

Delegated Report

Planning Ref: 23/00302/HOU

Applicant: Mr Parris

Ward: Burbage Sketchley & Stretton



Hinckley & Bosworth
Borough Council

Site: 343 Rugby Road, Burbage, Leicestershire LE10 2NB

Proposal: Proposed detached 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 application seeks full planning permission for a detached garage to the front (east) of the dwelling.

2.2. The garage measures 4.05 metres wide and 5.5 metres depth, to a ridge height of 4.2 metres and eaves of 2.2 metres. The materials include brick at the base, oak framed timber wall and slate roof.

2.3. Following amendment to previous plan, the roof of the garage has been turned round and eaves height raised but retaining the ridge height.

3. Description of the site and surrounding area

3.1. The site is located within the settlement boundary of Burbage in a residential area. It is a large two storey detached dwelling with a substantial plot set well back from the highway and within a row of similarly sized plots/dwellings. It is constructed of red facing bricks and grey slate roof tiles.

3.2. The site is characterised by a mix of front boundary hedgerows and front boundary entrance wall of varying height, extents and design with entrance pillars and gates set back from the highway boundary. 343 Rugby Road has a large integral garage, and the street scene has a number of integrated and detached garages.

4. Relevant planning history

Reference Number	Description	Decision	Decision Date
07/00580/FUL	Extension and alteration to dwelling.	Planning Permission	6 July 2007
21/00142/HOU	New greenhouse	Planning Permission	10 June 2021
22/00322/HOU	Erection of new electronic site entrance gates with associated walls and piers to front boundary	Planning Permission	26 May 2022
77/00795/4M	Extension to dwelling and erection of Car Port	Planning Permission	7 July 1977
86/00267/4	Garage Extension	Planning Permission	21 April 1986

5. Publicity

- 5.1. Neighbours were notified of the application; no comments have been received.

6. Consultation

- 6.1. Burbage Parish Council has no objection to the application.

7. Policy

- 7.1. Site Allocations and Development Management Policies SADPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM10: Development and Design
- Policy DM18: Vehicle Parking Standards

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

8. Appraisal

- 8.1. Key Issues

- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity

Design and impact upon the character of the area

- 8.2 Policy DM10 of the SADMP indicates that development will be permitted providing it meets good standards of design including that it would complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features and would not have a significant adverse effect on the privacy and amenity of nearby residents.

- 8.3 The proposed single storey garage is located to the front of the property. It measures 4.05 metres wide, 5.5 metres in depth and a ridge height of 4.2 metres. It is made of bricks at the base, oak frame timber wall and a slate roof. The dimension of the garage is considered appropriate. The height matches with the height of the garage at 341 Rugby Road. The trees along the boundary of the property screens the garage from public view.

- 8.4 Generally, the proposed garage is appropriately designed and has no adverse impact on the street scene and therefore is a subordinate and acceptable addition to the existing dwelling. The proposal complies with Policy DM10 of the SADMP and the Good Design Guide.

Impact upon neighbouring residential amenity

- 8.5 Policy DM10 of the SADMP also states that proposals should not adversely affect the occupiers of the neighboring properties or the future occupiers of the property.

- 8.6 The garage is appropriately designed to match existing detached garages on the street scene. It is set back from the main front boundary by approximately 4.3 metres and 1.2 metres to the side boundary. The hedges to the south east of the

site screen it from 345 Rugby Road. There is no form of overlooking or overbearing effect on the surrounding properties. By virtue of the appropriate scale, height and siting of the proposed garage it is considered that this proposal would not have a detrimental impact on the residential amenity of the neighbouring properties and therefore comply with Policy DM10 of the SADMP and the Good Design Guide.

Impact upon parking provision

- 8.7 Policy DM17 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety. Policy DM18 requires new development to provide an appropriate level of parking provision to serve the development proposed. Paragraph 111 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the cumulative impacts on the road network would be severe.
- 8.8 The property has an integral double garage, and the proposal provides additional parking space to serve the dwelling house. The proposal does not affect the existing landscape and provides sufficient parking spaces. The proposed garage has an internal space of 3.6m x 5.5m which complies with standard garage size by Leicestershire Highways Design Guide.
- 8.9 The proposed scheme complies with the required parking dimensions of Paragraph 3.165, Part 3 of the LHDG, and DM18 of the SADMP and the Good Design Guide and would not impact result in unacceptable impact on highway safety or traffic issues.

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 located within the settlement boundary of Burbage and therefore there is a presumption in favour of sustainable development as set out in Policy DM1 and DM10 of the SADMP and the wider policies of the NPPF.
- 10.2 The application is in keeping with the existing dwelling and would not have an adverse visual impact on the area. It complies with Policy DM10 of the SADMP and advice within the Good Design SPD. There would be no significant loss of residential amenity to any neighbouring properties or adverse implications on highway safety. The proposal is therefore in accordance with Policy DM10 in this regard also and can be supported.

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 floor plan and elevation (BRR343/A/02 Rev A: submitted: 30.05.2023).
Site Plan (BRR 343/03: submitted 27.03.2023) and Site Location Plan (BRR343/A/01: submitted 27.03.2023).

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 garage shall match the corresponding materials on the approved plans and elevation.

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

- The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.