**DELEGATED REPORT**

**Recommendation Made:**

**Reference:- 11/00253/FUL** **Parish:- Groby Parish Council**

**Applicant:- Mr Christopher Harris**
**41 Woodlands Drive**
**Groby**
**Leicester**
**Leicestershire**

**Location:- 41 Woodlands Drive Groby Leicester Leicestershire LE6 0BR**

**Proposal:- ERECTION OF OUTBUILDING (RETROSPECTIVE)**

**Introduction:-**

This is a householder application for retrospective planning permission for the erection of an outbuilding in the rear garden of 41 Woodlands Drive, Groby. The construction of this building was completed in March 2011 and this application was made following a planning enforcement enquiry.

The timber building is currently used as a summer house and has been sited in the south corner of the rear residential curtilage.

Planning History

10/00696/FUL EXTENSIONS AND ALTERATIONS TO DWELLING - Withdrawn
10/00912/FUL EXTENSIONS AND ALTERATIONS TO DWELLING. - Planning Permission
11/00189/CONDIT VARIATION OF CONDITION NO. 3 OF PLANNING PERMISSION 10/00912/FUL TO CARRY OUT THE DEVELOPMENT IN ACCORDANCE WITH ALTERNATIVE PLANS - Approved

03/00069/UNBLD Enforcement Enquiry
10/00223/UNBLD Enforcement Enquiry
11/00009/UNBLD Enforcement Enquiry

**Consultations:-**

No objection have been received from:-

Groby Parish Council
Ratby Parish Council

A neighbour objection has been received which raises concerns of the building being lit up brightly at night being very intrusive.

**Development Plan Policies:-**

Hinckley and Bosworth Local Plan

Settlement Boundary
BE1 Siting and Design of Development
NE21 The Principles of Development in The National Forest

**Appraisal:-**

The main considerations with regards to this application are siting and design of development and impact on residential amenity.

The building has been constructed for purposes incidental to the enjoyment of the dwelling and house and has been sited within the residential curtilage which falls within the settlement boundary of Groby. The development is therefore acceptable in principle.

Siting, scale and Design of Development

The building has been constructed on a concrete base using timber for the walls, doors, and windows and has been sited in the south corner of the plot, 1 metre from the boundary of No. 39 Woodlands Drive and 1 metre form the boundary with Martinshaw Wood. In appearance, the timber walls have been painted green, the windows have been finished in white and the roof in brown which is considered acceptable for an outbuilding in this location.

The building has a hipped roof which has an eaves height of 2.4 metres above ground level and a ridge height of 3.5 metres above ground level. As the roof is hipped, the impact of the ridge height is reduced as the roof only reaches a height of 3.5 metres at point 2.7 metres from the boundary of No. 39 Woodlands Drive. Furthermore, there is a degree of semi mature vegetation which partially screens the development from the occupiers of No. 39 Woodlands Drive. It is therefore considered that the height of the building is not detrimental to the visual amenity of neighbouring properties.

Other matters

Objections have been raised in respect of the lighting and antenna equipment which has been sited on the outbuilding. As clarified above, the building has been sited in the south corner of the rear garden and a distance of approximately 14 and 20 metres exist between the outbuilding and the adjacent residential properties. At this distance, the visual impact of these items is minimal and considered acceptable. Not withstanding this, paraphernalia such as antenna and flood lighting within the residential curtilage are considered "deminimis" in terms of the requirement for planning permission.

In summary, the development is considered acceptable in principle and in terms of its siting, scale and design and the development has no adverse impacts on the amenity of the surrounding residential properties.

**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 the development does not adversely affect the character of the area or the amenity of the surrounding properties and is in accordance with the development plan.

Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1

**Reasons :-**

**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 6 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).

**Contact Officer:- Nick Cox Ext 5659**