DELEGATED REPORT

Recommendation Made: 14 November 2011

Reference:- 11/00762/FUL **Parish:-**

Applicant:-

25 Coton Road
Nuneaton
Warwickshire
CV13 5TW

Location:- 83A Main Street Carlton Nuneaton Leicestershire CV13 0BZ

Proposal:- SUBSTITUTION OF HOUSE TYPE FOR PLOT 8 OF PLANNING PERMISSION 08/00815/FUL

Introduction:-

Full planning permission is sought for the substitution of house type D to plot 8 approved under planning permission (ref: 08/00815/FUL). This application amends house type D by proposing an additional two storey projection by 1.1 metres to the rear of the dwelling, combined with the insertion of a dormer window in lieu of an existing window in the north west elevation to create an enlarged floor space to bedroom three at first floor and kitchen at ground floor. This application also proposes a 2 pain window in the north east elevation serving in lieu of an existing single pain window as part of the internal alterations to create a 'Jack and Jill' en-suite.

Plot 8 is located to the north west corner of the site adjacent to plots 9 and 7. The site is located within the settlement boundary of Cadeby, as defined by the Hinckley and Bosworth Local Plan.

The application is accompanied by a Design and Access Statement which accompanies the application specifically states that subsidiary roofs either have dropped eaves with dormer windows or catslide roofs either with dormer windows or a velux style roof window.

Planning History

11/00762/FUL	Substitution of House Type 8	Permitted	08.12.2010
09/00381/CONDIT	Variation of Condition 8 of 08/00815/FUL to enable occupation of some dwellings prior to construction of access road.	Permitted	15.07.2009
08/00815/FUL	Demolition of existing garage filling station and bungalow and erection of 12 dwellings.	Permitted	12.01.2009

Consultations:-

No comments/objections from:-
Carlton Parish Council
Director of Environment and Transport (Highways
Head of Community Services (Land Drainage)

No objection subject to conditions from:-
Head of Community Services (Pollution)

Development Plan Policies:-

Central Government Guidance

Planning Policy Statement 1(PPS1): Delivering Sustainable Development
Planning Policy Statement 3 (PPS3): Housing

Hinckley & Bosworth Borough Council Local Development Framework: Core Strategy (2009)

Policy 13: Rural Hamlets
Policy 19: Green Space and Play Provision
Policy 24: Sustainable Design and Technology

Hinckley & Bosworth Local Plan (2001)

The site is within the settlement boundary of Carlton as defined in the adopted Hinckley and Bosworth Local Plan.

Policy IMP1: Contributions towards the provision of infrastructure and facilities

Policy BE1: Design and Siting of Development

Policy REC3: New Residential Development Outdoor Play Space for Children

Policy RES5: Residential Proposals on Unallocated Sites

Supplementary Planning Guidance/Documents

The Council's Supplementary Planning Guidance (SPG) on New Residential Development provides further guidance for developers on density, design, layout, space between buildings and highways and parking.

The Councils Supplementary Planning Document (SPD) on Play and Open Space provides further guidance on open space provisions for development.

Appraisal:-

The main considerations in the determination of this application are the principle of development, impact of the changes upon character, residential amenity and other material considerations.

Principle of Development

The site lies within the settlement boundary of Carlton, and therefore there is a presumption in favour of development providing all other planning matters are adequately addressed. The principle of a residential dwelling on the site has already been established in a previous planning permission (ref: 08/00815/FUL).

Character

The overall height of the dwelling remains un-altered whilst the projection extends by 1.1 metres, with an additional dormer window and alterations to the window size. The minor changes do not result in an adverse impact upon the character of the dwelling or the overall character and appearance of the site. It is considered that the character remains the same as the approved scheme and is in accordance with Policy BE1 of the Local Plan.

Residential Amenity

Plot 9 is located to the east of the application dwelling, the distance of 0.8 metres between the subject dwelling and neighbouring plot remains un changed and the additional 1.1 metres rear projection is not considered to result in any significant impacts. The resulting dormer does not result in any impacts upon residential amenity, over and above that of the approved scheme. The enlargement of the window within the north east elevation serving an en-suite will be constructed in obscure glass, secured by condition. It is considered by reason of the scale and design of the changes that there would not be any significant detrimental impacts upon residential amenity. As such, the proposal accords with Policy BE1 of the Local Plan.

Other Issues

Financial contributions were requested towards infrastructure such as libraries, waste facilities, health facilities, local policing and open space including St Andrews Churchyard and Carlton Burial Ground in the previous application. As such, these are not considerations within the determination of this application.

Since the original permission was granted January 2009, the Council adopted its Core Strategy in December 2009, replacing several policies of the Local Plan. With respect to Policy 24 of the Core Strategy, a residential dwelling to be constructed on this site will need to be constructed in accordance with the sustainability targets set out in Building a Greener Future. This standard is in line with Building Regulations and therefore the development will automatically be constructed to this continually evolving standard. As such, the proposal is in accordance with Policy 24 of the Core Strategy. It is not considered that any other changes to policy are relevant in the determination of this application.

No additional bedrooms are proposed and parking provision remains unaltered.

Conclusion

The principle of residential development in this location has already been accepted through the earlier grant of planning permission. The proposed changes to the plot would not have any significant impacts upon the character and appearance of the subject dwelling nor the residential amenities of others and no other material impacts have been identified, that would indicate that the proposal is not in compliance with local development plan policies. Accordingly, it is recommended that planning permission be granted, 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 would be in accordance with the development plan as: The principle of residential development is considered acceptable as it is contained within the settlement boundary of Carlton on previously developed land. The proposed changes to the plot would not be detrimental to visual or residential amenity.

Hinckley & Bosworth Borough Council Local Plan (2001):- Policies IMP1, BE1, REC3, RES5

Hinckley & Bosworth Borough Council Local Development Framework: Core Strategy (2009): - Policies 13, 19, 24.

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: Location Plan Drawing No 021; Site Plan Plot 8 Revised Drawing No 03C and Project DWG 3 Plot 8/KOH Drawing No. 10E received by the Local Planning Authority on 4 October 2011.

3 The windows to be inserted in at first floor in the north east elevation serving an en-suite shall be fitted with obscure glass and shall be retained this way thereafter.

4 The development shall be carried out in accordance with the scheme for the investigation of potential land contamination, as approved 29 July 2009 as part of application ref: 08/00815/FUL.

5 If during development, contamination not previously identified is found to be present at the site, no further development shall take place until an addendum to the scheme for the investigation of all potential land contamination is submitted to and approved in writing by the Local Planning Authority

which shall include details of how the unsuspected contamination shall be dealt with. Any remediation works so approved shall be carried out prior to the site first being occupied.

6 The development shall be carried out in accordance with the scheme for the monitoring of landfill gas, as approved 29 July 2009 as part of application ref: 08/00815/FUL.

7 The dwelling hereby approved shall be constructed in the materials approved 29 July 2009 as part of application ref: 08/00815/FUL.

8 The materials used on the surfacing of the access, roadways, turning and parking areas, and pedestrian ways shall be laid out in accordance with the details approved 29 July 2009 as part of application ref: 08/00815/FUL and maintained thereafter.

9 The boundary treatments, as approved 29 July 2009 as part of application ref: 08/00815/FUL, shall be fully implemented prior to the first occupation of the dwelling hereby approved.

10 The hard and soft landscaping shall be carried out in accordance with the scheme approved 29 July 2009 as part of application ref: 08/00815/FUL. The soft landscaping scheme shall be maintained for a period of five years from the date of planting. During this period any trees or shrubs which die or are damaged, removed, or seriously diseased shall be replaced by trees or shrubs of a similar size and species to those originally planted at which time shall be specified in writing by the Local Planning Authority.

11 No gates, barriers, chain or similar device to prevent vehicular or pedestrian access into the shared private drive shall be erected at any time.

12 The approved proposed ground levels and finished floor levels shall be implemented in accordance with the details approved 29 July 2009 as part of application ref: 08/00815/FUL.

13 The proposed garage doors to the dwelling hereby approved shall be constructed in accordance with the details approved 29 July 2009 as part of application ref: 08/00815/FUL.

14 The drainage details, approved on 29 July 2009 as part of application ref: 08/00815/FUL, shall be implemented in accordance with the approved details before the development is completed.

15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) (Amendment) (No.2) (England) Order 2008 (or any order revoking or re-enacting that Order) the dwelling hereby approved shall not be extended or altered without the grant of planning permission for such extensions or alterations by the Local Planning Authority.

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 is not detrimental to the privacy and amenity of the neighbouring property, to accord with Policy BE1 of the adopted Hinckley & Bosworth Local Plan.

4 To protect the environment of future occupiers of the site and the water environment in accordance with Policies BE1, NE2 and NE13 of the Hinckley and Bosworth Local Plan.

5 To protect the environment of future occupiers of the site and the water environment in accordance with Policies BE1, NE2 and NE13 of the Hinckley and Bosworth Local Plan.

6 To protect the environment of future occupiers of the site in accordance with Policies BE1, NE2 and NE13 of the Hinckley and Bosworth Local Plan

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

8 To ensure that the development has a satisfactory external appearance to accord with policy of the adopted Hinckley & Bosworth Local Plan and vehicles can access the site, turn and park within the site, in the interests of highway safety to accord with Policy T5 of the adopted Hinckley and Bosworth Local Plan.

9 To enhance the appearance of the development to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.

10 To ensure that the work is carried out within a reasonable period and thereafter maintained to accord with policy of the adopted Hinckley & Bosworth Local Plan.

11 To ensure the access remains open at all times for vehicular and pedestrian traffic, in the interest of highway safety and the requirements of Policy T5 of the Adopted Hinckley and Bosworth Local Plan, and to ensure that the site benefits from pedestrian circulation in the interest of sound urban design principles and the requirements of PPS 1 and Policy BE1 of the Adopted Hinckley and Bosworth Local Plan.

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

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

14 To ensure the site benefits from adequate drainage and not be to the detriment of the future occupiers of those surrounding occupiers, in accordance with Policy NE14 of the Adopted Hinckley and Bosworth Local Plan.

15 To ensure that extensions and alterations do not become a source of detriment to neighbouring occupiers amenity, due to the restricted plots size, in accordance with the requirements of Policy BE1 of the Adopted Hinckley and 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.

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 The decision relates to the previously approved scheme and conditions, our ref: 08/00815/FUL as attached.

Contact Officer:- Ebbony Mattley Ext 5691