

Delegated Report

Planning Ref: 23/01070/HOU
Applicant: Mr And Mrs F Gatto
Ward: Groby



Hinckley & Bosworth
Borough Council

Site: 11 Spinneyside Groby Leicestershire

Proposal: Loft conversion including extension to roof and rear dormer window

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 an increase in the ridge height and roof pitch (but not eaves height) and a hip to gable roof extension to a two storey detached dwelling together with the construction of a box roof dormer to the rear roof elevation and three roof lights to the front roof elevation to enable the provision of habitable loft accommodation.
- 2.2. The main roof ridge would be increased by 1 metre to a new height of 8.2 metres and with a slightly steeper pitch as a result of the eaves remaining at the existing height. The gables are proposed to be built up in matching red multi facing bricks and that the new main roof would be constructed with plain Marley smooth grey concrete roof tiles to replace the existing grey interlocking roof tiles. The amended proposed flat roof box dormer on the rear roof elevation would have a width of 7.8 metres and be set in from both side roof edges by 0.8 metres. It would be set back 0.6 metres from the rear wall plate and have a height of 2.3 metres to just below the new roof ridge and a depth of 3.5 metres. The dormer is proposed to be constructed with grey horizontal Cedral cladding boards to match the new roof tiles together with white uPVC windows to match the existing windows.
- 2.3. An amended plan has been submitted to reduce the width and the extent of glazing and Juliette balcony from the rear elevation of the dormer window. By virtue of the nature of the amendments and lack of any previous consultation responses, no re-consultation on the amendments has been undertaken in this case.
- 2.4. A Preliminary Bat Roost Assessment and biodiversity enhancements have also subsequently been submitted to support the application.

3. Description of the site and surrounding area

- 3.1. The application dwelling lies within the settlement boundary of Groby on a residential estate and at the end of a small cul-de-sac. It is a two storey detached house with gables to three sides of the main roof and a hip to the west side elevation. It has a single storey front extension with lean-to roof form over the part integral garage and front ground floor bay window including a small gable over the front door. It is constructed of red multi facing bricks, grey concrete interlocking roof tiles, small plain concrete hanging tiles to the front gable infill and white uPVC windows and doors. In addition to the integral garage, the concrete block surfaced site frontage provides additional off-street parking for two cars. The rear garden is enclosed by 2 metres high solid close boarded timber fence panels.
- 3.2. The application dwelling lies at the end of a row of similarly scaled and designed detached two storey dwellings on a similar building line. The wider street scene

includes a variety of house designs which include plain fronted gable sided roof designs, gable fronted designs with both symmetric and asymmetric main roof forms and similar construction materials.

4. Relevant planning history

12/00753/HOU

- Extensions and alterations to dwelling
- Permitted
- 30.10.2012

13/00137/CONDIT

- Variation of condition to planning permission 12/00753/HOU for extensions and alterations to dwelling
- Permitted
- 18.04.2013

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. Leicestershire County Council (Ecology) raise no objections subject to the development being carried out in accordance with the submitted Preliminary Roost Assessment and biodiversity enhancements.

6.2. No response has been received 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 DM6: Enhancement of Biodiversity and Geological Interest
- 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
- Impact on bats

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 house extensions and states that:

'Wherever possible, locate roof extensions to the rear of properties to minimise potential impact on the street scene. Dormer windows, which allow for additional headroom within roof spaces can be appropriate in certain situations, however these 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. Care should be taken to ensure that the existing horizontal and vertical rhythm together with the proportion of openings is either reflected or complemented.'

- 8.3 The proposal seeks to raise the ridge height and roof pitch of the existing dwelling, with the eaves height remaining the same. There are already variations in ridge heights within the street scene by virtue of the variation in the designs and roof forms of dwellings in the vicinity. By virtue of this and the proposed modest increase of only 1 metre in the ridge height (to 8.2 metres in total) and, importantly, no proposed increase in the eaves height, it is considered that the proposal would not appear out of scale or character with neighbouring dwellings or have any significant adverse visual impacts on the character or appearance of the surrounding area.
- 8.4 Dormer windows are not an uncharacteristic feature of the estate on which the dwelling is located, side dormers are particularly evident to the dwellings with asymmetric roof form. Whilst box roof dormer windows do not generally result in attractive development, they are widespread throughout the Borough on rear roof elevations. In this case, the proposed box roof dormer window would be located on the rear roof slope with a slightly lower flat roof height to the proposed new main ridge and would be set in from both side elevations by 0.8 metres. As a result of this and the position of the application dwelling at the end of a cul-de-sac, its visual impact on any street scene would be minimal, albeit glimpsed views would be available between the dwellings located on a much lower ground level on Spinney Close to the west. The proposed set in from both side elevations together with the set in of 0.6 metres from the rear wall plate would ensure that the dormer would sit within the main roof and retain the overall two storey character of the existing dwelling.
- 8.5 The amended plans submitted have removed the originally proposed full length glazed doors/windows and Juliette balcony from the scheme and the amended proposal would have three more appropriately proportioned windows. Whilst these would be slightly offset from the first floor windows below, they would be regularly

spaced within the dormer and therefore are not considered to be unacceptable in design terms. The new main roof is proposed to be constructed with plain Marley smooth grey concrete roof tiles to replace the interlocking concrete roof tiles which it is considered would result in a minor improvement. The proposed dormer is proposed to be constructed with grey horizontal Cedral cladding boards to match the new roof tiles together with white uPVC windows to match the existing windows. It is considered that the proposed external materials would ensure a satisfactory and unified appearance and would have no adverse visual impacts on the character or appearance of the street scene or wider surrounding area. Whilst not a characteristic feature, by virtue of their small size the proposed roof lights within the front roof slope would not result in any significant adverse visual impacts on the character or appearance of the street scene.

- 8.6 On balance, by virtue of the siting, scale, amended design and subject to the proposed use of satisfactory external materials, it is considered that the proposals would respect and complement the scale, character and appearance of the existing dwelling and would not result in any significant adverse impacts on the character or appearance of the street scene or surrounding area. The proposals are therefore considered to be acceptable in design terms and in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 8.7 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.
- 8.8 The application dwelling is constructed on the same building line as its immediate neighbour to the east (No. 9). By virtue of the modest 1 metre increase in ridge height adjacent to its blank side elevation and the proposed rear dormer being set in from the side elevation and rear wall plate, the proposals would have no significant adverse overbearing or overshadowing impacts on No. 9. The windows in the rear elevation of the proposed rear dormer would not result in any significant or additional potential overlooking to the rear garden of No. 9 than the existing first floor windows below them which also face directly into the applicants own rear garden.
- 8.9 The neighbouring dwellings to the west (No. 5) and south (No. 6) on Spinney Close occupy a much lower ground level than the application dwelling. The rear garden of the application dwelling has previously been built up into a flattish surface with a retaining structure and enclosed with 1.8/2 metres high solid close boarded timber fencing around its boundaries. The proposed dormer windows would face directly towards the rear garden of No. 6, as do the existing first floor windows below them, but would be set inside the rear boundary of the site by approximately 13.5 metres and would be approximately 23 metres to the rear corner of the dwelling itself which is constructed at a perpendicular angle. The garden depth of the application dwelling is almost double the 7 metres minimum garden length suggested as being acceptable within the adopted Good Design Guide. By virtue of the separation distances and relative orientation of the application dwelling to No. 6, it is considered that the amended proposal would not result in any significant adverse overbearing or overshadowing impacts on No. 6 or result in any significant additional potential overlooking to the rear garden of No. 6 than the existing similar first floor windows below them.
- 8.10 The proposed increase in the main roof ridge would be only a modest 1 metre but the proposal also includes the building up of the side elevation to form a new side gable to a ridge point of up to 3 metres higher than the existing eaves height. Notwithstanding this, the new gable would be approximately 12.5 metres from the

nearest rear corner of No. 5 at its lowest/eaves height and would be offset from the direct outlook from the rear elevation windows of No. 5 due to the relative position and orientation of No. 5 to the side elevation of the application dwelling. Whilst the rear garden of No. 5 occupies a much lower ground level than the proposed new gable, it is overshadowed to a substantial degree by the existing mature trees within its rear garden, the canopies of which would also provide a degree of screening from the proposed new gable, albeit this would be sparser during the winter months. Notwithstanding the lower relative ground levels, on balance, it is considered that the proposals would not result in any significant additional adverse overbearing or overshadowing impacts on No. 5 over and above the current situation or result in any significant additional potential overlooking to the rear garden of No. 5 than the existing similar first floor windows below them, from which only oblique views are available.

- 8.11 Notwithstanding the differences in relative ground levels, in this case, by virtue of the siting, scale, amended design, separation distances and existing screening, it is considered that the proposals would not result in any significant additional adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties and that the proposals are therefore in accordance with Policy DM10 of the adopted SADMP and the general principles of the Council's adopted Good Design Guide. No objections have been received from any neighbouring occupiers.

Impact upon parking provision

- 8.12 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.13 The proposal would result in an additional (fifth) bedroom, however, the existing off-street parking provision of three spaces within the integral garage and on the concrete block paved site frontage would be unaffected and this level of provision would remain adequate to serve the resulting five bedroomed dwelling in accordance with the local highway authority design guide provision standards for a dwelling of this size and Policy DM18 of the adopted SADMP.

Impact on bats

- 8.14 Policy DM6 of the adopted SADMP requires that development proposals demonstrate how they conserve and enhance features of nature conservation.
- 8.15 By virtue of the site being adjacent to open land and the proposals including works to the existing roof space, Leicestershire County Council (Ecology) required the submission of a survey report prior to determination of the application to inform the potential for the proposed development to impact on bats and their habitat. The submitted Preliminary Roost Assessment found no evidence of roosting bats at the site and there is no feature of nature conservation to preserve. However, biodiversity enhancements in the form of two bat boxes and two bird boxes have been requested and these have now been included within the scheme and can be secured by a condition to accord with Policy DM6 of the adopted SADMP and the NPPF (2023).

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 are for an extension and alterations to an existing dwelling 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 the siting, scale, amended design and subject to the proposed use of appropriate external materials to ensure a satisfactory and uniform appearance, it is considered that the proposals would respect and complement the scale, character and appearance of the existing dwelling and neighbouring development and would not result in any significant adverse impacts on the character or appearance of the street scene or surrounding area. Notwithstanding the differences in relative ground levels, in this case, by virtue of the siting, scale, amended design, separation distances and existing screening, it is considered that the proposals would not result in any significant additional adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. Adequate off-street parking provision for three vehicles and adequate private amenity space of over 130 square metres would be retained to serve the resulting five bedroomed dwelling. Subject to being carried out in accordance with the recommendations within the submitted bat report and the approved biodiversity enhancements, the proposal would not result in any adverse impacts on protected species and would enhance their habitat. The proposals are considered to be in accordance with Policies DM1, DM6, DM10 and DM18 of the adopted SADMP 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: Site Location Plan, Site Plan, Proposed Floor Plans, Section and Elevations Drawing No. 2023/9385/02 Rev C received by the local planning authority on 9 May 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 hereby permitted shall be Marley smooth grey roof tiles, grey horizontal Cedral cladding to match and white uPVC windows to match.

Reason: To ensure that the development has a satisfactory appearance in the interests of visual amenity in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. The development hereby permitted shall be carried out in accordance with the recommendations within the submitted Preliminary Roost Assessment by Arbtech Consulting Limited dated 21 April 2024 and, prior to first occupation of the extension hereby permitted, the biodiversity enhancements detailed on the submitted approved Proposed Floor Plans, Section and Elevations Drawing No. 2023/9385/02 Rev C received by the local planning authority on 9 May 2024, shall be fully implemented and permanently retained thereafter.

Reason: In order to protect wildlife species and enhance their habitat in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2023).

5. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) the windows serving the roof space accommodation approved under this permission shall be permanently retained as approved with no alterations and no additional windows other than those approved under this permission shall be inserted.

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

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.