DELEGATED REPORT

Recommendation Made: 20 March 2008

Reference:- 08/00080/OUT **Parish:- Burbage Parish Council**

Applicant:- Mr And Mrs T S Doggett
47 Lutterworth Road
Burbage
Hinckley
Leicestershire

Location:- 47 Lutterworth Road Burbage Hinckley Leicestershire LE10 2DJ

Proposal:- ERECTION OF SINGLE DWELLING (RESUBMISSION)

Introduction:-

This is an outline application with all matters except for the access reserved for consideration under a later application. The outline application relates to land located behind an existing dwelling house located on the east side of Lutterworth Road within the Settlement Boundary of Burbage. A planning application was withdraw last year following comments from the County Highway Authority. The resubmitted out line application addresses the issue of poor visibility which would have formed the reason for refusal.

To the rear of the site there are currently two storey dwellings under construction.

Relevant planning history

07/00826/OUT Erection of single dwelling- Withdrawn, 13.09.07

Consultations:-

To date no representations have been received from neighbouring residents.

No objections subject to conditions received from- .
The Director of Highways, Transportation and Waste Management (Highways)
Seven Trent Water
Manager of Community Services (land drainage

Development Plan Policies:-

Hinckley and Bosworth Local Plan

BE1- Design and Siting of Development
RES5- Unallocated Residential Development Sites
REC3- provision of play and open space
T5- Highway design and vehicle parking standards

Supplementary Planning Guidance - New residential development

Appraisal:-

The main issues for consideration are the proposed access and the principle of development.

The site is located within the settlement boundary of Burbage and therefore the principle of residential development is considered to be acceptable. Details have been submitted indication that a property can be accommodated upon the site. The design and access statement indicates that the property

should be single storey to protect the amenities of neighbouring properties. The principle is therefore considered acceptable.

The agent has submitted details showing how the visibility can be achieved at the access by removing and lowering obstacles within the required visibility spays, some of which are located within the ownership of the neighbouring property to the north of the access number 41 Lutterworth Road. This property also has a right of access over the access way and therefore it is in their interests to improve the visibility. A letter to the applicants from the occupiers of 41 Lutterworth Road has been submitted as to support the application, indicating that they consent to works on their land. Subject to the visibility spays being implemented as shown on the submitted plans, the application is considered acceptable.

Other issues will be considered at the reserved matters stage.

Recommendation:-

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 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 including samples
ii) The provision to be made for vehicle parking and turning on the site
iii) The method of disposal of surface and foul water drainage, which shall be on separate systems
iv) The existing trees and hedges on the site, which are to be retained
v) The provision to be made for screening by walls and fences
vi) The floor levels of the proposed dwelling; in relation to the existing ground level and the finished levels of the site.
vii) The submisison of details of hardsurfacing.

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 Prior to the development ~~being brought into use~~ commencing the existing vehicular access shall be improved in terms of a 5.25m width and the provision of 4m control radii and 2m by 2m pedestrian visibility splays to each side in general accordance with the submitted details (dwg titled 'Alterations to mouth of driveway' received on the 29.01.08)

Annexes

5 Before ~~the first use of~~ the development, ~~hereby permitted~~, visibility splays of 2.4 metres by the maximum achievable across the frontage of No's 41 and 43 Lutterworth Road in general accordance with the details shown in the ~~submitted~~ amended drawing ~~titled 47 Lutterworth Road~~, showing visibility splays, which was received on the 29th January 2008. These shall be in accordance with the standards contained in the current County Council design guide and shall be so maintained in perpetuity. Nothing shall be allowed to grow above a height of 0.9 metres above ground level within the visibility splays.

Reasons :- Amended plans Gates set back. ~~Retention of walls~~. Single storey only. PD rights removed - extns + dormers.

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.

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

4 In the interests of pedestrian safety and to ensure that the vehicles entering and leaving the site may pass each other clear of the highway and not cause problems or dangers within the highway in accordance with Policy T5 of the adopted Hinckley and Bosworth Local Plan.

5 To afford adequate visability at the access to cater for the expected volume of traffic joining the existing highway network and in the interests of general highwy safety in accordance with Policy T5 of the adopted Hinckley and Bosworth Local 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 All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of teh Southern Area Manager- (telephone 01455 287202).

4 This permission does not convey any authority to enter onto land or into any building not within the control of the applicant except for the circumstances provided for in The Party Wall etc Act 1996.

Contact Officer:- Sarah Humphries Ext 5680

