DELEGATED REPORT

Recommendation Made: 16 June 2011

Reference:- 11/00343/FUL **Parish:- Burbage Parish Council**

Applicant:- Mr Clive Kingsley-Smith
7 Grosvenor Crescent
Burbage
Hinckley
Leicestershire

Location:- 7 Grosvenor Crescent Burbage Hinckley Leicestershire LE10 2BQ

Proposal:- EXTENSION AND ALTERATIONS TO DWELLING (RETROSPECTIVE)

Introduction:-

This application seeks full planning permission for the erection of a single storey gymnasium extension to the rear of this detached dwelling.

The application property is constructed from buff brick and rendered walls and grey plain concrete tiles.

The applicant has planning permission for a larger structure incorporating the existing outdoor swimming pool under planning reference 10/00472/FUL. The proposal is on the back of a subsequent enforcement enquiry 11/00110/UNAUTH where existing development was not in accordance with the approved plans. The development would be permitted development if it remains an outbuilding not attached to the main house. The proposal is to attach the existing structure that is currently under construction on to the main house and therefore has a smaller footprint to the previous approved scheme as it does not incorporate the swimming pool area.

Planning History:

83/00364/4 – Kitchen and sun room extensions – Approved on 27/05/1983
05/00783/FUL – Extension and alteration to dwelling – Refused on 10/10/2005
07/01434/FUL – Extensions and alterations to dwelling – Withdrawn on 05/02/2008
08/00195/FUL – Extensions and alterations to dwelling – Approved on 15/04/2008
10/00472/FUL – Extension and alterations to dwelling – Approved on 29/07/2010
11/00110/UNAUTH - Rear extension not built in accordance with approved plans (10/00472/FUL)

Consultations:-

No objections have been received from:-
Head of Community Services (Land Drainage)
Burbage Parish Council

One neighbour objection received raising the following concerns:-

a) Noise generated from a gymnasium when double doors are open during summer months
b) The window on the side of the proposed extension should be opaque glass to obscure the view

Development Plan Policies:-

Adopted Local Plan

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

Policy BE1 - Design and Siting of the Development

Supplementary Planning Guidance: House Extensions Design Guidance (SPG)
Burbage Village Design Statement

Appraisal:-

The main considerations in respect of this application are the principle of development, the impact of the proposed extension on the character and appearance of the existing dwelling, street scene and on the amenities of the occupiers of neighbouring properties.

The Principle of Development

The site is located within the settlement boundary of Burbage, 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.

Impact on Existing Dwelling and Street Scene

The proposed gymnasium is considered to be in keeping with the main dwelling, by virtue of its position and design. Given the location of the extension, to the rear of the property and its scale the proposed extension will not have an adverse effect on the street scene.

The design principles set out in the Burbage Village Design Statement require extensions to have a similar scale and design using materials compatible with the original building. The proposed materials of facing brick and tiles will match the existing dwelling whilst the scale of the proposed extension in this location of Burbage complements the large dwelling style and spacious surrounds.

Impact on Amenities

No. 8 is located to the south of the applicant's site which is a detached dwelling house.

Given the shallow roof pitch, the off-set distance of 2.5 metres to the close boarded timber fencing which is approximately 2 metres in height and the minimal height difference of 0.4 metres to the eaves above this existing fencing line, it is not considered to adversely impact on the amenities currently enjoyed by the occupiers of no. 8.

In response to the representation that raises concern over noise from the gym when the proposed doors facing no. 8 are open especially during summer months, this concern has been noted however any noise from a domestic gymnasium incidental to the enjoyment of the dwelling house is not considered to result in a material impact on neighbours amenities.

The side elevation windows on the single storey extension on no. 8 are obscure glazed and high level. It is considered unreasonable to request the window on the side of the proposed extension should be obscure glazed to obscure the view as a result of extension when there is appropriate boundary treatment.

The side elevation consists of sliding doors adjacent to Burbage County Junior School which are screened by existing trees and vegetation.

No. 38 is a detached property located to the north east of the application site. A window is proposed to the rear elevation wall of the proposed extension facing no. 38. The proposed extension is off-set 5 metres from a 1.7 metre high timber fence with trees and vegetation in front. Due to the off-set and boundary treatment it is not considered the proposal will adversely affect the amenities of no. 38.

Although the gym extension appears large, there is adequate amenity space remaining for the size of property.

Conclusion.

The proposal would respect the scale and character of the existing dwelling and street scene and would not adversely affect the amenities of the occupiers of neighbouring properties. The application is considered to be

in accordance with Policy BE1 of the Local Plan, the Council SPG on House Extensions, Burbage Village Design Statement and is therefore recommended for approval subject to conditions.

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 by virtue of the scale, mass and design of the proposed extension would not detrimentally impact on the amenities of neighbouring residents or the character and appearance of the existing dwelling and the street scene and would be in accordance with the development plan.

Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1

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 The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:-

Drawing - LPA01 - Received on 09/05/2011
Site Location and Block Plan - Received on 09/05/2011

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 and in the interests of proper planning.

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 6 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).

Contact Officer:- Kevin Roeton Ext 5919