DELEGATED REPORT

Recommendation Made: 26 April 2011

Reference:- 11/00234/FUL **Parish:- Hinckley**

Applicant:- Mr Grahame Dean
136 Ashby Road
Hinckley
Leicestershire
LE10 1SN

Location:- 136 Ashby Road Hinckley Leicestershire LE10 1SN

Proposal:- ERECTION OF DOUBLE GARAGE

Introduction:-

This application seeks full planning permission for the erection of a precast concrete sectional detached garage at the rear of 136 Ashby Road, Hinckley which is a commercial premises of a mixed use of A1 and B1 for the use of the site by a company specialising in the display and sale of goods and equipment for elderly / disabled individuals.

The site consists of a former dwelling which has been extended to the rear and a large attached structure used as a showroom and workshop. To the front of the site is a customer parking area and to the rear, there is parking for employees and deliveries. The buildings are white painted brickwork with red tile roof to the former dwelling.

Ashby Road is a main route into the town centre of Hinckley but the area is predominantly residential in character.

The application has been submitted with a Design and Access Statement states that the proposal will provide secure parking for two employee vehicles. The number of staff and parking spaces for employees and visitors is unaffected by the proposal. The access to the site is also unchanged.

History:

09/00704/COU Change of use from sui generis to mixed A1 & B1 including extensions and alterations Approved 28.10.09

Consultations:-

No objection received from;

The Head of Community Services (Pollution)
The Head of Community Services (Land Drainage)

One letter received raising concerns that the garage should only be used for parking vehicles and not as a workshop which could have a detrimental effect on the neighbouring dwelling.

Development Plan Policies:-

Adopted Core Strategy

Policy 1: 'Development in Hinckley'

Adopted Hinckley and Bosworth Local Plan

The site lies within the settlement boundary of Hinckley as defined in the adopted Hinckley and Bosworth

Local Plan.

Policy BE1 - Design and Siting of the Development
Policy T5 - Highway Safety

Appraisal:-

The main considerations in respect of this aplication are the principle of development, design, the impact on neighbours, access, parking and highways.

Principle of Development

The site is located within the settlement boundary of Hinckley as defined in the Adopted Hinckley and Bosworth Local Plan Proposals Map; therefore there is a presumption in favour of development subject to all other planning matters being appropriately addressed. The principle of the current use on site has been established by the granting of a change of use in 2009.

Design

The proposed building has been designed with a mono pitched roof in order to minimise its impact. The footprint is 4.95 metres x 7.341 metres and a maximum height of 2.281 metres at its front. It is proposed to be constructed of prefabricated reinforced concrete with pebble dash finished and brown stained timber fascias, grey felt roof and white painted metal up and over doors. The design and proposed materials are simple and considered to be acceptable. The boundary between the site and the neighbours site is provided by mature hedge so the proposal will be screened from the neighbours site. The siting is to the rear of the site and will not be visible from within the street scene due to the position of the surrounding buildings.

Impact on Neighbours

The proposed garage is located in an area which is currently used for vehicle parking. It is screened from the neighbour to the southern side (No 134) by an existing mature 3 metre high hedge which appears to be within the neighbours control. There are no other neighbours considered to be affected by the proposal. No 134 has been extended to the rear which has made it line through with the rear elevation of the former dwelling on site at its closest point, however, the extension approved in 2009 which has now been erected extends beyond the rear of the neighbours extension by approximately a further 3 metres. The proposed garage building is located 2 metres from the rear of the extension and some 1.2 metres from the common boundary. The proposal is located to the north of the neighbours site. Due to the orientation, low roof line proposed and the existing boundary treatment, the relationship with the neighbour's site is considered to be acceptable.

A letter has been received regarding the potential for the building to be used as a workshop and whilst future potential uses are not a material consideration, it is considered that the building is only acceptable in the proposed position if it is for the use applied for, other uses such as car repairs could have a detrimental effect on the neighbours amenity. It is therefore suggested that a condition should be imposed which limits the use of the building for the parking of vehicles only.

Highways, Parking and Access

The access and parking matters have been considered by Highways, who have advised that there is no objection to the proposal. The site provides sufficient parking to the rear for employees and to the frontage for visitors.

Conclusion

The proposed garage is acceptable in terms of its scale, materials and design. he concern regarding the use of the proposed building for other purposes is valid and as such a condition to control the use is suggested.

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 and would not be to the detriment of visual and residential amenity or highway safety.
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 development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows: Drawing 1593/1 received on 23 March 2011.

3 The use of the building hereby approved shall be restricted to allow for the parking of vehicles only and shall remain available for the parking of vehicles at all times. No vehicle repairs, workshop use shall be carried out there form at any times unless previously agreed in writing by the Local Planning Authority.

Reasons :-

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

2 For the avoidance of doubt and in the interests of proper planning.

3 To ensure that the development is not detrimental to the amenity of the neighbouring property, to accord with Policy BE1 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.

Contact Officer:- Louise Forman Ext 5682