

Construction of new car parking areas and resurfacing of existing parking areas

**Report Item No
A2**

Land At Ridgway Road Ashby De La Zouch Leicestershire

**Application Reference
19/01256/FUL**

**Grid Reference (E) 434954
Grid Reference (N) 316158**

**Date Registered:
2 July 2019**

**Applicant:
Mr Andy Murray**

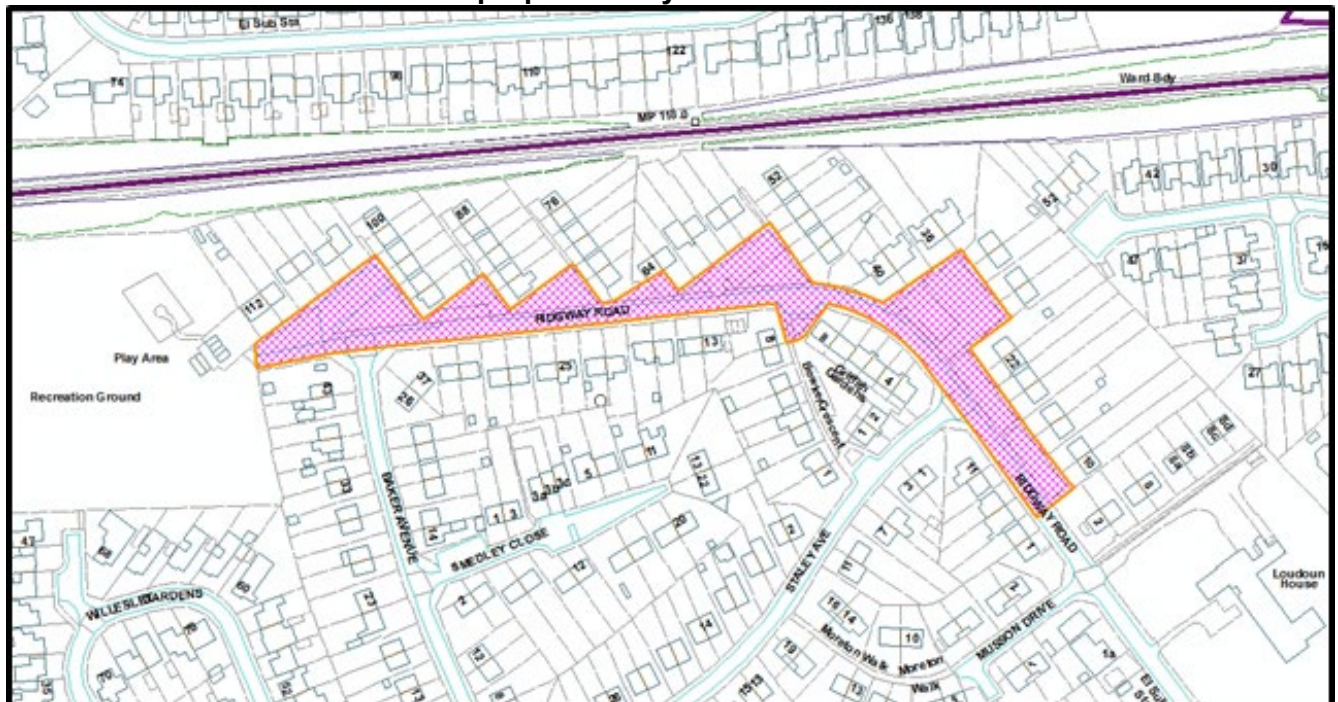
**Consultation Expiry:
17 December 2019**

**Case Officer:
Sarah Booth**

**8 Week Date:
27 August 2019
Extension of Time:
None Agreed**

**Recommendation:
PERMIT**

Site Location - Plan for indicative purposes only



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Call In

The application is brought before Planning Committee as the application has been submitted by North West Leicestershire District Council and contrary representations to the recommendation to permit the application have been received.

Proposal

Planning permission is sought for the construction of new car parking areas and resurfacing of existing parking areas on land at Ridgway Road, Ashby de la Zouch.

Consultations

A total of 5 letters of neighbour representation have been received from 3 members of the public, 4 raising concerns and 1 stating support for the proposal. No objections have been received from statutory consultees who have responded during the consultation process though the Town Council have provided comments that they would like more trees to be retained.

Planning Policy

The site is located within the Limits to Development on the Policy Map of the adopted Local Plan. The application has also been assessed against the relevant policies within the NPPF (2019), the adopted Local Plan, The Ashby Neighbourhood Plan and other relevant guidance.

Conclusion

The principle of the development is acceptable. The proposal is not considered to have any significant detrimental impacts on residential amenity, design, the River Mease SAC, flooding, ecology, public health or highway. The proposal is deemed to comply with the relevant policies in the adopted Local Plan, The Ashby Neighbourhood Plan the advice in the NPPF and the Council's Good Design SPD. It is therefore recommended that the application be permitted, subject to the imposition of planning conditions.

RECOMMENDATION:- PERMIT SUBJECT TO CONDITIONS.

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies and the Officer's assessment, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

Planning permission is sought for the construction of new car parking areas and resurfacing of existing parking areas on land at Ridgway Road, Ashby de la Zouch. The additional areas of parking would be located on existing hard standing.

The application includes three affect zones along Ridgway Road identified as A, B and G. The proposal seeks to increase parking in Zone A from 13 spaces to 26, to resurface Zone B and to increase spaces in Zone G from 9 to 39. This would be a net increase of 43 parking spaces in total.

The site is located within Limits to Development, as defined by the Policy Map to the adopted Local Plan.

Amended plans have been received during the course of the application to address concerns raised by Leicestershire County Council Highway Authority and the Council's Tree Officer.

No recent or relevant planning history was found.

2. Publicity

72 neighbours notified.
Site Notice displayed 11 July 2019.

3. Summary of Consultations and Representations Received

The following summary of representations is provided. Members may inspect full copies of correspondence received on the planning file.

Ashby De La Zouch Town Council - no objections but request the retention of some trees.

Leicestershire County Council Highways Authority - amended plans were requested in accordance with the Highways Design Guidance. No objections are raised subject to conditions.

NWLDC Environmental Protection - no objections.

NWLDC Tree Officer - advises that the most important trees should be retained and replacements provided.

Leicestershire County Council Ecology - has no objections.

Third Party Representations

A total of 5 letters of neighbour representation have been received from 3 members of the public, 4 raising concerns and 1 stating support for the proposal. These comments can be summarised as follows: -

- The development does not support sustainability and is contrary to the NPPF.
- Concerns regarding increases in surface water runoff / flooding.
- Impact on health of local residents.
- The development will increase noise and disturbance.

- The present level of car parking is not leading to road safety issues.
- The loss of children's playing areas.
- Pollution from parked cars.
- The congestion should be managed and the need for cars should be reduced to avoid the need for parking.
- Removal of trees is unnecessary.
- Retained trees should be protected during construction.
- Ecological impacts of losing grassed areas.
- The grassed areas hold recreational value.
- Visual impact over loss of landscaped areas.
- Impact on privacy of residents.
- The new parking is required for the area and will improve highway safety.

4. Relevant Planning Policy

National Policies

National Planning Policy Framework (2019)

The policies of the North West Leicestershire Local Plan as listed in the relevant section below are consistent with the policies in the NPPF. The following paragraphs of the NPPF are considered relevant to the determination of this application:

Paragraphs 11 and 12 - The presumption in favour of sustainable development;
Paragraph 47 - Determining applications;
Paragraph 55 - Planning conditions and obligations;
Paragraph 91 - Promoting healthy and safe communities;
Paragraphs 108, 109 - (Promoting sustainable transport);
Paragraphs 127 and 128 - Achieving well-designed places;
Paragraphs 148, 150 and 163 - Meeting the challenge of climate change, flooding and coastal change;
Paragraphs 170, 175, 177 and 180 - Conserving and enhancing the natural environment.

Adopted North West Leicestershire Local Plan (2017)

The following policies of the adopted Local Plan are consistent with the policies in the NPPF and should be afforded weight in the determination of this application:

S2 - Settlement Hierarchy;
D1 - Design of new development;
D2 - Amenity;
IF4 - Transport Infrastructure and new development;
IF7 - Parking provision and new development;
En1 - Nature Conservation;
En2 - River Mease Special Area of Conservation;
En3 - The National Forest;
Cc2 - Flood Risk;
Cc3 - Water - Sustainable Drainage Systems.

Ashby de la Zouch Neighbourhood Development Plan (2018)

The Ashby Neighbourhood Plan forms part of the development plan and the following policies of the Neighbourhood Plan are relevant to the determination of the application:

Policy S1 - Presumption in favour of Sustainable Development;
Policy S2 - Limits to Development;
Policy S4 - Design;
Policy T1 - Traffic Management;
Policy NE1 -Local Green Spaces;
Policy NE4 - Nature Conservation;
Policy NE5 - Trees and Hedgerows.

Other Policies and Guidance

National Planning Practice Guidance - March 2014.

Leicestershire Highway Design Guidance.

Good Design for North West Leicestershire SPD - April 2017

The Habitats Regulations (The Conservation of Habitats and Species Regulations 2017).

Circular 06/05 (Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within The Planning System.

River Mease Water Quality Management Plan - August 2011.

5. Assessment

Principle of the Development

The site is located within Limits to Development as defined by Policy S2 of the adopted Local Plan, where the principle of development is acceptable subject to all other planning matters being addressed.

The development therefore accords with Policy S2 of the adopted Local Plan and Policies S1 and S2 of the Adopted Ashby Neighbourhood Plan.

Residential Amenity

Neighbour concerns have been raised that the development would impact on residents' privacy. Whilst some of the parking areas would be closer in proximity to residential dwellings than the existing arrangements on site, the existing areas of landscaping are currently publicly accessible. It is therefore not considered that this development would be harmful to residents' privacy.

Concerns have been raised by residents regarding noise implications of the development. The proposed sites lie immediately adjacent to existing car parking areas on Ridgway Road and as such a degree of noise would already exist in these areas. As part of the consideration of the application the Council's Environmental Protection team have been consulted and they have raised no objections to the application. In these circumstances it is considered that the additional noise generated by the vehicles and users of the proposed car park would not be of a scale that would be detrimental to the amenities of neighbouring properties.

It is also recommended that a condition should be attached to ensure that land levels across the sites would not be adversely altered as part of the development.

It is considered that no adverse overbearing, overshadowing or overlooking impacts would arise through this development. Overall the application would be compliant with Policy D2 of the adopted Local Plan and Policy S4 of the Ashby Neighbourhood Plan.

Impact on the Character and Appearance of the Area and Streetscape

The need for good design in new development is outlined in Policy D1 of the adopted Local Plan, the Council's Good Design supplementary planning document and the aims of the NPPF.

Neighbour objections have been raised with regard to visual impact over loss of landscaped areas. The development would result in the loss of some grass verges and trees and would lead to an increase in areas of hard standing. Whilst not ideal, given that some of the soft landscaping would be lost, some areas would still be retained. Furthermore as there are already areas of parking within the application site the proposed development would not be out of character.

It is considered that some replacement landscaping and trees can be provided on alternative locations within the estate in order to enhance the appearance of the area. Details associated with landscaping have not been provided at this stage therefore a condition should be imposed for the precise details to be agreed.

The County Highway Authority have also requested new boundary treatments to be provided, which is detailed in the highway safety section of this report. To ensure the new boundary details are in keeping with the street scene it is recommended to also secure these details by condition.

In view of the above it is considered that the development would not be harmful to the character of the area. Accordingly, the scheme would comply with Policy D1 of the adopted Local Plan, S4 of the Ashby Neighbourhood Plan, the Council's Good Design supplementary planning document and the guidance within the NPPF.

Highway Safety

Neighbour objections have been received with regard to Highways impacts. Impacts on Highway Safety will be considered in the following section of this report.

The Ridgeway Road estate contains a significant amount of properties which do not have off street parking provision. As such many vehicles are often parked in the public highway throughout the area. The application seeks to provide additional off street parking along Ridgeway Road in place of areas of existing landscaping.

Ridgeway Road is an adopted, unclassified street subject to a 30mph speed limit. The application consists of three zones along Ridgeway Road identified as A, B and G. The proposal seeks to increase parking in Zone A from 13 spaces to 26, to resurface Zone B and to increase spaces in Zone G from 9 to 39.

Leicestershire County Council Highways Authority (CHA) have been consulted on the application and initially raised concerns with the proposal including the size of parking spaces, the provision of pedestrian footways and concerns with some of the angled parking bays. Amended plans have since been received and the CHA have advised as follows in relation to each of the zones.

Zone A

The proposal seeks to increase parking in this zone from the current 13 spaces to 26. The amended plans demonstrate that the parking space dimensions and corridor width between bays are in accordance with the Leicestershire Highway Design Guide. The proposal is therefore acceptable.

Zone B

The proposal seeks to re-surface and mark out the existing parking area to define a total of 8 parking spaces. The revised plans demonstrate that the parking space dimensions are in accordance with the Leicestershire Highway Design Guide. The proposal is therefore acceptable.

Zone G

The proposal seeks to increase the existing parking area from the existing 9 spaces to a total of 39.

The application proposes a one-way system through the parking area in Zone G where vehicles enter through the existing entrance adjacent to No.40 Ridgway Road and exit to the south-west of No.16 Ridgway Road. The CHA have raised no objection to this, however have advised that as this is on private land, with no supporting Traffic Regulation Order, the enforcement of this would be a private arrangement for the District Council.

The amended plans demonstrate that the proposed section of angled parking has been reduced from the previously proposed 15 spaces to 8. The drawing now identifies that access to these spaces would be via the proposed new private access way, rather than access being via the highway. Whilst this is acceptable, suitable boundary treatment should be provided between the front parking bays and the highway boundary in order to ensure that vehicles do not exit the site by driving across the public footway and to prevent vehicles overhanging onto the public highway. In order to ensure this does not impact on visibility, the new boundary treatment should be no greater than 0.6m in height. The CHA is satisfied that this can be dealt with by way of planning condition.

Furthermore the dimensions of the parking spaces and the corridor widths would be in line with the Leicestershire Highway Design Guide and are therefore acceptable.

The CHA is satisfied that suitable pedestrian links are maintained and a crossing point is now identified between the parking areas, maintaining suitable pedestrian provision to access property numbers 10-28.

In view of the above it is considered that the scheme accords with the aims of Policies IF4 and IF7 of the adopted Local Plan, Policy T1 of the Ashby Neighbourhood Development Plan and would not be harmful to highway safety in accordance with Paragraph 108 and 109 of the NPPF.

Landscaping and Trees

Concerns have been raised by neighbours and the Ward Councillor that the development would lead to an unnecessary loss of trees.

The only trees to be affected as part of this application are located within Zone G. At present there are 4No. False Acacia trees and 1No. Hawthorn along the frontage of No's 10 - 24 Ridgway Road and there are 3No. Young Silver Birch trees to the front of 26, 28, 30 and 32 Ridgway Road.

The Council's Tree Officer has advised that the trees and grass verges within the application site make a valuable contribution to softening an otherwise harsh landscape. The Tree Officer has assessed the proposal and has identified the two False acacia trees to the front (south-west) of No's 10, 12, 14 and 16 Ridgway Road which contribute positively to the character of the area and are also in fair condition in terms of health. Amended plans have now been provided which retain these two trees as per the Tree Officer's advice.

The development also proposes to remove the 3No. Silver Birch trees, 2No. False Acacia trees and 1No. Hawthorn (6 trees in total). The applicant has agreed to provide replacement trees in alternative locations within the estate and this can be secured and agreed by condition.

The development would therefore comply with Policy En1 of the Adopted Local Plan and Policy NE5 of the Ashby Neighbourhood Plan.

Overall the proposal would accord with Policies D1 and En3 of the adopted Local Plan.

Impact on the River Mease Special Area of Conservation/SSSI and Flooding

Neighbour and Councillor concerns have been raised in relation to flooding, surface water drainage and pollution from parked cars, this will be considered further below.

The site lies within the catchment area of the River Mease Special Area of Conservation (SAC). Discharge from the sewage treatment works within the SAC catchment area is a major contributor to the phosphate levels in the river. Discharge into the river from non-mains drainage systems and from surface water disposal can also result in an adverse impact on the SAC, including in relation to impacts on water quality and flow levels.

The proposal could result in an impact on the SAC, which may undermine the conservation objectives as it may result in the additional discharge of foul drainage to the treatment works / use of a non-mains drainage system and surface water drainage discharge. Given the nature of the proposal, there would be no additional foul water discharge from the site.

The proposal would involve the replacement of existing grassed areas with hard standing, which would lead to an increase of surface water runoff. The site lies within Flood Zone 1 (which has the lowest risk of flooding) and the development is not within an area impacted by surface water flooding as defined on the Environment Agency's Surface Water Flood Maps.

Additional details have been provided during the course of the application demonstrating that a sustainable surface water drainage scheme would be provided in the form of underground attenuation tanks which would slow the rate of surface water drainage and would filter pollutants before the water is discharged into the mains surface water sewer. As such it is considered that the development would not lead to any adverse flooding impacts and would not be harmful to the River Mease SAC.

On this basis, it is considered that the integrity of the River Mease SAC would be preserved and the development would accord with Policy En2 (River Mease Special Area of Conservation) and Cc2 (flood Risk), Cc3 (Water - Sustainable Drainage Systems) of the adopted Local Plan, NE4 of the Ashby Neighbourhood Development Plan and Paragraph 163 of the NPPF.

Therefore it can be ascertained that the proposal would, either alone or in combination with other plans or projects, have no adverse effect on the integrity of the River Mease SAC, or any

of the features of special scientific interest of the River Mease SSSI, and would comply with the Habitat Regulations 2017, the NPPF, adopted Policies S2, En1 and En2 and Policy NE4 of the Ashby Neighbourhood Development Plan.

Ecology

Residents have raised objections with regard to the development's impact on wildlife and ecology. The County Council's Ecologist has been consulted on the application and has not raised any objections to the development and therefore the proposal is considered to comply with Policy En1 of the adopted Local Plan and Policy NE4 of the Ashby Neighbourhood Plan.

Other

Loss of green space

Concerns have been raised by members of the public that the development would have adverse impacts on the public health of local residents and would reduce the amount of playing areas for children. Whilst the development would lead to a reduction in landscaped / grassed areas there are open spaces and parks available within walking distance of the application site. Furthermore, this development would not impact on the adjacent Willesley Recreation Ground, which is a Local Green Space identified as being protected under Policy NE1 of the Ashby Neighbourhood Plan.

Public Health

The proposed parking spaces would simply provide off street areas for vehicles in an effort to reduce the amount of on street parking and improve highway safety within the site. Given that the vehicles are already in the area it is not considered that this development would result in an adverse increase in exhaust emissions or oil spillages beyond what is already taking place. Furthermore the proposed surface water drainage scheme would prevent the spread of pollutants through the use of oil interceptors.

Sustainability

Neighbour concerns have been raised with regard to sustainability of the proposed development as they consider that this application would encourage the use of cars and this would be contrary to the wider interests of sustainability and pollution reduction. The NPPF supports the reduction of emissions and the transition to a low carbon future however it also supports high quality parking to improve spaces. Whilst this development would provide parking for vehicles the intention of the development is to provide off street parking for the existing vehicles that already park in the public highway. The spaces would also be available for environmentally friendly vehicles.

Summary Reasons for Granting Planning Permission

The application site is within the Limits to Development where the principle of the proposed form of development is acceptable. It is also considered that the proposal would not result in detriment to residential amenity, the character and appearance of the streetscape, landscaping, highway safety, surface water drainage and the significance of the River Mease SAC/SSSI. The proposal is considered to comply with the relevant policies in the adopted Local Plan, the Ashby Neighbourhood Plan and the advice within the NPPF. Accordingly the application is recommended for planning permission, subject to the imposition of planning conditions.

RECOMMENDATION:- PERMIT, subject to the following conditions:

- 1. Time Limit**
- 2. Approved Plans**
- 3. Materials**
- 4. Parking and Turning**
- 5. Boundary Treatments**
- 6. Soft and Hard Landscaping**
- 7. Replacement Tree Planting**
- 8. Tree Protection During Construction**
- 9. Surface Water Drainage**
- 10. Finished Site Levels**