DELEGATED REPORT

Reference:- 11/00726/FUL **Parish:-**

Applicant:- Mr Nico Sini
38 Coventry Road
Hinckley
Leicestershire
LE10 0JT

Location:- 38 Coventry Road Hinckley Leicestershire LE10 0JT

Proposal:- EXTENSIONS AND ALTERATIONS TO PREMISES

Introduction:-

Planning permission is sought for an extension to the rear of 38 Coventry Road, Hinckley.

38 Coventry Road is a restaurant (use class A3) with residential accommodation above. The property has been extensively extended to the rear with the kitchens located to the rear of the property. At present there is an external walk in fridge in the rear yard of the property.

The application site is located to the north of The Grove. These are flats with the closest dwelling located 4.5 metres from the proposed development.

A flat roof extension to the rear is proposed. This would consist of an extension to the south west of the kitchen measuring approximately 5 metres by 3 metres and have a height of 2.7 metres. Amended plans have been submitted moving the proposal away from the boundary to reduce the impact on the neighbouring properties. As this improves reduces the mass of the extension and positions it further away from the adjacent dwlleing, and no representations have been received, no re-consultation has taken place.

Relevant Planning History
10/00634/FUL Erection of cold room/ fridge to rear of restaurant (Retrospective) Approved 07.12.10
08/00621/COU Change of use from A1 (retail) to A3 (restaurant) Approved 13.08.08

Consultations:-

No objection has been received from
Head of Community Services (Land Drainage)
Head of Community Services (Pollution)

Development Plan Policies:-

Local Development Framework-
Core Strategy- None relevant

Hinckley and Bosworth Local Plan

Policy BE1- Design and siting of development.

Appraisal:-

The main issues for consideration are the impact of the proposal on the amenities of neighbouring residents and the design and appearance of the proposal.

Principle
The site is located within the settlement boundary of Hinckley as defined by the adopted local plan, where

there is a presumption in favour of development subject to compliance with all other relevant policies of the local plan.

Design
The proposal is for a flat roofed extension to an existing extension. The proposed extension is not visible from Coventry Road but would be visible from the public car park to the rear accessed from Trinity Lane. Whilst pitched roofs generally result in a better design and appearance a pitched roof in this location would result in an odd arrangement with the existing extensions and a flat roof would minimise the impact on the nearest residential properties. It is therefore considered that a flat roof in this instance would be acceptable and therefore the design and appearance of the proposal is acceptable.

The existing extension is constructed out of painted block work has and a shallow pitch concrete tiled roof.
The proposed extension is to be finished in painted block work however it is considered that this will not compliment the surroundings and it has been requested that the extension be finished in painted render. This matter will be subject to a planning condition.

Impact on amenities
The proposal has been amended so the distance from the boundary increases the further north-east into the site the extension extends and would be located between 5 and 6 metres from the rear elevation of the ground floor flat on The Grove. This property is sited at a lower level than the application site. There is a 1.5m fence to the boundary, and the proposal would extend above this by 1.1m. Policy BE1 supports development which would not adversely affect the occupiers of neighbouring properties. Whilst it was not possible to establish what windows are located to the rear of the closest property on the ground floor, this is a ground floor flat, and therefore more likely to have windows serving habitable rooms on the rear elevation. The outlook to this property is already compromised by the fence separating the application site and the rear amenity of the residential properties. Setting the extension away from the boundary as now proposed would reduce the overbearing impact and with the mass of the existing extension to an extent that no material impact on residential amenity occurs.

No new extraction or plant equipment is proposed as part of this application and therefore there would be no additional impact on disturbance caused by noise or odour.

Conclusion
Accordingly it is considered that due to the siting and other development the proposed extension would not have a detrimental impact on the character and appearance of the area, nor would significantly affect the amenities of neighbouring residents to an extent that would lead to a refusal of planning permission. It is therefore considered that the proposal complies with Policy BE1.

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. By virtue of the design and appearance within the context of the surrounding area, the proposed extension is not considered to detrimentally affect the character or appearance of the area or the amenities of surrounding residents.
Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1

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

2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows: 3741-01f received 08.11.11 and 3741-02e received 21.12.11

3 Notwithstanding the approved plans representative samples of the types and colours of materials to be used on the external elevations of the proposed extension shall be deposited with and approved in writing by the Local Planning Authority, and the scheme shall be implemented in accordance with those approved materials.

Reasons :-

1 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2 For the avoidance of doubt and in the interests of proper planning.

3 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. 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 6 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.

Contact Officer:- Sarah Fryer Ext 5682