DELEGATED REPORT

Recommendation Made: 22 May 2008

Reference:- 08/00337/FUL **Parish:-** Burbage Parish Council

Applicant:- Newigate Builders
Highfields
18 Main Street
Frolesworth
Leics

Location:- Land Adj 34 Forresters Road Burbage Leicestershire

Proposal:- ERECTION OF ONE NEW DWELLING

Introduction:-

The proposal relates to a piece of land located on the north side of Forresters Road, to the east of 34 Forresters Road, Burabge. The site currently contains outbuildings including a garage which has an existing access.

Planning permission is sought for the erection of a detached dwelling with an attached garage. Outline permission was granted in 2006 for the siting and access of a dwelling. The current application has the same footprint and access arrangement as that approved under that the 2006 application.

The proposal is a two storey dwelling located on the northeastern corner of the site with a forward facing projecting gable. To the ridge the property is 7.8m high, with the ridge height of the single storey garage only measuring 4.4m from ground level. Foresters Road contains a mixture of styles and house types, from detached two storey dwellings, semi-detached properties to bungalows or varying styles including traditional to properties constructed in the 1970s.

Relevant planning history

06/00829/OUT	Erection of one dwelling	Approved	20.09.06

Consultations:-

No objections received from
Head of community services (land drainage)

Director of Highways, Transportation and Waste Management (highways)
Has directed the case officer to standing advice notes.

To date no other representations have been received.

Development Plan Policies:-

Hinckley and Bosworth Local Plan

BE1- Design and siting of development.
RES5- New residential development
T5- Highway design and vehicle parking standards.
REC3- Provision of play and open space.

Supplementary Planning Guidance (SPG)- New residential developments

Appraisal:-

The main issues for consideration are the impact on the amenities of neighbouring properties, the appearance of the dwelling within the street scene and the impact of the development on highway safety. The principle of the development was considered under planning permission 06/00829/OUT.

The proposed dwelling would be located in the north eastern corner of the site with principle windows facing over the ends of the gardens to Sunnydene or Forresters Road. There are side facing windows proposed at first floor level, however these are shown to be obscurely glazed and therefore the proposal is not considered to result in overlooking of surrounding properties. The property is located at sufficient distance from surrounding properties not to detrimentally affect the sunlight or daylight presently enjoyed by these properties. Therefore it is not considered that the proposal would detrimentally affect the amenities of surrounding properties.

Foresters Road contains a variety of designs reflecting the different periods of buildings and styles. The proposed design is considered to be modern and reflective of the time and would add variety to the street scene. No information has been submitted regarding the levels of the proposed building in relation to the surrounding development and therefore it is recommended that this be obtained via a condition to ensure that the height is not detrimental to the streetscene. The proposed design of the proposal is considered acceptable.

The impact of the proposed dwelling on the public highway were considered under the 2006 application. The submitted block plan has sufficient parking spaces allocated to allow for 3 cars to park off road. This is considered sufficient for the size of dwelling. The proposal is not considered to have a detrimental effect on the highway safety.

The proposed dwelling is therefore considered acceptable in terms of effect on neighbouring properties, the street scene and highway safety.

RECOMMENDATION :- Permit subject to the following conditions :-

SUMMARY OF DECISION - The proposal is in conformity with Policy/Policies BE1, RES5, T5 and REC3 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 This permission relates to the application as revised by amended plan D/1315/2/PD received by the Local Planning Authority on 08.05.08.

3 No development shall commence on site until such time as the existing and proposed ground levels of the site, and proposed finished floor levels have been submitted to and agreed in writing by the Local Planning Authority. The approved proposed ground levels and finished floor levels shall then be implemented in accordance with the approved details.

4 Before any development commences, representative samples of the types and colours of materials to be used on the external elevations of the proposed dwelling 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.

5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order l995 (or any order revoking or re-enacting that Order with or without modification) development within Schedule 2, Part 1 Classes A-E shall not be carried out unless planning permission for such development has first been granted by the Local Planning Authority.

6 The windows to be insterted in the east and west elevations at first floor level shall be obscure glazed and retained as such at all times thereafter.

7 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.

8 Before first use of the development hereby permitted, drainage shall be provided within the site such that surface water does not drain into the public highway and thereafter shall be so maintained.

9 Before first occupation of the dwelling hereby approved, 3 car parking spaces shall be made within the curtilage of the dwelling. The parking spaces so provided shall not be obstructed and shall thereafter permanently remain available for car parking, unless otherwise agreed in writing by the Local Planning Authority.

10 Before first occupation of the dwelling hereby permitted, its access drive and any turning space shall be surfaced with tarmacadam, concrete or similar hard bound material (not loose aggregate) and shall be so maintained at all times.

11 Before first use of the dwelling hereby permitted, 2.0 metre by 2.0 metre pedestrian visibility splays shall be provided on the highway boundary on both sides of the access with nothing within those splays higher than 0.6 metres above ground level and shall be so maintained in perpetuity, where in the control of the applicant.

12 Before the commencement of development details of the proposed boundary treatments shall be submitted to and approved in writing by the local planning authority. The details shall be implemented as approved.

Reasons :-

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

2 For the avoidance of doubt.

3 To safeguard amenities of neighbouring properties to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.

4 To ensure that the development has a satisfactory external appearance to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.

5 To ensure that the development is not detrimental to the privacy and amenity of the neighbouring property in accordance with policy BE1 of the Hinckley and Bosworth Local Plan.

6 To ensure that the development is not detrimental to the privacy and amenity of the neighbouring property in accordance with Policy BE1 of the Hinckley and Bosworth Local Plan.

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

8 To reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users in accordance with Policy T5 of the Hinckley Local Plan.

9 To ensure that adequate off-street parking facilities are available to accord with policy T5 of the adopted Hinckley & Bosworth Local Plan.

10 To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.)

11 To ensure that an adequate line of vision is available in the interests of road safety to accord with policy T5 of the Hinckley and Bosworth Local Plan.

12 To ensure that the development has a satisfactory external appearance to accord with policy BE1 of the adopted Hinckley & 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 The suitability of the ground strata for soakaway drainage should be ascertained by means of the test described in BRE Digest 365, and the results approved by the Building Control Surveyor before development is commenced. The soakaway must be constructed either as a brick or concrete-lined perforated chamber with access for maintenance or, alternatively, assembled from units of one of the newer, modular system, comprising cellular tanks and incorporating silt traps. Design and construction of all types of soakaway will be subject to the approval of the Building Control Surveyor.

Contact Officer:- Sarah Humphries Ext 5680

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Foresters Road contains a variety of designs reflecting the different periods of buildings and styles. The proposed design is considered to be modern and reflective of the time and would add variety to the street scene. No information has been submitted regarding the levels of the proposed building in relation to the surrounding development and therefore it is recommended that this be obtained via a condition to ensure that the height is not detrimental to the streetscene. The proposed design of the proposal is considered acceptable.

The impact of the proposed dwelling on the public highway were considered under the 2006 application. The submitted block plan has sufficient parking spaces allocated to allow for 3 cars to park off road. This is considered sufficient for the size of dwelling. The proposal is not considered to have a detrimental effect on the highway safety.

The proposed dwelling is therefore considered acceptable in terms of effect on neighbouring properties, the street scene and highway safety.

RECOMMENDATION :- Permit subject to the following conditions :-

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2 This permission relates to the application as revised by amended plan D/1315/2/PD received by the Local Planning Authority on 08.05.08.

3 No development shall commence on site until such time as the existing and proposed ground levels of the site, and proposed finished floor levels have been submitted to and agreed in writing by the Local Planning Authority. The approved proposed ground levels and finished floor levels shall then be implemented in accordance with the approved details.

4 Before any development commences, representative samples of the types and colours of materials to be used on the external elevations of the proposed dwelling 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.

5 To ensure that the development has a satisfactory external appearance to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.

6 The windows to be inserted in the east and west elevations at first floor level shall be obscure glazed and retained as such at all times thereafter.

7 To ensure that the development is not detrimental to the privacy and amenity of the neighbouring property in accordance with policy BE1 of the Hinckley and Bosworth Local Plan.

8 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) no window other than those approved under this permission shall be inserted into the east and west elevation of the proposed extension unless otherwise agreed in writing with the Local Planning Authority.

9 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.

10 Before first use of the development hereby permitted, drainage shall be provided within the site such that surface water does not drain into the public highway and thereafter shall be so maintained.

11 Before first occupation of ~~any~~ it dwelling hereby approved, 3 spaces car parking ~~provision~~ shall be provided made within the curtilage of the dwelling ~~on the basis of 2 spaces for a dwelling with up to three bedrooms and 3 spaces for a dwelling with four or more bedrooms~~. The parking spaces so provided shall not be obstructed and shall thereafter permanently remain available for car parking, unless otherwise agreed in writing by the Local Planning Authority.

12 Before first occupation of the dwelling hereby permitted, its access drive and any turning space shall be surfaced with tarmacadam, concrete or similar hard bound material (not loose aggregate) and shall be so maintained at all times.

13 Before first use of the dwelling hereby permitted, 2.0 metre by 2.0 metre pedestrian visibility splays shall be provided on the highway boundary on both sides of the access with nothing within those splays higher than 0.6 metres above ground level and shall be so maintained in perpetuity, where in the control of the applicant.

Reasons :-

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7 To ensure that adequate off-street parking facilities are available to accord with policy T5 of the adopted Hinckley & Bosworth Local Plan.

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Contact Officer:- Sarah Humphries Ext 5680