

Delegated Report

Planning Ref: 24/01076/HOU

Applicant: Kevin Knight

Ward: Barwell



Hinckley & Bosworth
Borough Council

Site: 66 Russett Close Barwell Leicestershire

Proposal: Detached garage

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

2.1. This householder application seeks planning permission for the construction of a detached garage to serve a dwelling, 66 Russett Close, Barwell.

2.2. The proposed detached garage would be set back to the side and rear of the existing dwelling. It would be 3.6 metres in width and 6.3 metres in depth and set in from the side boundary of the site by 0.3 metres. It would have a dual pitched gable fronted roof design with an eaves height of 2.2 metres and ridge height of 3.8 metres. It is proposed that it would be constructed with matching corresponding external materials as the existing dwelling.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the settlement boundary of Barwell on a residential estate. It is a detached 2½ storey house with 'L' shaped footprint and single storey lean-to at the rear. It has a dual pitched gabled main roof form and dual pitched gable fronted dormer windows. It is constructed with red facing bricks, large plain grey concrete roof tiles, grey horizontal cladding to dormers and white uPVC windows. It has brick eaves corbels and roof verge detailing and stone sills and soldier brick headers to windows.

3.2. The surrounding estate in the vicinity of the site is characterised by detached and semi-detached 2 and 2½ storey houses many of which, including the adjacent dwelling (No. 65), have detached or attached garaging set back to the side and rear of the dwellings that they serve.

4. Relevant planning history

19/00248/FUL

- Erection of five new dwellings and associated works
- Permitted
- 09.05.2019

5. Publicity

5.1. The application has been publicised by sending out letters to local residents.

5.2. No responses have been received as a result of public consultation.

6. Consultation

6.1. No response has been received from Barwell Parish Council.

7. Policy

7.1. Earl Shilton and Barwell Area Action Plan (ESBAAP) (2014)

- No relevant policies

7.2. Core Strategy (2009)

- No relevant policies

7.3. Site Allocations and Development Management Policies (SADMP) DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM10: Development and Design
- Policy DM18: Vehicle Parking Standards

7.4. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2024)
- Planning Practice Guidance (PPG)

7.5. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)
- Local Highway Authority Design Guide

8. Appraisal

8.1. Extensions and alterations to existing domestic properties within urban settlement boundaries, including ancillary detached buildings within a residential curtilage, are generally considered to be sustainable development in principle. The key issues in respect of this application are therefore:

- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact upon parking provision
- Biodiversity

Design and impact upon the character of the area

8.2 Policy DM10 of the adopted SADMP requires new development to complement or enhance the character of the surrounding area with regard to scale, layout, mass, design, materials and architectural features and for building material to respect existing/neighbouring buildings and the local area generally. The Council's adopted Good Design Guide (GDG) provides further advice in respect of the siting and design of various forms of house extensions and suggests that: '*Garages and car ports should generally be set back from the existing dwelling so as not to dominate the street scene.*'

8.3 The proposed garage would be set well back from the highway to the side and rear of the dwelling and sited adjacent to a garage serving the neighbouring dwelling (No. 65) where it would not be overly prominent within the street scene as suggested in the adopted GDG. It would have an appropriate footprint of 6.3 metres in length and 3.6 metres in width. The dual pitched gable fronted roof design with eaves height of 2.2 metres and ridge height of 3.8 metres would be clearly subordinate and appropriate to reflect the front gable design of the dwelling. It would be constructed in matching corresponding external materials of red facing bricks and plain grey concrete roof tiles as the existing dwelling to ensure a

satisfactory and uniform appearance. The proposal would also retain approximately 100 square metres of private amenity space at the rear which would remain adequate to serve the dwelling.

- 8.4 By virtue of its siting, scale, design and the proposed use of matching corresponding external materials the proposed detached garage would respect and complement the scale, character and appearance of the existing dwelling and the surrounding area and would be in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 8.5 Policy DM10 of the adopted SADMP and the adopted Good Design Guide require that development would not have a significant adverse effect on the privacy and/or amenity of nearby residents and occupiers of adjacent buildings.

- 8.6 The proposed garage would be sited adjacent to the blank side elevation of an existing garage serving the adjacent dwelling (No. 65) and therefore would have no adverse overbearing or overshadowing impacts on that neighbouring dwelling or result in any loss of privacy to the occupiers. By virtue of its siting, single storey scale and separation distances it would have no adverse impacts upon the residential amenity or privacy of any other neighbouring dwellings. The proposal would therefore be in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide. No objections have been received from any neighbouring properties.

Impact upon parking provision

- 8.7 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.

- 8.8 The five bedroomed dwelling was originally approved under planning permission 19/00248/FUL and three tandem off-street parking spaces were included within the plot. The proposed garage would have appropriate internal dimensions to meet the local highway design guide standard for a parking space. It would be sited further to the rear than the three previously approved tandem parking spaces and therefore the site would retain adequate off-street parking provision of four spaces of appropriate dimensions to serve the five bedroomed dwelling. The proposal would therefore be in accordance with Policy DM18 of the adopted SADMP and the local highway authority design guide standards.

Biodiversity

- 8.9 The proposal would be exempt from the biodiversity gain condition by virtue of being a householder application development within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order (2015).

9. Equality implications

- 9.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2 Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.
- 9.3 There are no known equality implications arising directly from this development.
- 9.4 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

10. Conclusion

- 10.1. The proposal relates to an ancillary detached building to serve an existing dwelling located within a residential curtilage within the urban settlement boundary of Barwell where there is a general presumption in favour of sustainable development as set out in Policy DM1 of the adopted SADMP and the overarching principles of the NPPF (2024).
- 10.2. By virtue of its siting, scale, design and the proposed use of matching corresponding external materials the proposed detached garage would respect and complement the scale, character and appearance of the existing dwelling and the surrounding area and would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. Adequate off-street parking of four spaces would be retained within the site to serve the existing five bedroomed house along with adequate private amenity space of over 100 square metres. The proposal is considered to be in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP and the general principles of the adopted Good Design Guide and is therefore recommended for approval subject to conditions.

11. Recommendation

- 11.1 **Grant planning permission** subject to:

- Planning conditions outlined at the end of this report

11.2 Conditions and Reasons

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

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

- 2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows: Location Plan Drawing No. 1668/SL, Block/Site Plan Drawing No. 1668/BP and Proposed Garage Floor Plan and Garage Elevations Drawing No. 1668 received by the local planning authority on 25 November 2024.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. The materials to be used on the external elevations of the proposed detached garage hereby permitted shall match the corresponding materials of the existing dwelling.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11.3 Notes to applicant

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at building.control@blaby.gov.uk or call 0116 272 7533.