Item: **10**

Reference: **11/00181/FUL**

Applicant: **Mr Keith Lynch**

Location: **12 Salisbury Road Burbage**

Proposal: **EXTENSIONS AND ALTERATIONS TO DWELLING**

Target Date: **9 May 2011**

Introduction:-

This application is to be considered at Planning Committee in accordance with the Scheme of Delegation as the applicant is an elected Member of the Council.

Application Proposal

This application seeks full planning permission for the erection of a single storey flat roof extension to the rear of this detached dwelling.

The Site and Surrounding Area

The property is located within a stretch of Salisbury Road where there is a mix of detached dwellings set back from the road frontage. Existing boundary treatments consists of a 2 metre high boundary fence between 10 Salisbury Road along with a mature hedgerow approximately 2.5 metres in height and planting between 10 Seaton Road and 13 and 15 Winchester Drive.

The dwelling is constructed from red brick with brown concrete roof tiles. There is an existing single storey flat roof rear extension.

History:-

00/00990/FUL	Single Storey Side Extension	Approved	08.11.00
10/00062/FUL	Extensions and Alterations to Dwelling	Approved	23.03.10



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Consultations:-

No objection has been received from: -

Head of Community Services (Land Drainage)
Burbage Parish Council.

Site notice and Press notice were displayed and neighbours notified.

At the time of writing the report comments have not been received from Ward Members.

The consultation period remains open at the time of writing and closes on 15 April 2011. Any further consultation response received before the closing date will be reported and appraised as a late item.

Policy:-

Central Government Guidance

Planning Policy Statement 1 (PPS1): 'Delivering Sustainable Development' refers to the delivery of sustainable development through the planning system. It advises that planning policies should protect and enhance the environment, promote high quality design and reinforce local distinctiveness.

Regional Policy

The decision of the Secretary of State for Communities and Local Government ("SoS") on 6 July 2010 to revoke Regional Strategies using powers in section 79 of The Local Democracy, Economic Development and Construction Act 2009 was successfully challenged in the High Court and was quashed in a judgment handed down on 10 November 2010.

Following the decision, the SoS has written to local planning authorities stating that the government will introduce the Localism Bill in November containing proposals to abolish Regional Strategies.

The Government's Chief Planning Officer has also written advising that local planning authorities should still have regard to the SoS`s letter of 27 May 2010 and that it should still be regarded as a material consideration.

Judgement was recently given in a second challenge by Cala Homes when the Court held that the SoS`s intention to reform the planning system by removing regional strategic planning from it is to be taken into account as a material consideration

In relation to the weight to be given to that intention as a material consideration the Court held that `the weight to be given to relevant provisions of Regional Strategies pending the legislative process will be for decision-makers to gauge. Until the end of that process is reached Regional Strategies will remain in place as part of the development plan.

East Midlands Regional Plan 2009

This is the Regional Spatial Strategy for the East Midlands and provides a broad development strategy for the East Midlands. The following relevant policies apply to this proposal:

Policy 2 promotes better design including highway and parking design that improves community safety.

Local Development Framework Core Strategy 2009

There are no relevant polices within the Core Strategy.

Hinckley and Bosworth Local Plan 2001

Policy BE1: 'Design and Siting of Development' seeks to ensure a high standard of design in order to secure attractive development and to safeguard and enhance the existing environment. Development should complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features. Development should not adversely affect the occupiers of neighbouring properties.

Supplementary Planning Guidance/Documents

Supplementary Planning Guidance: House Extensions provides a series of design and technical separation standards that all new house extensions should strive to meet to be acceptable.

Burbage Village Design Statement: (Adopted June 2006) specifically policy GN2 which relates to general design principles.

Appraisal:-

The main considerations in respect of this application are the principle of development, the impact of the proposed extension on the character and appearance of the existing dwelling and on the amenities of the occupiers of neighbouring properties.

The Principle of Development

The site is located within the settlement boundary of Burbage, as defined on the Adopted Hinckley and Bosworth Local Plan Proposals Map; therefore there is a presumption in favour of development subject to all other planning matters being appropriately addressed.

Impact on Character and Appearance

The proposed extension has been designed to reflect the simplistic flat roof character of the adjacent and existing flat roof single storey extension to the rear of the dwelling. Given the location, at the rear of the property and its small scale that reflects that of the existing extension, the extension will not have any adverse impact on the street scene or the character of the existing dwelling and is therefore acceptable in design terms.

Impact on Neighbours

The proposed extension projects 3.5 meters from the existing rear elevation and will be attached to an existing flat roof sun room. No. 10 Seaton Close is located to the south west of the application dwelling. By way of the proposed extension position to the north of the existing sun room extension, there is no opportunity for any overlooking or arising amenity issues between the two dwellings. No.10 Seaton Close is also separated from the proposed extension by a mature hedgerow which is approximately 2.5 meters in height.

No. 10 Salisbury Close is located to the north of the application site and is a detached dwelling. There are no side windows which will be affected by the proposed extension.

Nos.13 and 15 Winchester Drive are located to the west, however a separation distance of at least 36 metres exists here between the rear elevation of the neighbouring dwellings and the rear elevation of the proposed extension, no adverse impact on residential amenity will arise.

Although the proposed extension exceeds the guidance contained in the SPG by 0.5 metres by projecting 3.5 metres from the rear elevation of the dwelling, given the design of the extension, its position inset off from the boundary and the height of the existing boundary treatment it is not expected that this will have an impact on the amenities of the occupiers of 10 Seaton Close and 10 Salisbury Close.

Conclusion

The proposal would respect the scale and character of the existing dwelling and would not adversely affect the amenities of the occupiers of neighbouring properties. The application is considered to be in accordance with policies BE1 of the Local Plan

and the Council SPG on House Extensions and is therefore recommended for approval subject to conditions.

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 scale, mass and design of the proposed extension would not detrimentally impact on the amenities of neighbouring residents or the character and appearance of the street scene and would be in accordance with the development plan.

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 materials to be used on the external elevations of the proposed extension and alteration shall match the corresponding materials of the existing dwelling unless previously agreed in writing with the Local Planning Authority.

3 The proposed development hereby permitted shall not be carried out unless in accordance with the application details: - Site Location Plan to a scale of 1:1250 and Site Block Plan to a scale of 1:500 received 14 March 2011; Existing Elevations and Floor Plans to a scale of 1:100 received 7 March 2011; Proposed Elevations and Floor Plans to a scale of 1:50 received 7 March 2011.

Reasons:-

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

2 To ensure that the development has a satisfactory external appearance to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.

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

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.

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).

Contact Officer:- Joanne Orton Ext 5666