

Delegated Report

Planning Ref: 23/00525/HOU

Applicant: Suzie Mensforth

Ward: Hinckley Castle



Hinckley & Bosworth
Borough Council

Site: 7 Northfield Road Hinckley Leicestershire

Proposal: 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. The application seeks consent for a dropped kerb at 7 Northfield Road, Hinckley.

2.2. The proposed dropped kerb would measure 5.26 metres in width.

3. Description of the site and surrounding area

3.1. The application site relates to a two-storey semi-detached dwelling situated within the settlement boundary of Hinckley on a Classified C road. No.7 is situated to the north-east side of Northfield Road. The application dwelling features a mixture of white render and red brick to the walls, grey tiles to the roof and white uPVC to the windows and doors. To the front of the dwelling sits a small paved stoned driveway. The front door to the dwelling is situated to the side elevation.

3.2. The area is characterised by two storey semi-detached properties in a mix of brick and render.

4. Relevant planning history

02/01440/FUL

- VEHICULAR ACCESS
- PER
- 07.02.2003

79/01682/4M

- ERECTION OF GARAGE AND W C
- PER
- 23.10.1979

5. Publicity

5.1. The application has been publicised by sending out letters to local residents. No objections have been received.

6. Consultation

- 7.1. LCC Highways have no objection but have provided a note to applicant.

7. Policy

- 7.2. Core Strategy (2009)

- Policy 1: Development in Hinckley

- 7.3. 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

- 7.4. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2021)
- Planning Practice Guidance (PPG)

- 7.5. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)

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 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 proposed dropped kerb would be located to the front of no.7 Northfield Road. It would measure 5.26 metres, which is the width of its south-west (front) boundary. Northfield Road is characterised by dropped kerbs and therefore the proposed development would be in-keeping with this precedent.

- 8.4. Overall, it is considered that the proposed development would not cause any significant harm to the visual amenity of Northfield Road. The proposed development would not conflict with Policy DM10 of the SADMP.

Impact upon neighbouring residential amenity

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

- 8.6. By the nature of development, the proposed dropped kerb would not have any adverse impacts upon neighbouring residential amenity, in accordance with Policy DM10 of the SADMP.

Impact upon highway safety

- 8.7 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.
- 8.8 The proposal would create an additional access for the off street parking of approximately two vehicles on the application site. The proposal does not include any surfacing; the area forward of the principle elevation of the dwelling is already hard surfaced.
- 8.9 Concern was initially expressed by LCC Highways in regards to the two off-street parking spaces that would be facilitated by the proposed dropped kerb. The length of the hardstanding is 4.32 metres, contrary to paragraph 3.165 of the LHDG.
- 8.10 Notwithstanding the above, LCC Highways has acknowledged that there have been similar dropped kerbs permitted by LCC in close proximity to the location of proposed development. The hardstanding has also been in situ for more than ten years. Although a vehicular visibility splay has not been submitted LCC Highways have carried out their own calculations and have concluded that there would be adequate viability if approved. It is therefore considered that in the site specific circumstances of the proposed development, LCC Highways would not resist the current application.
- 8.11 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

- 7.6. The proposal is located within the settlement of Hinckley where there is a presumption in favour of sustainable development as set out in Policy DM1 and the wider policies of the NPPF.
- 7.7. 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 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 31st May 2023.

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

3. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

Site Location Plan and Site Plan as received by the Local Planning Authority on the 7th June 2023.

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. 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.
3. LCC Highways note that there is a street lighting column on the edge of the proposed access which may be in conflict with the proposed access. It should be noted that if the street lighting column requires relocating, it should be done at the Applicants expense.

