

Delegated Report

Planning Ref: 24/00618/FUL
Applicant: Mrs Dena Abbott
Ward: Groby



Hinckley & Bosworth
Borough Council

Site: 4 Stephenson Way Groby Leicester

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 application seeks full planning consent for a dropped kerb and vehicle access at 4 Stephenson Way, Groby.
- 2.2. The proposed dropped kerb would host a width of 3.00 metres and would be accompanied by a tarmacadam hardstanding with a wearing coat and concrete edging stones measuring 4.91 metres in depth and 3.67 metres in width.

3. Description of the site and surrounding area

- 3.1. The application site relates to a terraced bungalow, situated within the settlement boundary of Groby. The site is also situated within the National Forest and Ancient Woodland. The application dwelling comprises the use of predominantly red brick to the walls, with the use of cream render and white timber cladding to the main entrance of the dwelling, brown tiles to the roof and white uPVC to the windows.
- 3.2. To the front of the dwelling sits a generous grassed amenity space, which forms a prevalent feature within the street scene as the grassed amenity space extends to the frontage of the majority of the adjacent dwellings within the immediate vicinity of the site. A concreted pathway runs through the grass verge as means of access to the dwelling.
- 3.3. The street scene is predominantly uniform in terms of design and finish, however varies in scale, with two-storey dwellings enclosing the “C” shaped bungalow development.
- 3.4. Stephenson Road is not classified.

4. Relevant planning history

- None.

5. Publicity

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

6. Consultation

6.1. Grobby Parish Council;

“The Planning & Development Committee reviewed the application and had no objections.”

6.2. 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 Applicant is proposing a new dropped kerb to provide parking for one vehicle, it does not appear the dwelling is currently afforded any off-street car parking.

To be in accordance with Part 3, Paragraph 3.165 of the Leicestershire Highway Design Guide (LHDG) available at <https://resources.leicestershire.gov.uk/lhdg>, parking spaces should be a minimum size of 2.4 metres x 5.5 metres, with 0.5 metres added if bound by a wall, fence, hedge, line of trees or other similar obstructions on one side, and one metre added if bound on both sides.

Whilst the proposed parking space is substandard and does not comply with the LHDG, given the quantum of similar off-street parking arrangements in the site-specific location, the LHA consider given these circumstances it would be difficult to resist the application.

The Applicant should be advised notwithstanding planning permission, to facilitate the proposed new 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>. The Applicant should note that the approval of planning permission does not guarantee permission for the required works permit.”

6.3. Forestry Commission;

- No objections have been received.

7. Policy

7.1. Core Strategy (2009)

- Policy 7: Key Rural Centres
- Policy 8: Key Rural Centres Relating to Leicester

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) (2023)
- Planning Practice Guidance (PPG)

7.4. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)
- The 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 and parking provision

Design and impact upon the character of the area

8.2 Policy DM10 of the SADMP requires new development 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 Councils Good Design Guides seeks to ensure that permeable paving materials are supported as a means of minimising the cumulative impact on food risk. It is also recommended to consider incorporation of soft landscape features and boundary treatments to minimise negative impacts upon character and pedestrian specific movement routes to ensure safety.

8.4 The application seeks planning permission for a dropped kerb, which would be situated to the north-west of 4 Stephenson Road, Groby. The dropped kerb would measure 3.00 metres in width and would be accompanied by a permeable tarmac hardstanding with a wearing coat and concrete edging stones, constructed on a 1:20 gradient, to minimize the cumulative impact of food risk.

8.5 The construction of the dropped kerb would see the partial removal of the grassed amenity space situated to the front of the application dwelling, to allow for the proposed hardstanding, which would undoubtedly alter the character of the street scene, due to the soft landscaping forming a prevalent feature within the area. Notwithstanding this, approximately 16.38 metres of grassed amenity space will be retained, therefore minimizing the potential negative impacts of the proposed hardstanding. Particular observation has also been given to the existing dropped kerb and hardstanding to the front of 3 Stephenson Road, which forms a new precedent within the street scene, which the proposal would be in keeping with.

8.6 Further to the above, it is noted that Stephenson 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.

8.7 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.

Impact upon neighbouring residential amenity

8.8 Policy DM10 of the SADMP state that proposals should not adversely affect the occupiers of the neighbouring properties.

- 8.9 By virtue of the minor nature of the amendments there is not considered to be any material adverse impact on the residential amenity of any neighbouring properties and is therefore considered to be in accordance with Policy DM10 of the SADMP.

Impact upon highway safety and parking provision

- 8.10 Policies DM17 and DM18 of the SADMP states that proposals should ensure that there is adequate provision for on and off street parking for residents and visitors and there is no impact upon highway safety.
- 8.11 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.
- 8.12 An area of hardstanding is proposed to the front of the dwelling, measuring 4.95 metres in depth and 3.67 metres in width, not according with the dimensions as set out in paragraph 3.165 of the LHDG. Notwithstanding this, given the quantum of similar off-street parking arrangements in the site-specific location and the lack of existing off-street parking at the site, the proposal is considered to be acceptable in this particular case. The proposal would create an access for the off street parking of one vehicle on the application site.
- 8.13 The proposed dropped kerb would measure 3.00 metres in width. Stephenson Road hosts a limited off-street parking provision to the frontages of the residential dwellings. Resident restricted parking areas can, however be observed to the north-east and north-west of the site, along with a restricted parking zone present directly adjacent to the site frontage which operates between the hours of 8am-5pm on weekdays. A bus stop can be observed to the front of the neighbouring dwelling, 2 Stephenson Way, nevertheless it has been confirmed that this bus is no longer in operation. By virtue of the above, the proposal is not considered to have any severe impacts upon the existing road network.
- 8.14 Notwithstanding the limited off-street parking along this section of Stephenson Road, the access 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.

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 Groby 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, 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

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 25th June 2024.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policy DM10, DM17 and DM18 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), 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:

- Site Location and Block Plan, Drg No. 19-313 SW01
- Proposed Site Plan, Drg No. 19-313 SW03 A
as received by the Local Planning Authority on the 19th June 2024.

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