DELEGATED REPORT

Recommendation Made: 17 June 2011

Reference:- 11/00306/FUL **Parish:- Desford Parish Council**

Applicant:- Mr Mark Segasby
75, Barons Close
Kirby Muxloe
Leicestershire
LE9 2BW

Location:- 75 Barons Close Kirby Muxloe Leicester Leicestershire LE9 2BW

Proposal:- EXTENSION AND PART GARAGE CONVERSION

Introduction:-

This application seeks full planning permission for the extension and part conversion of an existing detached triple garage. The garage is red brick with a tiled roof and is situated to the rear of a three storey detached dwelling.

Barons Close is a modern housing estate situated in the open countryside adjacent to the village of Kirby Muxloe.

Relevant Planning History: -

None relevant

Consultations:-

No objections have been received from: -
Head of Community Services (Land Drainage)
Director of Environment and Transport (Highways)
Blaby District Council

At the time of writing the report no comments have been received from: -
Desford Parish Council
Ward Members
Neighbours

Development Plan Policies:-

Adopted Core Strategy

None relevant

Adopted Local Plan

The site lies within the open countryside as defined in the adopted Hinckley and Bosworth Local Plan.

BE1 - Design and Siting of the Development

NE5 – Development in the Countryside

T5 – Highways and Parking

Supplementary Planning Guidance: House Extensions Design Guidance (SPG)

Appraisal:-

The main considerations in respect of this application are the principle of development, the impact of the proposed extension and conversion on visual amenity, highway safety and on the occupiers of adjacent properties.

The Principle of Development

Although the site is situated within the open countryside, it proposes further development of an existing property, therefore in principle the development is acceptable subject to all other planning matters being appropriately addressed.

The conversion element of the proposal seeks to block up one of the garage doors and create an internal store, WC and first floor above. Given that the use of the garage building will remain ancillary to the use of the dwelling house there is no material change of use occurring from the proposal and it is therefore acceptable subject to all other matters being addressed..

Visual Amenity

The proposed extension to the garage results in an increase in height of 0.5 metres at the ridge and extends the width of the garage by 1.5 metres.

The massing and height of the garage results in bulky unbalanced and top heavy building. However on balance, as the proposal is situated adjacent to the rear boundary of the application property, and development site as a whole, it will be completely screened from the street scene. Further, despite its size; as the garage is detached, and situated to the rear of the dwelling; the dwelling will remain prominent and will screen the garage.

The sites south-eastern boundary benefits from existing landscaping and this will provide adequate screen ing from the dwelling on Gullet Lane. It is therefore considered that there will be no material impacts on the visual amenity or character of the street scene.

Impact on Neighbours

The property most affected by the proposal will be 76 Barons Close. The gable end of the garage will be a distance of approximately 8 meters from the side (south western) elevation of this property. However as the gable end will be parallel to this wall the proposal is not considered to have an overbearing impact on this property. There are a range of openings within the elevation facing number 75, two being first floor. These will have views directly over the principle rear amenity space, and towards windows in the side facing elevation of this property. The windows will serve a study, which are not considered as primary rooms.To ensure that the proposal does not result in a material degree of overlooking, a condition will be imposed requiring the windows within the north western elevation of the proposal to be obscurely glazed.

The ridge height of the existing garage is to be increased from 4.5 meters to 5 meters. This will result in a marginal additional overshadowing of the gardens of the application property, and that of the adjacent property, number 76. However, as the increase in height is minimal, the extent of the additional overshadowing is not considered material and would not warrant refusal of the application.

Accordingly, based on the above there are considered no material impacts on the residential amenity of adjacent properties in respect of loss of light or privacy and the proposal is not considered to have an overbearing impact.

Highways

The footprint of the existing garage will be increased by 1.5 metres to the south western elevation. This will compromise the three parking spaces to the front of the existing garage. The internal alteration proposal will also reduce the number of parking spaces within the garage from 3 to 2. This said, 3 off road parking spaces will still be available, which is considered adequate for the size of property in question. Director of Environment and Transport (Highways) raises no objections to the proposal and thus it is not considered to result in any

adverse impacts on highway safety.

Other Issues

The application will provide additional residential accommodation (comprising a study, store and toilet) these will be used in connection with the main dwelling house and are therefore considered acceptable.

Although the development is classified by the local plan as being situated within the open countryside, it forms one unit on a large residential estate adjacent to the settlement boundary of Kirby Muxloe. Accordingly, the proposal will not have any adverse impacts in the character of the surrounding countryside.

Conclusion

Although the proposal will result in a building of greater mass; due to its siting there are not considered to be any material impacts on either visual or residential amenity or on the character of the street scene. Further, adequate off road parking has been retained. Therefore on balance the proposal is considered acceptable, 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 its siting would have no materially detrimental impacts on ether visual or residential amenity, the character of the street scene, the countryside or highway safety. Therefore the development is considered acceptable.
Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1, NE5, T5

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 garage 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: Drg No:- 01/11 received by the Local Planning Authority on the 14.4.11

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:- Eleanor Shaw Ext 5680