

Delegated Report

Planning Ref: 23/00226/HOU

Applicant: Brent Watson

Ward: Burbage St Catherines & Lash Hill

Site: 1 Sherborne Road, Burbage

Proposal: Erection of carport (retrospective)



Hinckley & Bosworth
Borough Council

1. Recommendations

- 1.1. **Refuse planning permission** for the reasons at the end of this report.

2. Planning application description

- 2.1. This householder application seeks retrospective planning permission for a car port, made of timber posts and corrugated pvc roofing, The car port has been erected in front of the garage serving 1 Sherborne Road.
- 2.2. The car port measures 5 metres in width, 4.5 metres in depth and 2.7m at its highest point. The roof is sloped to utilise the existing guttering attached to the garage.

3. Description of the site and surrounding area

- 3.1. The application site is located within the settlement boundary of Burbage. The car port has been erected in front of the garage serving the development site. The property is a corner plot. The car port covers an area of hardstanding leading to the garage door which is set back from the highway.
- 3.2. Sherborne Road consists of a number of two-storey detached dwellings, of a similar design and appearance, using similar materials in their external finish.

4. Relevant planning history

None

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. One response has been received as a result of public consultation supporting the retrospective application, confirming that they have no objections, that the car port is practical, of sympathetic design and is in no way excessive or inappropriate.

6. Consultation

- 6.1. Burbage Parish Council has objected to the retrospective application, who have confirmed they believe the car port is detrimental to the street scene and character of the area.

7. Policy

- 7.1. Site Allocations and Development Management Policies (SADMP) DPD (2016)
- Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM10: Development and Design
- 7.2. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2021)
 - Planning Practice Guidance (PPG)
- 7.3. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)

8. Appraisal

8.1. Key Issues:

Design and impact upon the character of the area

- 8.2 Policy DM10 of the adopted SADMP seeks to ensure that development complements or enhances the character of the surrounding area with regard to scale, layout, mass, design, materials and architectural features and for building materials to respect the materials of existing/neighbouring buildings and the local area generally.
- 8.3 Policy DN10 of the adopted SADMP also requires that the use and application of building materials respects the materials of existing, neighbouring/adjoining buildings and the local area generally.
- 8.4 Sherborne Road is characterised by two storey detached dwellings set back from the highway, benefiting from reasonable front gardens and off-street car parking provision between the principal elevations of the dwellings and the highway. In addition, the corner plots including the development site and the property located on the corner of Sherborne Road and Salisbury Road, benefit from garages which front onto Sherborne Road and are set back from the highway, with a section of hardstanding to provide vehicular access from the highway into the garages.
- 8.5 The materials used within the dwellings, garages and boundary walls are predominately matching brickwork with the inclusion of white render located on few properties within the area.
- 8.6 It is considered that the car port structure, which is attached to the existing garage at the development site, is out of keeping with the general layout of the street scene. The car port juts out from the setback garage and is visually intrusive when viewing Sherborne Road from Salisbury Road, which clashes with the existing layout of structures in the street scene. The roofscape of the car port also is an unwelcomed addition into the street scene, with the pitch elevating away from the existing pitched garage roof.
- 8.7 It is observed that the structure remains out of character of the area with no similar structures being present within Sherborne Road, nor timber and corrugated pvc materials being used.
- 8.8 By virtue of its overall design, unsympathetic construction materials, urban appearance within the street scene and siting abutting the highway boundary, the structure appears stark and prominent within the setting of the area. It fails to enhance the character of the surrounding area.
- 8.9 The proposal is therefore considered to be in clear conflict with Policy DM10 of the adopted Site Allocations and Development Management Policies DPD (2016) and the overarching principles of the National Planning Policy Framework (2021). It is therefore recommended that planning permission be refused for the reasons at the end of this report.

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 retrospective application for the car port located to the front of the garage serving 1 Sherborne Road is considered unacceptable. The car port introduces and unwelcomed features within the street scene which is prominent and does not follow the existing development form.
- 10.2 By virtue of its overall design, unsympathetic construction materials, urban appearance within the street scene and siting of the car port abutting the highway boundary, the structure appears stark and prominent within the setting of the area. It fails to enhance the character of the surrounding area.
- 10.3 The proposal is therefore considered to be in clear conflict with Policy DM10 of the adopted Site Allocations and Development Management Policies DPD (2016) and the overarching principles of the National Planning Policy Framework (2021). It is therefore recommended that planning permission be refused.

11. Recommendation

- 11.1 **Refuse planning permission** for the reasons at the end of this report.

11.2 Reasons

- 1. By virtue of its overall design, unsympathetic construction materials, urban appearance within the street scene and siting of the car port abutting the highway boundary, the structure appears stark and prominent within the setting of the area. It fails to enhance the character of the surrounding area. The proposal is therefore considered to be in clear conflict with Policy DM10 of the adopted Site Allocations and Development Management Policies DPD (2016) and the overarching principles of the National Planning Policy Framework (2021). It is therefore recommended that planning permission be refused.