

Delegated Report

Planning Ref: 24/00329/HOU
Applicant: Mr Scott Bakewell
Ward: Groby



Hinckley & Bosworth
Borough Council

Site: 13 Hilary Crescent Groby Leicestershire

Proposal: Loft conversion with front and rear dormers

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 loft conversion including dormer windows to the front and rear roof elevations of a dwelling, 13 Hilary Crescent, Groby.
- 2.2. The proposed loft conversion would retain the 2.5 metres eaves height and 5.9 metres ridge height of the existing roof. Two dual pitched roof gable fronted dormer windows are proposed in the front roof elevation along with a wide flat roof box dormer window to the rear roof elevation. Each of the two proposed front dormers would have a width of 1.8 metres, a height to ridge of 2.4 metres and a depth of up to 3.56 metres. They would be marginally lower than the main roof ridge and set back from the front edge of the roof by 1.3 metres. The proposed flat roof box dormer to the rear elevation would have a width of 7.1 metres, a height of 2.9 metres and a depth of up to 4.3 metres. It would be marginally lower than the main roof ridge, set back from the rear edge of the roof by 0.5 metres and set in slightly from both sides. It would have double doors and windows with full height glazing and a glazed Juliet balcony to its rear elevation serving a bedroom along with another smaller window serving an en-suite. Matching corresponding materials are proposed in the construction.
- 2.3. Amended plans have been submitted to address some inconsistencies in the originally submitted plans.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of Groby in a cul-de-sac on a residential estate. It is a semi-detached bungalow with dual pitched gable sided roof form and has a single storey flat roof extension across half the width of its rear elevation. It is constructed with a mix of smooth white rendered walls (front and rear elevations) and red facing bricks (front and side elevations), grey concrete interlocking roof tiles and dark grey uPVC windows. The rear garden is well enclosed by 2 metres high solid close boarded timber panel fencing and conifer hedgerow. The entire 8 metres wide and 5 metres deep site frontage is hard surfaced in concrete block paving and provides two off-street parking spaces.
- 3.2. The cul-de-sac is characterised by detached and semi-detached bungalows with either hipped or gable sided roof form with a variety of designs and appearance with both facing bricks and rendered properties within the street scene. Some have already been extended with loft conversions and have similar dormer windows to their front and rear roof elevations, notably 20 and 18 Hilary Crescent to the northeast and 42 Carmen Grove to the southeast, both in close proximity to the application site.

4. Relevant planning history

21/00252/HHGDO

- Rear extension measuring 4.00 metres in depth; 2.85 metres in height to the ridge; and 2.70 metres to the eaves
- NRPA
- 01.04.2021

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. One response has been received as a result of public consultation objecting to the proposals on the grounds of loss of privacy from overlooking and associated loss of property value.

6. Consultation

- 6.1. No objection has been received and confirmed from Groby Parish Council.

7. Policy

- 7.1. Core Strategy (2009)
- No relevant policies
- 7.2. 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
- 7.3. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2023)
 - Planning Practice Guidance (PPG)
- 7.4. 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 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 additional design advice in relation to various types of house extensions and alterations and in respect of roof extensions states:

'Wherever possible, locate roof extensions to the rear of properties to minimise potential impact on the street scene. Dormer windows will be considered in the context of impact upon the character of the building and on neighbours' amenity and should reflect the window pattern of the dwelling. Material selection, and scale of window opening and position within the roofscape is critical in the success of dormers. Dormers to fronts of properties will only be acceptable where this is a prevailing feature of the surrounding context.'

- 8.3 The proposed loft conversion would not require any increase to the height of the existing 5.9 metres roof ridge or 2.5 metres roof eaves. The proposed flat roof box dormer to the rear roof elevation would be 2.9 metres in height to be marginally subordinate to the main roof ridge. It would extend 7.1 metres in width for almost the full width of the roof but would be set in slightly from each side of the roof which would enable the definition of the side gables of the main roof to maintain their visual dominance. It would also be set in 0.5 metres from the rear roof edge such that it would sit within the main roof elevation and not appear as an additional full storey. Notwithstanding its width, the proposed box dormer would be located to the rear elevation where it would not be an overly prominent feature or result in any adverse visual impacts on the character of the surrounding area. It would have double doors and windows with full height glazing and a glazed Juliet balcony to its rear elevation serving a bedroom along with another smaller window serving an en-suite which reasonably reflect the pattern of the existing windows below them. Notwithstanding its scale, on its own, the rear box dormer would create only 44.8 cubic metres of additional roof space which together with its other design characteristics is considered to meet the current criteria for permitted development under Class B of Schedule 2 of the General Permitted Development Order and it is therefore considered to be acceptable in design terms.
- 8.4 Two dual pitched roof gable fronted dormer windows are also proposed in the front roof elevation. Each of these would have a width of 1.8 metres, a height to ridge of 2.4 metres and a depth of up to 3.56 metres. These are considered to be reasonably well spaced in relation to the windows below and well-proportioned within the roof elevation, being marginally set down from the main ridge and set in sufficiently from the front edge and both sides of the main roof. As such they sit comfortably within the roof elevation and are considered to be acceptable in design terms. There are similarly designed and proportioned front dormer windows within the wider street scene on at least two other nearby bungalows and therefore their inclusion is not uncharacteristic of the surrounding area and would not result in any significant adverse visual impacts on the character or appearance of the application dwelling or wider street scene in this case. It is proposed that the walls/cheeks of the all the proposed dormers would be constructed with hanging tiles to match the colour of the main roof which would ensure a satisfactory and unified appearance.
- 8.5 By virtue of their siting, scale, design and the proposed use of matching external materials to ensure a satisfactory and unified appearance, it is considered that the proposed extensions and alterations would respect and complement the scale, character and appearance of the existing dwelling and varied wider street scene. The proposals are 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
- 8.6 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.

- 8.7 One objection has been received as a result of public consultation on the grounds of loss of privacy from direct overlooking and associated loss of property value. The proposed box dormer within the rear roof elevation would introduce upper floor windows where none currently exist. However, the dormer windows would be at a separation distance of 17 metres to the applicant's rear garden boundary and approximately 40 metres to the opposing habitable room windows in the rear conservatory of the neighbouring dwelling to the northwest. These distances comfortably exceed the suggested acceptable minimum separation distance of 21 metres between opposing back to back habitable room windows and the minimum garden depth of 7 metres contained within the Council's adopted Good Design Guide. Therefore, notwithstanding the objection received, it is considered that as a result of the separation distances, the proposal would not result in any significant or unacceptable adverse impacts on the privacy of the neighbouring occupier from direct overlooking in planning terms. Property values are not a material planning consideration.
- 8.8 The adjoining dwelling to the south (No. 11) is a similar semi-detached bungalow with dual pitched gable sided roof form and has also been extended to the rear with a conservatory. The proposed rear box dormer would be located to the north and would not extend beyond the main rear elevation of the application dwelling or that of No. 11 and therefore would not result in any significant adverse overbearing or overshadowing impacts on No. 11. The proposed double doors and windows and Juliet balcony would face directly towards the applicant's own rear garden and although views into the rear garden of No. 11 would be available, these would be at an angle only and therefore it is considered that this would not result in any significant adverse impacts on the residential amenity or privacy of the neighbouring occupiers of No. 11.
- 8.9 The neighbouring dwelling to the north (No. 15) is a detached hipped roof bungalow that has a blank near south side elevation facing the application site and its main rear elevation is set back approximately 5 metres from that of the application dwelling and the proposed rear box dormer. As a result, the rear box dormer would not result in any significant adverse overbearing or overshadowing impacts on No. 15. The proposed rear double doors and windows and Juliet balcony would allow angled views towards the bottom section of the rear garden of No. 15 rather than the more sensitive areas to the immediate rear of the dwelling and, in any case, the rear garden is currently screened further by a row of tall trees including evergreen conifers. Therefore, it is considered that the proposal would not result in any significant adverse impacts on the residential amenity or privacy of the neighbouring occupiers of No. 15.
- 8.10 Notwithstanding the objection received, by virtue of the siting, scale, design, separation distances and existing screening, it is considered that the proposals would not result in any significant or unacceptable adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. The proposals would therefore be in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.

Impact upon parking provision

- 8.11 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.12 The proposed loft conversion would not result in an increase in the number of bedrooms as one would be partly used to provide a staircase to access the proposed loft space bedroom. The site currently provides a minimum of two off-street parking spaces on the 8 metres wide and 5 metres deep concrete block paved site frontage and this would be unaffected by the proposals and is to be

retained to serve the existing/resulting two bedroomed bungalow. This level of provision would be adequate to serve a two bedroomed dwelling and be in accordance with Policy DM18 of the adopted SADMP and the local highway authority design guide standards.

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 proposals relate to extensions and alterations to an existing dwelling located within the settlement boundary of Groby 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 their siting, scale, design and the proposed use of matching external materials to ensure a satisfactory and unified appearance, it is considered that the proposals would respect and complement the scale, character and appearance of the existing dwelling and varied wider street scene. Notwithstanding the objection received, by virtue of the siting, scale, design, separation distances and existing screening, it is considered that the proposals would not result in any significant or unacceptable adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. Adequate off-street parking would be retained within the site to serve the resulting two bedroomed bungalow along with over 100 square metres of private amenity space. The proposals are 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 are 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 at scale 1:1250 and Proposed Block/Site Plan at scale 1:500 received by the local planning authority on 11 April 2024 and Proposed Floor Plans Sheet No. 1 V2 and Proposed Elevations Sheet No. 2 V2 received by the local planning authority on 18 April 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 extensions and alterations hereby permitted 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.