

Delegated Report

Planning Ref: 23/00606/FUL
Applicant: Mrs Dena Abbott
Ward: Ratby, Bagworth and Thornton

Site: 28 Charnwood, Ratby



Hinckley & Bosworth
Borough Council

Proposal: Dropped kerb and vehicle access for parking

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 proposal seeks full planning permission for a dropped kerb and driveway, providing one off-street parking space to the site frontage.

3. Description of the site and surrounding area

- 3.1. The application site is a single storey semi-detached bungalow located on Charnwood. The dwelling has a gravelled area and path leading to the highway, with a low level 1m wooden fence.

4. Relevant planning history

None

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. No public comments have been received.

6. Consultation

- 6.1. No objections have been received from:
- HBBC Environmental Services – pollution
 - HBBC Drainage – no objection and note to applicant provided.
- 6.2. LCC Highways – No objections, standing advice.

7. Policy

7.1. Core Strategy (2009)

- No relevant policies

7.2. 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

7.3. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2021)

- Planning Practice Guidance (PPG)
- National Design Guide (2019)

7.4. Other relevant guidance

- Good Design Guide (2020)

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 SADMP requires proposals to complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.

8.3 The proposals seeks to create a dropped kerb and hardstanding area to provide one off-street car parking space. The property currently is gravelled to the site frontage with a low level boundary fence. Within the area, low level boundary fences can be seen to the site frontages facing onto Charnwood, in addition, a number of properties within close proximity to the site have also removed these low level boundary fences to provide off-street parking spaces. The proposal is not considered to have detrimental impacts upon the character of the area.

8.5 As such, the proposal will not cause detrimental impacts upon the character of the area accords with Policy DM10 of the SADMP (2016).

Impact upon neighbouring residential amenity

8.6 Policy DM10 (a) and (b) of the SADMP states development will be permitted provided that it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting and noise and that the amenity of occupiers would not be adversely affected by activities with in the vicinity of the site.

8.7 The proposal seeks implement a dropped kerb and hardstanding to the site frontage to provide one off-street car parking space. This by virtue of the nature of the proposal is not considered to cause any detrimental impacts upon the neighbouring amenity.

8.8 By virtue of the siting and scale, design the proposal would not result in any significant adverse overbearing impact on the residential amenities of any neighbouring properties or result in any loss of privacy from overlooking and would therefore be in accordance with Policy DM10 of the adopted SADMP in terms of impacts on residential amenity.

Impact upon highway safety

8.9 Policy DM17 of the SADMP seeks to ensure new development would not have an adverse impact upon highway safety. Policy DM18 of the SADMP seeks to ensure parking provision appropriate to the type and location of the development.

8.10 The existing site does not benefit from any off-street car parking spaces. This application seeks to provide one off-street car parking space, and the addition of one off-street car parking space is welcomed. The proposed plans included visibility splays which satisfy the Leicestershire Highways Design Guide.

- 8.11 Leicestershire County Council (Highways) raise no objection to the scheme on any highway safety grounds as there would be no material impact on the highway. The proposal would therefore be in accordance with Policies DM17 and DM18 of the adopted SADMP.
- 8.40 Equality implications
- 8.3 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.
- 8.4 Officers have taken this into account and given due regard to this statutory duty in the consideration of this application. The Committee must also ensure the same when determining this planning application.
- 8.5 There are no known equality implications arising directly from this development.
- 8.6 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).

9. Conclusion

- 9.1 The application for the dropped kerb and hardstanding for one off-street parking space is considered not to impact on the character of the area, have detrimental impacts upon neighbouring amenity or cause any negative impacts upon Highway safety. As a result the proposal is considered to be in accordance with Policies DM10, DM17 and DM18 of the adopted SADMP. This scheme is therefore recommended for approval subject to conditions.

10. 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 and Block Plan Drg No. 19/313 CW01
Proposed Plan Drg No. 19/313 CW03
Design and Access Statement

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

11.3. Notes to Applicant

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.
2. All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of Leicestershire County Council (Highways) (0116 3050001).
3. Access drives, parking and turning areas, paths and patios should be constructed in a permeable paving system, with or without attenuation storage, depending upon ground strata permeability. On low-permeability sites, water dispersal may be augmented by piped land drains, installed in the foundations of the paving, discharging to an approved outlet. (See Environment Agency guidance on the permeable surfacing of front gardens).
4. Planning Permission does not give you approval to work on the public highway. Therefore, prior to carrying out any works on the public highway you must ensure all necessary licences/permits/agreements are in place. For further information, please telephone 0116 305 0001. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.