Design & Access Statement

Conversion of garage and ancillary accommodation to residential dwelling, creation of associated curtilage and improvements to existing access 39 Middlefield Lane, Hinckley, LE10 0QZ.

PP 722949

May 2009

Introduction

This statement is submitted in support of the full planning application for the conversion of garage and ancillary accommodation to form a residential dwelling, creation of associated curtilage and improvements to existing access at 39 Middlefield Lane, Hinckley, LE10 0QZ.

The purpose of the statement is to explain the principles and thought processes employed in the formulation of the application. As a minor development references were made to the relevant planning policies. These are predominantly the saved Local Plan policies as they take primacy in the determination of such an application and are consistent with the broader aims of Regional and National Planning Policy Statements.

History

91/00845/4	Conversion of garage to residential use.	Refused	22.10.91
89/00349/4	Erection of double garage & store.	Permitted	03.05.89
85/00867/4	Extensions & alterations.	Permitted	22.10.85

Policy Considerations

National: PPS1 & PPS3

Local: BE1, RES5, T5, REC3 & the Council's Supplementary Planning Guidance on New Residential Development.

Principle & Use

The existing property is located in an established residential housing estate within the settlement boundary of Hinckley. It occupies a sustainable location close to all local public amenities and transport links therefore residential development is considered acceptable in principle.

The building was granted permission in 1989 and functioned originally as a garage / store. For approximately the last 15 years it has been utilised as ancillary accommodation to the main house in conjunction with the existing access.

Amount

The existing two storey side extension to the main house will be demolished to improve the existing access arrangements. The existing garden will be subdivided and the built form of the proposal will remain unchanged with the exception of the fenestration and insertion of additional openings.

National policy through PPS1 & PPS3 supports well conceived developments that make efficient use of previously used or under- utilised land. Specifically PPS 3 endorses developments that contribute to satisfy local demand for suitable accommodation for households made up of single, elderly or disabled individuals. In this respect, the type of accommodation proposed is consistent with National housing targets and the Local Authorities own Housing Needs Survey.

Layout , Design & Landscaping.

The main considerations with the proposal are;

The effect of the proposal on the character and appearance of the area.

The implications of the proposal for the living conditions of neighbours and residents with regards to noise and disturbance.

Access arrangements.

The above concerns were raised by the LPA during pre-application discussions but notwithstanding this, all applications are determined on their individual merits.

Balanced against these concerns, due consideration has to be given to the planning history and use of the building over the last 20 years. The passage of time has seen the building become an established and integrated feature in terms of the character and appearance of the area. The assimilation of the building was aided by its modest scale and simple design and it remains subordinate and complementary to the surrounding built form.

In terms of use of the building, it is capable of residential conversion without significant structural alteration and can be adapted to meet current building regulations, including sprinkler system. It is the original build specification (see existing plans) that has allowed the building to be used for ancillary accommodation.

Activity at the building has remained consistent since its erection without detriment to the private amenity of the adjacent neighbours. The modest floor space and layout of the proposal ensures the activity associated with the conversion would remain essentially at current levels or would not increase to

the degree that would have an adverse impact on the living conditions of neighbours.

All the existing hard and soft landscaping features will be retained and enhanced to maintain the continuity of the local environment. The existing gravel access will be resurfaced with sustainable tarmacadam incorporating ground level (deck) solar lighting. The low level of vehicular movements associated with the development, combined with this measure and the retention of the existing hedges and additional fencing provides effective, but unobtrusive screening and security.

In reference to the SPG on New Residential Development, the scheme meets or exceeds all the requirements for separation distances between habitable windows, provision of private amenity space and parking arrangements.

Ecology

Careful consideration was given to the Ecology Trigger List and a close site inspection found no evidence of any protected species or cavities within the existing building that may attract such species. There will be no works carried out to the roof of the building.

Access

During pre-application discussions the LPA raised concerns over the access to the site. The formal response indicated the access would be unacceptable and contrary to the requirements of policy BE1 of the Local Plan due to its width.

The Htd document requires a single dwelling accessed by an unadopted drive to have a minimum width of 2.75m and a provision for an additional metre if bounded by a wall or fence on both sides. The existing access is 2.8 metres wide.

Regarding this issue reference was made to a similar proposal approved (17.12.07) by the LPA at 82 Stapleton Lane, Barwell under application 07/01329/FUL. Here the width of the access is also 2.8 metres and the requirement for the additional 1 metre was relaxed even though the access services two dwellings and 4 car parking spaces in a backland location.

The access for the conversion is already in existence and would only service a one bedroom dwelling with one dedicated parking space. There would be no such intensification as has occurred at the Stapleton Lane development. Furthermore, the Htd document also states that such proposals are only required to provide one car parking space where car ownership is expected to be low and local services can be accessed by walking, cycling or public transport.

When drawing parallels between the two schemes, it would be unreasonable of the LPA to insist on the additional width requirement when it was relaxed

on the Stapleton Lane development, where vehicular movements are clearly significantly higher than the proposed conversion. Particularly so when, as already noted, the access has been in existence for 20 years and all vehicles would enter and leave the site in a forward direction thereby maintaining highway safety.

The access also meets the requirement of it been no longer that 45 metres to enable access for a fire appliance. Refuse collection would be made via the kerbside in common with the existing properties.

Play and Open Space Contributions

If the need can be clearly demonstrated by the LPA, the applicant would not object to a condition applied to any permission requiring a financial contribution for the provision and maintenance of off-site open space or facilities in accordance with policy REC3 of the Local Plan.

Conclusion & Justification

In addition to the access requirements of the Stapleton Lane scheme, it also provides other examples where policy requirements were relaxed. In relation to the proposed conversion, it is significant that the LPA accepted that the access arrangements would not be detrimental the private amenity of the adjacent neighbours.

Every scheme must be judged on its merits and the comments and concerns raised by the LPA are welcomed and material to the determination of this scheme. The critical difference between the two schemes is that the conversion will result in very little change in the appearance of the site or the surrounding area, and the impact on the on the amenities of the adjacent properties will be minimal. Consideration has to be given to the issue of precedent, but equally so, consistency to how similar schemes are assessed needs to be applied.

The scheme already exists and is assimilated into the local environment. Indeed, the LPA indicated the issue of the access are not so severe that an alternative use as an annex would be acceptable. Given the floor space available and the existing use as ancillary accommodation, the difference in the amount of activity between an annex and the proposal would be negligible.

In supporting an application for an annex the LPA is in fact supporting the principle of the submitted proposal. The difference in terms of the key considerations outlined in this statement, as already noted, would be negligible. This application has to be viewed within the local context and its established nature. It offers a choice to fulfil the needs of the different housing requirements of individuals that are for example single, elderly, disabled or face affordability issues. A condition removing permitted developments rights could be reasonably applied to retain the scheme in its proposed form thereby preventing an unwarranted intensification of use.

The proposal either meets or exceeds all relevant National and Local Plan policy requirements, therefore representing an integrated, sustainable and sensitive residential conversion. The application is submitted on this basis and is recommended for officer support and subsequent approval.