

Delegated Report

Planning Ref: 24/00843/HOU

Applicant: Mr Stephen Flintham

Ward: Barwell



Hinckley & Bosworth
Borough Council

Site: 12 Hereford Close Barwell Leicestershire

Proposal: Single storey side extension

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 a single storey side extension to a dwelling, 12 Hereford Close Barwell.

2.2. The amended proposed single storey side extension would extend 1.75 metres in width from the side elevation to within 0.9 metres of the side boundary of the site. It would be setback 2 metres from the nearest front elevation and extend for a depth of approximately 4.5 metres. It would have a hipped/lean-to roof form with an eaves height of 2.4 metres and maximum roof height of 3.6 metres. Matching corresponding external materials are proposed in its construction.

2.3. An amended plan has been submitted to set the extension back from the front elevation. By virtue of the setback, reduction in size and no previous objections being received, no re-consultations are necessary or have been undertaken.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the urban settlement boundary of Barwell on a large residential estate. It is a semi-detached two storey house with dual pitched gable sided main roof form and a two storey front extension with subordinate dual pitched roof forming a front gable. It has a conservatory with hipped roof form attached to the full width of the rear elevation. There is also a detached flat roof outbuilding within the rear garden. The dwelling is constructed of predominantly of light brown multi facing bricks, a grey rendered panel to part of the main front elevation, grey concrete interlocking roof tiles and white uPVC windows. The dwelling is set back from the highway boundary by between 8.2 metres and 9.5 metres and the 6 metres wide site frontage is entirely surfaced in concrete block paving providing three off-street parking spaces to serve the dwelling.

3.2. The adjoining two storey semi-detached dwelling to the east has not been extended to the front elevation. The detached two storey dwelling with dual pitched gable fronted roof form to the west is set further back than the application dwelling and has a garage extending further forward from the far side of its front elevation. The wider street scene has two storey dwellings with both gable sided and gable fronted roof form and some with either dual pitched roof or flat roof forward projections.

4. Relevant planning history

93/00873/FUL

- Extension to dwelling
- Permitted
- 25.11.1993

78/02207/4M

- Erection of garage store
- Permitted
- 14.02.1979

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 and alterations to existing domestic properties within urban 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 various forms of house extensions.

8.3 The amended proposed single storey side extension would extend only 1.75 metres in width from the side elevation to within 0.9 metres of the side boundary of the site and would therefore retain access to the rear garden. It would be setback 2 metres from the nearest front elevation where it would not be visually prominent and would extend for a depth of approximately 4.5 metres mostly adjacent to the neighbouring dwelling. It would have an unobtrusive hipped/lean-to roof form with an eaves height of 2.4 metres and maximum roof height of only 3.6 metres. The proposal would appear as a clearly subordinate addition to the existing dwelling and by virtue of being only single storey in scale and set back would have no significant visual impact within the street scene. Matching corresponding external materials are proposed in its construction which would ensure a satisfactory and uniform appearance.

8.4 By virtue of the amended siting, scale, design and the proposed use of matching corresponding external materials, it is considered that the proposed extension and alteration would respect and complement the scale, character and appearance of the existing dwelling and wider street scene. The amended 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.

Impact upon neighbouring residential amenity

8.5 Policy DM10 of the adopted SADMP 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. The Council's adopted Good Design Guide states:

'The 45 degree rule is applied for planning applications for new extensions to existing properties which could result in the outlook from or daylight to a principal window to a habitable room being impacted upon. On a plan of the proposal, a projecting line is to be drawn from the nearest principal window to a habitable room that may be affected by the planning application towards the proposed building at an angle of 45 degrees. Habitable rooms include living rooms, bedrooms and kitchens but do not include rooms such as bathrooms, utility rooms, halls, landings or garages. The extension should not cross the 45 degree line.'

8.6 The neighbouring dwelling to the west (No. 14) is a detached two storey house with dual pitched gable fronted roof form. Its main front elevation is set back from that of the application dwelling and even further back from its two storey front extension. There is a dual pitched roof garage extending forward from the left half of the front elevation of No. 14. There are principle habitable room windows at both ground and first floor level between the side elevation of the garage and the east side boundary with the application site. It has a blank near side elevation facing the application dwelling constructed along the west side boundary of the application site.

8.7 The amended proposed single storey side extension would extend 1.7 metres in width from the side elevation to within 0.9 metres of the side boundary of the site. It would be set back 2 metres from the front elevation and have a depth of approximately 4.5 metres. By virtue of the setback the amended proposal would extend only 1.75 metres forward of the front elevation of No. 14 and with a sympathetic hipped roof form at a separation distance from the centre-point of the neighbouring ground floor habitable room window of 1.75 metres. The amended proposal would not extend beyond a 45 degree line drawn from the relevant point of the window and it is therefore considered that it would not result in any significant adverse overbearing or overshadowing impacts on the outlook or residential amenity of the neighbouring occupiers of No. 14. The only window in the side elevation facing No. 14 would be a high level window at ground floor serving a toilet and shower room and would predominantly face the blank side elevation where it

would not result in any direct overlooking to any principle habitable room windows or result in any significant loss of privacy to the neighbouring occupiers of No. 14.

- 8.8 By virtue of its position to the far (west) side of the existing two storey front extension, the proposal would have no adverse impacts on the residential amenity or privacy of the neighbouring occupiers of the adjoining dwelling to the east (No. 10).
- 8.9 By virtue of the amended siting, scale, design and separation distance, it is considered that the amended proposal would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. The amended proposal would therefore be in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide. No objections have been received from the occupiers of any neighbouring properties.

Impact upon parking provision

- 8.10 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.11 The proposal would not add any additional bedroom space and would not affect the existing three off-street parking spaces within the 8.2 metres and 9.7 metres deep and 6 metres wide concrete block paved site frontage. The local highway authority design guide standard would require only two off-street parking spaces of minimum dimensions of 5.5 metres in length and 2.4 metres in width to serve a three bedroomed dwelling. Therefore, the proposal would retain adequate off-street parking provision to serve the existing/resulting three bedroomed dwelling 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 relates to an extension and alteration to an existing dwelling located within the urban 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. By virtue of the amended siting, scale, design and the proposed use of matching corresponding external materials to ensure a uniform appearance, it is considered that the proposed extension and alteration would respect and complement the scale, character and appearance of the existing dwelling and surrounding area. By virtue of the amended siting, scale, design and separation distance it is considered that the amended proposal would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. Adequate off-street parking for three vehicles would be retained along with adequate private amenity space to serve the existing/resulting three bedroomed dwelling. The amended proposal is considered to be in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP and the general principles of the adopted Good Design Guide 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: Location Plan only Drawing No. 24/35 06 received by the local planning authority on 4 September 2024 and Proposed Floor Plans and Proposed Elevations Drawing No. 24/35 03 received by the local planning authority on 10 October 2024.

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 extension and alteration shall match the corresponding materials of the existing dwelling.

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.