DELEGATED REPORT

Recommendation Made: 30 April 2009

Reference:- 09/00181/FUL **Parish:-**

Applicant:- Mr Russell Lunn
5 Leven Close
Hinckley
Leicestershire
LE10 0UJ

Location:- 5 Leven Close Hinckley Leicestershire LE10 0UJ

Proposal:- ERECTION OF CONSERVATORY

Introduction:-

This is a full application for the erection of a conservatory at 5 Leven Close, Hinckley.

The application property is a semi-detached two storey modern dwelling in a modern residential estate in Hinckley. 7 Leven Close stands to the south and shares the property's southern elevation, 3 Leven Close stands 2.5 metres north and the rear gardens of 14 and 16 Riddon Drive stand at the rear.

The proposed conservatory will project 3 metres and span 5 metres along the rear and will stand 3.5 metres high with a hipped roof. The conservatory will have a 0.6 metre high brick base on all sides except the southern elevation facing toward 7 Leven Close which has a 1.7 metre high brick wall. The remainder of the conservatory is glass with double doors on the rear elevation.

History

None applicable

Consultations:-

The Borough Council Environmental Health Officers have no objection to the application.

No response received from neighbours

Development Plan Policies:-

Local Plan Policy BE1

House Extensions SPG

Appraisal:-

The central concerns to address in this application are the design and impact of the development on the character of the area and neighbours amenity.

The proposed conservatory will stand 0.2 metres from the boundary with 7 Leven Close with the 1.7 metre high brick wall forming the southern elevation. This elevation will stand approximately 0.7 metres from the adjacent property's rear window forming a habitable room. This brick wall is unlikely to have an additional impact on light levels above what is experienced from the existing boundary fence and 7 Leven Close's southerly orientation will also reduce any impact on light levels further. In addition a wall of this size if built, as a single entity on the rear boundary would constitute permitted development. The wall on the southern boundary is topped with windows reaching up the conservatory's eaves. At a height of 1.7 metres, residents at 7 Leven Close would find it difficult to look directly into these windows from their garden. The northern elevation of the proposal, facing toward 3 Leven Close will stand approximately 5 metres from this properties rear habitable window divided by a 1.8 metre high fence.

Whilst the majority of this elevation is glass the adjacent property has the same rear building line as the site and this elevation will face onto the garden of the adjacent property and not into any windows. Privacy is further ensured by the 5 metre separation distance and the boundary fence providing screening. The predominate glass construction of this elevation will not impact on the light levels to 3 Leven Close.

5 Leven Close has a rear garden approximately 97 m2 which serves as the properties private amenity space. This amenity space will be reduced to 82m2 which falls just above the Local Authority's minimum amenity space standards for a three bedroom dwelling.

The proposed conservatory will have a hipped roof, which doesn't match the roof of the property, but the overall design of the conservatory is typical to modern conservatories and is a common feature on modern properties. The proposal is set away from the boundary and projects 3 metres and is single storey and complies with the House Extension Design Guidance.

Overall the proposed conservatory will be of an acceptable design and will not impact on the amenity of neighbouring properties or the character of the surrounding area with the condition that bricks on the base of the conservatory match the existing property.

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 due to its siting and design in relation to other buildings in the area would not detrimentally affect the amenities of neighbouring residents nor the appearance of the existing dwelling and therefore would be in accordance with the development plan.

SUMMARY OF DECISION - The proposal is in conformity with Policy BE1 of the Hinckley and Bosworth Local Plan. Planning permission is granted subject to conditions.

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.

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.

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. This permission does not convey any authority to enter onto land or into any building not within the control of the applicant except for the circumstances provided for in The Party Wall etc Act 1996.

5 List of plans used in the determination of this application:-
Drawing- Proposed Conservatory

Contact Officer:- David Kiernan Ext 5898