

Delegated Report

Planning Ref: 23/00689/HOU
Applicant: Mr Simon Oakley
Ward: Earl Shilton



Hinckley & Bosworth
Borough Council

Site: 147 New Street Earl Shilton Leicester

Proposal: Single storey rear/side extension and replacement of existing 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. The application seeks full planning consent for a single storey rear and side extension and the replacement of the existing detached garage at 147 New Street, Earl Shilton.
- 2.2. The proposed rear extension would project outwards from the existing dwelling by 4.00 metres and would have a width of 5.90 metres. It would feature a pitched roof measuring 3.75 metres to the ridge and 2.55 metres to the eaves.
- 2.3. The proposed side extension would project outwards from the side elevation of the dwelling by 5.85 metres and would have a maximum width of 6.84 metres. It would feature a pitched roof measuring 3.30 metres to the ridge and 2.55 metres to the eaves.
- 2.4. Additional alterations include the addition of 4 rooflights.
- 2.5. The external materials include the use of white render to the walls and brown tiles to the roof to match the existing. The windows and doors are proposed to be grey uPVC.

3. Description of the site and surrounding area

- 3.1. The application site relates to a two-storey semi-detached dwelling situated within the settlement boundary of Earl Shilton. The dwelling comprises a mixture of white render and red brick to the walls, brown and red tiles to the roof and brown windows and doors. A gravelled narrow driveway sits to the north-east side of the dwelling, which leads down to a single garage.
- 3.2. The street scene is relatively uniform in scale, however varied in design and finish. The proposed single storey rear and side extension and the replacement of the existing detached garage would therefore not be out of character within the street scene.

4. Relevant planning history

06/00636/OUT

- ERECTION OF ONE DWELLING WITH ASSOCIATED PARKING AND ACCESS
- REF

- 11.10.2006

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. No objections have been received.

6. Consultation

- 6.1. No objections have been received from Earl Shilton Parish Council.

7. Policy

- 7.1. Earl Shilton and Barwell Area Action Plan DPD 2014
- Policy 29: Design
- 7.2. Core Strategy (2009)
- Policy 2: Development in Earl Shilton
- 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 parking provision

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. Policy 29 of the Earl Shilton and Barwell Area Action Plan DPD 2014 seeks to ensure that any future residential development respects its surroundings, follows the existing pattern of development and retains existing important natural features on the site.
- 8.3. The majority of the proposal would be sited to the rear of the dwelling and therefore would not be viewable from the street scene. The extension would be single storey

in nature. The part of the proposal that would extend beyond the existing side elevation of the dwelling would be on the footprint of the existing store and garage.

- 8.4 The proposed side extension would be viewable within the street scene. It is set back from the principle elevation by approximately 8.10 metres. The proposal is single storey in nature. The majority of the side extension involves a replacement garage of a similar footprint, by virtue the addition of the boot room (2.25 metres) adjoining the rear extension to the garage would be a minor addition. Due to the single storey nature, the setback nature of the proposal and the minimal projection it is considered that the proposal would not be overly prominent within the street scene.
- 8.5 The proposed is to feature a pitched roof. Although, the existing dwelling features a half-hipped roof the pitched design is considered to complement the existing dwelling. Additionally, the existing garage features a flat roof, by virtue the pitched roof is a welcome addition.
- 8.6 The proposed materials will be consistent with the original dwelling with the exception of the use of grey uPVC windows and doors. This addition would add a contemporary aspect to the dwelling and is considered to be a positive addition to the dwelling, there is not considered to be any adverse effects upon the amenity of the area.
- 8.7 In consideration of the above, the proposal would have a complementary but minimal visual impact on the character and appearance of the existing house and the wider street scene in compliance with policy DM10 of the SADMP and the Good Design Guide SPD.

Impact upon neighbouring residential amenity

- 8.8 Policy DM10 of the SADMP seeks to ensure that developments will have no significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings. Policy 29 of the Earl Shilton and Barwell Area Action Plan DPD 2014 seeks to ensure that any future residential development respects the privacy and amenity of the nearby residents and occupiers of adjacent buildings.
- 8.9 The separation distance between the residential curtilage of the application dwelling and neighbouring property 149 New Street, would be increased by 0.30 metres. The existing flat roofed garage measures approximately 2.29 metres in height and the proposed garage would measure approximately 3.30 metres to the ridge and 2.55 metres to the eaves and would pitch away from no.149. There would be no additional windows or doors to the east-west side elevation. Considering the existing built form and lack of windows on the side elevation, the proposal would not have an adverse impact on no. 145 New Street.
- 8.10 The rear extension would exceed the 45 degree rule to the north-west by a fair amount. The agent has, however stated that if refused the section of the rear extension would be submitted under a separate Larger Home Extension application, given this statement this is considered a realistic fall-back position for a similar quantum of development along the boundary with no. 145. By virtue of this and knowledge that the owner of no.145 has not raised any objections to the current application it is considered in this case to be acceptable. The internal layout of no.145 features an open living space, accounting for this an acceptable level of light will still be received from both the front and rear windows. No additional windows are proposed to the wall of the north-west side elevation. Roof lights are, however proposed, however by virtue of the roof pitching away from the neighbouring

dwelling there are not considered to be any adverse impacts upon neighbouring amenity.

- 8.11 Overall, due to the factors stated above it is considered that the proposal would not have a detrimental impact on the residential amenity of the occupiers of any of the neighbouring dwellings in terms of loss of light, overlooking or overbearing nature. The proposal would therefore be in accordance with Policy DM10 of the adopted SADMP and Policy 29 of the Earl Shilton and Barwell Area Action Plan DPD 2014.

Impact upon parking provision

- 8.12 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design. Policy 29 of the Earl Shilton and Barwell Area Action Plan DPD 2014 seeks to ensure that any future residential development do not result in the unacceptable loss of parking.
- 8.13 Section 3.151 of the Leicestershire Highways Design Guide states that “*a three-bedroom dwelling in suburban or rural areas should host two spaces*”. Due to the garage being retained and no alterations proposed to the driveway, there would not be any impacts upon the parking provision at the application dwelling.
- 8.14 The plot would therefore still provide ample space for off-street parking. The proposal would therefore be in accordance with Policy DM18 of the adopted SADMP, Policy 29 of the Earl Shilton and Barwell Area Action Plan DPD 2014 and the Leicestershire Highways 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.

10. Conclusion

- 2.6. The proposal is located inside of the settlement boundary of Earl Shilton and is for a proposed single storey rear and side extension and the replacement of the existing detached garage at 147 New Street, Earl Shilton, therefore there is a presumption in favour of sustainable development as set out in Policy DM1 and the wider policies of the NPPF.
- 10.1. The proposal would respect the character of the existing dwelling and the surrounding area. It would retain adequate private amenity within the curtilage and

would not adversely affect the amenities of the occupiers of neighbouring properties. It would have no impact upon highway safety. The application is considered to be in accordance with Policies DM1, DM10 and DM18 of the SADMP and Policy 29 of the Earl Shilton and Barwell Area Action Plan DPD 2014.

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 materials to be used externally shall accord with the approved application form, as received by the Local Planning Authority on the 12th July 2023.

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).

3. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

Site Location & Block Plan, Drg No. 674-003 as received by the Local Planning Authority on the 12th July 2023.

Proposed Elevations & Floor Plans, Drg No. 672-002B as received by the Local Planning Authority on the 20th September 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).

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 building.control@blaby.gov.uk or call 0116 272 7533.