DELEGATED REPORT

Recommendation Made: 14 May 2009

Reference:- 09/00247/FUL **Parish:-**

Applicant:- Mr Brian Jeffcote
69 Butt Lane
Hinckley
Leicestershire
LE10 1LB

Location:- 69 Butt Lane Hinckley Leicestershire LE10 1LB

Proposal:- ERECTION OF A DOUBLE GARAGE

Introduction:-

This is a full application for the erection of a detached double garage in the front garden of 69 Butt Lane, Hinckley.

The application property is a large two storey, detached, hipped roof dwelling situated in a large plot within a residential street of varying character. The school fields of John Cleveland College stand forward of the site, 71 Butt Lane stands to the east and 65 Butt Lane stands to the west.

The proposed garage will be sited on the eastern site boundary, 1.5 metres south of the applicants' front elevation. The garage will be 5.5 metres wide, 5 metres long and 4.1 metres high with a hipped/pyramid like roof and has double doors facing toward Butt Lane.

History

09/10131/Preapp- new garage to front- ok in principle but reduction on impact on 71 Butt Lane should be reduced- 16.03.09

Consultations:-

The Borough Council Environmental Health Officers have no objection to the application.

The County Council Highways Officer has no objection to the application

One objection received from the neighbouring property 71 Butt Lane who objected on the grounds the proposed garage would result in the loss of light to the front bay window and two side windows.

Development Plan Policies:-

Local Plan Policy
- BE1 (Design and siting of development)
- T5 (Highway safety and vehicle parking standards)

House Extensions SPG

Appraisal:-

The central concerns to address in this application are the design of the development and its impact on the character of the area, neighbours amenity and highway safety.

The proposed garage will span a total of 5 metres along the western boundary with 71 Butt Lane but due to this propertys forward position only 3 metres span past this properties front elevation. A projection of 3 metres along a common boundary for a single storey building would comply with the House Extensions SPG and wouldn't create an overbearing feature along this boundary. The eastern

side elevation of the garage will be set 2 metres away from the front bay window of 71 Butt Lane but its 3 metre projection along the boundary and a height of 4.1 metres will have an impact on light reaching this property. The southerly orientation of this front bay window and relative western position of the garage would reduce light levels to this window during mid afternoon to late evening. However the garage has been designed with a hipped/pyramid like roof, combined with the single storey height, would reduce the impact on the bay window of 71 Butt Lane to a degree which would not warrant refusal on these grounds.

The proposed garage will be positioned 1.5 metres directly in front of a front bay window of the application property, which is the principle window to a study. A 2 metre high brick wall forming the garages rear elevation will face onto this window blocking out a significant level of light. The affected room is a study and wouldn't be used as frequently as a living room, reducing the impact. In addition the applicant has chosen the siting of the garage and should already be aware of the negative impact the development will have on light reaching their window.

Although forward garages are not a common feature on Butt Lane the properties on this residential street have a variety of forward building lines and the principle of a forward garage is acceptable. In addition the garages position will be an acceptable distance from the highway and access to the development is easily obtained via the two existing front vehicle accesses. The roof of the garage mirrors that of the existing house and would appear as suburban double garage, which would fit the residential character of the street.

The front garden of the application property is large and the garage could be more suitably sited to avoid any impact on light to 69 and 71 Butt Lane. The applicants agent was requested to re-site the garage but this was an amendment they were unwilling to make. Although the siting is not ideal, when considering its overall impact the scheme is not detrimental to a sufficient degree to warrant refusal.

Overall the proposed garage would be of an acceptable design and would not adversely impact on highway safety or the character of the area. The garage would have only a limited impact on neighbouring properties and it is recommended for approval with a condition requiring materials to match.

RECOMMENDATION :- Permit subject to the following conditions :-

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan and would not harm the character or appearance of the area, the living conditions of neighbouring occupiers or highway safety.

SUMMARY OF DECISION - The proposal is in conformity with Policy BE1 & T5 of the Hinckley and Bosworth Local Plan. Planning permission is granted subject to conditions.

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

2 The materials to be used on the external elevations of the proposed garage shall match the corresponding materials of the existing dwelling unless previously agreed in writing with the Local Planning Authority.

Reasons :-

1 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2 To ensure that the development has a satisfactory external appearance to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.

Notes to Applicant:-

1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3. As from 6th April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

4. This permission does not convey any authority to enter onto land or into any building not within the control of the applicant except for the circumstances provided for in The Party Wall etc Act 1996.

5 List of plans used in the determination of this application:-
Drawing numbers:- 01, 02 and 03.

Contact Officer:- David Kiernan Ext 5898