Item: **03**

Reference: **09/00385/CONDIT**

Applicant: **Mrs S Robinson**

Location: **12 Mansion Street Hinckley Leicestershire LE10 0AU**

Proposal: **VARIATION OF CONDITIONS NO'S 5 AND 15 OF PLANNING PERMISSION 07/00648/FUL RELATING TO PARKING FACILITIES**

Introduction:-

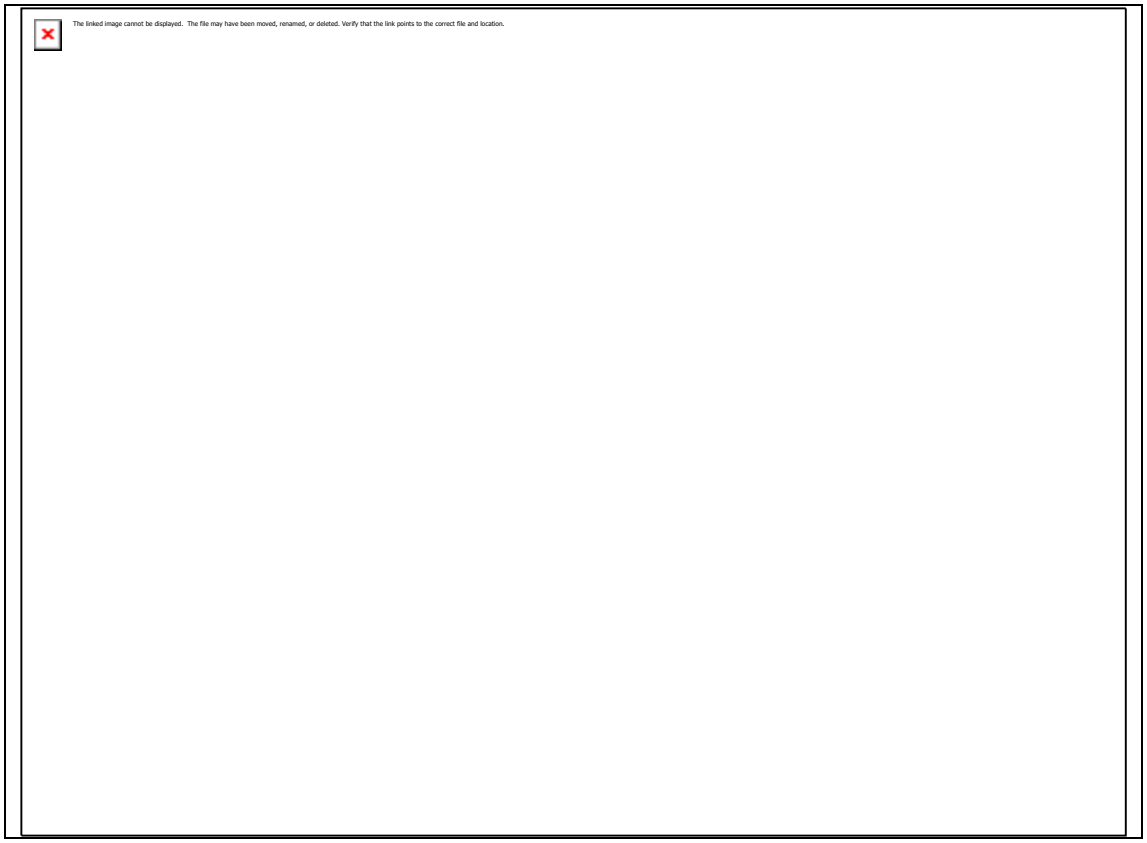
This application seeks planning permission to vary conditions 5 and 15 of planning permission 07/00648/FUL that granted planning permission for demolition of existing club and erection of fourteen flats. Condition 5 lists the amended plans including plan 15B which details the car parking layout. Condition 15 states that 'The car parking facilities and turning areas as shown on plan reference 03 120 15B shall be provided before the first occupation of any unit hereby permitted…'.

Due to unforeseen construction issues it has not been possible to excavate to the extent that was required to provide space for the original 18 spaces. It is proposed to amend the layout and turning spaces to provide 14 car parking spaces, which equates to 1 per flat.

The site is surrounded to the north east by a short stay public car park, to the south east a public house and to the south and north west residential properties. The level of the site rises to the north west towards the properties of Weavers Court. The building works have been complete apart from the internal fittings which are currently being undertaken.

History:-

07/00795/CON	Demolition of existing building	Approved	04.09.07
07/00648/FUL	Demolition of existing club and erection of 14 flats	Approved	03.09.07
04/01315/FUL	Erection of 15 apartments and associated car parking	Withdrawn	10.01.05
75/00255/4M	Construction of new entrance and screen	Approved	22.04.75



Consultations:-

The Director of Highways, Transportation and Waste Management (highways) has commented that a development of 14 flats would lead to a demand for approximately 19.6 spaces. This scheme is therefore likely to lead to car parking overspilling onto the local road network. However, he had suggested that if it is possible to ensure each parking space will permanently remain unallocated to any particular dwelling the proposal would be acceptable.

Site notice and Press notice were displayed and neighbours notified.

At the time of writing the report comments have not been received from neighbours.

Policy:-

Central Government Guidance

Planning Policy Guidance 13, Transportation sets out the Government's objectives of, promoting more sustainable transport choices for both people and moving freight, promote accessibility to jobs, shopping, leisure and other services by public transport, walking or cycling and reducing the need for travel especially by car. The guidance sets out how the transport network should be a consideration in land use planning to achieve the above objectives.

Regional Planning Policy

Regional Spatial Strategy 8: East Midlands sets out the regional planning objectives in terms of housing numbers and strategic objectives for the region. The relevant policies relating to this application are:

Policy 43 - Regional Transportation Objectives which outlines several objectives that development in the region should adhere to including supporting sustainable development in particular within urban centres and improving air quality by encouraging a modal shift away from the private car.

Policy 45 - Regional Approach to Traffic Growth Reduction seeks the co-operation of the different statutory bodies to reduce the need to travel by car as much and promote alternative forms of transport.

Local Plan Policy

The application is located within the Hinckley Town Centre Conservation Area and Hinckley Settlement boundary as defined within the adopted Hinckley and Bosworth Local Plan.

Policy BE1 considers the design and sitting of proposals and ensures that there is adequate highway visibility for road users and adequate off street parking.

Policy T5 Highway Design and Vehicle Parking Standards requires development that would affect the highway to have regard to the Highway parking Standards as set out in the current Leicestershire County Councils 'Highway Requirements for Development'.

Hinckley Town Centre Strategic Transport Development Contributions Supplementary Planning Document is a transport assessment which provides and provides budgets for the highway and transportation measures required within the town centre.

Appraisal:-

The main consideration with regards to this application is the effect of the reduced number of car parking spaces would have on the highway safety of surrounding road network.

Impact on the Highway

The application proposes a reduction of car parking spaces from 18 to 14. The spaces would be contained within a parking court located to the rear of the building with access through a controlled security system. This application now proposes one space per two bedroomed flat. The Director of Highways Transportation and Waste Management has raised concerns regarding the level of parking now proposed and the future ownership of the parking spaces. However no objection has been formally submitted, only a request for a condition or legal agreement ensuring that the parking remains for the sole use of occupiers of the flats. It is considered that a condition to this effect can be imposed.

The site is located within close proximity to the town centre and a range of employment, leisure and shopping services. The town centre also has good public transport connections to Leicester, Coventry and Nuneaton via train and bus links. Paragraph 17 of PPG 13 suggests that parking standards within planning policy 'should not be expressed as a minimum standard'. Local Authorities 'should revise their parking standards to allow for significant lower levels of off street parking provision, particularly for development in locations, such as town centres, where services are readily accessible by walking, cycling or public transport'. It is therefore the Government's intention that where served by services and public transport a

lower level of parking can be acceptable. Consequently, it is considered that the revised parking plan seeking one space per residential unit is acceptable in this location. However, in line with the SPD on transport, contributions are required where there is a shortfall of parking, further discussions are taking place regarding this issue and will be updated as a late item.

RECOMMENDATION:- Permit subject to the following conditions :-

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below, it is considered that subject to compliance with the conditions attached to this permission, the proposed development by virtue of the location of the development within an area well served by public transport and other services, the revised parking layout would provide adequate off street parking and therefore would be in accordance with the development plan.

Hinckley & Bosworth Borough Council Local Plan (2001) :- T5

1 This permission shall relate to the variation of conditions 5 and 15 of planning permission 07/00648/FUL dated 3rd September 2007 a copy of which is appended hereto and shall be read with this permission. The variation relates to the parking layout and provision. Conditions 1-4, 6-14 and 16-19 attached to planning permission 07/00648/FUL remain unaltered and must be complied with.

2 This permission relates to the application as revised by amended plan 18B, 20A, and 21 attached to planning permission 07/00648/FUL, received by the Local Planning Authority on 10 August 2007.

3 The turning area and parking facilities as shown on plan reference 03/120/62A shall be provided, surfaced in a hard bound porous material and marked out prior to first occupation of any unit. Once provided the parking spaces shall hereafter permanently remain available for the occupiers of the units.

Reasons:-

1 To define the permission.

2 For the avoidance of doubt

3 In the interests of highway safety and to ensure the adequate off street parking is provided for the development in accordance with Policy T5 of the adopted Hinckley and Bosworth Local Plan.

Notes to Applicant:-

1 As from 6th 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 website www.planningportal.gov.uk.

Contact Officer:- Sarah Humphries Ext 5680