

Delegated Report

Planning Ref: 23/00283/HOU

Applicant: Mr Craig Grosvenor

Ward: Twycross Sheepy & Witherley



Hinckley & Bosworth
Borough Council

Site: Lavender Cottage 2A Wood Lane Norton Juxta Twycross

Proposal: Detached timber framed single bay garage and store

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 full planning permission for the construction of a single storey detached garage/store for a dwelling, Lavender Cottage, 2a Wood Lane, Norton Juxta Twycross.
- 2.2. The proposed garage/store would be located within the site frontage and adjacent to the front boundary with double doors facing across the site frontage. It would have a length of approximately 5.5 metres and a width of approximately 5.5 metres including the open canopy store to the inner side. It would have a dual pitched gable fronted roof form with a ridge height of 3.8 metres and an eaves height of 2.4 metres. It is proposed to be constructed with an Oak timber frame, softwood timber plank walls and doors and a tiled roof.
- 2.3. Amended plans have been submitted to address design/appearance issues raised by the planning case officer. By virtue of the lack of objection to the original scheme, no re-consultations were considered to be necessary or have been undertaken.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of Norton Juxta Twycross and set back from the south side of Wood Lane within a row of three residential properties. The application dwelling is a two storey detached cottage style house with gable sided/Dutch hipped roof form, eyebrow features to the first floor front elevation windows and a low level brick wall and open timber framed canopy porch with dual pitched gable fronted tiled roof. The dwelling is constructed of red multi and blue facing bricks, brown plain clay roof tiles and green uPVC windows. The site frontage is entirely hard surfaced in loose stone chippings providing off-street parking for up to four vehicles. It is enclosed by a low level brick wall to the highway boundary and east side boundary and a 1.5 – 2 metres high brick retaining wall to the west side boundary.
- 3.2. There is a detached two storey cottage on a large corner plot and higher ground level to the west and a more modern detached bungalow to the east.

4. Relevant planning history

None.

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.

- 5.2. One response has been received as a result of public consultation from the former ward councillor to the original proposal raising the issue of impact on the street scene. No response has been received in respect of the amended proposal.

6. Consultation

- 6.1. No response has been received from Twycross Parish Council.

7. Policy

- 7.1. Core Strategy (2009)

- No relevant policies

- 7.2. 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

- 7.3. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2021)
- Planning Practice Guidance (PPG)

- 7.4. Other relevant guidance

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

8. Appraisal

- 8.1. Extensions, including detached ancillary buildings, to existing dwellings 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 of the area
- Impact upon neighbouring residential amenity
- Impact upon parking provision

Design and impact upon the character 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 and suggests that: *'Garages and car ports should generally be set back from the existing dwelling so as not to dominate the street scene.'*

- 8.3. The proposed garage/store would have a length of approximately 5.5 metres and a width of approximately 5.5 metres including the open canopy store to the inner side. It would have a dual pitched asymmetric gable fronted roof form with a ridge height of 3.8 metres and an eaves height of 2.4 metres. The proposal would therefore be clearly subordinate in terms of its height and footprint to the two storey dwelling that it would serve. By virtue of the amended more sympathetic design and the proposed use of Oak timber frame, softwood timber plank walls and doors and a matching tiled roof in its construction, the amended proposal is considered to respect the scale, cottage character and period appearance of the existing dwelling.

- 8.4 It would however be located forward of the existing dwelling and the stepped existing building line adjacent to the front highway boundary and would therefore be contrary to the adopted design guidance in respect of its siting. Nevertheless, detached garages forward of a building line are not an uncommon feature in the vicinity of the site with both corner plots on the road junction to the west having such garaging, albeit with a different relationship to the dwellings that they serve and less prominent than that proposed by this application. Notwithstanding that the proposal would be forward of the dwelling and clearly visible within the street scene, it is considered that by virtue of the context of the site on this rural lane with no particular or clearly defined character, together with its scale and sympathetic design and timber appearance, it is considered that the amended proposal whilst being in a prominent position, would not be an unattractive feature or result in any significant adverse visual impacts on the wider street scene. The proposal is therefore considered to be acceptable in terms of its siting and design in this particular case and in general accordance with Policy DM10 of the adopted SADMP.

Impact upon neighbouring residential amenity

- 8.5 Policy DM10 of the adopted SADMP and the adopted 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 By virtue of its siting, single storey scale, separation distance of approximately 11 metres and position on a lower ground level and to the side of the neighbouring dwelling to the west (15 Main Street), the proposed garage/store would not result in any significant adverse impacts on the residential amenity or privacy of the neighbouring occupiers.
- 8.7 By virtue of its siting, single storey scale and separation distance of approximately 11 metres off set from the neighbouring dwelling to the east (2 Wood Lane), the proposed garage/store would not result in any significant adverse impacts on the residential amenity or privacy of the neighbouring occupiers.
- 8.8 The proposal would therefore be in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Design Guide. No objections have been received from any neighbouring properties.

Impact upon parking provision

- 8.9 Policy DM18 requires adequate off-street parking space to be provided/maintained to serve the development.
- 8.10 The site frontage is entirely hard surfaced in loose stone chippings and currently provides up to four off-street parking spaces. The proposed garage would have an internal length of less than 6 metres required by the adopted highway design guide to be counted as a parking space. Notwithstanding this, the proposal would be of sufficient length for many vehicles, including that for which it is intended. By virtue of its width the proposed garage/store would result in the loss of a parking space from the frontage. Notwithstanding this, three spaces would be retained, albeit one of reduced length dimension and it is considered that this level of provision would not be unacceptable to serve the existing dwelling in this lightly trafficked rural village lane. The proposal is therefore considered to be acceptable and in accordance with Policy DM18 of the adopted SADMP and the general principles of the local highway design guidance.

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 is for a detached ancillary building to serve an existing dwelling located within the settlement boundary of Norton Juxta Twycross 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. Notwithstanding its siting forward of the existing dwelling, by virtue of the site context, its single storey scale, amended more sympathetic design and the proposed use of sympathetic natural external materials in its construction to ensure an appropriate appearance, it is considered that the amended proposal would respect and complement the scale, cottage character and appearance of the existing dwelling and would not be an overly dominant feature within, or result in any significant adverse visual impacts on the wider street scene or result in any adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring dwellings. Ample private amenity space of approximately 75 square metres would be retained along with adequate off-street parking for three vehicles. The proposal is considered to be in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP and therefore recommended for approval subject to conditions.

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 Plan and Proposed Block Plan Drawing No. P100 received by the local planning authority on 29 March 2023 and Proposed Floor Plan and Elevations Drawing Nos P200 and P201 received by the local planning authority on 23 May 2023.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 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 garage/store shall be in accordance with the materials details provided within the submitted Planning Application Form and on the approved Proposed Floor Plan and Elevations Drawing Nos P200 and P201 received by the local planning authority on 23 May 2023 and the roofing materials shall match those of the existing dwelling.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policy 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.