DELEGATED REPORT

Recommendation Made: 28 April 2009

Reference:- 09/00143/FUL **Parish:- Peckleton Parish Council**

Applicant:- Mrs Katherine Elton
15 Main Street
Peckleton
Leicester
Leicestershire

Location:- 15 Main Street Peckleton Leicester LE9 7RE

Proposal:- ALTERATIONS TO THE BOUNDARY FENCING, GATES AND STABLE ROOF.

Introduction:-

Full application for a pitched roof to an existing stable block and repositioning of the boundary fence and gates. The stable block is located at the bottom of the garden of 15 Main Street, adjacent to the detached double garage of 1 Brook Lane. The garden of 15 Main Street runs alongside Brook Lane, and is currently enclosed by a wall, which extends into a close board fence and gates. The appearance of the wall is softened by the vegetation which covers it. The fence steps in from the road to join the stable block. The gates provide vehicular access to the stables. Brook Lane is a no through road, which accommodates 3 houses. Mature trees line the lane. The existing stable block has a mono pitched roof, which slopes away from the garage to the rear. It has a maximum height of 3m. The stable is screened by a mature tree.
The boundary fence is to follow the curtilage of the plot, continuing the line of the existing boundary wall, and will comprise a 2m high close board fence. The proposed stable will have a maximum height of 5.20m.

Consultations:-

No comments have been recieved from:-
Parish Council
Neighbours
County Ecology have suggested that a watching brief (maintained by the applicant and all workers on site) for all protected species should be maintained throughout the development. In the event of any protected species being discovered, works should cease whilst expert advice is sought. This is in accordance with Trigger J of Leicester, Leicestershire and Rutland Biodiversity Trigger List.

Development Plan Policies:-

BE1 - Siting and Design
T5 - Highways

Appraisal:-

As there are no properties within close proximity to the development there will be no material impacts on residential amenity and as the stable is screened by mature vegetation, it increased height will have no material impacts on the character of the street scene. The main impact will be that of the repositioned wall and fence on the character and visual amenity of the street scene and highway safety.

The County highways normally require 2m x 2m pedestrian visibility splays to be provided on either side of an access. In this case there is no allowance for viability splays, meaning that a vehicle leaving the access in question would have to pull forward onto the highway to check visibility, potentially to detriment of highway users. Currently vehicles leaving the site have clear visibility to the left, but poor visibility to the right, resultant of the height of the adjacent wall and hedge. Thus, by repositioning the gates and wall, there will be no change in the current visibility to the right; this will remain poor. Visibility

to the left will be worsened by the positioning and height of the proposed fence. However, on balance given that there is only 1 property to the left, and this is a secondary access to the application property, resulting in fewer vehicle movements, and owing to the width of the access; there are considered no material impacts on highway safety. To ensure that the gates do not open onto the highway, they will be conditioned to be inward opening.

Views down Brook Lane are already narrowed by the boundary walls and fences of 15 and 27 Main Street, which run along their boundaries. Accordingly although the proposed fence will continue from the existing wall, along the boundary, it is not considered to cause any further impact on the already enclosed street scene. Further, the appearance of the fence will be no harsher than that of the existing solid wall and adverse impacts on visual amenity are lessened, as this is a no through road with little pedestrian or vehicular traffic.

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. Resultant of the scale, design and location of the proposal there are considered no material impacts on either visual or residential amenity, the character of the street scene or on highway safety. Accordingly the development is considered acceptable.
Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1, T5

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

2 Notwithstanding the submitted plans, the gates shown shall be hung so as to open inwards only and be so maintained at all times thereafter.

Reasons :-

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

2 In the interests of road safety to accord with policy T5 of the 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 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 List of plans used in the determination of this application:- Drg Nos. 1482-01-A2; 1482-02-A2 a; 1482-03-A3

6 A watching brief (maintained by the applicant and all workers on site) for all protected species should be maintained throughout the development. In the event of any protected species

being discovered, works should cease whilst expert advice is sought. This is in accordance with Trigger J of Leicester, Leicestershire and Rutland Biodiversity Trigger List.

Contact Officer:- Eleanor Shaw Ext 5691