DELEGATED REPORT

Recommendation Made: 4 April 2008

Reference:- 08/00097/FUL **Parish:-** Barwell Parish Council

Applicant:- Mr Thom Pallett
Claybrooke House
136 Shilton road
Barwell
Leicestershire

Location:- 136 Shilton Road Barwell Leicester Leicestershire LE9 8BN

Proposal:- EXTENSION AND ALTERATIONS TO DWELLING AND ERECTION OF TRIPLE GARAGE

Introduction:-

This is a substantial detached house set back on a large plot enclosed to the front and side by 1.8m high fencing. The adjacent plot has been redeveloped for a small cul-de-sac of detached houses and the side boundary of the application property is adjoined by an elongated side garden of one of the new dwellings and contains a number of trees which are included in a TPO. The application dwelling is of symmetrical form with a hipped slated roof and has two projecting front 'wings' with dummy pitched hipped slated roofs. The deep front garden is lawned to each side of a central gated driveway.

The proposal is to erect a triple garage adjacent to the eastern boundary of the front garden linked to the dwelling by a garden room. The latter would replace an existing garage to the side of the dwelling and would be flat roofed with a dummy pitch in slate to its western elevation. The garage as submitted would have a pitched slated roof with front and rear gables. The overall depth of the proposal would be 22.7m.

Consultations:-

Barwell Parish Council has objected to the proposal until they have seen a copy of a tree survey – a copy of the TPO has subsequently been supplied.

The residents of the adjacent No.6 Ward Close do not object to the proposal in principle but are concerned about the height and rendered finish of the proposed wall along the joint boundary..

Development Plan Policies:-

BE1

Appraisal:-

The proposed forward extension would be particularly long but, in the context of the size of the front garden of the dwelling, and the fact that it is well screened from the highway, would not be unduly prominent or intrusive in the street scene and would not be out of scale or proportion with the existing dwelling. In the form originally submitted the proposed triple garage was shown with a gabled roof. Following negotiations this has been amended to a hipped design to reflect that of the existing dwelling and which will greatly reduce the bulk of the roof structure, which is the part of the development that would be most visible from outside the site.

From the point of view of relationship the rear wall of the proposed extension would, for the most part, adjoin the elongated side garden area of the adjacent new dwelling. It would be 3.5m high but would not impact upon the windows of the adjacent dwelling. The side garden area contains a number of protected trees and specialist advice has been sought but not yet received. In order to avoid any potential damage to the roots of these trees it is considered reasonable to impose a condition requiring foundations to be dug by hand.

RECOMMENDATION :- Permit subject to the following conditions :-

SUMMARY OF DECISION - The proposal is in conformity with Policy/Policies BE1 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 This permission relates to the application as revised by amended plan 08/00097A/FUL received by the Local Planning Authority on **3.4.08.

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

4 All trenches for foundations and services shall be excavated and back filled by hand and any tree roots encountered with a diameter of 5cm or more shall be left unsevered.

Reasons :-

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

2 To define the permission.

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

4 The trees adjacent to this site are subject to a Tree Preservation Order and this condition is necessary to ensure that proper steps are taken to safeguard the trees during the course of development.

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 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.

Contact Officer:- Mr R Jacques Ext 5895