

Delegated Report

Planning Ref: 25/01189/HOU

Applicant: Mr and Mrs Schollar

Ward: Twycross, Sheepy & Witherley



Hinckley & Bosworth
Borough Council

Site: Elmsdale House, 23 Ratcliffe Lane, Sheepy Magna

Proposal: Erection of a detached garage

1. Recommendations

1.1. Grant planning permission subject to:

- Conditions outlined at the end of this report.

2. Planning application description

2.1. The application seeks householder planning permission for a two-storey detached double garage, with the ground floor used as a garage with a WC facility and the first floor used as a home office with a small WC facility.

2.2. The garage structure consists of brickwork, with a clipped gable roof, external staircase to the first floor and Velux windows.

3. Description of the site and surrounding area

3.1. The application site comprises of the property known as Elmsdale House, Ratcliffe Lane, and its substantial curtilage. The development benefits from a planning approval for a replacement dwelling, associated parking and amenity space, following the demolition of the former dwelling and outbuilding at the site. The development at the time of this application is substantially complete.

3.2. The application site is located wholly within the settlement boundary of Sheepy Magna. It is surrounded on three sides by countryside. Ratcliffe Lane runs along the western boundary, with residential development, set in a linear pattern fronting Ratcliffe Lane. The properties along Ratcliffe Lane comprise semi-detached and detached dwellings, comprising a mix of bungalows and two storey dwellings. The properties sit upon relatively large plots and are set back from the road frontage behind hedgerows and low brick walls.

4. Relevant planning history

24/00239/FUL

Ground based Solar Photovoltaic panels and associated works

Planning Permission

10/05/2004

23/00527/FUL

Proposed new replacement dwelling with associated parking and amenity space (following demolition of existing dwelling and outbuilding)

Planning Permission

18/07/2023

23/00397/DISCON

Application to discharge conditions 3 (Materials), 4 (Landscaping), 5 (Land Contamination), and 7 (Waste and Recycling) of planning application 22/00392/FUL

Discharged

19/06/2023

22/00392/FUL

Proposed new two storey dwelling with associated parking and amenity space
(following demolition of existing dwelling and outbuilding)

Planning Permission

04/11/2022

19/00247/HOU

First floor side extension and external steps to side/rear

Planning Permission

30/04/2019

14/00427/GDO

Erection of agricultural building

General Development Order

28/05/2014

09/00596/FUL

Erection of an agricultural building with access and turning space, alteration of
existing access, erection of gates and creation of new track, turning space and
parking

Planning Permission

16/10/2009

08/01144/FUL

New vehicle access with track, garage and store building, parking and turning area
Refused

11/03/2009

05/00803/FUL

Extensions and alterations to dwelling

Planning Permission

02/09/2005

94/00335/FUL

Extension to dwelling

Planning Permission

08/06/1994

5. Publicity

- 5.1. Neighbours were notified of the application via letter, and a site notice was placed within the vicinity of the site.
- 5.2. No objections have been received.

6. Consultation

- 6.1. Sheepy Parish Council: No comments received.

7. Policy

- 7.1. Core Strategy (2009):
 - Policy 12: Rural Villages
- 7.2. Site Allocations and Development Management Policies DPD (SADMP) (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM6: Enhancement of biodiversity and geological interest
- Policy DM7: Preventing Pollution and Flooding
- Policy DM10: Development and Design
- Policy DM13: Preserving the Borough's Archaeology
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.3. Sheepy Parish Neighbourhood Plan

- S5: Ecology and Biodiversity
- S8: Design
- S10: Housing Development

7.4. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2024)
- Planning Practice Guidance (PPG)

7.5. Other relevant guidance

- Good Design Guide (GDG) (2019)
- National Design Guide (2019)

8. Appraisal

8.1. The application site is within a sustainable location in the identified boundary of Stapleton. Therefore, the development of the detached garage is acceptable in principle, subject to the assessment of all other material considerations. The key issues in respect of this application therefore are:

- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact upon highway safety

Design and impact upon the character of the area

- 8.2. Policy DM10 of the SADMP indicates that development will be permitted providing it meets good standards of design including that it would complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features and would not have a significant adverse effect on the privacy and amenity of nearby residents.
- 8.3. Policy S8 of the SPNP states that development proposals should be designed to respond positively to the character of the area, and work with the scale, form and character of the location.
- 8.4. The proposal relates to a two-storey detached garage, with the ground floor consisting of a garage and WC facility – for the applicants' gardener, and a first floor consisting of a home office and WC facility. The proposed building has a clipped gable roof, which includes 6no. rooflights. The detached garage also has an external staircase which permits access to the first-floor office.
- 8.5. It is considered that the materials and overall design of the detached garage would be synonymous with that of the main dwelling, and whilst considerable in size, and visible from the street scene, when considering the former dwelling which occupied

the site, and the existing mature hedgerow on the boundary of the site, the garage would not look out of character with the area. It is also noted that the external staircase, throughout the application process has been relocated to the eastern elevation to reduce any impact on the street scene and most prominent elevation.

- 8.6. The proposal is considered to be of a sufficient design and would not create any detrimental impacts to the character of the area. As such, the proposed extensions are considered to be in accordance with Policy DM10 of the adopted SADMP and Policy S8 of the SPNP.

Impact upon neighbouring residential amenity

- 8.7. Policy DM10 of the SADMP confirms the requirements of which permitted developments must achieve. DM10 (a) and (b) confirm that any development must not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting, air quality (including odour), noise, vibration and visual intrusion. In addition, it is confirmed that the amenity of occupiers of the proposed development would not be adversely affected by activities in the vicinity of the site.
- 8.8. Policy S8 of the SPNP states that development proposals should show appropriate regard for the amenities of neighbouring properties including daylight/sunlight, privacy, air quality, noise and light pollution.
- 8.9. The detached garage is located between the main dwelling and the highway, with no neighbouring properties within close proximity to the site. There are no windows on the elevation facing the dwellings which are located across Ratcliffe Lane. It is considered therefore that the development would have no detrimental impacts on neighbouring residential amenity in terms of loss of light, loss of privacy, overbearing impacts or pollution.
- 8.10. As such the proposal complies with Policy DM10 of the SADMP and Policy S8 of the SPNP.

Impact upon highway safety

- 8.11. Policy DM17 of the SADMP states that the development proposals need to demonstrate that there is not a significant adverse impact upon highway safety, and that the residual and cumulative impacts of the development on the transport network are not severe.
- 8.12. Policy DM18 of the SADMP requires developments to demonstrate an adequate level of off-street parking provision. Any reduction below minimum standards will require robust justification.
- 8.13. The site benefits from a significant area of hardstanding for vehicular parking which will not be impacting by the proposed development. The development will have no detrimental impact on highway safety.
- 8.14. The proposal therefore complies with Policies DM17 and DM18 of the SADMP.

9. Equality implications

- 9.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2 Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.
- 9.3 There are no known equality implications arising directly from this development.

10. Conclusion

- 10.1 By virtue of the appropriate scale, layout, form, design and proposed construction materials, it is considered that the proposed development would comply with Policies DM1, DM10, DM17 and DM18 of the adopted Site Allocations and Development Management Policies DPD and Policy S8 of the Sheepy Parish Neighbourhood Plan.

11. Recommendation

- 11.1 **Grant planning permission** subject to:

- Planning conditions outlined at the end of this report

11.2 Conditions and Reasons / Reasons

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

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

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

- Proposed Site Plan Drg No. 02A
- Proposed Garage Plans and Elevations Drg No. 03A
- Site Location Plan Drg No. 01

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. The materials to be used on the external elevations of the hereby approved detached garage shall match the materials detailed on the submitted application form.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. The garage hereby approved should be used as ancillary accommodation to the dwelling known as Elmsdale House, 23 Ratcliffe Lane, Sheepy Magna and shall not be occupied, sold, leased or let, on a permanent or temporary basis, as an independent unit of residential accommodation or for commercial purposes at any time.

Reason: To ensure that the garage is not occupied as an independent unit of residential accommodation or for commercial purposes, which may have additional impacts on the area in accordance with Policies DM10, DM17 and DM18 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11.3 **Notes to applicant**

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.