DELEGATED REPORT

Recommendation Made: 20 May 2010

Reference:- 10/00259/FUL **Parish:- Twycross Parish Council**

Applicant:- Mr Danny Gibson
4, Francis Lane
Newton Burgoland
Leicestershire
LE67 2SD

Location:- 1 Flax Lane Twycross Atherstone Leicestershire CV9 3SB

Proposal:- DEMOLITION OF EXISTING BUNGALOW AND ERECTION OF REPLACEMENT DWELLING AND DETACHED GARAGE

Introduction:-

This application proposes the erection of a replacement dwelling at this site and this application arose following the return of an earlier application for extensions and alterations to create a re-modelled dwelling at the site (see planning history).

The application site is currently occupied by a hipped roof bungalow with dormer windows. There is a detached outbuilding occupying a prominent position on the property frontage adjacent to Flax Lane.

The application is accompanied by a design and access statement that details the design approach, and protected species report that confirms that the existing dwelling has not be used as a bat roost or as a nest for birds.

The application site is located within the settlement boundary for Twycross and abuts the boundary of the Twycross Conservation Area.

Planning history

10/00058/FUL
Extensions and Alterations to Dwelling
Application returned due to it not constituting extensions and alterations.

Consultations:-

No objections from:

Director of Environment and Transport (Highways)
Director of Environment and Transport (Ecology)
Head of Community Services (Land Drainage)

Development Plan Policies:-

PPS1
PPS3
PPS7

Local Plan:
BE1
BE7
RES3
T5

Core Strategy:

12
24

Appraisal:-

The main considerations with regards to this application are the principle of development, siting and design, impact on the Conservation Area, impact on neighbours, and highways.

Principle of Development
The site is located within settlement boundary for Twycross as defined on the Adopted Hinckley and Bosworth Local Plan proposals map and therefore there is a presumption in favour of development subject to all other planning matters being appropriately addressed.

The erection of a replacement dwelling is considered acceptable in principle proving it results in a dwelling that satisfies adopted planning policy.

Siting and Design
The proposed dwelling is to be sited in the same position at the existing dwelling (due to its utilising some of the existing structure) but has a larger footprint.

The orientation of dwellings in Flax Lane are such that the adjacent dwelling no. 1 is set very close to the lane, the existing dwelling on the application site is then set someway back within the site and the adjacent bungalow no.3 is set back furthermore. Accordingly the character of the application site is one where the dwelling has a limited physical and characteristic relationship with the adjacent dwellings and defines its own character by virtue of it being set back from the lane frontage.

The proposed dwelling maintains the existing dwellings dormer bungalow character but is a slightly greater scale with a greater and more prominent roof mass. The dwelling with be characterised by a dominant roof mass, central projecting gable and chimney stack and attractive flat roof dormer windows to both the front and rear elevations.

The proposal maintains the existing dormer bungalow form but creates a more sympathetic steep pitched roof dwelling, characteristic of the adjacent Conservation Area.

Impact on the Conservation Area
The boundary of the conservation area runs along Flax Lane and therefore the application site is outside of the area. The conservation area somewhat turns its back onto Flax Lane by virtue of the amount of mature landscaping that exists to the north side of the lane. The developments along Flax Lane can be seen against the backdrop of the remainder of the village and the conservation area when viewed from a distance to the South, but do not affect its character or appearance as an area of important historic character.

Impact on Neighbours
The orientation of dwellings in Flax Lane is such that the proposal is unlikely to result in any material impact on the amenities experienced by the occupiers of the neighbouring dwellings. The increase in the height of the ridge (1.4 metres) is significant but is not likely to result in the loss of light or any overshadowing of private amenity space or windows to habitable rooms due to its position due north of all gardens and the elevations of no.3. Due to the position of the garage within the rear garden at no.1 there is no impact and no opportunity for overlooking. There is an en-suite bathroom window in the gable at first floor level however this is likely to be obscure glazed and therefore mitigating any perceived overlooking issue.

The east elevation of the dwelling and the gable of this elevation faces across the frontage of no.3 and contains a similar high level window serving a bedroom. It is important to note that the existing bungalow on site has a bedroom window at this level looking in the same direction and therefore the proposal windows by virtue of its smaller size is not considered to result in any further material harm than the existing arrangement.

There is some change in levels between the dwellings on the south side of Flax Lane. As you travel in an easterly direction the levels generally fall away resulting in each dwelling being built at a

progressively lower level than the one to the west. The proposed dwelling is to be built on the same floor level as the existing dwelling and will therefore maintain this characteristic relationship.

Highways
The existing dwelling benefits from an access to Flax Lane and a generous amount of off-street parking. The proposed replacement dwelling will maintain the use of the existing access and will provide a generous forecourt area for the turning and parking of vehicles and on this basis the Highway Authority does not raise any objection.

A detached garage is proposed to be sited forward of the dwelling and adjacent to the sites west boundary. For the reason discussed previously in this report about the orientation of the dwellings in Flax Lane there is no issue with the principle of a garage forward of the dwelling. The garage is sited behind an existing stone building that exists forward of the dwelling and screens the proposed garage when viewed from the conservation area to the north and west. The siting of the garage adjacent to the sites west boundary does not raise any issue of amenity with no.1 Flax Lane.

Ecology
The protected species report does not identify the presence of any protected species in the existing building. The report details the areas surveyed and the condition of the building and does not identify any potential bats roost sites. Accordingly, it can be concluded that the proposal will not have any adverse impact upon a protected species.

Sustainability
The site is located within Twycross and is considered to be a village with a degree of sustainability, particularly in terms of public transport connections and the retention of its public house. This is further supported by the proposed residential growth under the terms of the Core Strategy.

Inline with Policy 24 of the Adopted Core Strategy, the residential units to be constructed on this site will need to be constructed in accordance with the Building a Greener Future. This standard is inline with Building Regulations and therefore the development will automatically be constructed to this continually evolving standard.

Other Matters
The Head of Community Services (Land Drainage) raises no objection to the proposal but have both asked for conditions in respect of drainage details to be submitted. Historically the development control process has sought to control the design of drainage systems, however in more recent years further control is now delivered through the Building Regulations and by Severn Trent Water (as the service provider) and the drainage scheme that has been approved by the planning authority is usually subject to change. In line with recent appeal decisions and Planning Inspector opinion, it has been agreed locally that drainage details will no longer be required to be subject to a planning condition unless there is uncertainty over network capacity or connection availability. Accordingly, in this case no drainage conditions are considered necessary.

No developer contribution in respect of Policy REC3 is necessary as this scheme is for a replacement dwelling.

Conclusion
This application proposes a replacement dwelling of what its currently a characterless bungalow that fails to contribute to the street scene or the wider character of Twycross. The proposed replacement dwelling maintains the one and a half storey character of Flax Lane and maintains the character of the adjacent conservation area without being to the detriment of residential amenity.

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 is not to the detriment of visual or residential amenity, highway safety, protected species or the character and appearance of the Twycross Conservation Area.

Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1, BE7, RES3 and T5.
Hinckley & Bosworth Borough Council Core Strategy (2009):- Policy 12, Policy 24.

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

2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows: 567-JB.01, 567-JB.07B

3 The development hereby permitted shall only be constructed in the following materials, in accordance with the details shown on approved plan ref: 567-JB.07B, unless otherwise agreed in writing by the Local Planning Authority.

Ibstock Audley Red Mixture Brick
Dreadnought Blue Brindle Smooth Faced Tile
Ivory Weber Monochrome Render
Cedar Boarding

Reasons :-

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

2 For the avoidance of doubt and in the interests of proper planning.

3 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. All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

Contact Officer:- James Hicks Ext 5762 Date Printed: 27 May 2010