

Delegated Report

Planning Ref: 24/00550/FUL
Applicant: Mrs Alison Ruff
Ward: Ambien



Hinckley & Bosworth
Borough Council

Site: 23 Station Road Stoke Golding Leicestershire

Proposal: Extension of existing dropped kerb

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 planning application seeks full planning permission for the extension in dropped kerb width of an existing vehicle access to the site frontage of a dwelling, 23 Station Road, Stoke Golding.
- 2.2. The existing dropped kerb access is 4.45 metres in width. The application seeks a 4.5 metres wide extension to the dropped kerb width to a total of 9 metres overall width. The application seeks to enable the provision of three off-street parking spaces with direct pull-on perpendicular to the public highway.
- 2.3. An amended plan has been submitted to include the removal of some raised landscaping within the site frontage to enable the provision of three parking spaces each of 5.5 metres in length and 2.4 metres in width to comply with the local highway authority design guide standards. The parking spaces are proposed to be hard surfaced in either grey concrete block paving (as existing) or black/dark grey asphalt with an Aco-type drainage channel.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of Stoke Golding and within the Stoke Golding Conservation Area. It is a two storey detached house with hipped main roof form and a 1½ storey side extension with half-hip roof form. It is constructed with white rendered walls, grey plain tiled roof with red ridge tiles and white windows. The site frontage is predominantly open to the public highway other than a short length of low level wall either side of a pedestrian access. It comprises a concrete block paved parking area of varying depth and raised landscaped/planted areas.
- 3.2. It lies within a row of detached two storey dwellings of varying age, design and style. No. 21 Station Road to the east is identified as an important local building within the Stoke Golding Conservation Area Map and as a non-designated heritage asset with the Stoke Golding Neighbourhood Plan.

4. Relevant planning history

07/01026/FUL

- Extensions and alterations to dwelling
- Permitted
- 15.10.2007

94/00033/FUL

- Single storey rear extension and conservatory
- Permitted
- 18.02.1994

93/00669/4

- Extension to dwelling
- Permitted
- 08.09.1993

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 and a notice was displayed in the local press.
- 5.2. No responses have been received as a result of public consultation.

6. Consultation

- 6.1. Leicestershire County Council (Highways) refer to current standing advice in respect of parking space dimension design and layout standards and the need for a separate vehicle crossing (dropped kerb) work permit from the local highway authority prior to any works in the public highway commencing.
- 6.2. No response has been received from Stoke Golding Parish Council.

7. Policy

- 7.1. Stoke Golding Neighbourhood Plan (SGNP) 2020-2039 (review 2024)
- Policy SG1: Decision-Taking
 - Policy SG14: Non-designated Heritage Assets
 - Policy SG15: Design
- 7.2. Core Strategy (2009)
- No relevant policies
- 7.3. 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
- 7.4. National Planning Policies and Guidance
- Planning (Listed Buildings and Conservation Areas) Act 1990
 - National Planning Policy Framework (NPPF) (2023)
 - Planning Practice Guidance (PPG)
- 7.5. Other relevant guidance
- Stoke Golding Conservation Area Appraisal and Map (review 2013)
 - Good Design Guide (2020)

- National Design Guide (2019)
- Local Highway Authority Design Guide

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 and appearance of the Stoke Golding Conservation Area and non-designated heritage asset
 - Impact upon highway safety/parking provision
- 8.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 8.3 Section 16 of the National Planning Policy Framework (NPPF) provides the national policy on conserving and enhancing the historic environment. Paragraphs 205-208 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 SG1 of the 'made' SGNP requires that planning decisions are taken with regard to all the relevant policies of the Plan. Policy SG14 identifies non-designated heritage assets and requires that the determination of planning applications which would affect them are assessed having regard to the scale of any harm or loss to their significance. The design criteria of Policy SG15 of the 'made' SGNP requires development, (amongst other matters) to: (1) be in keeping with the scale, form and character of its surroundings, (3) have safe and suitable access and (10) ensure parking is integrated so that it does not dominate the street.
- 8.5 Policies DM11 and DM12 of the adopted 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 development to complement or enhance the character of the surrounding area with regard to design and materials and for building material to respect existing/neighbouring buildings. Policy DM17 of the adopted SADMP supports development where there would be no significant adverse impact on highway safety. Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.6 The Council's adopted Good Design Guide provides further advice in respect of the siting and design of house extensions and states that '*Where hardstanding is proposed at the front of a property, this should not constitute more than 50% of the total area*' and '*Permeable paving materials are supported as a means of minimising the cumulative impact on flood risk.*' The Local Highway Authority Design Guide provides further advice on highway related matters.
- 8.7 The application proposes an extension of the existing dropped kerb vehicle access by 4.5 metres to a total width of 9 metres and the removal of a small area of raised landscaping/planting. This would enable the 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 parking spaces are proposed to be hard surfaced in

either grey concrete block paving (as existing) or black/dark grey asphalt with an Aco-type drainage channel to an on-site soakaway.

- 8.8 The kerb stones to be removed are of a relatively modern concrete material of no historic interest and there is already a wide area of concrete block hardstanding fronting the property. Only a small area of relatively modern raised landscaping/planting would need to be removed at the rear of the existing hardstanding to enable the three parking spaces to be provided, meaning that there would be minimal works required and therefore a negligible change in the overall character and appearance of the property frontage. Policy SG15 of the 'made' SGNP seeks to avoid the domination of cars within the street scene, however, the existing situation provides a wide area of open concrete block paved hardstanding for parking which is not uncharacteristic of the wider street scene as a whole. In addition, the proposed total area of hardstanding would not cover more than 50% of the 18.7 metres wide and 9 metres deep site frontage which would retain an appropriate level of soft landscaping in accordance with the adopted Good Design Guide and is therefore considered to be acceptable in design terms in this case. The proposed surfacing materials of either permeable concrete paving or asphalt with an Aco-type drainage channel to an on-site soakaway would minimise the cumulative impact on flood risk in accordance with the adopted Good Design Guide.
- 8.9 By virtue of the nature of the works, siting, scale, amended design, and subject to the proposed use of appropriate construction materials, the amended proposal is considered to respect and complement the character and appearance of the existing dwelling and to have a negligible impact upon the character and appearance of the Stoke Golding Conservation Area and the neighbouring non-designated heritage asset, thus preserving their significance. The amended proposal would provide safe and suitable access to the site without any significant adverse impacts on highway or pedestrian safety by virtue of the low level boundaries either side of the extended access and an appropriate level of off-street parking to serve the application dwelling. The amended proposal is therefore considered to be in accordance with Policies SG1, SG14 and SG15 of the 'made' SGNP, Policies DM10, DM11, DM12, DM17 and DM18 of the adopted SADMP, the Council's adopted Good Design Guide, Section 16 of the NPPF (2023) and the statutory duties of Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

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 a small alteration to an existing dwelling within the settlement boundary of Stoke Golding 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 the nature, siting, scale, amended design, and subject to the proposed use of appropriate construction materials, the amended proposal is considered to respect and complement the character and appearance of the existing dwelling and to preserve the significance of the Stoke Golding Conservation Area and the neighbouring non-designated heritage asset. The amended proposal would also provide safe and suitable access to the site and an appropriate level of off-street parking to serve the application dwelling. The amended proposal is considered to be in accordance with Policies SG1, SG14 and SG15 of the 'made' SGNP, Policies DM10, DM11, DM12, DM17 and DM18 of the adopted SADMP, the Council's adopted Good Design Guide, Section 16 of the NPPF (2023) and the statutory duties of Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 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: Location Plan and Proposed Hard Surfacing and Drainage details received by the local planning authority on 10 June 2024 and the amended Proposed Site Plan and email correction received by the local planning authority on 12 July 2024.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1, DM10, DM12, DM17 and DM18 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. Within three months of the date of this permission the three off-street parking spaces proposed shall be provided in accordance with the amended Proposed Site Plan received by the local planning authority on 12 July 2024

and shall each be of minimum dimensions of 5.5 metres in length and 2.4 metres in width and surfaced in permeable hard bound materials and/or drainage details submitted within the planning application. Once so provided the parking spaces shall be maintained as such at all times thereafter.

Reason: To ensure that adequate off-street parking provision is made in the interests of highway and pedestrian safety and in accordance with Policy DM17 and DM18 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11.3 Notes to applicant

1. The applicant is advised that, notwithstanding this planning permission, to facilitate the proposed extended access a separate application must also be made, prior to any works within the public highway commencing, to the Local Highway Authority (Leicestershire County Council) 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-accessdropped-kerbs>. The applicant should also note that the approval of planning permission does not guarantee permission for the required works permit.