



## Proposal: Approval of details reserved by Condition 4 of Planning Permission 23/00720/FULHH - Provision of 3 off-street parking spaces.

Site: 2 South View, Burrough on the Hill, Leicestershire, LE14 2JJ

Applicant: Mr Jack Beddall Melton Borough Council

Planning Officer: Mrs Deirbhile Blair

<b>Report Author:</b>	Deirbhile Blair, Planning Officer
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<b>Corporate Priority:</b>	Delivering sustainable and inclusive growth in Melton
<b>Relevant Ward Member(s):</b>	Cllr Leigh Higgins
<b>Date of consultation with Ward Member(s):</b>	7 June 2024
<b>Exempt Information:</b>	No

### Reason for Committee Determination:

The applicant is Melton Borough Council. The constitution therefore requires the application to be determined by Planning Committee.

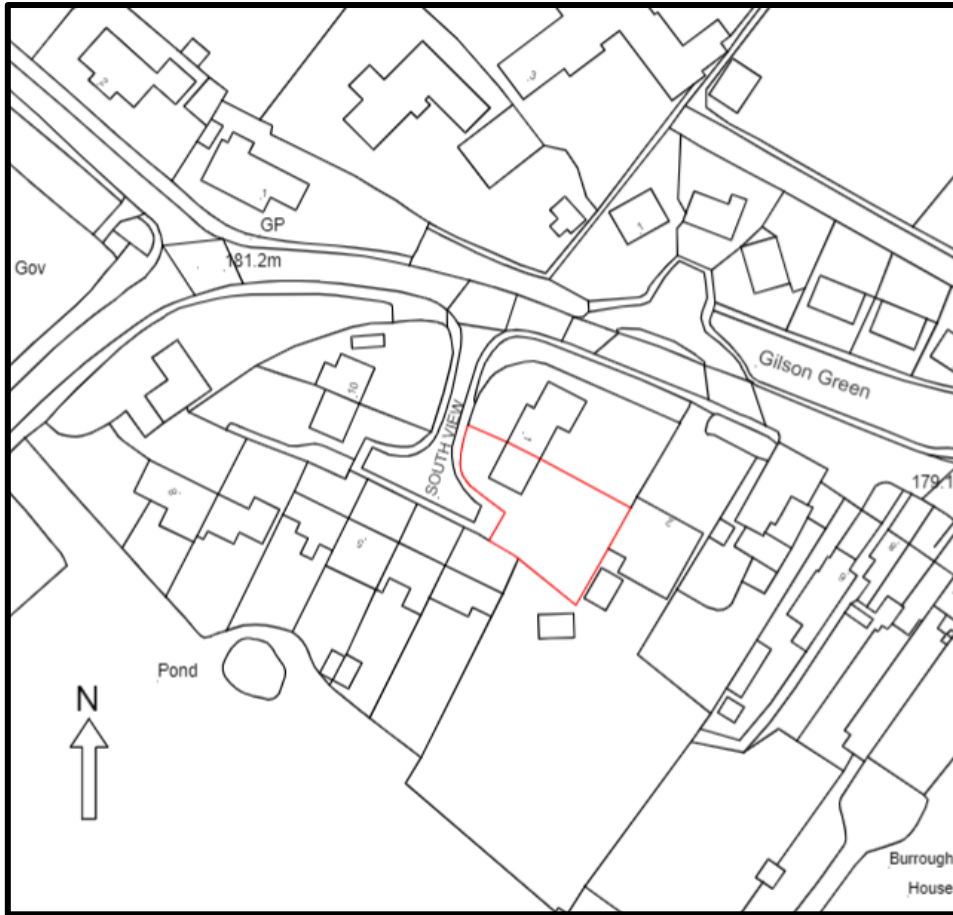
### Web Link:

<https://pa.melton.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

What 3 words: <https://what3words.com/acute.typified.straws>

### Previous committee report:

<https://democracy.melton.gov.uk/ieListDocuments.aspx?CId=134&MId=2485&Ver=4>



### RECOMMENDATION(S)

1. It is recommended that the details submitted are approved.

# 1 Executive Summary

- 1.1 Planning permission ref: 23/00720/FULHH was granted by Planning Committee on 9 November 2023 for the erection of a ground floor rear extension. The approved development resulted in the increase in the number of bedrooms from 3 to 4 and so the minimum on-site parking requirements increased from 2 to 3. At the recommendation of Committee Members an additional condition was attached to this planning permission, Condition 4 (Parking), to ensure sufficient on-site parking was provided. The condition states “Prior to first occupation of the extension hereby permitted a plan demonstrating that x3 off street parking spaces can be provided shall be submitted to the Local Planning Authority. The spaces shall be hard surfaced and maintained in perpetuity.”
- 1.2 This application seeks to discharge Condition 4 (Parking) attached to planning permission ref: 23/00720/FULHH. It was recommended to attach this condition to the originally approved permission in order to secure x3 off street parking spaces for a 4 bedroom property in this location.
- 1.3 Revised drawings were submitted on the 15 July 2024. The Ward Councillor, Parish Council and adjoining neighbours have been consulted.
- 1.4 The proposed development is considered to accord with Policies D1 and IN2 of the Melton Local Plan, Policies CD1 and TI1 of the Somerby Neighbourhood Plan, S72 of the Planning (Listed Building and Conservation Areas) Act 1990 and the overall aims of the National Planning Policy Framework 2023.

## Main Report

### 2 The Site

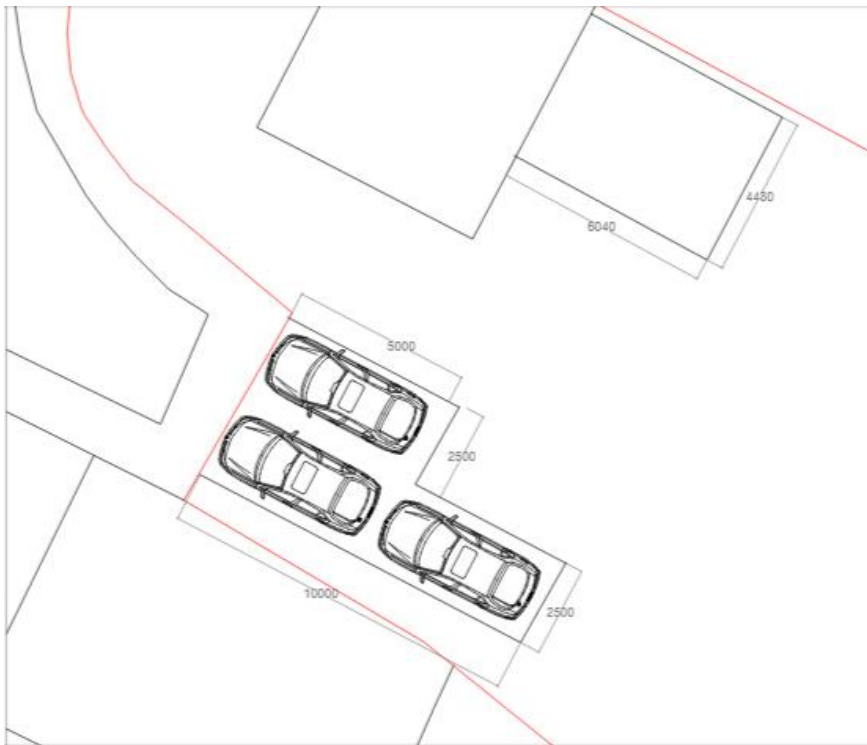
- 2.1 The application site is within a residential cul-de-sac in Burrough on the Hill village. The area is characterised by semi-detached dwelling houses which have a uniformed design and facing materials. The site lies within Burrough on the Hill Conservation Area. As the area consists of more modern development, it makes a limited contribution to the historic significance of the Conservation Area. There are no significant variations in levels between the application site and the surrounding properties. The dwelling has an existing extension attached to the north-eastern elevation, which is a small store measuring approximately 2600mm in height, 1900mm in length and 1300mm in width. This extension has a shared boundary with an identical extension to the neighbouring property to the north of the application site.

### 3 Planning History

- 3.1 23/00720/FULHH – Planning permission was granted for the erection of a ground floor rear extension on the 9<sup>th</sup> November 2023 by the Planning Committee.

### 4 Proposal

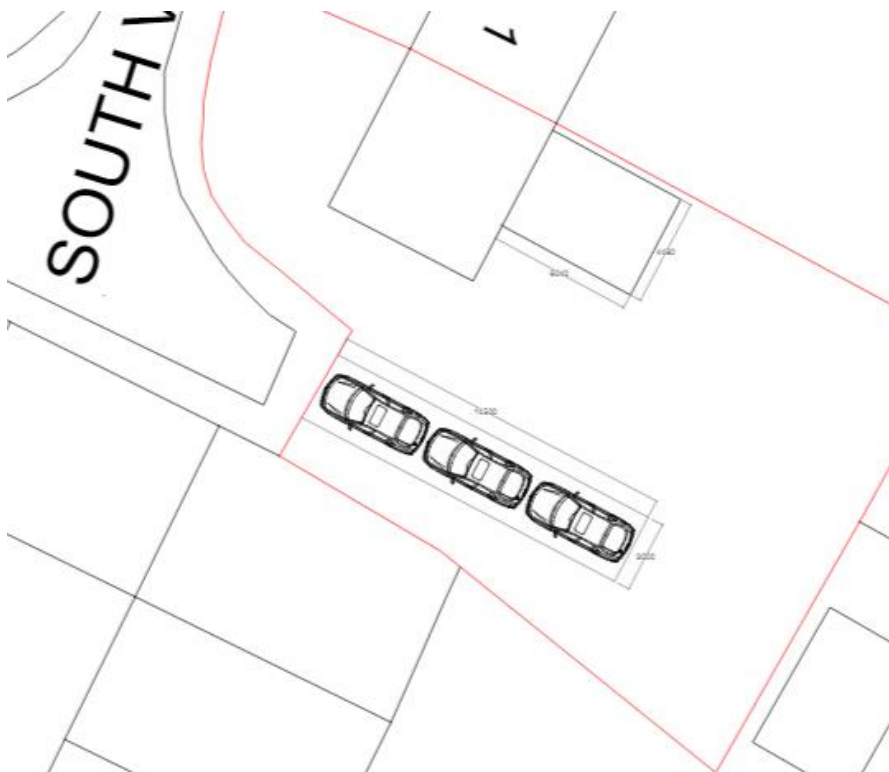
- 4.1 The application is to approve details reserved by condition 4 associated with planning permission ref. 23/00720/FULHH. The process for a Discharge of Condition is to consider the acceptability of the details submitted; in this instance the submission relates to parking spaces, the details of which will be considered below.
- 4.2 The process of considering the acceptability of details submitted to discharge planning conditions does not allow for further consideration of, or re-determination of the original planning consent. The proposed parking layout is shown on the plan below:



4.3

## 5 Amendments

- 5.1 The application originally consisted of three parking spaces laid out in a tandem arrangement, shown on the plan below. Following consultation with the Parish Council and the Ward Councillor, Cllr. Higgins, the scheme has been amended to provide a mixed layout including two side by side parking spaces are provided adjacent to the highway boundary, with a single additional space behind. The proposed parking layout is considered to represent a betterment to the existing informal on-site parking arrangement.



- 5.2 In addition, negotiations have taken place to ensure the parking area would be surfaced in permeable materials. The materials would consist of grass grid parking; a reinforced plastic permeable driveway eco paving grid which is a permeable hardstanding.

## **6 Planning Policy**

### **6.1 National Policy**

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)
- National Design Guide

### **6.2 Melton Local Plan**

6.2.1 The Melton Local Plan 2011-2036 was adopted by Full Council on 10<sup>th</sup> October 2018 and is the development plan for the area. The Local Plan is consistent with the National Planning Policy Framework and whilst it is now being updated, its policies remain relevant and up to date for the determination of this application. The relevant policies to this application include:

- Policy SS1 – Sustainable Development
- Policy D1 – Raising the Standard of Design
- Policy EN13 – Heritage Assets
- Policy IN2 – Transport, Accessibility and Parking

### **6.3 Neighbourhood Plan**

6.3.1 Plan made 23 June 2021. The following policies are relevant:

- CD1 – Building Design Principles
- ENV7 – Settlement Character
- ENV8 – Local Landscape Character Area
- TI1 – Traffic Volume, Road Safety and Parking

### **6.4 Other**

- Planning (Listed Buildings and Conservation Areas) Act 1990 S72
- Melton Borough Design Supplementary Planning Document (SPD) (Adopted October 2018)
- Burrough on the Hill Conservation Area (designated May 1986)
- Leicestershire Highway Design Guide

## **7 Consultation Responses**

### **7.1 Summary of Technical Consultation Responses**

#### **7.1.1 MBC Conservation Officer**

- a) No objections to the application. They advise, in summary, this would result in the proposed surface having a similar/the same appearance of the existing. Either grass or gravel is a softer surface treatment that is preferable to hardstanding such as tarmac. On that basis, there is no objection to the proposed layout of the parking. The streetscene of the conservation area will not be unduly harmed.

- b) The scheme demonstrates a 'clear and convincing justification' for the proposed works which would not result in harm to the special significance of the streetscene of the Burrough on the Hill Conservation Area, in accordance with Para 212 of the NPPF. The proposal therefore would preserve the special significance of the conservation area and would achieve the desirable objectives as described within Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and there is no objection to the condition being discharged.

#### 7.1.2 LCC Highways

- a) Condition 4 was not advised by the Local Highway Authority (LHA) therefore they have no comments to make on these details.

### 7.2 Summary of Representations

#### 7.2.1 Ward Member

7.2.2 Revised comments, based on the amended plans submitted, were received from Cllr Leigh Higgins on the 15<sup>th</sup> August 2024, in summary:

- a) Parking on the road and drainage matters.
- b) I am still not fully understanding the reasons for extending the house for the reasons given
- c) Any development here is sensitive to change.
- d) I would like the applicant or Local Planning Authority to consult all residents of South View to understand the position.

Initial comments were received from Cllr Higgins on the 8<sup>th</sup> July 2024 in relation to the now superseded plans:

- e) I believe this style of tandem parking in this specific area, to be entirely ridiculous and would not serve people well by moving cars on a very narrow highway.
- f) The Parish Council's comments are very strong, and I agree with a lot what they are stating.
- g) It appears there is not enough thought gone into the application as aligned with the Design Supplementary Planning Document. It appears this has not paid any reference to the SPD which discourages tandem parking, but to have three is inappropriate.
- h) The SPD states "Don't include tandem parking". This would really encourage on-street parking and is inappropriate by design and fails to meet policy (D1) of the MLP.
- i) I would like the applicant to present a better design of parking as this will cause issues for neighbours by encouraging on-street parking for a larger dwelling.
- j) I also believe the Council should reflect that any off-street parking provided must be used on any tenancy agreement.
- k) Is the surface going to be permeable?
- l) Could I ask if neighbours have been sent this Discharge information?

#### 7.2.3 Parish Council

- a) The proposal is contrary to both of these policies, MLP Policy IN2 and Somerby Neighbourhood Plan Policy TI1. 'Tandem' parking is usually discouraged and this 'tandem plus one' arrangement of three cars is a wholly bad design.

- b) The regular shuffling of the three vehicles in forward and reverse gear would be unsafe and adversely affect the amenity of other residents of the cul-de-sac. This brings the proposal into further conflict with policy IN2 as it would 'unacceptably impact on the safety and movement of traffic'.
- c) Paras 1.3 and 9.1 of the report to Planning Committee state that the proposal accords with relevant policies of the MLP and SNP, and specifically SNP policy TI1. Those statements are not true.
- d) Adaptations for a person living with a disability may be a material consideration, but the creation of a 4-bed house with permanently inadequate and dangerous parking and access arrangements (contrary to all relevant policies) is disproportionate, unjustified and contrary to Section 38(6).
- e) Applications by private householders are rightly refused if parking provision is inadequate. We do not think a private householder would obtain approval for parking provision as bad as this.

#### 7.2.4 Neighbours

- a) Due to the conservation status of the village and the proximity to a breeding great crested newt pond, we feel that it would be detrimental to the wildlife and countryside act 1984 to disturb and disrupt this sensitive protected area with a concrete parking area, which seems out of proportion with the property.
- b) The drainage problem with rainfall sloping towards the drain on the road would have an adverse impact with blockage/flooding etc.
- c) Loss of habitat for such a rural/sensitive area, let alone an eyesore.
- d) Vehicles coming and going, which would be close to our only access point front gate. We worry that multiple vehicles entering may create a hazard.
- e) Would there be rules regarding what type of vehicle could use the parking area? Previously, a full-size tractor, range rover, and trailer plus other vehicles have already caused issues by parking overnight. For example: I, had to be taken to hospital and an ambulance had great difficulty accessing our home.
- f) Myself and my husband qualify for blue badge parking it is a struggle to park for us, and unload shopping in that area. If parking for no.2 South View is given it would compound the difficulties we already face for access.
- g) No.2 have rarely used the existing gate access gravel hardstanding over the last 10 years, instead they've used it to store a horse box, large paddling pool, trampoline etc. and have parked on the kerb with multiple vehicles opposite no.9 South View, who have also experienced access issues.
- h) Also, we notice there was a compulsory purchase mention in the application, but we are unclear where.
- i) Concerns that the surface water run-off from the hard-standing will be directed towards the rear of this property and will ingress through the boundary and onto my property. I already suffer with water ingress through that boundary during periods of heavy rain. I do not want it to increase. Any surface water run off should be routed towards the front of the property.
- j)

## 7.3 Response to Consultations and Representations

- 7.3.1 Concerns raised by local residents which relate to the impact of the parking area on Burrough on the Hill Conservation Area are noted. The principle of creating an area of hardstanding for parking within the site was established through planning permission ref. 23/00720/FULHH. The site is not identified as making a positive contribution to the character and appearance of the area. The proposed surfacing material would remain similar in appearance to the existing, and the parking spaces would be located in an area of the site which has previously been used for parking vehicles. For these reasons it would have a neutral impact on the character and appearance of the conservation area. In addition, the Conservation Officer raises no objections to the scheme and welcomes the use of a form of hardstanding which would have a softer appearance than tarmac.
- 7.3.2 The neighbour's comments regarding great crested newts (GCN) are noted. The parking area would be provided on an area of existing hardstanding and managed garden, and would have a small surface area. For these reasons it is considered the likelihood that the proposal would have an adverse impact upon GCN is low.
- 7.3.3 With regards to the comments relating to vehicles coming and going, and also the type of vehicles to park in this area, this is not a relevant planning consideration for the current application which seeks to provide details of three on-site parking spaces. These concerns were not raised in response to the consultation on the householder planning application.
- 7.3.4 The information submitted seeks to demonstrate how x3 parking spaces would be provided within the site, which is a betterment to the existing situation where there are no formal on-site parking spaces. As a result, less vehicles would be parked on street on South View which should improve access to the neighbouring dwelling houses. However, it is noted that some of the neighbouring properties have none or limited on-site parking.
- 7.3.5 With regards to the comments raised by Cllr Higgins in regard to the reasons for extending the property. Planning permission has already been granted for a single storey rear extension. The process of considering the acceptability of details submitted to discharge planning conditions does not allow for further consideration of, or re-determination of the original planning permission.

## 8 Planning Analysis

### 8.1 Main Considerations

- 8.1.1 The main consideration is whether the information submitted is satisfactory to discharge the submitted details in relation to the condition sought for approval

- **Parking (Condition 4)**

Condition 4 states:

- Notwithstanding the submitted plans, prior to first occupation of the extension hereby permitted a plan demonstrating that x3 off street parking spaces can be provided shall be submitted to the local planning authority. The spaces shall be hard surfaced and maintained in perpetuity.
- **Reason:** To ensure that sufficient on-site parking is provided and retained in accordance with standards.

- 8.1.2 A revised plan (reference: R3537-003 rev A) was submitted on the 23 July 2024 which illustrates x3 mixed on plot parking spaces to the south of 2 South View. The original plan that was submitted with the application illustrated x3 tandem parking spaces. This was



viewed as unacceptable and therefore a revised plan was submitted illustrating x2 parking spaces side by side with one additional space behind. This mixed plot arrangement is supported in the Design for Developments SPD. No change to the location of the parking area is proposed.

- 8.1.3 The parking spaces provided are considered acceptable as they would meet with the Leicestershire Highway Design Guide. It states that the minimum acceptable dimensions for a car parking spaces are 5m in length by 2.4m in width. The revised plan (ref: R3537-003 rev A) illustrates that the overall dimensions of the proposed spaces of 5m x 2.5m would meet the LHA's parking requirements.
- 8.1.4 It is considered that the provision of x3 parking spaces in this location would not have any undue impact on neighbouring amenity. The proposed parking spaces would be provided in an area of the residential curtilage currently used as a driveway, although in the past it has housed play equipment. The property would benefit from x3 off-street parking spaces and therefore would result in a betterment to South View as a whole in terms of on-street parking. Following the previously approved scheme for a single storey rear extension to accommodate an additional bedroom, the property would benefit from 4 bedrooms. The Leicestershire Highways Authority requests a minimum of x3 off street parking spaces should be provided for a property of 4 or more bedrooms. There is currently no formal on-site parking; as highlighted by a neighbour the applicant currently parks their vehicle on street. This condition would secure x3 on-site parking spaces. In this instance, the proposal would meet the LHA's parking requirements.
- 8.1.5 It is proposed that the driveway would be finished in a grass park permeable grid to provide the car parking spaces which is considered acceptable. Whilst the surface proposed is permeable in nature, the grid element is also considered to be hard standing and therefore would comply with the approved condition.
- 8.1.6 As a permeable surface, this would help prevent surface water runoff... At present, the area is currently grass with some gravel. It is considered that the proposed materials, which would be installed to provide a permeable surface would not result in increased surface water runoff from the application site onto neighbouring properties or the adjacent highway.
- 8.1.7 In this instance, it is considered that the applicant has sufficiently demonstrated that the proposed parking layout would meet with the Leicestershire Highway Design Guide as outlined above and therefore, the details submitted are considered acceptable and would accord with Policies D1 and IN2 of the Melton Local Plan and TI1 of the Somerby Neighbourhood Plan.

## **9 Reason for Recommendation**

- 9.1 Condition 4 attached to planning permission ref. 23/00720/FULHH seeks to secure the details of x3 on-site parking spaces within the site, the residential curtilage of 2 South View. The reason behind condition 4 is to ensure that sufficient on-site parking is provided and retained in accordance with standards. The proposed x3 parking spaces are considered acceptable in this location and their design would meet with Leicestershire Highways Design Guide. As a result they would ensure that sufficient on-site parking is provided, and prevent on-street parking within South View resulting from the approved development. In addition the siting and design of the x3 parking space would preserve the character of Burrough on the Hill Conservation Area, and raise no concerns relating to impact upon GCN and surface water run-off.

## **10 Financial Implications**

10.1 There are no financial implications associated with this planning application.

**Financial Implications reviewed by: N/A**

## **11 Legal and Governance Implications**

11.1 The legal implications are largely set out in the report as they apply to the issues covered, and legal advisors will also be present at the meeting.

**Legal Implications reviewed by: Tom Pickwell (Deputy Monitoring Officer)**