

OFFICER REPORT – DELEGATED HOUSEHOLDER APPLICATION

REFERENCE

25/00335/HOU

APPLICANT DETAILS

Mr & Mrs Ward

SITE ADDRESS

4 Riverside, Witherley

PROPOSAL

Erection of a timber garage and store in rear garden

SITE DESCRIPTION

The application site is located within the settlement boundary of Witherley, to the east of the River Anker. It contains an existing late 19th to early 20th Century two-storey semi-detached dwelling which is located within the Witherley Conservation Area. The existing dwelling is constructed of red brick with a gabled tile roof.

The application site has existing access from the rear via the terminus of St Peter's Avenue. There is no vehicle access to the site from Riverside. Both Riverside and St Peter's Avenue are adopted, unclassified roads subject to a 30mph speed limit.

TARGET DATE FOR DECISION

10 July 2025

RELEVANT PLANNING POLICIES / GUIDANCE

Site Allocations and Development Management Policies Development Plan Document (SADMP) (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM7: Preventing Pollution and Flooding
- Policy DM10: Development and Design
- Policy DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2024)
- Planning Practice Guidance (PPG)
- National Design Guide (2019)

Other relevant guidance:

- Good Design Guide (2020)
- Leicestershire Highway Design Guide (LHDG) (2024)

In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy

Framework, the Development Plan, and all other material planning considerations identified in the "Officer Assessment" section of the report.

SITE CONSTRAINTS

The application site is within the settlement boundary.

The application site is partially within the Witherley Conservation Area, though the site of the proposed garage is not directly within the bounds of the Conservation Area. The application site is also partially within Flood Zones 2 & 3, though again the proposed garage is not sited within the bounds of those constraints.

PUBLICITY RESPONSES

The application has been publicised by advertising in the Atherstone Herald, posting a site notice within the vicinity of the site and sending out letters to neighbours.

No responses were received.

CONSULTEE RESPONSES

No response was received from Witherley Parish Council.

HBBC Conservation Officer noted that due to the scale of 4 Riverside and the presence of adjacent properties the rear garden as the application site is not visible from the Conservation Area street scene on Riverside. The Conservation Officer noted that the proposed garage was of a relatively simple domestic appearance with a limited single storey scale. The Conservation Officer's response concluded that the impact of the proposal would be neutral within the wider setting of the Conservation Area, having no adverse impact upon any of its special qualities or the Riverside street scene.

LCC Ecology commented that the proposal has limited ecological impact, and they therefore held no objections.

OFFICER ASSESSMENT

History

Is there any planning history relevant to the current application?	No.
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Design

Is the design and scale in keeping with the dwelling / street / area or otherwise appropriate?	Yes. The garage would not be visible from the Riverside street scene and would have limited visibility from St Peter's Avenue. It is comparable in scale to the garage to the rear of 3 Riverside to the south. The hipped roof form is not common in the area but as it is pitched it does reflect the general character of the area where rooflines are consistently pitched styles.
Would the materials, details and features	Yes

generally match the existing dwelling and / or be consistent with the general use of materials in the area? Is a condition needed?	The roof tiles are consistent with the prevailing roof material in the surrounding area. The wall materials are consistent with other smaller outbuildings on the application site and will otherwise have limited visibility from beyond the site.
Are there any overlooking / privacy / residential or other amenity issues?	No.
Is the proposal sited such as to avoid overdevelopment and overbearing development?	Yes. Though the garage would be set 0.6 metres from the southern boundary, adjacent garden space, it is in line with an existing garage located to the rear of the southern neighbour, 3 Riverside. The garage would be set 0.9 metres from the northern boundary shared with 52 St Peter's Avenue and adjacent their garden space. Notwithstanding this the wall height of the garage measures only 0.25 metres above the height of a standard fence and the overall single storey form is not considered likely to be overbearing to the northern neighbour.
Is there sufficient amenity space?	Yes. The required garden amenity space as per the Good Design Guide has not been definitively established as the number of bedrooms the dwelling contains is unknown. Nonetheless, the site maintains at least 71 square metres of garden space between the dwelling and the garage which is considered sufficient to provide for the future amenity of occupiers.

Heritage

Does the development affect the setting of a Listed Building, the character and appearance of a Conservation Area or otherwise impact on a heritage asset? <i>[the council has a statutory duty to pay special attention to the desirability of preserving or enhancing heritage assets]</i>	No. Council's Conservation Officer considers that the proposal will have a neutral impact on the character and appearance of the Conservation Area.
Does the development impact on an archaeological site?	No.

Flooding / drainage

Are there any drainage or flooding issues	No.
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having regard to the Environment Agency's Advice for minor extensions and whether the property is within a Critical Drainage Area?	The site of the proposed garage is outside of the Flood Zone 2 & 3 constraints.
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Contamination

Are there any contaminated land issues?	No.
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Transport

Is access, parking and turning provision acceptable having regard to the Leicestershire Highway Design Guide?	Yes. The garage parking space meets LHDG space standards for a single garage with the exclusion of a 0.2 metre shortfall in length. It is reasonable to assume that it is likely that the shortfall in this instance would not prevent reasonable parking of a vehicle in the garage. The site can also provide at least 3 parking spaces on-site to the east of the garage. Therefore, with or without counting the garage space, the proposal can demonstrate compliance with LHDG parking requirements. The turning space on the site is existing and so its continued function for this purpose is accepted.
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Natural environment

Are any impacts on protected, or otherwise significant, trees mitigated or acceptable?	There are no protected or otherwise significant trees impacted.
Has an ecological survey / protected species survey been submitted?	LCC Ecology have advised there are no surveys required.
Are any impacts on protected species and other biodiversity properly addressed through design or other mitigation / compensation and are any biodiversity enhancement measures proposed?	N/A

Site visit

Has there been a site visit?	Yes, undertaken 15 April 2025.
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Additional Observations:

Nil.

HUMAN RIGHTS ACT

The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

EQUALITIES AND DIVERSITIES

This planning application has had due regard to Section 149 of the Equality Act with regard to the Public Sector Equality Duty and the case officer has concluded that the application does not cause discrimination on the grounds of gender, race and disability.

RECOMMENDATION

Grant planning permission subject to planning conditions at the end of this report.

CASE OFFICER

Ashleigh Gade

Conditions/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:

- Site Location Plan (received: 27.03.2025)
- Site Plan (received: 19.06.2025)
- Proposed Garage Floor Plan, Elevations (received: 19.06.2025)

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 extension and alteration hereby permitted shall accord with the approved application form, as

received by the Local Planning Authority on 27 March 2025.

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).

Informatives

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at building.control@blaby.gov.uk or call 0116 272 7533.