

Delegated Report

Planning Ref: 25/00279/HOU
Applicant: Roger Tayton
Ward: Barwell



Hinckley & Bosworth
Borough Council

Site: Eagles View 152 Shilton Road Barwell

Proposal: Detached double garage

1. Recommendations

- 1.1. **Refuse planning permission** subject to the reasons at the end of this report.

2. Planning application description

- 2.1. The application seeks full planning permission for a detached double garage at Eagles View, 152 Shilton Road, Barwell.
- 2.2. The proposed detached double garage would measure 6.49 metres in depth and 5.15 metres in width. It would have a hipped roof form which would measure 4.12 metres to the ridge and 2.65 metres to the eaves. It would have front and southern side pitched roof dormers which would measure 1.09 metres in width, 3.95 metres to the ridge and 3.37 metres to the eaves. The southern side dormer would project outwards from the roof by 2.22 metres and the front dormer would project outwards from the roof by 1.77 metres.
- 2.3. The garage is proposed to be sited to the front of the application dwelling, approximately 1m from the front boundary and 0.5m from the side boundary.
- 2.4. The proposed external materials would be red brick to the walls, grey tiles to the roof, and white uPVC to the openings.

3. Description of the site and surrounding area

- 3.1. The application site relates to a detached residential bungalow situated within the settlement boundary of Barwell. The application dwelling is located to the south of Shilton Road. It is one of a number of substantial sized detached dwellings set in large plots and set well back from the highway. It is an individually designed bungalow with a predominant hipped roof form with a vast amount of pitched roof dormers and various other roof additions to the front, side and rear elevations. The dwelling has been extended substantially over time and contains an attached double garage to the side. It is constructed with a mix of red facing bricks and rendered, grey tiles to the roof and white uPVC to the windows. The large site frontage is hard surfaced in block paving and is enclosed by a low brick wall with open railings above and behind this sits shrubs/trees.

4. Relevant planning history

92/01045/4

- Extension to dwelling
- Planning Permission
- 27.01.1993

94/00059/FUL

- Rear extension and alterations to access
- Planning Permission
- 08.03.1994

99/00240/FUL

- Extension to dwelling
- Refused
- 21.07.1999

99/00680/FUL

- Extension to dwelling and erection of front boundary wall
- Planning Permission
- 21.09.1999

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site.
- 5.2. No comments have been received.

6. Consultation

- 6.1. Barwell Parish Council;

"No objections"

- 6.2. LCC Highways;

"The Local Highway Authority (LHA) refers the Local Planning Authority (LPA) to current standing advice provided by the Local Highway Authority dated September 2011.

The LHA advises the LPA to consider the following:

- *Parking provision should be provided as three parking spaces for a dwelling with four or more bedrooms with spaces measuring a minimum of 2.4 x 5.5m with an additional 0.5 metre strip where bound by a wall/hedge/fence or other similar obstruction. Garage dimensions should also be in accordance with Leicestershire Highway Design Guide (LHDG). <https://www.leicestershirehighwaydesignguide.uk/highway-layouts-anddesign/parking-and-making-provision-service-vehicles/street-residential-car>"*

- 6.3. HBBC Drainage;

"Note to Applicant:

Rainwater from the detached garage roof should be positively drained into a suitable water butt, soakaway or domestic drainage system, and not be permitted to discharge directly onto the surface of the application site and neighbouring properties."

7. Policy

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

- Policy 22: Development and Design

7.2. Core Strategy (2009)

- Policy 3: Development in Barwell

7.3. Site Allocations and Development Management Policies 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) (2024)
- Planning Practice Guidance (PPG)

7.5. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)
- Leicestershire Highways Design Guide (2024)

8. Appraisal

8.1. Key Issues

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

Design and impact upon the character of the area

8.2 Chapter 12 of the NPPF confirms that good design is a key aspect of sustainable development, and the creation of high quality, beautiful, and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 135 of the NPPF details the six national policy requirements of development to ensure the creation of well-designed and beautiful places.

8.3 Paragraph 137 of the NPPF states that applicants, where applicable, should provide sufficient information to demonstrate how their proposals will meet the design expectations set out in local and national policy.

8.4 Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design (as contained in the National Design Guide and National Model Design Code), taking into account any local design guidance and supplementary planning documents such as design guides and codes.

8.5 Policy DM10 of the adopted Site Allocations and Development Management Policies DPD 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.

8.6 Policy 22 of the Earl Shilton and Barwell Area Action Plan (ESBAAP) 2006-2026 (2014) seeks to ensure that new development is not detrimental to the character

and appearance of the host dwelling or surrounding area and respects the scale, proportions, height and materials of the existing buildings, neighbouring structures and overall street scene.

- 8.7 The Councils Good Design Guide seeks to ensure that *“Garages and car ports should generally be set back from the existing building so as not to dominate the street scene.”*
- 8.8 The proposed double garage would measure 6.49 metres in depth and 5.15 metres in width, 3.95 metres to the ridge height and 3.37 metres to the eaves. It would, be set forward of the existing dwelling by 9.83 metres and set in from the northern, highway boundary by only 1.00 metre. By virtue of the scale and location to the front of the dwelling in close proximity to the highway it would be highly visible from Shilton Road and would be an over dominant, addition within the street scene not complying with the Councils Good Design Guide. A line of vegetation has been indicated to the northern boundary. Vegetation cannot, however, be relied on as a screening treatment and even if conditioned to be retained, due to the proposal's significant proximity to the boundary it would not eradicate over-dominance concerns and it is unlikely that satisfactory screening could be retained or if re-planted maintained given the small set-back distance.
- 8.9 The applicant refers to a detached triple garage to the frontage of Penbryn, 156 Shilton Road to justify their proposal. This previously approved development is, however, considered to be completely different in context, serving a larger detached dwelling, with an incomparable design. The officer report for the garage at Penbryn highlights that the garage would be constructed on a similar building line to existing structures to the east, would be well screened by retained conifer hedging and is subordinate in scale to the existing dwelling. The proposed garage under consideration here is not viewed in the same context with no structures forward of the building line in the immediate context. Furthermore, the scheme at no.156 highlights the prominence of garages to the front elevation and is not considered to represent a good design feature to be replicated in any event.
- 8.10 The proposal would have a hipped roof form complementing that of the existing dwelling but would have a front and southern side pitched roof dormers. Whilst dormer windows are characteristic of the application dwelling they are not a characteristic generally found on detached garages. In this case, it is considered that by virtue of the appearance and vast amount of pre-existing dormers, the proposed further addition of two additional dormer windows in such a prominent location even of a similar scale would appear as an over proliferation of dormers and creates a cluttered appearance. The dormer windows would draw attention to the garage and reduces the subordinate appearance of the garage. Overall the design would detract from the character and appearance of the surrounding area due to that visual prominence.
- 8.11 The scale, design and siting of the garage forward of the dwelling with a limited set back distance from the front boundary results in the garage being a visually dominant feature within the surrounding street scene which is generally characterised by set back development. The garage would therefore have an adverse visual impact on the character and appearance of the surrounding area. The proposed development is considered to be contrary to Policy DM10 of the SADMP and design policies of the NPPF.
- 8.12 Amendments have been discussed but ultimately acceptable improvements have not been received.

Impact upon neighbouring residential amenity

- 8.13 Policy DM10 of the adopted Site Allocations and Development Management Policies DPD and the adopted Good 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.
- 8.14 Policy 22 of the Earl Shilton and Barwell Area Action Plan (ESBAAP) 2006-2026 (2014) seeks to ensure that new development does not adversely affect the privacy and amenity of nearby residents and occupiers of adjacent buildings.
- 8.15 According to its separation distance from the neighbouring properties and location, the proposed garage would not have any adverse overbearing or overshadowing impacts upon the residential amenities of 150 Shilton Road or Penbryn, 156 Shilton Road.
- 8.16 The proposed development would therefore accord with Policy DM10 of the Site Allocations and Development Management Policies DPD and Policy 22 of the Earl Shilton and Barwell Area Action Plan (ESBAAP) 2006-2026 (2014) in this regard.

Impact upon parking provision

- 8.17 Policy DM18 of the Site Allocations and Development Management Policies DPD seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.18 The Leicestershire Highways Design Guide seeks to ensure that double garages have a minimum internal footprint of 6.00 x 6.00 metres, with a minimum door width of 4.20 metres.
- 8.19 The proposed detached garage would have an internal footprint of 4.56 x 5.81 metres, falling short of the minimal dimensions required by the Leicestershire Highways Design Guide. Notwithstanding this, due to the presence of an integral garage and the remaining hardstanding at the site the parking provision at the site would remain appropriate.
- 8.20 The proposed development would therefore accord with Policy DM18 of the Site Allocations and Development Management Policies DPD in this regard.

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.

10. Conclusion

- 10.1. Notwithstanding that the proposal would not have any adverse impacts upon residential amenity or the parking provision, by virtue of the proposed garage's siting forward of the general building line, the proposal would result in a prominent and incongruous form of development that would neither complement or enhance the character of the area but would dominate the character of the street scene and would therefore be contrary to Policy DM10 of the Site Allocations and Development Management Policies DPD and Policy 22 of the Earl Shilton and Barwell Area Action Plan (ESBAAP) 2006-2026 (2014) and would fail to have due regard for the Councils Good Design Guide. The proposal is therefore recommended for refusal on these grounds.

11. Recommendation

- 11.1 **Refuse planning permission** subject to the reasons at the end of this report.

11.2 Reasons

1. By virtue of its scale, siting, massing and design, the proposed development would result in an uncharacteristic and incongruous form of development that would neither complement nor enhance the character of the application site or the surrounding area. The development is therefore contrary to Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016), the Hinckley and Bosworth Good Design Guide (2020) and National Planning Policy Framework (2024).

11.3 Notes to applicant

- a) This application has been determined with assessment of the submitted Application Form, Site Location Plan, Drg No. 0380-A-GA-001, Block Plan, Drg No. 0380-A-GA-002, Proposed Floor Plans, Drg No. 0380-A-GA-004, Proposed Elevations, Drg No. 0380-L-GA-005 as received by the Local Planning Authority on the 20th March 2025. Site Plan, Drg No. 0380-A-GA-003A as received by the Local Planning Authority on the 26th March 2025. Existing Street Scene, Drg No. 0380-L-GA-006, Proposed Street Scene, Drg No. 0380-L-GA-007 as received by the Local Planning Authority on the 16th May 2025.