

Delegated Report

Planning Ref: 25/00028/HOU
Applicant: Mr Daniel Vickers
Ward: Groby



Hinckley & Bosworth
Borough Council

Site: 38 Woodbank Road Groby Leicester

Proposal: Single Storey side and rear 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 application seeks full planning permission for a single storey rear/side extension. The extension will sit upon the footprint of an existing (conservatory) rear extension and detached garage (under flat roof) unit, of which both are proposed to be demolished as part of this application.
- 2.2. The proposed extension will protrude approx. 6 metres beyond the host dwellings original rear elevation (including the 3 m footprint depth of the existing rear conservatory, which is to be demolished) and measure 9.9 metres in width – which will span the width of the existing rear elevation and also protrude beyond the host dwelling's side (east) elevation by approximately 2.3 metres (including the footprint of the existing detached garage unit proposed to be demolished).
- 2.3. The proposal will be under a flat roof (height from ground level to eaves approx. 2.7 metre). The flat roof will contain a glass lantern type window and a Velux Roof light type window.
- 2.4. The proposed external elevations will be constructed in a brick-built lower section (4-5 courses) and the upper sections will be rendered (white) to match the existing external materials/appearance of the host dwelling.
- 2.5. The application also proposes the enclosure of the host dwelling's existing (open) entrance porch and removal of the front (West elevation) entrance. This proposed external elevation will match the host dwelling's existing front external elevation (lower brick built course and the upper section rendered)
- 2.6. The proposed extension will provide an extended kitchen and dining space.

3. Description of the site and surrounding area

- 3.1. 38 Woodbank is a brick built (rendered white upon its external elevations above narrow (4-5 courses) lower brick section) detached bungalow type dwelling. The property is under a (concrete) tiled hipped roof. A single brick and flat roofed detached garage is sited immediately to the rear of the property and also protrudes beyond its side (north) elevation and sits upon the boundary shared with the adjoining neighbour (No.36). A conservatory extension adjoins a section of the host dwelling's rear elevation.
- 3.2. The dwelling was built mid-20th Century in is located within a linear residential avenue containing dwellings of a similar age but containing a mixture of typologies

(bungalows, 1.5 storey chalet type bungalows and two storey detached dwellings). The proposal site is flanked upon its northern boundary by a similar bungalow, whilst a 1.5 storey, chalet type dwelling is located to the proposal sites southern boundary.

- 3.3. The proposal site sits within a sloping street (ascending south- northwards), whereby, the neighbouring bungalow (No.40) is sited approx. 0.75 metre higher than the proposal site and the neighbour to the south (No.36) is sited approx. 0.75 below the proposal site.

4. Relevant planning history

- None

5. Publicity

- 5.1. Neighbours have been notified of the application
- 5.2. No comments have been received.

6. Consultation

- 6.1. Groby Parish Council – No objections

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
- 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)
 - Leicestershire Highway Design Guidance (2024)

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

- 8.1. 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.
- 8.2. A small section of the proposed rear extension will protrude (approx. 2 metres) beyond the host dwelling's rear/side (north) elevation, and will be able to be viewed from the nearby highway. However, despite its contemporary appearance (flat roof with roof lantern) by virtue of its scale and siting (set back behind the dwelling's

original rear elevation), the proposed extension will remain subservient to the scale of the host dwelling. Moreover, given its scale, siting and design the proposal will be sympathetic to the scale and character of both the host dwelling and neighboring properties and will not introduce an incongruous or harmful feature with the surrounding streetscene.

- 8.3 Otherwise, the proposal sits comfortably within its surrounding plot and retains sufficient rear amenity space for the enjoyment of its occupants.
- 8.4 Therefore, the proposal accords with Policies DM10 of the SADMP and the relevant advice provided in The Good Design Guide.

Impact upon neighbouring residential amenity

- 8.5 Policy DM10 of the SADMP seeks to ensure that development proposals shall not harm the amenity of neighbouring residential properties.
- 8.6 The proposed extension will protrude from the rear elevation of the host dwelling, however the depth will not intersect 45 degree splay lines drawn from the centre of the closest windows that serve habitable rooms belonging to neighbouring properties (No.36 and No. 40 Woodbank). Therefore the proposal will not introduce an overshadowing feature upon the adjoining neighbour's living space windows and rear amenity space.
- 8.7 The proposed extension's side elevations (north & south) will be sited within relative close proximity upon the rear boundaries shared with adjoining dwellings (proposed north elevation to be built upon the common boundary and proposed south elevation sited 1.3 metres from the common boundary). However, the proposal will be single storey under a flat roof, with a maximum height from ground level of 2.7 metres and therefore a small section (0.7 metre) of both elevations upper section will protrude above existing (permitted) 2 metre close boarded shared boundary treatments.
- 8.8 Furthermore, the proposal will sit upon the footprint of existing buildings (conservatory and detached garage) which are of a similar height and depth (in the case of the existing garage unit) to the proposed extension. Therefore, given the mass/height of the structures that can already be viewed from neighbouring properties, and given its siting and scale/height, the proposed extension will not introduce an overbearing or oppressive feature upon the rear amenity space most enjoyed by neighbouring occupants.
- 8.9 Otherwise, the proposal will not introduce window openings that will directly view or harm the privacy afforded to neighbouring dwellings' habitable rooms or rear amenity space. However, in consideration of the proposals sites topography (ascending approx. 0.75 metres in height south- north) and the siting of the proposed side elevations in proximity to the adjoining neighbours, a condition should be attached to the approval of this application, which will require permission (post completion of this approval) to be obtained from the LPA to insert window openings in the approved extension's side elevations (north & south).
- 8.10 Otherwise, given the above considerations, the proposal accords with Policies DM10 of the SADMP and relevant policies contained in the Good Design Guide.

Impact Highway Safety and off-street Parking

- 8.11 Policy DM18 of the SADMP requires new development to provide an appropriate level of parking provision to serve the development proposed. However, in this case no further bedroom spaces are proposed. The Leicestershire Highways Design Guide requires there is sufficient accommodation for vehicles and recommends that at least two off-street parking spaces are retained for dwellings with three bedrooms.

The host dwelling at present provides two parking spaces, and the proposal will result in the loss of existing of the existing garage unit, but will retain the off-street parking space for at least two motor cars.

- 8.12 The proposal will not otherwise compromise the access arrangements from the host dwelling to the adjoining highway and will not introduce any features that will harm the safety of highway of users of the adjoining highway network. I therefore consider the application complies with Policy DM18 of the SADMP.

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 Guide. 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:

- Drg No.002 Rev A - Proposed Block Plan
- Drg No.004 Rev A - Proposed Ground Floor Plan
- Drg No.005 Rev A - Proposed Roof Plan
- Drg No.006 Rev A - Proposed and Existing Elevations (front and south side)
- Drg No.007 Rev A - Proposed and Existing Elevations (rear and north side)

All received by the Local Planning Authority Monday 17th March 2025.

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 accord with the approved:

- Drg No.005 Rev A - Proposed Roof Plan
- Drg No.006 Rev A - Proposed and Existing Elevations (front and south side)
- Drg No.007 Rev A - Proposed and Existing Elevations (rear and north side)

All received by the Local Planning Authority 17th March 2025.

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. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) no window other than those approved under this permission shall be inserted into the side (north and south) elevations of the proposed extension unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the amenities of neighbouring properties 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.