Item: **06**

Reference: **09/00597/FUL**

Applicant: **Mr M Hillard**

Location: **131 Station Road Ratby Leicester Leicestershire LE6 0JR**

Proposal: **ERECTION OF TWO DWELLINGS WITH ASSOCIATED PARKING.**

Introduction:-

This application seeks full planning permission for two semi-detached bungalows on land to the rear of 131 Station Road, Ratby. The site lies to the north west of the access road into Centurion Court (a Council-owned sheltered housing complex), to the south of Cufflin Close, and to the north east of 131 Station Road. The site originally formed the rear garden to 131 Station Road, which has now been converted into flats.

It is proposed to erect a single storey building measuring 10.5m by 13m, with a height of 2.4 metres to the eaves and 5 metres to the ridge containing 2 two-bedroom bungalows. The development comprises a single rectangular building with a pitched roof running south-west to north-east. Each unit would have a small private garden with two parking spaces per dwelling to the south west of the building.

A design and access statement has been submitted in support of the application which sets the site within the context of the area, its planning history and discusses the merits of the scheme in terms of layout, scale, use, landscape and appearance.

History:-

01/01221/FUL 04.02.02	Erection of 2 semi-detached houses	Refused
02/00516/FUL 19.08.02	Erection of one pair of semi-detached dwellings	Refused
03/00596/FUL 16.07.03	Erection of one pair of semi-detached dwellings (re-submitted scheme)	Refused
04/00553/FUL 04.10.04	Erection of detached dwelling	Withdrawn
07/00761/FUL 25.09.07	Erection of detached dwelling	Approved



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Consultations:-

No objection has been received from Head of Community Services (Pollution).

No objection subject to conditions has been received from the Director of Highways, Transportation and Waste Management (Highways).

Ratby Parish Council have raised concern about the conflict between the extra traffic created by the development and the elderly residents of Centurion Court.

Site notice and Press notice were displayed and neighbours notified.

1 letter of objection and one letter containing 6 signatures from the residents of Centurion Court have been received raising the following concerns:-

a) the scheme results in over development of a small site
b) the submitted drawings do not show sufficient information
c) development will overlook properties on Cufflin Close
d) there is an existing drainage problem in the areas which the development will exacerbate
e) that the access to Centurion Court including the footpath be kept clear and open at all times.

Policy:-

Central Government Guidance

Planning Policy Statement 1 Delivering Sustainable Development (PPS1) sets out the Government's general objectives for the planning system and how it can contribute to the overall sustainable agenda. The statement discusses design and the role it can play in delivering other Government objectives, including good design and safe homes for everybody.

Planning Policy Statement 3 Housing (PPS3) sets out the Government's national planning framework to deliver its housing objectives. This discusses how and why there should be a supply of housing, where the Government wishes to see new residential developments and how housing can contribute to the sustainable agenda.

Local Plan Policy

The site is within the Ratby settlement boundary as defined by the adopted Hinckley and Bosworth Local Plan.

Policy RES5 allows residential developments on unallocated land, providing it is within the settlement boundary and complies with other policies within the Local Plan, especially with regard to the design, siting and appearance.

Policy BE1 considers the design and siting of development to ensure that the proposed development safeguards or enhances the existing environment and complements the existing character, avoids the loss of open spaces and would not adversely affect the occupiers of neighbouring properties.

Policy T5 requires that new development shall be designed in accordance with the current edition of the Leicestershire County Highways 'Highways, Transportation and Development' Document to ensure developments would not compromise highway safety.

Policy IMP1 requires the appropriate financial contributions towards the provision of infrastructure and facilities.

Policy REC3 requires provision of play and open space to be provided in all residential developments either through the provision of on site facilities or an appropriate alternative.

Supplementary Planning Guidance / Documents

The New Residential Development SPG gives further advice and guidance for new residential developments in terms of the siting and design of proposals.

The Play and Open Space Guide SPD demonstrates how relevant policies and standards will be applied to the provision of new and improved play and open space opportunities.

Appraisal:-

The main considerations with regards to this application are the principle of development, appearance of the property within the streetscene, highway safety and the amenities of neighbouring properties.

Principle of Development

The site is located within the Ratby settlement boundary, the principle of residential development is therefore considered acceptable.

Schemes for the erection of 2 semi-detached houses have previously been refused on the grounds of overdevelopment, in that there was insufficient amenity space remaining for 131 Station Road, adverse impact on residential amenity, in terms of privacy on surrounding properties, and on highways grounds. All reasons for refusal were addressed in the submission of the scheme for the erection of a detached two storey dwelling granted planning permission in 2007 and the principles of the approved scheme used in the submission of this application.

Layout, Design and Appearance

The Council's Supplementary Guidance for New Residential Development seeks to achieve rear gardens of 12.5 metres in depth unless material considerations indicate otherwise. The rear garden area to the proposed development is splayed which results in a minimum depth of 6 metres to a maximum depth of 10 metres. Given the type of accommodation being provided and the number of bedrooms within each unit which consists a one bedroom unit and a two bedroom unit, together with the orientation of the properties it is considered that the garden areas proposed are considered acceptable in this instance.

The application proposes a simple rectangular form of building with brickwork detail to the eaves line and window surrounds. The footprint sits well within the site and being single storey reduces the mass of the building.

Whilst the application would be visible from Station Road, being single storey would result in the structure not being dominant within the streetscene.

Residential amenities

Concerns have been raised regarding the distance of the proposed dwellings from the existing properties on Cufflin Close. The shortest distance between the properties on Cufflin Close and the proposed bungalow is 14m, increasing to approximately 24m with the dwellings not being sited parallel to each other. With the tops of the windows located 2m above the ground level the fence would prevent all but the very tops of the windows being visible from properties on Cufflin Close. Whilst a 1.8m high boundary fence is proposed the applicant has stated that he is happy to erect a 2m high fence which will mitigate any further overlooking issues. It is therefore considered that the proposal would not detrimentally affect the amenities of neighbouring residents.

There is an existing permission for a two storey dwelling on the site. Whilst the current proposal is for an additional unit and has a larger footprint, it is considered that the single storey nature of the proposed development, and the reduced impact that this has, offsets the impact that the increased footprint and the impact two units would have.

Highway Safety

Concerns have been raised regarding the possible conflict between the pedestrians using the footpath to the south east boundary of the site with the vehicular traffic accessing the new development. The proposal would utilise an existing access. The existing permission was for a three bedroom house also utilising this access. It is considered that the additional dwelling would not significantly increase traffic movements to detrimentally affect pedestrian safety. This is supported by County Highways who have not objected to the scheme. It is considered that there is enough off street parking provided for the development, relevant visibility splays can be provided and there is not a significant slope that would render the access unsafe. Accordingly the application is considered acceptable on highway grounds.

Play and Open Space

The site is located within 400m of Ferndale Park, Ratby and therefore a contribution toward the maintenance of this area of play and open space is required in accordance with Policy IMP1, REC3 and supplementary planning document 'Play and Open Space Guide'.
Other Issues

Areas for storage of refuse containers are labelled on the plans. Comments from the Head of Business Development and Street Scene Services indicated that residents will be expected to present their bins for collection on Station Road. Station Road is located 30m away from the furthest gate and not a significant distance to transport refuse containers for collection. Areas for bin storage are proposed on the drawings.

Objections have been received raising concerns about the development exacerbating existing drainage problems in the area. No objections have been raised by Severn Trent Water and the drainage of the site will be controlled under the Building Regulations.

Conclusion

Given the existing planning permission on this site, the single storey nature of the proposed development, distances between windows and the proposed boundary treatments it is considered that the development of two bungalows is acceptable and in accordance with Policy BE1 and RES5 of the adopted Hinckley and Bosworth Local Plan.

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 massing, height and relationship with surrounding developments would not detrimentally affect the streetscene nor the amenities of neighbouring properties, and therefore would be in accordance with the development plan.

Hinckley & Bosworth Borough Council Local Plan (2001) :- IMP1, BE1, RES5, REC3, and T5.

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

2 Before any development commences, representative samples of the types and colours of materials to be used on the external elevations of the proposed dwellings shall be deposited with and approved in writing by the Local Planning Authority, and the scheme shall be implemented in accordance with those approved materials.

3 Notwithstanding the submitted drawings the boundary fencing to the northeast and northwest boundaries as shown on plan number 29027-PL01 shall be 2 metres in height.

4 The development hereby permitted shall not commence before the provision and maintenance of off-site open space or facilities whether by off-site physical provision or financial contributions as required in accordance with policy REC3 of the adopted Hinckley and Bosworth Local Plan and the approved Play and Open Space Guide has been secured in such a manner as is approved in writing by the Local Planning Authority.

5 The approved hard and soft landscaping scheme shall be carried out in accordance with the approved details. 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.

6 Prior to the first occupation of the dwellings hereby permitted the parking and turning areas shall be laid out in accordance with the plan number 29027-PL01 and made available for the occupiers of the dwellings and maintained as such.

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 protect the amenities of neighbouring residents in accordance with Policy BE1 of the adopted Hinckley and Bosworth Local Plan.

4 To ensure the provision of adequate play and open space within the vicinity of the site in accordance with Policy REC3 of the adopted Hinckley and Bosworth Local Plan.

5 To ensure that the work is carried out within a reasonable period and thereafter maintained, in the interests of visual amenity of the site in accordance with Policy BE1 of the adopted Hinckley and Bosworth Local Plan.

6 To ensure that there is adequate off street parking in accordance with Policy T5 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 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. 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 Condition 4 of the application refers to play and open space contribution. In this instance a contribution of £1250.80 per dwelling, £2501.60 in total, is required towards the provision and maintenance of off-site play and open space.

6 List of plans used in the determination of this application:-
Location plan, 29027-PL01.

Contact Officer:- Sarah Humphries Ext 5680