

Report of the Chief Executive

APPLICATION NUMBER:	19/00775/FUL
LOCATION:	34 Moorbridge Lane Stapleford Nottinghamshire NG9 8GU
PROPOSAL:	Dropped kerb

Councillor R MacRae has requested that the application is determined by the Planning Committee.

1 Executive Summary

- 1.1 This application seeks planning permission for a dropped kerb.
- 1.2 The dropped kerb would provide access for a semi-detached house.
- 1.3 Neighbouring properties have dropped kerbs, with open front boundaries and driveways.
- 1.4 Nottinghamshire County Council as Highways Authority raise no objections to the proposed works.
- 1.5 The benefits of the proposal are that it would provide safe and convenient access for the householder, reduce kerb side deterioration (improving the visual amenity of the area) and help protect nearby roadside trees (by reducing parking immediately beside these trees).
- 1.6 Overall, the proposal is considered to be acceptable and it is therefore recommended that planning permission be granted subject to the conditions outlined in the appendix.

APPENDIX

1 Details of the Application

- 1.1 A dropped kerb, 2.4m wide is proposed to be constructed to the roadside in front of the property. Parts of the grass verge either side of the proposed dropped kerb would be retained. Permission is required because Moorbridge Lane is a classified road.

2 Site and Surroundings

- 2.1 The application property is a 1930's semi-detached house. To the front boundary and no. 36 there is a 1m high hedge (including a gate to the front) and to no. 32 there is a 1m high fence (with concrete posts) and a relatively large front garden. Beyond the front hedge is a pavement and then a 2m wide verge, formerly grass which has been lost due to use of the verge for parking. The wide grassed verge is a feature to the north east and south west of the site with highway trees within some of the grassed areas.
- 2.2 Off road parking provision is evident for the majority of properties along Moorbridge Lane. Both neighbouring properties have dropped kerbs, no. 23 (13/00272/FUL) and no. 36 (96/00161/FUL) which have received planning permission.
- 2.3 The applicant intends to create a surfaced driveway once they have permission for the dropped kerb (likely to be permitted development).

3 Relevant Planning History

- 3.1 There is no relevant planning history for the application property.

4 Relevant Policies and Guidance4.1 **Greater Nottingham Aligned Core Strategies Part 1 Local Plan 2014:**

- 4.1.1 The Council adopted the Core Strategy (CS) on 17 September 2014.

- Policy 10: Design and Enhancing Local Identity

4.2 **Part 2 Local Plan**

- 4.2.1 The Council adopted the Part 2 Local Plan on 16 October 2019.

- Policy 17: Place-making, design and amenity

4.3 **National Planning Policy Framework (NPPF) 2019:**

- Section 9 – Promoting Sustainable Transport

5 Consultation

- 5.1 **Nottinghamshire County Council Highways:** Note that there appears to be a green communication box in front of the hedge which may need relocating and have no objections to the proposal, subject to inclusion of conditions relating to the construction of the dropped vehicular footway crossing and surfacing of the driveway in a hard-bound material.
- 5.2 **Stapleford Town Council:** Observations – state that it is not mentioned whether the grass verge will be hard-surfaced and if so, who will be responsible for the maintenance of this area.
- 5.3 **Cadent Gas Ltd:** Advised that there is operational gas apparatus within the site boundary.
- 5.4 Six neighbouring properties have been consulted, with one response received in support of the development proposal.

6 Assessment

- 6.1 The main issues for consideration are the impact on neighbour amenity, the appearance of the property, the street scene and highway safety.
- 6.2 It is considered the proposed dropped kerb would not have any significant impact on neighbouring amenity or the streetscape due to the numerous dropped kerbs on the road.
- 6.3 The front verge is already used for parking and it is considered that the proposal would make access easier and safer, with more formal parking provision for the applicant.
- 6.4 The dwelling is situated in a row of semi-detached dwellings on a straight road and set back from the highway by 6m. There is a relatively low level hedge on the front boundary with a front garden with a depth of 7.5m. Taking all these factors into consideration, it is considered the proposed vehicular access would not cause harm to pedestrian or highway safety.
- 6.5 In relation to the comments from Stapleford Town Council, the dropped kerb would be constructed by a Nottinghamshire County Council approved contractor using materials that comply with their specifications. Some verge would be retained either side of the dropped kerb and this verge, together with the dropped kerb, would be maintained by the County Council (as highway authority).
- 6.6 Paragraph 108 of the NPPF (2019) states that decisions should take into account whether safe and suitable access to the site can be achieved for all users. The site is along a straight section of road so the visibility is considered acceptable. In addition, there have been no objections regarding safety from the County Council as Highways Authority and therefore it is considered the proposed dropped kerb would provide safe and suitable access to the proposed driveway of the property.

7 Planning Balance

7.1 The benefit of the dropped kerb is that it will provide safe and convenient access for the residents of the property. The negative impact of the proposal is that it will result in an increase in vehicles crossing the highway to access the front of the property. On balance it is considered that the benefit of the dropped kerb outweighs this negative.

8 Conclusion

8.1 It is concluded that the dropped kerb is not considered to harm the appearance of the property or street scene or increase the risk to highway safety in the area and, it is therefore compliant with Policy 10 of the Aligned Core Strategy 2014 and Policy 17 of the Broxtowe Part 2 Local Plan 2019.

<u>Recommendation</u>	
The Committee is asked to RESOLVE that planning permission be granted subject to the following conditions.	
1.	The development hereby permitted shall be commenced before the expiration of three years beginning with the date of this permission. <i>Reason: To comply with S91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.</i>
2.	The development hereby permitted shall be carried out in accordance with the Site Location plan and the Block plan received by the Local Planning Authority on 18 December 2019. <i>Reason: For the avoidance of doubt.</i>
3.	The dropped kerb shall be constructed in accordance with the Highway Authority specification. Reason: In the interests of highway safety and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).
4.	The dropped kerb shall not be brought into use until all the drive /parking areas have been surfaced in a hard-bound material for a minimum of 5.5 metres behind the highway boundary. The surfaced drive /parking areas shall then be maintained in such hard-bound material for the life of the development. Reason: To reduce the possibility of deleterious material being deposited on the public highway (loose stones etc.) and in the interests of highway safety and in accordance with the aims of Policy 17 of the Broxtowe Part 2 Local Plan (2019) and Policy 10 of the Aligned Core Strategy (2014).

	NOTES TO APPLICANT
1.	The Council has acted positively and proactively in the determination of this application by working to determine it within the agreed determination timescale.
2.	The proposal makes it necessary to construct a vehicular and verge crossing over a footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are therefore required to contact the County Council's Customer Services on telephone 0330 500 80 80 to arrange for these works to be carried out.
3.	The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority
4	There is operational gas apparatus within the application site boundary. You are required to contact Cadent's Plant Protection Team for advice. Email: plantprotection@cadentgas.com Tel: 0800 688 588



Legend

 Site

Photographs



Front (south east) elevation.



Current highway treatment in front of site and street scene facing south west.



Current highway treatment in front of site and street scene facing north east.

Plans (not to scale)

