

Delegated Report

Planning Ref: 24/00453/HOU

Applicant: Mr D. Mitchell

Ward: Groby



Hinckley & Bosworth
Borough Council

Site: 44 Carmen Grove Groby Leicestershire

Proposal: Replacement garage

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

- 2.1. This householder application seeks planning permission for the construction of a replacement garage to be attached to the side elevation of a detached bungalow, 44 Carmen Grove, Groby.
- 2.2. The proposed garage would be 3.6 metres in width and 7 metres in depth on the external side elevation and 9.7 metres in depth on the internal side elevation extending 4 metres in depth beyond the rear elevation of the bungalow. The rear elevation of the garage would extend at an angle just inside the boundary. It would have a flat roof design to a height of 2.6 metres. It is proposed to be constructed with facing bricks to match those of the existing dwelling.
- 2.3. An amended plan has been submitted to remove the unsuitable false parapet pitch roof to the front elevation of the garage. By virtue of the nature of the amendment no re-consultation is considered to be necessary or has been undertaken.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of Groby on a corner plot within a residential estate. It is a detached bungalow with dual pitched gable sided roof form and has a single storey flat roof extension attached to the rear elevation. It is constructed with brown facing bricks, a cream rendered panel to the front elevation, red concrete interlocking roof tiles and white uPVC windows. It has a pre-fabricated garage to the side elevation constructed with grey brick slips and a flat roof. In addition to the garage the site provides two further off-street parking spaces on hard-bound surfacing to the front and side of the garage.
- 3.2. The surrounding area is characterised by detached and semi-detached bungalows of either gable sided or hipped roof form with many having flat roof garages to their side elevations.

4. Relevant planning history

98/00180/FUL

- Single storey rear extension
- Permitted
- 03.04.1998

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. No responses have been received as a result of public consultation.

6. Consultation

- 6.1. Leicestershire County Council (Highways) raise no objections and refer to standing advice.
- 6.2. No objections have been received from Groby Parish Council.

7. Policy

- 7.1. Core Strategy (2009)
 - No relevant policies
- 7.2. Site Allocations and Development Management Policies (SADMP) DPD (2016)
 - Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM10: Development and Design
 - Policy DM18: Vehicle Parking Standards
- 7.3. National Planning Policies and Guidance
 - National Planning Policy Framework (NPPF) (2023)
 - Planning Practice Guidance (PPG)
- 7.4. Other relevant guidance
 - Good Design Guide (2020)
 - National Design Guide (2019)
 - Local Highway Authority Design Guide

8. Appraisal

- 8.1. Extensions and alterations to existing domestic properties within settlement boundaries are generally considered to be sustainable development in principle. The key issues in respect of this application are therefore:
 - Design and impact upon the character of the area
 - Impact upon neighbouring residential amenity
 - Impact upon parking provision

Design and impact upon the character of the area

- 8.2. Policy DM10 of the adopted SADMP requires new development to complement or enhance the character of the surrounding area with regard to scale, layout, mass, design, materials and architectural features and for building material to respect existing/neighbouring buildings and the local area generally. The Council's adopted Good Design Guide (GDG) provides further advice in respect of the siting and design of house extensions and suggests that: *'Garages and car ports should generally be set back from the existing dwelling so as not to dominate the street scene.'* and *'Flat roofs on extensions will not normally be considered appropriate where they do not form part of the original design of the house.'*
- 8.3. In this case the proposed garage would replace an existing prefabricated flat roof garage in the same position within the site. The proposed replacement garage would remain clearly visible from the public highway, being to the side of the bungalow which is orientated to face the outside corner of this corner plot. However, it would not be overly prominent as it would be set back from the front elevation of the bungalow by just under 2 metres as suggested in the adopted GDG, would have a clearly subordinate footprint and height to the existing dwelling and would be constructed in more sympathetic matching external facing brick materials.

Notwithstanding that the original dwelling has a pitched roof design, it has existing flat roof extensions and, in this case, flat roof garages are a characteristic feature of the surrounding area.

- 8.4 Therefore, by virtue of the siting, scale, design and the proposed use of matching external facing brick materials to ensure a satisfactory and unified appearance, it is considered that the proposed replacement garage would respect and complement the scale, character and appearance of the existing dwelling and the surrounding area and would be in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 8.5 Policy DM10 of the adopted SADMP and the adopted Good Design Guide require that development would not have a significant adverse effect on the privacy and/or amenity of nearby residents and occupiers of adjacent buildings.
- 8.6 The rear elevation of the proposed replacement garage would extend for a width of 4 metres just inside the side boundary of the neighbouring detached bungalow to the north (8 Hilary Crescent). The rear side elevation of No. 8 has only a small secondary window which is positioned further forward of the rear elevation of the proposed garage with the remainder of its rear side elevation being blank and inactive with the access to its rear garden being to its far (north) side. Therefore, it is considered that by virtue of the siting, single storey scale and flat roof design to a height of only 2.6 metres and on a slightly lower ground level, the proposal would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. The proposal would therefore be in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide. No objections have been received from any neighbouring properties.

Impact upon parking provision

- 8.7 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.8 The site currently provides three off-street parking spaces in the existing garage and on the hard-bound surfacing to the front and side of the garage. The replacement garage would provide standard internal parking space dimensions of over 6 metres in length and 3 metres in width and would not affect the other two external off-street parking spaces of standard parking space dimensions of 5.5 metres length by 2.4 metres width within the site. This level of retained provision would remain adequate to serve the existing/resulting dwelling and be in accordance with Policy DM18 of the adopted SADMP and the local highway authority design guide standards.

9. Equality implications

- 9.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-
- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 9.2 Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.
- 9.3 There are no known equality implications arising directly from this development.
- 9.4 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

10. Conclusion

- 10.1. The proposal relates to an extension and alteration to an existing dwelling located within the settlement boundary of Groby where there is a general presumption in favour of sustainable development as set out in Policy DM1 of the adopted SADMP and the overarching principles of the NPPF.
- 10.2. By virtue of the siting, scale, design and the proposed use of matching external facing brick materials to ensure a satisfactory and unified appearance, it is considered that the proposed replacement garage would respect and complement the scale, character and appearance of the existing dwelling and the surrounding area and would not result in any significant or unacceptable adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. Adequate off-street parking of three spaces would be retained within the site to serve the existing/resulting bungalow along with adequate private amenity space. The proposal is considered to be in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP and the general principles of the adopted Good Design Guide and is therefore recommended for approval subject to conditions.

11. Recommendation

11.1 Grant planning permission subject to:

- Planning conditions outlined at the end of this report

11.2 Conditions and 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: Location Plan and Block Plan Drawing No. 6492/M/4 received by the local planning authority on 9 May 2024 and Proposed (part) Site/Ground Floor Plan Drawing No. 6492/M/3 Rev A received by the local planning authority on 29 May 2024.

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 garage hereby permitted shall match the corresponding materials of the existing dwelling.

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).

11.3 **Notes to applicant**

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.