DELEGATED REPORT

Recommendation Made: 25 March 2009

Reference:- 09/00085/FUL **Parish:- Earl Shilton Town Council**

Applicant:- Mr P Knowles
160 Heath Lane
Earl Shilton
Leicestershire
LE9 7PD

Location:- North West House 160 Heath Lane Earl Shilton Leicester Leicestershire

Proposal:- DEMOLITIION OF EXISTING GARAGE AND ERECTION OF ONE DWELLING

Introduction:-

A full application has been sought for the demolition of a double garage and the erection of a single detached two storey dwelling. 160 Heath Lane, Earl Shilton is a detached two storey dwelling located to the north of Heath Lane within the settlement Boundary of Earl Shilton. The property is set back from the highway with a large parking area to the front.

Heath Lane consists of a variety of dwellings, including two and single storey detached and semi-detached properties. To the rear is a large garden which backs on to the William Bradford Community College The land slopes in this direction. To the east is a detached two storey property that is set slightly closer to the highway than the front building line of the existing garage. There are no windows to the side elevation facing the application site. The application site is located within a residential area.

A site visit was undertaken on the 3.03.09, and a site notice was erected. A ecological report was submitted in support of the application.

History:-

08/00339/FUL	Erection of five dwellings (re-submission of application 07/01308/FUL)	Permitted	09.06.08
07/01308/FUL	Proposed erection of 8 Flats	Withdrawn	17.12.07

Consultations:-

No objection has been received from …
Director of Highways Transportation and Waste Management (Highways)

At the time of writing the report comments have not been received from …

Parish Council
Neighbours

Development Plan Policies:-

Hinckley and Bosworth Local Plan
BE1- Development and Siting of development
RES5- Residential Development on unallocated sites
REC3- Off site play and open space.

Appraisal:-

The main issues for consideration are the effect of the proposal on the amenities of the neighbouring properties and the appearance of the street scene.

The proposed dwelling has been designed with a gable to the front and rear with a hipped roof, to be in keeping with the existing 160 Heath Lane. To the front a double height bay window adds interest to the design. The footprint and siting take the form of the existing property, resulting in a development in keeping with the building line and pattern of development in the area. It is considered that the design and siting are in accordance with Policy BE1.

Due to the siting of the proposed dwelling it is considered that due to the orientation and distance from the surrounding properties the proposal would not detrimentally affect the amenities of the neighbouring property, 158c Heath Lane.

There has been no objection received from the highways department and there is sufficient space to the front of both the existing and proposed dwellings to provide adequate off street parking and turning as shown on the submitted plan. A ecological report was also submitted which found no evidence of bats or nesting birds within the building to be demolished. Sufficient garden space has been provided for both dwellings.

A condition has been imposed requesting a contribution towards providing play and open space facilities within the area. The application site is located within 400m of an existing recreational space, and the funds are to help provide for additional and maintain existing facilities within the area.

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 appearance, siting and design, would not detrimentally affect the street scene or the amenities of neighbouring properties and would be in accordance with the development plan.
Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1, RES5 and REC3.

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

2 Before any development commences, representative samples of the types and colours of materials to be used on the external elevations of the proposed dwelling shall be deposited with and approved in writing by the Local Planning Authority, and the scheme shall be implemented in accordance with those approved materials.

3 The parking and turning shall be implemented in accordance with the details shown on drawing 03 A received 23.02.09 and retain thereafter.

4 Notwithstanding the approved plans, prior to first occupation, the parking and turning areas shall be surfaced in a hard bound porous material, unless otherwise agreed in writing with the Local Planning Authority.

5 The development hereby permitted shall not commence before the provision and maintenance of off-site open space or facilities whether by off-site physical provision or financial contributions as required in accordance with policy REC3 of the adopted Hinckley and Bosworth Local Plan and the approved Play and Open Space Guide has been secured in such a manner as is approved in writing by the Local Planning Authority.

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 To ensure that there is adequate off street parking in accordance with Policy T5 of the Hinckley and Bosworth Local Plan.

4 To ensure that no loose material is deposited upon the highway that may cause a danger to users of the highway in accordance with Policy T5 of the adopted Hinckley and Bosworth Local Plan

5 To ensure the provision of adequate play and open space within the vicinity of the site in accordance with Policy REC 3 of the adopted Hinckley and Bosworth Local Plan.

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 6th 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).

5 List of plans used in the determination of this application:-
Site plan, block plan, 01, 02, 03 A

6 Condition 5 relates to play and open space provision. In this instance a contribution of £1250.80 is required.

Contact Officer:- Sarah Humphries Ext 5680