

Item No. 5

Application Reference Number P/20/1027/2

Application Type: Householder **Date Valid:** 13/07/20
Applicant: Mrs Karen Marriott
Proposal: Extend existing dropped kerb to create vehicular access to front of dwelling.
Location: 45 Seagrave Road
Sileby
Leicestershire
LE12 7TN
Parish: Sileby **Ward:** Sileby
Case Officer: Manju Mistry **Tel No:** 01509 634772

This application is referred to Plans Committee in accordance with exceptions contained within the Council's scheme of sub-delegation to Heads of Service embedded within the Constitution.

Description of the Site

45 Seagrave Road is a two-storey semi-detached property, which is located within the Development Limits of Sileby. Currently to the front of the property there is a gravel area and a telegraph pole is located on the public highway between No.'s 45 and 47 Seagrave Road.

Surrounding land uses are as follows:

Boundary	Adjacent land use
Northeast	47 Seagrave Road – residential dwelling
West	43 Seagrave Road - residential dwelling
Northwest	Gardens
South	Seagrave Road

Description of the Application

Permission is sought to extend the existing dropped kerb by 5.5m to create improved vehicular access to the front of the property.

Planning permission is required as Seagrave Road is on a classified road.

The existing gravel area would then accommodate parking for 2 vehicles to the front of the property.

The following documents and plans accompany the application:

- Site location plan – Scale 1:1250,
- 2 Block plan – Scale 1:200,
- Photos – received 09/09/20

Development Plan Policies

Charnwood Local Plan Core Strategy (adopted 9 November 2015)

The following policies are relevant to this application:

Policy CS2 – High Quality Design requires developments to make a positive contribution to Charnwood, reinforcing a sense of place. Development should respect and enhance the character of the area, having regard to scale, massing, height, landscape, layout, materials and access; protect the amenity of people who live or work nearby, provide attractive well managed public and private spaces; well defined and legible streets and spaces and reduce their impact on climate change.

Borough of Charnwood Local Plan (adopted 12 January 2004) (saved policies)

The saved policies relevant to this proposal include:

Policy EV/1- Design- Seeks to ensure a high standard of design for developments which respect the character of the area, nearby occupiers, and is compatible in mass, scale, layout, whilst using landforms and other natural features. It should meet the needs of all groups and create safe places for people.

Policy TR/18 - Parking Provision in New Development notes that planning permission will not be granted for development, unless off-street parking for vehicles, including cycles, and servicing arrangements are included, to secure highway safety and minimise harm to visual and local amenities.

Material considerations

The National Planning Policy Framework (2019)

The National Planning Policy Framework is a material consideration in planning decisions. The National Planning Policy Framework contains a presumption in favour of sustainable development.

Chapter 12 of the National Planning Policy Framework concerns itself with achieving well-designed places and sets out that good design is a key aspect of sustainable development.

Paragraph 109 requires development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 130 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between the permission and completion, as a result of changes being made to the permitted scheme.

Paragraph 180 requires that decisions on planning applications should ensure that new development is appropriate for its location taking into account the likely effects of pollution on health, living conditions and the natural environment, including mitigating noise.

National Planning Practice Guidance

This sets out relevant guidance on aspects of design, and heritage assets, supporting the policy framework as set out in the National Planning Policy Framework.

National Design Guide (2019)

The National Planning Policy Framework makes clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve. This design guide, the National Design Guide, illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice. It forms part of the Government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools.

Supplementary Planning Document - Charnwood Design (January 2020)

This document sets out the Borough Council's expectations in terms of securing high quality design in all new development. Schemes should respond well to local character, have positive impacts on the environment and be adaptable to meet future needs and provide spaces and buildings that help improve people's quality of life. The document is a material consideration in the determination of planning applications.

Responses of Consultees

Sileby Parish Council have raised no objection to the proposal.

The Local Highway Authority confirms Seagrave Road is a classified road and it has no objection to the proposal. It is the Local Highway Authority's opinion that due to the existing vehicular accesses in the immediate vicinity and the wide pavement, this proposed vehicular access would be no worse in this particular circumstance. It has highlighted that if the existing telegraph pole and service chambers need to be relocated this would be at the full cost of the applicant.

Consideration of the Planning Issues

The key issues in considering this application are considered to be:

- Impact on the character and appearance of the street scene;
- Impact on the amenity of occupiers of neighbouring properties; and
- Impact on highway safety.

Impact on the character and appearance of the street scene

Neighbouring properties have a range of vehicular accesses and dropped kerbs on Seagrave Road.

This application proposes to extend an existing adjacent dropped kerb to the front of the dwelling in order to cover the whole width of the frontage (5.5m), to allow car parking to the front. It is considered that this would have very little impact upon the character and appearance of the area, given presence of the other dropped kerb in the locality.

As such, it is considered would not have a detrimental impact on the character of the area or street scene and the proposal would comply with policies CS2 of the Core Strategy and EV/1 of the Local Plan and the National Planning Policy Framework.

Impact on the amenity of occupiers of neighbouring properties

The dropped kerb would provide increased off road car parking for No. 45. It is considered the provision of the proposed kerb would have no discernible impact upon any neighbours, given the distance from these neighbours and the nature of the proposed development.

Accordingly, it is considered that with regards to neighbouring amenity, the works would have not significant detrimental impact on residential amenity and the proposal would comply with policy CS2 of the Core Strategy and policy EV1 of the Local Plan.

Impact on highway safety

The dropped kerb and vehicular access would increase the off road parking provision for No.45, the host property. Given neighbouring properties on Seagrave Road have similar dropped kerbs ranging in different lengths, and given the distance of approximately 22 metres from the junction of Greedon Rise, it is considered that the proposal would not have a detrimental impact on highway safety.

Therefore, it is considered that the proposal would comply with paragraph 109 of the National Planning Policy Framework, in that there would be no unacceptable impact on highway safety, or the residual cumulative impact would not be severe.

The proposal would not have a detrimental impact on highway safety and therefore, the application complies with policy TR/18 of the Borough of Charnwood Local Plan.

Conclusion

The development is considered to be acceptable in terms of its design and appearance and impact on the street scene. The proposal is not considered to have a detrimental impact to the amenities of neighbouring properties. The proposal has no detrimental impact on highway safety. The application would comply with policy EV/1 and TR/18 of the Borough of Charnwood Local Plan and Policy CS2 of the Charnwood Local Plan Core Strategy, and the National Planning Policy Framework.

The application is therefore recommended for approval.

RECOMMENDATION:-

Grant Conditionally

- 1 The development, hereby permitted, shall be begun not later than 3 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 Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following plans:
Site location plan – Scale 1:1250,
2 Block plan – Scale 1:200,
Photos – received 09/09/20

REASON: To define the terms of the planning permission.

The Following Advice notes will be attached to the decision

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- 1 . The development hereby permitted will respect the character and appearance of the host dwelling and application site, and will not result in any adverse harm upon the character and appearance of the local area, including the streetscene to Seagrave Road. Furthermore, the proposal would not lead to unacceptable amenity relationships for neighbouring occupants/residents, and would not harm general amenities in the area, nor would any adverse impact arise in respect of the matter of highway safety. Accordingly, the proposal accords with the up-to-date elements of Policy CS2 of the Charnwood Local Plan (Core Strategy), and "saved" Policies EV/1, and TR/18 of the Charnwood Local Plan 2004; and no other material considerations indicate that the policies of the Development Plan should not prevail. Furthermore, the decision has been reached taking into account Paragraph 38 of the National Planning Policy Framework.

Discussion with the applicant to seek an acceptable solution was not considered necessary in making this decision. The Local Planning Authority has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.

All works within the highway must have separate consent from Local Highway Authority at Leicestershire County Council. All works within the limits of the highway with regard to access shall be carried out to the satisfaction of the County Council's Highway Manager and a Vehicle Access Application must be sought. Further advice can be obtained on 0116 305 0001.

