DELEGATED REPORT

Recommendation Made: 21 September 2011

Reference:- 11/00532/COU **Parish:-**

Applicant:- Mr Michael Anderson
C/O 28 Wykin Lane
Stoke Golding
Nuneaton
Warwicks

Location:- 12 Wellington Close Burbage Hinckley Leicestershire LE10 2GH

Proposal:- CHANGE OF USE OF LAND FROM LANDSCAPING TO RESIDENTIAL CURTILAGE INCLUDING EXTENSIONS AND ALTERATIONS TO DWELLING.

Introduction:-

Planning permission is sought for the erection of a two storey rear extension and the enclosure and change of use of a landscaped area to residential use.

12 Wellington Close is a semi-detached two storey brick property located within a residential estate of similar properties. Parking for the property is located to the south of the dwelling to the east of which is an area of landscaping currently grassed with a shrub in one corner.

The proposed gable extension would project 3m at ground floor level and 2m at first floor with a lean-to roof connecting the two elements. Bi-fold doors link the living accommodation with the garden and two windows would be inserted in to the rear elevation at first floor level. The extension would be set in 0.3m from each side elevation.

It is proposed to enclose the landscaped area to the east of the applicants parking spaces and incorporate it into additional residential garden. This would be enclosed by a 1.8m high brick wall.

Relevant Planning History
None relevant

Consultations:-

One representation has been received objecting on the grounds that the proposal will block light form windows of neighbouring property.

Development Plan Policies:-

Local Development Framework-
Core Strategy- None relevant

Hinckley and Bosworth Local Plan

Policy BE1- Design and siting of development.

SPG- House extensions
Burbage Village Design Statement

Appraisal:-

The main issues for consideration are the principle of development, impact of the proposal on the character and appearance of the property and the area, and the amenities of neighbouring residents.

Principle of Development
The site is located within the settlement boundary for Burbage and as such there is a presumption in favour of development subject to all other planning matters being appropriately addressed

Design and Appearance
The proposed rear extension has been design as a projecting gable with the ground floor projection design as a lean to addition. The symmetry of the windows and doors, and facia detailing is all in keeping with the original property. It is therefore considered that the design of the proposed extension is in keeping with the original property and therefore compliant with Policy BE1. The Burbage Village Design Statement requires extensions and alteratiions to use materials and be of a design and scale compatible with the original building. It is considered that the proposal complies with this requirement.

Amenities
The adjoining property, 11 Wellington Drive, is located to the north of the proposed extension. This property has not been extended and has windows serving habitable rooms on the rear elevation at both ground and first floor level. The Council's supplementary planning guidance on household extensions states that extensions will not normally be permitted where they extend more than 2m along a shared boundary, in the case of a two storey extension, and 3m for a single storey extension. It is considered that proposed extensions projecting less than this would not significantly affect the amenities of neighbouring residents. The proposal meets these requirements and therefore it is considered that the proposal would not significantly affect the amenities of neighbouring residents.

There is sufficient distance between the proposed habitable windows and that of the property to the north east to preserve the amenities of the residents.

Character
The application proposes to enclose an area of landscaping adjoining the rear garden area to the south-east. The estate is a modern estate with development hard against the footpath edge. The estate therefore is not considered to have an open character that would be detrimentally affected by enclosing this area of land. It is proposed to enclose the land with a brick wall which would be in keeping with the other boundary treatments on the estate. The area to be enclosed is located sufficient distance from the highway not to result in a hazard to users of the highway.

Conclusion
It is considered that the design and appearance of the extension is in keeping with the character and appearance of the property and surrounding area. The scale and massing would not significantly detrimentally affect the amenities of neighbouring residents. The change of use of land to residential curtilage would not detrimentally affect the character or appearance of the residential estate and appropriate boundary treatments would be used. No additional bedrooms are being created and therefore there is no requirement for additional parking. It is therefore considered that the application is acceptable.

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 design, scale, mass, relationship with other development and character of the surrounding area the proposed extension and change of use of land to residential curtilage would be in accordance with the development plan. There are no arising material impacts on residential amenity.
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: 2011/01/01A, -/01B, -02B

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:- Sarah Fryer Ext 5682