

Delegated Report

Planning Ref: 23/01142/HOU
Applicant: Mr Oliver Charles
Ward: Barwell



Hinckley & Bosworth
Borough Council

Site: Swanbourne Dawsons Lane Barwell Leicestershire

Proposal: Construction of new wooden framed double garage

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

2.1. This householder application seeks planning permission for the construction of a detached double garage within the site frontage of a dwelling, Swanbourne, Dawsons Lane, Barwell.

2.2. The proposal would have a width of 6 metres and depth of 6.4 metres and would have a dual pitched gable fronted roof form with an eaves height of 2.4 metres and a ridge height of 5.3 metres. It is proposed to be constructed on a concrete base and with a timber frame. The external walls are proposed to have horizontal timber effect cladding finished in Olive to match that of the existing dwelling and a lightweight tile effect roof covering. It would be located forward of the dwelling on an area of existing loose stone surfaced hard standing that currently provides off-street parking. The open front elevation would face back towards the application dwelling.

3. Description of the site and surrounding area

3.1. The application dwelling is located on the edge of but within the settlement boundary of Barwell and to the north of Dawsons Lane. It is a detached dormer bungalow with gable sided main roof form and flat roof extensions to the side and rear. It is constructed with horizontal timber effect cladding in Olive to its external walls, brown interlocking concrete roof tiles and white uPVC windows.

3.2. The application dwelling lies in a row of individually styled dwellings within generous plots. The dwellings are set well back from Dawsons Lane and occupy a significantly higher ground level with retaining walls/structures across the site frontages and relatively steep driveways extending further up to the dwellings. The site frontage of the application dwelling is further enclosed by 2 metres high solid close boarded timber panel fencing atop the retaining structure and with taller soft landscaping inside the fencing and a terraced landscaped area outside it. To the south there is an extensive industrial/commercial site with large scale buildings and open fields adjacent to its eastern boundary.

4. Relevant planning history

11/00633/FUL

- Extensions and alterations to dwelling
- Permitted
- 29.09.2011

5. Publicity

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

5.2. No responses have been received as a result of public consultation.

6. Consultation

6.1. No objection has been received from Barwell Parish Council.

7. Policy

7.1. Earl Shilton and Barwell Area Action plan (ESBAAP) 2006-2026 (2014)

- No relevant policies

7.2. Core Strategy (2009)

- No relevant policies

7.3. 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

7.4. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2023)
- Planning Practice Guidance (PPG)

7.5. 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. In this case, the proposed double garage would be constructed well forward of the application dwelling within the site frontage which is contrary to the general principles of the adopted design guidance in respect of the siting of garages. It would also occupy an elevated position in relation to Dawsons Lane (approximately 1 metre) but a much lower ground level than the application dwelling that it would serve. By virtue of its 6 metres width and 6.4 metres depth it would be able to be set inside the front and side boundary fencing/planting by approximately 2 metres. Due to the proposed dual pitched roof design with an eaves height of 2.4 metres and a

ridge height of 5.3 metres, the proposal would be visible from Dawsons Lane from the east. However, by virtue of the existing 2 metres high solid close boarded boundary fencing atop the retaining structure to the front and side boundaries and taller soft landscaping inside it which is proposed to be retained, it is considered that the proposal would not be overly visually prominent within, or result in any significant adverse visual impacts on, the street scene in this particular case. There is also a detached timber structure with low pitched corrugated metal sheet roof within the adjacent site frontage of the neighbouring dwelling that would screen the proposal from the west. By virtue of its size and design and the proposed use of matching horizontal timber effect cladding the proposal would also respect the scale, character and appearance of the existing dwelling.

- 8.4 Notwithstanding its siting forward of the dwelling, by virtue of its scale, design, the proposed use of matching external construction materials to ensure a satisfactory and unified appearance, and effective screening, the proposal is considered to respect and complement the scale, character and appearance of the existing dwelling and would not result in any significant adverse visual impacts on the varied character and appearance of the surrounding mixed use area. The proposal is therefore considered to be in accordance with Policy DM10 of the adopted SADMP in this particular case.

Impact upon neighbouring residential amenity

- 8.5 Policy DM10 of the adopted SADMP requires 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 offset siting from the direct outlook of any principal habitable room windows in the front elevations of either neighbouring dwellings, its scale, design, lower relative ground level and minimum separation distance of 12 metres, it is considered that the proposed double garage would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. The proposal is therefore considered to be in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide. No objections have been received from any neighbouring properties.

Impact upon parking provision

- 8.7 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.8 The site currently provides ample off-street parking and turning space on existing tarmac surfaced hard standing within the site frontage and on the driveway which would be unaffected and the proposal would provide formal covered parking for two cars to serve the existing dwelling. This level of provision would remain more than adequate to serve the existing dwelling and therefore would remain in accordance with Policy DM18 of the adopted SADMP and the local highway authority design guide.

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 Barwell 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 dwelling, by virtue of its scale, design, the proposed use of matching external construction materials and effective screening, the proposal is considered to respect and complement the scale, character and appearance of the existing dwelling and would not result in any significant adverse visual impacts on the varied character or appearance of the surrounding mixed use area. By virtue of its offset siting, scale, design, lower relative ground level and minimum separation distance of 12 metres, it is considered that the proposal would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties.
- 10.3. The proposal would provide/retain more than adequate off-street parking and turning and private amenity space within the residential curtilage to serve the existing/resulting dwelling. The proposal is considered to be in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP and is therefore recommended for approval subject to conditions.

11. Recommendation

11.1 Grant planning permission subject to:

- Planning conditions outlined at the end of this report

11.2 Conditions and Reasons

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows: Proposed Site Layout Plan, Floor Plan and Elevations Drawing No. 991001/P/E/01 received by the local planning authority on 28 November 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).

3. The materials to be used on the external elevations of the proposed detached double garage hereby permitted shall be in strict accordance with the materials details provided within the submitted Planning Application form and on the approved Proposed Elevations Drawing No. 991001/P/E/01 received by the local planning authority on 28 November 2023.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11.3 Notes to applicant

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at building.control@blaby.gov.uk or call 0116 272 7533.