complies with Policies DM11 and DM12 of the Site Allocations and Development Management Policies DPD, Section 16 of the National Planning Policy Framework and the statutory duty of Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.”

7. Policy

7.1. Core Strategy (2009)

- Policy 12: Rural Villages

7.2. Site Allocations and Development Management Policies (SADMP) DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM10: Development and Design
- Policy DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.3. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2024)
- Planning Practice Guidance (PPG)

7.4. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)
- Leicestershire Highway Design Guide (2024)

8. Appraisal

8.1. Extensions and alterations to existing domestic properties within settlement boundaries are generally considered to be sustainable development in principle. The key issues in respect of this application are therefore:

- Design and impact upon the character of the dwelling and the Higham on the Hill Conservation Area
- Impact upon parking provision

Design and impact upon the character of the area and the Higham on the Hill Conservation 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 Section 16 of the NPPF (2024) provides the national policy on conserving and enhancing the historic environment. Paragraphs 202-211 of the NPPF require great weight to be given to the conservation of designated heritage assets when considering the impact of a proposed development on its significance, for any harm to the significance of a designated heritage asset to have clear and convincing justification, and for that harm to be weighed against the public benefits of a proposal.
- 8.4 Policy 12 of the adopted Core Strategy seeks to ensure that new development would respect the character and appearance of the Higham on the Hill Conservation Area by incorporating locally distinctive features of the conservation area into the development.
- 8.5 Policies DM11 and DM12 of the SADMP seek to protect and enhance the historic environment and heritage assets. Policy DM12 states that development proposals should ensure the significance of a conservation area is preserved and enhanced. 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.
- 8.6 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.
- 8.7 There is an existing dropped kerb at the site which would be extended as part of the development, however, the hardsurfaced parking area is already in site and would not be altered. Given the fact that there is already a dropped kerb to the property and the minor nature of the extension to it will not cause any harm to the streetscene, the main dwelling or neighbouring properties.
- 8.8 By virtue of its siting, scale, design and the proposed use of matching corresponding external materials to the existing dropped kerb, it is considered that the proposal would not cause any adverse impact to the appearance and character of the existing dwelling and would not have any adverse impact upon the character or appearance of the Higham on the Hill Conservation Area and consequently would preserve its significance.

- 8.9 The proposal is therefore considered to be in accordance with Policies DM10, DM11 and DM12 of the SADMP, the general principles of the adopted Good Design Guide, and section 16 of the NPPF.

Impact upon parking provision

- 8.10 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.11 The proposed development would be situated on the existing area of hardstanding that currently serves as parking provision for the main dwelling. It does not involve the creation of any additional parking spaces or an increase in the extent of hardstanding. However, it is expected to improve accessibility to the existing parking arrangement, allowing for the efficient accommodation of two vehicles.
- 8.12 Considering the existing use of the parking area, the widened access would not intensify the use of the access but would allow easier access to the parking area which would have a positive impact on the overall parking provision for the site. Furthermore, it is considered to be in accordance with Policy DM18 of the adopted Site Allocations and Development Management Policies (SADMP) document, as well as the standards set out in the Leicestershire Highway Design Guide (2024).

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.
- 9.4 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

10. Conclusion

- 10.1. The proposal is for an extension to an existing dropped kerb within the settlement boundary of Higham on the Hill where there is a general presumption in favour of sustainable development as set out in Policy DM1 of the adopted SADMP and the overarching principles of the NPPF.

- 10.2. By virtue of its siting, scale, design and the proposed use of matching corresponding external materials to ensure a unified appearance, it is considered that the proposal would respect and complement the character and appearance of the existing streetscene and would have a neutral visual impact on the Higham on the Hill Conservation Area and consequently would preserve its significance. The proposal is also considered to be in accordance with Policies DM1, DM10, DM11, DM12 and DM18 of the adopted SADMP, the general principles of the adopted Good Design Guide, section 16 of the NPPF (2024) 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

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 development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows: Site Location Plan along with the Application form received by the local planning authority on 24 June 2025.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1, DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. The materials to be used on the extended dropped kerb hereby permitted shall match the corresponding materials of the existing dropped kerb and the main dwelling.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM10 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11.3 Notes to applicant

1. The Applicant would need to apply to the Leicester Highway Authorities (LHA) for a vehicle crossover (dropped kerb) permit before taking any action. Further details of the requirements can be found at: <https://www.leicestershire.gov.uk/roads-and-travel/cars-andparking/vehicle-access-dropped-kerbs>.