COMMITTEE EXTRACT

Committee Date:

Reference:- **09/00449/FUL** **Parish:-**

Applicant:- **Mr & Mrs Neil Franklin**
19 Netherley Court
Hinckley
Leics.
LE10 0RN

Location:- **19 Netherley Court Hinckley Leicestershire LE10 0RN**

Proposal:- **EXTENSIONS AND ALTERATIONS TO DWELLING.**

Introduction:-

This is a full application for a single storey side extension to a semi detached property to provide a garage and utility room, within the settlement boundary of Hinckley.

This is a modern three storey dwelling in an estate of dwellings of similar age/design. The property currently has a side driveway which leads to a detached garage located in the rear garden and a small front garden. The attached property located to the south east is two storey. To the north and north east is an access drive serving other dwellings on the development.

An amended plan has been received which removes the proposed parking space from in front of the dwelling. Furthermore, the agent has confirmed that this is a 3 bedroomed dwelling, therefore the requirement is for two parking spaces only.

Planning History

None

Consultations:-

Head of Community Services (Land Drainage) has no objections
Director of Community Services (Ecology) suggests watching brief during development

Two neighbours have raised concerns regarding:-

a) potential for damage to the shared drive at the side of the site;
b) noise, access, privacy and dust during construction;
c) assurance that there will be no obstruction or deposition of materials on shared drive.

Development Plan Policies:-

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

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.

Policy T5 of the adopted Local plan states that planning permission for development proposals will be granted provided they comply with the parking standards unless a different level of provision can be justified.

The Council's Supplementary Planning Guidance for household extensions.

Appraisal:-

The main issues in respect of this application are car parking provision, design and appearance of the proposed extensions and alterations and their impact upon the character and appearance of the existing dwelling, the street scene and the amenities of the occupiers of neighbouring properties.

Design and Appearance

The garage is proposed to be set back 1.465m from the front wall of the dwelling, it projects 3.4m from the side wall and has a pitched roof with roof light in the rear elevation. Amended plans were requested to reduce the height of the proposal however submission has been declined. Whilst alterations were requested to improve the design of the scheme it is considered that due to the set back nature and scale of the proposal the development as submitted would not result in significant harm to the character of the existing dwelling nor the street scene to warrant a refusal of planning permission on those grounds.

Impact on Neighbours

The location of the extension is to the north western side of the site and beyond that boundary is a shared drive to Nos 15-18. Overall the proposed extensions and alterations would not have an adverse effect on the amenities of the occupiers of neighbouring dwellings. In response to the objection raised regarding noise no concerns have been raised in terms of noise pollution from Environmental Services. With regard to the other comments raised they are not material considerations in the determination of this application.

Parking Issues

The current parking arrangements are a single garage in the rear garden area and parking on the side drive. The original plans for the proposal included a parking space across the frontage to the property but this was considered to be unsatisfactory because it would create a car dominated frontage. The parking space within the garage is short of the County Council's standard in that it is not 6 metres in length, however, this is a residential location within Hinckley, the original garage was built to the lesser standard, and it is considered that as long as the garage is conditioned to be available as a parking space together with the parking space in front of the garage, in this case, the scheme is acceptable and does not warrant refusal on those grounds.

Other Issues

Neighbours have raised concerns regarding noise and disturbance and ensure that the shared access is not impeded, these are not matters that can be controlled by this application.

Conclusion

The proposed extensions and alterations would be acceptable in terms of design and appearance and would not adversely affect the character or appearance of the existing dwelling or street scene to warrant a refusal of planning permission on those grounds. The development would not result in impact on amenities of the occupiers of neighbouring properties and would retain adequate off-street parking and amenity space within the curtilage. The development is therefore considered acceptable.

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 would be in accordance with the development plan as it would be acceptable in terms of design and appearance and would not adversely affect the character or appearance of the existing dwelling or street scene, or the amenities of the occupiers of neighbouring properties and would retain adequate off-street parking and amenity space within the curtilage.
Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1 and T5

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 revised by amended plan DJW/1 received by the Local Planning Authority on 30 July 2009.

4 The use of the garage and parking space shown on drawing DJW/01 received by the Local Planning Authority on 30th July 2009, shall be available for use on completion of the development hereby approved and shall remain, at all times, for the purpose of parking motor vehicles and the garage shall not be converted to additional living accommodation, unless otherwise agreed in writing with the Local Planning Authority.

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 For the avoidance of doubt.

4 To ensure that adequate off-street parking facilities are available to accord with policy T5 of the adopted Hinckley & Bosworth Local Plan and the guidance contained within Leicestershire County Council's current highway design guidance, 'Highways, Transportation and Development'..

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 List of plans used in the determination of this application:-
site location plan, DJW01 received on 30 July 2009

Contact Officer:- Louise Forman Ext 5682