Item: **08**

Reference: **09/00493/DEEM**

Applicant: **Hinckley And Bosworth Borough Council**

Location: **Land Adj 50 Forest Rise Groby Leicestershire**

Proposal: **ERECTION OF DWELLING**

Introduction:-

This application seeks outline planning permission, with all matters reserved, for a two storey dwelling located on land to the south of 50 Forest Rise, Groby. The land is currently in the ownership of the Borough Council, who are the applicants.

The site is a corner plot situated at the junction of Lawnwood Road, Forest Rise, Martinshaw Lane and an access road to the rear of properties. The application site consists of a triangular shaped, grassed area of land, with a single silver birch tree, which is to be removed. To the north of the application site is a terrace of two storey dwellings dating from the 1970's, characterised by shallow pitched roofs, and white UPVc cladding to the front. These properties are set back from the highway with off street parking to the front. Opposite the application site are 1950's semi-detached properties set behind small front gardens with hedges or walls forming the boundary with the highway. The site is slightly higher than the highway but is itself flat. A mixed hedgerow runs along the south-western boundary, separating the site from the access road. To the south of the site beyond the access road are single storey bungalows.

Whilst all matters are reserved, the design and access statement submitted in support of the application gives details regarding the proposed scale and siting of the dwelling, and how the shape of the site has determined the indicative layout. It is indicated that a two storey dwelling with eaves and ridge to match the height of 50 Forest Rise would be appropriate on the site. An indicative plan has been submitted showing how the dwelling could be positioned, including where a possible access could be sited.

History:-

No relevant planning history.



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Consultations:-

No objection has been received from:-

Director of Highways, Transportation and Waste Management (Highways)
Head of Community Services (Pollution)
Head of Community Services (Land Drainage).

At the time of writing the report comments have not been received from:-

Parish Council
Neighbours.

Policy:-

Central Government Guidance

Planning Policy Statement 1 - Sustainable Development and Climate Change, outlines the Government's objectives for the land use planning system with a focus on protecting the environment.

Planning Policy Statement 3 - Housing, explains how the Government's objectives on housing can be delivered through the planning system, whilst promoting the objectives of sustainable development.

Local Plan Policy

The site lies within the Groby Settlement Boundary as defined within the adopted Hinckley and Bosworth Local Plan.

Policy RES5 relates to residential development on unallocated sites and supports the principle of development providing the site is within the settlement boundary and complies with other policies of the Local Plan.

Policy BE1 requires the design and siting of new development to be of a high standard of design, incorporate a high quality landscaping scheme, have regard to highway safety and the amenities of neighbouring residents.

Policy IMP1 requires new developments to contribute towards infrastructure and facilities to serve the development commensurate with the scale and nature of the proposal.

Policy REC3 ensures that there is adequate standard of play and open space to serve new residential development.

Policy T5 requires new development to apply the highway design standards as published by Leicestershire County Council.

Supplementary Planning Guidance / Documents

Supplementary Planning Guidance relating to New Residential Developments gives guidance on the design of new residential development and the separation distances that are required to ensure privacy and adequate amenity spaces for the new dwellings.

The Play and Open Space Supplementary Planning Document sets out the Council's Play and Open Space strategy and justification from policy and Government Guidance.

Supplementary Planning Document on Sustainable Design aims to promote sustainable developments on new developments within the Borough.

Appraisal:-

The main considerations with regards to this application are the principle of a dwelling in the proposed location, the impact on the streetscene and amenities of neighbouring residents and the impact on highway safety.

Principle of development

The site is located within the settlement boundary of Groby. Policy RES5 allows new residential development on unallocated sites which are within the settlement boundary providing the design, mass and siting of the proposal complies with other policies within the adopted Hinckley and Bosworth Local Plan. It is therefore considered that the principle of development is acceptable.

Impact on Streetscene

The application site comprises of an area of ground that currently forms a green open space within the residential estate. Although there are other open spaces present in the locality the estate is not characterised by regular open spaces nor do the properties have particularly open frontages. There is currently a semi-mature silver birch tree on the site which it is proposed would be removed. Whilst this tree currently adds to the appearance of the streetscene it is not protected and is considered to have limited amenity value and therefore not considered worthy of protection. It is indicated within the application that the tree would be replaced with a suitable alternative which will then be shown within any landscaping scheme submitted with the reserved matters. It is considered that a dwelling positioned as shown on the indicative plan, adjacent and in line with No 50, would not have a detrimental effect on the character of the area or street scene.

Residential Amenity

The dwelling would be located to the south of 50 Forest Rise, which has no side windows in the south elevation. The indicative layout shows how a dwelling could be accommodated on the site without having an adverse impact on the residents of No 50 Forest Rise. The location of windows could be controlled through the reserved matters application to ensure overlooking is kept to a minimum. The indicative location of the dwelling, adjacent to and alongside No 50 will ensure there is no significant overshadowing nor any overbearing impact. It is considered that, given the relationship between the surrounding dwellings and the distance between them and the application site, a dwelling could be accommodated within the site without significantly impacting upon the privacy currently enjoyed by neighbouring residents.

Highway Safety

The application is located within a residential area with other driveways in the vicinity. Whilst close to the junction it is not considered that an additional access would result in a danger to other users of the highway. The number of off street parking spaces will be considered at the reserved matters stage. No objections have been raised by the Highway Authority.

Other Issues

The application site is located within 400m of Highfield Road recreational space which has a poor rating within the Green Space Strategy, Audit of Provision 2007 Update. A contribution towards the improvement and maintenance of this space is therefore required in line with Policy REC3 of the Local Plan. This can be requested by planning condition.

Conclusion

The principle of a new residential dwelling on the site is considered acceptable. The relationship between surrounding dwellings is such that a two storey dwelling with adequate off street parking could be accommodated on the site without adversely affecting the amenities of neighbouring residents or highway safety. As such the application is recommended for approval.

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 by virtue of the location within the settlement boundary, the size of the plot, the orientation of surrounding dwellings and highway status the proposed development, subject to the reserved matters would not have an adverse impact on the amenities of neighbouring residents, the character of the area or highway safety. The proposal would be in accordance with the development plan.

Hinckley & Bosworth Borough Council Local Plan (2001) :- IMP1, RES5, BE1, REC3, and T5

1 Application for the approval of reserved matters shall be made within three years from the date of this permission and the development shall be begun not later than two years from the date of approval of the last of the reserved matters to be approved.

2 Approval of the following details (hereinafter called "reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced:

i) The layout of the site including the way in which buildings, routes and open spaces are provided and the relationship of these buildings and spaces outside the development.
ii) The scale of each building proposed in relation to its surroundings.
iii) The appearance of the development including the aspects of a building or place that determine the visual impression it makes.
iv) The access arrangements to and within the site for vehicles, cycles and pedestrians.
v) The landscaping of the site including treatment of private and public space to enhance or protect the site's amenity through hard and soft measures.

The development shall be implemented in accordance with the approved details. There shall be no amendments or variations to the approved details unless otherwise agreed in writing by the Local Planning Authority.

3 The reserved matters application shall include the following information for the prior approval by the Local Planning Authority.

i) The external building materials
ii) The provision to be made for vehicle parking on the site
iii) The existing trees and hedges on the site, which are to be retained
iv) The provision to be made for screening by walls and fences
v) The floor levels of the proposed dwelling in relation to the existing ground level and the finished levels of the site.

The development shall be implemented in accordance with the approved details. There shall be no amendments or variations to the approved details unless otherwise agreed in writing by the Local Planning Authority.

4 The development hereby permitted shall not commence before the provision and maintenance of off-site open space or facilities whether by off-site physical provision or financial contributions as required in accordance with policies IMP1 and REC3 of the adopted Hinckley and Bosworth Local Plan and the approved Play and Open Space Guide has been secured in such a manner as is approved in writing by the Local Planning Authority.

5 The ridge height of the proposed dwelling shall not exceed that of the neighbouring property of 50 Forest Rise, Markfield.

Reasons:-

1 To comply with the requirements of Section 92 of the Town & Country Planning Act 1990 (as amended).

2 This is a planning permission in outline only and the information required is necessary for the consideration of the ultimate detailed proposal.

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4 To ensure the provision of adequate play and open space within the vicinity of the site in accordance with Policies IMP1 and REC3 of the adopted Hinckley and Bosworth Local Plan.

5 To ensure the development has a satisfactory external appearance in accordance with Policy BE1 of the Hinckley and Bosworth adopted plan.

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 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. All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

5 Any landscaping scheme submitted with the reserved matters application should include a replacement tree.

6 The indicative layout with regard to the position of the dwelling and access should be followed within the reserved matters application.

7 Condition 4 refers to play and open space requirements. In this instance a contribution of £1250.80 is required towards the provision of off-site public open space. This can be provided by a one off payment or secured by the completion of a legal Agreement under Section 106 of the Town and Country Planning Act 1990.

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