DELEGATED REPORT

Recommendation Made: 18 July 2008

Reference:- 08/00469/FUL **Parish:- Hinckley**

Applicant:- Mr And Mrs J Robinson
23 Saville Close
Hinckley
Leicester
Leicestershire

Location:- 23 Saville Close Hinckley Leicestershire LE10 1SZ

Proposal:- EXTENSIONS AND ALTERATIONS TO DWELLING AND ERECTION OF BOUNDARY FENCE / WALL.

Introduction:-

This application is for the erection of a two storey side and single storey rear extension to a semi detached property located in a residential area of Hinckley. The front of the plot is narrower than the rear which splays outwards to a wide rear garden.

The extension is set back from the front elevation of the dwelling by 4.6 metres. It extends at two storey height for 3.6 metres beyond the rear elevation, at this point it is 3.5 metres from the adjacent boundary. The single storey element extends for 4 metres beyond the two storey element.

A letter and an email have been received from the agent to clarify the applicants intensions with regard to the retaining wall and fencing.

Consultations:-

Director of Highways Transportation and Waste Management - consider parking
Director of Community Services (Ecology) - presence of bats in the area
Head of Community Services (Land Drainage) - no observations
Head of Community Services (Pollution) - no observations

One letter received on the grounds of;

i) oppressive due to changes in levels
ii) concern that demolition of the garage which is located on the boundary will allow land slippage.

Development Plan Policies:-

Policy BE1 of the adopted Local Plan seeks to ensure a high standard of design in order to secure attractive development and to safeguard and enhance the existing environment. Planning permission will be granted where the development: complements or enhances the character of the surrounding area with regard to scale, layout, design, materials and architectural features; avoids the loss of open spaces and features that contribute to the quality of the local environment; ensures adequate provision for off street parking for residents and visitors; does not adversely affect the occupiers of neighbouring properties.

Further guidance is provided within the Borough Council's Supplementary Planning Guidance on House Extensions. The guidance states that any extension must be subordinate in size to the existing house to ensure that it will be in visual harmony. Single storey rear extensions should not normally exceed 3 metres along a common boundary.

Appraisal:-

The design of the extension is considered to be acceptable in terms of meeting the Council's guidance on household extensions, and within the locality. The main issue is the effect the extension will have

on the neighbouring property which is 0.5 metres lower than the application site. The rear garden of 19 Saville Close is 15 metres long to the nearest corner of the boundary, the extension will therefore be located at least 16 metres from the rear elevation of the property but this distance will be extended as the boundary is not parallel. There are no first floor windows on this elevation facing No 19, but there is a side door.

I have visited the neighbours and explained the points raised in their letter. That the proposal is acceptable in terms of policy and that the demolition of the garage cannot be controlled although provision of a new boundary treatment can be controlled by condition. I consider that it is necessary to condition the replacement of the boundary treatment in order to ensure that there are no privacy issues once the development is completed. I also consider it necessary to restrict any new windows being formed in this elevation.

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 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 This permission relates to the application as amended by the letter from the applicant dated4 July 2008 and email dated 17 July 2008.

4 The retaining wall and boundary fencing as defined in the letter from the Agent dated 4 July 2008 and email dated 17 July 2008, shall be constructed prior to ~~first occupation~~ of the extension hereby approved and shall be so maintained.

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 To define the permission.

4 To ensure that the development is not detrimental to the privacy and amenity of the neighbouring property.

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 6th 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/ N20

Contact Officer:- Louise Forman Ext 5682

5/ Approved plans