DELEGATED REPORT

Recommendation Made: 4 August 2009

Reference:- 09/00444/FUL **Parish:- Hinckley**

Applicant:- Mr & Mrs L Thornton
3 Edendale Drive
Hinckley
Leicestershire
LE10 1SA

Location:- 3 Edendale Drive Hinckley Leicestershire LE10 1SA

Proposal:- EXTENSIONS AND ALTERATIONS TO DWELLING.

Introduction:-

This is a detached dwelling of conventional two storey design. It appears to have been extended to the side and rear previously at ground floor level. The property is constructed from red brick and brown concrete tiles to the roof.

Off street car parking is currently available and for two cars on the driveway. Whilst the property retains a garage door, the space behind has been converted to a store room and dining room.

This application proposes a first floor extension to the side of the dwelling above the existing ground floor extensions.

Planning history

None relevant.

Consultations:-

Director of Community Services (Ecology) raises no objection subject to a watching brief for protected species being maintained.

Head of Community Services (Land Drainage) raises no objection.

Development Plan Policies:-

BE1
SPG on House Extensions

Appraisal:-

The key issues with this proposal are the principle, the design and whether the proposal has an adverse impact on the amenities of neighbours.

The dwelling is located within the settlement boundary for Hinckley and therefore there is a presumption in favour of development providing all other planning matters are adequately addressed.

As there are no windows within the side elevation of the neighbouring dwelling and given that the proposed first floor extension is less than half the width of the existing dwelling and is subservient, there is no objection in principle to an extension of this form in this position.

The main first floor mass of the extension is set back behind the front elevation of the main dwelling and the ridgeline is set lower than the ridge giving the extension a subordinate relationship to the existing dwelling.

The fenestration details are proportionate to those of the existing dwelling making the extension compatible with the scale and design of the existing dwelling.

The consultation response from the Director of Community Services (Ecology) requesting a watching brief for protected species be carried out is covered by the standard note to applicant that is attached to the decision notice. The request for a watching brief would not meet the statutory tests for a condition because it would be unenforceable. The control of protected species is controlled primarily by other legislation, which is drawn to the attention of applicant on the decision notice.

Existing car parking provision is consider adequate.

In summary, this is a well designed and appropriate form of extension to this dwelling. The extension accords with the SPG guidance.

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 be to the detriment of the amenities of others, highway safety or the character and appearance of the surrounding area.

Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1 and SPG on House Extensions

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 extension and alteration 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. A watching brief (maintained by the applicant and all workers on site) for all protected species should be maintained throughout the development. 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. List of plans used in the determination of this application:- 3955/01 and 3955/02.

Contact Officer:- James Hicks Ext 5762