DELEGATED REPORT

Recommendation Made: 3 April 2008

Reference:- 08/00184/COU **Parish:- Barwell Parish Council**

Applicant:- Mr & Mrs Kitching
146 Hinckley Road
Barwell
Leicestershire
LE9 8DN

Location:- 146 Hinckley Road Barwell Leicester Leicestershire LE9 8DN

Proposal:- EXTENSION AND ALTERATIONS TO DWELLING TO FORM A CHILDRENS NURSERY

Introduction:-

The application relates to a detached two-storey dwelling located on the edge of the settlement boundary of Barwell. The dwelling is set back from the highway behind a landscaped garden with a driveway located on the east of the site. The property has been considerable extended in the past with a two-storey side extension to the west of the original dwelling.

Planning permission is sought for the change of use of part of the property to a children's day nursery, for a maximum of 20 children, and a single storey rear extension to the rear of the site. The proposal involves the creation of 9 car parking spaces within the front garden area and maintaining the existing three parking spaces to the side of the dwelling for use by the occupiers of the property. The proposed nursery would be located mainly in the existing double garage which would be converted with the insertion of windows to the front of the property. Access to the nursery would be separate to that of the main dwelling house.

The single storey extension would be located to the rear of the site and would replace a small lean to lobby extension and wood store which exists to the rear of the property. The proposed extension would project level with the existing solid extension and stop 1m in from the side wall of the dwelling house.

Relevant planning history

98/00988/FUL	Erection of Conservatory	Allowed	06.01.99
95/00204/FUL	Extension to dwelling	Allowed	24.04.95
83/00980/4	Extensions and alterations to existing dwelling		03.01.84

Consultations:-

To date no representations have been received from adjoining properties.

Barwell Parish Council have suggested that some kind of traffic calming measures are considered.

Director of Highways, Transportation and Waste Management has no objection subject to conditions.

Head of Community Safety (pollution) have raised no objection to the proposal.

Development Plan Policies:-

BE1 (design and siting of development)
T5 (highway design and vehicle parking standards)

Appraisal:-

The main issues for consideration are the design massing of the proposal and the impact on the highway and amenities of neighbouring properties in terms of the proposed use.

The proposed extension is proposed to be located on the side closest to the 144 Hinckley Road. This property has already been extended and the detached garage to number 146 is located on the boundary between the two properties. It is therefore not considered that the proposal would result in a loss of light or overlooking to the neighbouring property.

146 Hinckley Road has already been considerably extended resulting in a dwelling with approximately double the footprint than when the house was first constructed. The existing extensions, though set back from the front of the building are large and considerably add to the bulk of the building. In comparison the proposed single storey extension is modest and although further increase in the footprint is unwelcome, its location to the rear, single storey structure and the existing mass of the structure it is considered that in this instance the proposal is acceptable.

The proposed alterations to the front of the property are considered to be in keeping with the design of the dwelling. Additional parking spaces are being provided on the site to serve the nursery use and there is adequate parking retained to serve the residential unit.

Children's nurseries by nature change the character of a property by increased comings and going to and from the site and noise associated with children playing. Therefore highway safety and the effect on the amenities of neighbouring properties are the main concerns. The application site is the last dwelling before the open countryside and only has neighbours to one side. There are other dwellings across the road and further out into the open countryside but only one adjoining property. Due to the lack of residential properties there would be a limited effect on neighbours. Environmental health have raised no objections after having spoken to the applicant. The number of children permitted on the site by social services is limited by the floor area. It is considered that the proposal would not result in a detrimental impact on the amenities of neighbouring residents.

It is proposed to move the access drive away from the eastern boundary of the site to enable adequate visibility spays to be provided within the application site. Adequate parking and turning space for the size of nursery is provided. Therefore there are not considered to be any highway objections to the proposal.

In conclusion the proposed extension and change of use of the property is not considered to result in a detrimental effect on the amenities of neighbouring properties nor to the safety of users of the public highway. The proposed extensions and alterations are considered to be of an appropriate scale and mass and the design detail is considered to be in keeping with the existing dwelling.

RECOMMENDATION :- Permit subject to the following conditions :-

SUMMARY OF DECISION - The proposal is in conformity with Policy/Policies BE1 and T5 of the Hinckley and Bosworth Local Plan. Planning permission is granted subject to conditions.

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

2 Prior to the Children's nursery hereby permitted being brought into use the existing vehicle access shall be improved and car parking and turning facilities provided in accordance with the details contained in the amended drawing No 3865-10loc-RevA. The access, parking and turning area shall be so maintained in perpetuity.

3 If any vehicular access gates, barriers, bollards, chains or other such obstructions are to be erected they shall be set back a minimum distance of 5 metres behind the highway boundary and shall be hung so as to open inwards only.

4 This permission relates to the application as revised by amended plan 3865-loc rev. A received by the Local Planning Authority on 20.03.08.

Reasons :-

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

2 To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking problems in the area. To ensure that vehicles entering and leaving the site may pass each other clear of the highway and not cause problems or dangers within the highway to comply with policy T5 of the adopted Hinckley and Bosworth Local Plan.

3 To enable a vehicle to stand clear of the highway to accord with policy T5 of the adopted Hinckley and Bosworth Local Plan.

4 For the avoidance of doubt.

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.

- Area Surveyor.

Contact Officer:- Sarah Humphries Ext 5680