DELEGATED REPORT

Recommendation Made: 8 January 2009

Reference:- 08/01104/FUL **Parish:-** Peckleton Parish Council

Applicant:- G Stew Ltd
C/o Agent

Location:- 34 Main Street Kirkby Mallory Leicester Leicestershire LE9 7QB

Proposal:- ERECTION OF NO 2 GARAGE UNITS

Introduction:-

Full planning permission is sought for the erection of a double garage adjacent to a proposed garage with a housing development for 9 dwellings which is currently under construction. It is proposed that the two garages serve plots 6 and 7 located at the north western corner of the site. Earlier this year a garage was approved 11m to the south of plot 6. It is proposed the two garages would adjoin this to the north.

Consultations:-

No objection received from
Director of Highways, Transportation and Waste Management (Highways)
Environmental Health (Pollution)

Ecology have highlighted that it is a development within 500m of a pond and therefore require a survey for newts. However this is now a building site and it is not considered that a survey would be appropriate in this instance.

To date no other representations have been received.

Development Plan Policies:-

Hinckley and Bosworth Local Plan

BE1- Design and siting of development.

Supplementary Planning Guidance- New Residential Development

Appraisal:-

The main issues for consideration are the impact of the garages on the living conditions of the nearest properties

The proposed garages would be located 6m to the south of the front elevation of plot 6. The internal layout as permitted under 06/01370/REM shows that there is a lounge situated on the front of the property. The site layout plan was revised originally to remove these garages due to concerns regarding the effect on daylight and sunlight and over massing to plot 6. Supplementary planning guidance states that a distance of 12m should be maintained between a window serving a habitable room and a single storey blank elevation. The proposal is contrary to this advice and therefore it is considered that the proposal would have a detrimental affect on the living conditions to the future occupiers of plot 6, exacerbated by the position of the garages to the south of the window. this would be contrary to Policy BE1 of the Hinckley and Bosworth Local Plan.

RECOMMENDATION :- REFUSE, for the following reasons :-

Reasons :-

1 In the opinion of the Local Planning Authority, the proximity of the proposed garages to the lounge window of plot 6 would result in an overbearing development having a detrimental affect on the sunlight and daylight and therefore the amenities of the future occupiers of the property. This would be contrary to Policy BE1 of the Hinckley and Bosworth Local Plan, and approved Supplementary Planning Guidance on New Residential Development.

Notes to applicant :-

1 List of plans used in the determination of this application:-
05G, 22, 23

Contact Officer:- Sarah Humphries Ext 5680