

Delegated Report

Planning Ref: 23/00897/HOU

Applicant: Mr R Turner

Ward: Burbage St Catherines & Lash Hill



Hinckley & Bosworth
Borough Council

Site: Groveside Grove Road Burbage Hinckley Leicestershire LE10 2AD

Proposal: Erection of carport

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 an oak timber framed carport that joins the south side of the existing double detached garage at Groveside, Grove Road, Burbage.

2.2. The proposed carport has a rectangular floor plan that measures 3 metres in width and 6.75 metres in depth. It joins the existing detached double garage and has an EV charging point. The carport has matching eaves of 2.5 metres. The roof is pitched at the front and hipped at the rear and made of slate to match the existing roof material. The timber oak framed carport has a front lower ridge height of 3.61 metres and maximum ridge height of 4.7 metres. The highest ridge height matches with the ridge of the main garage.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the settlement boundary of Burbage, in a row of large detached dwellings on the streetscene. The main dwelling and detached garage are brick built at the base and white render to the top. The double detached garage is sited to the south of the main dwelling. The site is bordered by matured trees and hedges. The adjoining properties to the east, south, west have matured trees which are covered under Tree Preservation Order. Adjoining properties on the street scene also have large detached garages to the front of the properties.

4. Relevant planning history

17/00575/HOU

- Detached workshop/store to rear
- Planning Permission
- 03.08.2017

94/00924/FUL

- Extension to dwelling and erection of detached triple garage.
- Planning Permission
- 18.01.1995

99/01012/FUL

- Extension to Dwelling

- Planning Permission
- 05.01.2000

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. No responses received as a result of the publication.

6. Consultation

- 6.1. Burbage Parish Council has no objection to the application.
- 6.2. No comment received from the Arboricultural officer.

7. Policy

- 7.1. 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

- 7.2. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF 2023)
- Planning Practice Guidance (PPG)

- 7.3. Other relevant guidance

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

8. Appraisal

- 8.1. Extensions and alterations to existing domestic properties within settlement boundaries 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 and appearance of the area
 - Impact upon neighbouring residential amenity
 - Impact upon highway safety and parking provision

Design and impact upon the character and appearance 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 provides further advice in respect of the siting and design of house extensions.
- 8.3. The proposed carport is to the south of the existing detached dwelling and does not go over to the green grass area. The design of the oak framed carport matches the existing front porch to the main dwelling. The carport measures 3 metres in width and 6.75 metres in depth. It has matching eaves of 2.5 metres, a front lower ridge height of 3.61 metres and maximum ridge height of 4.7 metres. The highest ridge height matches with the ridge of the garage. The scale and dimension of the carport is considered appropriate. The siting is considered appropriate as it does not cause overdevelopment to the front of the dwelling. The street scene has a number of large garages to the front of the dwellings which come closer to the street. The roof

is pitched at the front and hipped at the rear and made of slate to match the existing roof material. The roof pitch is visible from the street scene, however, it is not harmful to character and appearance of the area. The joining of the carport to the garage elongates the detached garage, however, does not impact on the character and appearance of the site by virtue of the separation distance from the front boundary wall, surrounding trees, hedges and walls that screens the proposed extension.

- 8.4 By virtue of the siting, orientation of the site, layout, scale, design and matching external materials, the proposal respect and complement the scale, character, and appearance of the area. The proposal complies with Policies DM10 of the adopted SADMP.

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 carport is flush with the existing garage at the rear and projects 0.67 metres to the front. It is 1.2 metres away from rear hedge boundary and 3.15 metres away from the Scot pine tree that is closest to the proposed car port. It does not go over the grass area or impact on the landscape. The trees to the east of the site are covered under Tree Preservation Order however, the applicant provided a method of construction statement which indicates that the surrounding trees would be adequately protected during construction. The trees within the curtilage of the dwellinghouse do not form part of the surrounding Tree Preservation Order. The proposed carport falls within the root protection zone of the tree, therefore the council requires protection of the tree from damage to ensure preservation of existing character of the site and surrounding area.
- 8.7 The adjoining properties are located away from the proposed carport and therefore the proposal is considered to have no adverse impact on neighbouring properties in terms of overbearing, overlooking, overshadowing, loss of light or privacy.
- 8.8 By virtue of the above the proposed carport is considered to have no significant adverse impacts upon the residential amenity or privacy of any neighbouring properties, the surrounding trees and therefore in accordance with Policy DM10 of the adopted SADMP.

Impact upon highway safety and parking provision

- 8.9 Policy DM17 of the adopted SADMP supports development where there would be no significant adverse impact on highway safety. Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.10 The proposal make provision for additional parking space and electric charging point. It does not impact on the existing parking arrangement, grass area or cause severe traffic issues. The proposed development is in accordance with Policy DM17 of the adopted SADMP.

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 car port is ancillary to the detached garage within the settlement boundary of Burbage 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.
- 10.2. The proposed carport by virtue of the siting, layout, scale, design and the proposed use of matching and sympathetic external materials, it is considered that the proposal respects and complement the scale, character and appearance of the existing dwelling and preserve the surrounding trees. The proposal has no significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. The proposal is in accordance with DM10, and DM18 of the adopted SADMP, the general principles of the adopted Good Design Guide.

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 and Block Plan Drawing Ref: Planning 02, Proposed Floor Plan and Elevation Drawing Ref: Planning 01, received by the local planning authority on 11 September 2023.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1, DM10 and DM12 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 car port shall be in accordance with the materials details provided within the submitted Planning Application Form and on the approved plans.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM10 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. The development shall be carried out in full accordance with the submitted Method Statement and no tree shall be damaged as a result of construction works.

Reason: To ensure that the surrounding trees are retained and protected in accordance with Policies DM6 and 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 buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.