

**Planning Committee 19 October 2021  
Report of the Planning Manager**

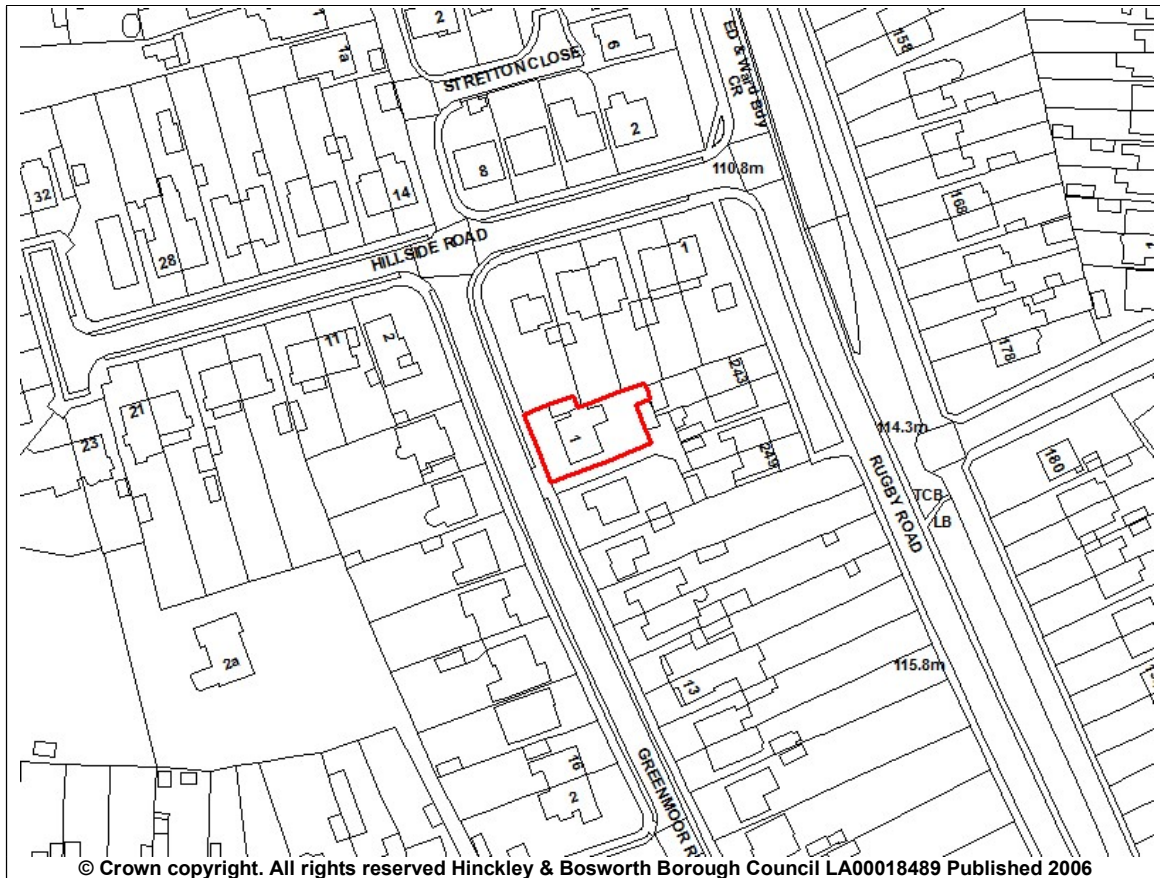
**Planning Ref: 21/00400/HOU  
Applicant: Mr Gavin Dixon  
Ward: Burbage Sketchley & Stretton**



**Hinckley & Bosworth  
Borough Council**

**Site: 1 Greenmoor Road Burbage Hinckley**

**Proposal: External step lift**



**1. Recommendations**

**1.1. Grant planning permission** subject to:

- Planning conditions outlined at the end of this report

**1.2.** That the Planning Manager be given powers to determine the final detail of planning conditions.

**2. Planning application description**

**2.1.** This application seeks planning permission for an external step lift to the front of 1 Greenmoor Road, Burbage. The lift would be built up with a brick retaining wall, and would be used to aid a disabled person(s) residing at the property.

### **3. Description of the site and surrounding area**

- 3.1. The application site comprises a detached bungalow in the settlement boundary of Burbage. The dwelling is designed with a hipped roof and finished in red brick, white uPVC and brown roof tiles.
- 3.2. There is already an existing ramp with handrail to the front of the property.
- 3.3. Greenmoor Road is characterised by residential properties set up from the highway on the west side. The character of the properties is varied.

### **4. Relevant planning history**

- 4.1. None relevant.

### **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. Four letters of objection have been received from three separate addresses with the following comments:
  - 1) The lift would be an unsightly and uncharacteristic addition to the street scene by virtue of its design and appearance.
  - 2) A better location would be to the rear of the property.

### **6. Consultation**

- 6.1. Burbage Parish Council have objected to the design and appearance of the scheme and have asked whether a personal condition could be imposed should planning permission be granted. It has also been requested that a suitably coloured frame is used for the lift to minimise its impact upon the appearance of the street scene.

### **7. Policy**

- 7.1. Burbage Neighbourhood Plan 2015-2026 (BNP)
    - Policy 1: Settlement Boundary
    - Policy 2: Design and Layout
  - 7.2. Core Strategy (2009)
    - None relevant.
  - 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) (2021)
    - Planning Practice Guidance (PPG)
  - 7.5. Other relevant guidance
    - Good Design Guide (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
- Impact upon Highways and Parking

Design and impact upon the character of the area

- 8.2 Policy DM10 of the SADMP requires new development to complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.3 Policy 2 of the BNP advocates residential development which respects its surroundings in terms of design and layout.
- 8.4 The proposed step lift to aid the disabled occupants of the host dwelling would be located to the front of the host dwelling, forward of its principal elevation. It would be set upon a small brick retaining wall finished to match the host dwelling. In its entirety, the development would cover approximately 5.4m<sup>2</sup>, with the lift itself having a floor area of approximately 1.9 metres. The development would be set down from the entrance into the host dwelling to be accessed from the public highway.
- 8.5 At its highest point, by virtue of the sloping land levels to the front of the site, the proposed development would have a height of approximately 1.7 metres above ground level. The development would also include a lift call point on a small propriety post forward of the lift itself. The proposal would follow the specification of a Wessex Open Liberty Platform lift, with glass sides. Solid panels edging the glass would be polyester powder coated. No detail has been provided as to the colour of these panels, however, it is considered that assessment of this by the local planning authority could be addressed via a suitably worded pre-commencement condition should planning permission be granted.
- 8.6 Notwithstanding, the proposed development would have a largely transparent appearance, would be set down from the principal elevation of the host dwelling, and by virtue of its proportions, would be subordinate the form, scale and massing of the host dwelling. It is not considered that the development would significantly alter the appearance or character of the principal elevation of the host dwelling. For this reason also it is not considered that the proposed development to serve the needs of the disabled person(s) would have an adverse impact upon the visual amenity of Greenmoor Road.
- 8.7 On this basis it is not considered that a personal condition requiring the removal of the lift should the applicant no longer reside at the property is justified.
- 8.8 The proposed development would satisfy Policy DM10 of the SADMP and Policy 2 of the BNP subject to a condition requiring the approval of materials prior to commencement.
- Impact upon neighbouring residential amenity
- 8.9 Policy DM10 of the SADMP seeks to ensure that development proposals shall not harm the amenity of neighbouring residential properties.
- 8.10 By virtue of its location forward of and set down from the front elevation of the host dwelling, along with its modest proportions, largely transparent finish, and sufficient separation distance from any habitable elevations at neighbouring properties, it is not considered that the proposed development would have an adverse impacts upon the enjoyment of private residential amenity for neighbouring properties surrounding the application site,
- 8.11 The proposed development would satisfy Policy DM10 of the SADMP in this regard.

Impact upon Highways and Parking

8.12 The proposed lift is located in an area to the front of the property which is currently stepped access. The introduction of a lift in this location does not impact upon the parking arrangements or access to the property.

8.13 Therefore, the proposal accords with Policies DM17 and DM18.

## **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 The equality implications arising from this application relate to the protected characteristics of a disabled person(s). The application has been considered by officers with this in mind against the relevant planning policies and national guidance, notably Policy DM10 of the SADMP of Policy 2 of the BNP. It is not considered that the proposed development would be detrimental to the protected characteristics of its intended user and is therefore considered acceptable.

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 proposed development is for a property located within the settlement boundary of Burbage. As such, there is a presumption in favour of sustainable development under Policy DM1 of the SADMP and Policy 1 of the BNP, as long as the proposal is in accordance with the relevant policies of the SADMP.

10.2. The proposed development would have no adverse impacts upon the character and appearance of the host dwelling, and would not cause any adverse impacts upon the visual amenity of the surrounding area, the neighbouring amenity of adjacent properties or up highway safety. On this basis, the proposal is therefore considered to be in accordance with Policy DM1, DM10, DM17 and DM18 of the SADMP and Policy 1 and 2 of the BNP. The proposal and is 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 That the Planning Manager be given powers to determine the final detail of planning conditions.

11.3 **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:

Site Location Plan received 21 October 2020

- Existing and Proposed Elevations, Drg No. 2109(08)05 received 22 March 2021
- Existing and Proposed Site Plan, Drg No. 2109(08)04 received 22 March 2021

**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 development shall accord with the approved Existing and Proposed Elevations, Drg No. 2109(08)05 received 22 March 2021.

**Reason:** To ensure that the development has a satisfactory external appearance in accordance with Policies DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. No development shall commence on site until details of the colours of materials to be used on the step lift hereby permitted have been deposited with and approved in writing by the local planning authority, and the scheme shall be implemented in accordance with those approved materials.

**Reason:** To ensure that the development has a satisfactory external appearance in accordance with Policies DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11.4 **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 [buildingcontrol@hinckley-bosworth.gov.uk](mailto:buildingcontrol@hinckley-bosworth.gov.uk) or call 01455 238141.