

Delegated Report

Planning Ref: 23/00546/HOU

Applicant: Mrs J Watts

Ward: Cadeby Carlton Market Bosworth & Shackerstone

Site: 58 Main Street Barton In The Beans Leicestershire



Hinckley & Bosworth
Borough Council

Proposal: Erection of detached timber garage and log store (Retrospective).

1. Recommendations

1.1. Grant retrospective planning permission subject to:

- Planning condition outlined at the end of this report

2. Planning application description

2.1. This householder application seeks retrospective planning permission for the construction of a single storey detached double garage/log store for a dwelling, 58 Main Street, Barton in the Beans.

2.2. The proposed double garage/log store has been constructed within the site frontage and adjacent to the front and side boundaries of the site at the junction of Main Street and West End. The front elevation faces across the site frontage perpendicular to Main Street with a width of 7.7 metres including the log store and a depth of 5.4 metres. The double garage has a low profile dual pitched roof with an eaves height of 2.2 metres and a ridge height of 2.55 metres and shallow gables to each side. It has two dark grey roller shutter doors facing across the site frontage. The log store has a low profile lean-to roof attached to the internal side elevation. It has been constructed with stained horizontal timber boarding with exposed ends.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the settlement boundary of Barton in the Beans and occupies a prominent corner plot at the junction of Main Street with West End. It is an attractive two storey semi-detached period cottage with dual pitched gable sided roof form and has a number of architectural features which enhance its appearance including brick chimney stacks, soldier brick headers and canted cills and a brick plinth with blue brick copings. It is constructed of red rustic facing bricks, grey slate roof and cream windows. The double garage/log store is located to the front and east side of the dwelling at the front corner of the site. There is an extensive area of loose stone surfaced hardstanding around the front and side of the garage providing additional off-street parking space for at least three vehicles. The site is enclosed by a 1 metre high stained timber picket fence.

3.2. There are two storey period cottages opposite to the south and to the rear (north) and more recently constructed bungalows opposite to the east.

4. Relevant planning history

None.

5. Publicity

5.1. The application has been publicised by sending out letters to local residents.

5.2. Three responses have been received from neighbouring properties as a result of public consultation which support the application as the proposal enhances the view, is a positive addition to the street scene, in keeping with the rural location and affords better visibility at the junction than what it replaced.

6. Consultation

6.1. No response has been received from Shackerstone 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) (2021)
- 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, including detached ancillary buildings, to existing dwellings 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 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.'*

8.3. The proposed double garage/log store has been constructed within the site frontage and adjacent to the front and side boundaries of the site at the junction of Main Street and West End. The front elevation faces across the site frontage perpendicular to Main Street with a width of 7.7 metres, including the log store, and a depth of 5.4 metres. It has a low profile dual pitched roof design with an eaves height of 2.2 metres and a ridge height of just 2.55 metres and shallow gables to each side which minimises its visual impact within the street scene. The log store has a low profile lean-to roof and is attached to the internal side elevation where it is less prominent. The proposal is clearly subordinate in terms of its height and footprint to the two storey cottage that it serves. By virtue of the sympathetic rustic design and the use of stained horizontal timber boarding with exposed ends which results in a sympathetic natural appearance, it is not considered to be inappropriate

in the context of the site within a small rural hamlet and therefore to respect the scale, cottage character and period appearance of the existing dwelling.

- 8.4 It is located forward of the existing dwelling and adjacent to the front highway boundary on a prominent corner plot where it is a clearly visible feature within the street scene which is contrary to the general principles of the adopted design guidance in respect of garages. However, notwithstanding this, by virtue its single storey scale, low profiled roof and rustic design and the use of sympathetic natural external materials in its construction to ensure an appropriate appearance, it is considered that, in this particular case, the proposal is not an unattractive feature and does not appear as an overly dominant or unacceptable feature within, or result in any significant adverse visual impacts on, the wider street scene. The proposal is therefore considered to be acceptable in terms of its siting, scale, design and appearance in this particular case and in general accordance with Policy DM10 of the adopted SADMP.

Impact upon neighbouring residential amenity

- 8.5 Policy DM10 of the adopted SADMP and the adopted 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 By virtue of its siting, single storey scale, low profile roof design and separation distances of a minimum of 10 metres to all neighbouring dwellings (and mostly across public highways), it is considered that the proposed double garage/log store does not result in any significant adverse impacts on the residential amenity or privacy of any neighbouring occupiers. The proposal would therefore be in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Design Guide. No objections and three letters of support have been received as a result of neighbour consultations.

Impact upon parking provision

- 8.7 Policy DM18 requires adequate off-street parking space to be provided/maintained to serve the development.
- 8.8 The proposed double garage has an internal length of only 5 metres, 1 metre less than the 6 metres required by the adopted highway design guide to be counted as a parking space. Notwithstanding this, the proposal is of sufficient length for many vehicles, including those for which it is intended as from the site visit it is clear that the applicants vehicles fit comfortably within it. In addition to the double garage there is extensive loose stone surfaced hard standing within the site frontage that provides a minimum of three additional off-street parking spaces to serve the dwelling. It is considered that this level of provision would be adequate to serve the application dwelling in this lightly trafficked road within a rural hamlet. The proposal is therefore considered to be acceptable and in accordance with Policy DM18 of the adopted SADMP.

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 is for a detached ancillary building to serve an existing dwelling located within the settlement boundary of Barton in the Beans 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. Notwithstanding its siting forward of the existing dwelling and on a prominent corner within the hamlet, by virtue its single storey scale, low profiled roof design and the use of sympathetic natural external materials in its construction to ensure an appropriate appearance, it is considered that the proposal does respect and complement the scale, cottage character and appearance of the existing dwelling and would not be an overly dominant or unacceptable feature within, or result in any significant adverse visual impacts on, the wider street scene. By virtue of its siting, scale, design and separation distances it is considered that the proposal does not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring dwellings. Ample private amenity space of approximately 225 square metres has been retained along with adequate off-street parking for up to five vehicles. The proposal is considered to be in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP and therefore recommended for approval subject to conditions.

11. Recommendation

- 11.1 **Grant retrospective planning permission** subject to:

- Planning condition outlined at the end of this report

11.2 Condition and Reason

1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows: Site Location and Block Plan at scale 1:500 and Floor Plan and Elevations Drawing No. 01 received by the local planning authority on 8 June 2023.

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).