

Delegated Report

Planning Ref: 23/00633/HOU

Applicant: Anderson

Ward: Burbage Sketchley & Stretton



Hinckley & Bosworth
Borough Council

Site: 9 Boyslade Road Burbage Leicestershire

Proposal: Two storey side and rear extension and replacement garage.

1. Recommendations

- 1.1. **Refuse planning permission** for the reasons at the end of this report.

2. Planning application description

- 2.1. This householder application seeks planning permission for a two storey side/rear extension and a replacement garage to a dwelling, 9 Boyslade Road, Burbage.
- 2.2. The proposed side/rear extension would extend up to 7.1 metres in width from the existing main side elevation of the dwelling and for a total depth of 15.5 metres comprising three distinct sections. The front section would be single storey and extend 0.5 metres forward of the existing main front elevation of the dwelling with a width of 5.1 metres and with a flat roof design to a depth of 3.5 metres. The rearmost two storey section would have a width of 5.1 metres and a depth of 10.2 metres, extending 5.7 metres beyond the existing main rear elevation of the existing dwelling. It would have a dual pitched roof forming gables to the front and rear. The middle section would extend across the front gable of the extension with a width of 6.7 metres and depth of 1.7 metres with a flat roof design forming a first floor corridor link between the side elevation of the existing dwelling and the front of the proposed two storey extension.
- 2.3. The proposed extension has a contemporary design with simple irregularly sized aluminium framed window openings. Proposed external materials include red facing bricks for the replacement flat roof garage, grey facing bricks and red standing seam zinc roof covering for the main body of the two storey extension and green zinc cladding to the walls of the flat roof front elevation first floor corridor link.
- 2.4. A Design and Access Statement and subsequent Planning Consultants Design/Policy Opinion have been submitted to support the application.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of Burbage and in a residential area. It is a two storey detached house with dual pitched asymmetric gables to the front and both side elevations and a subordinate regular two storey gable to the rear elevation. It is constructed of light red/brown facing bricks, small red/brown plain clay roof tiles and white uPVC windows. There is a single width garage with a flat roof to the south of the side elevation. The site frontage is enclosed by black metal railings and provides additional off-street parking on hardstanding along with planted areas. The rear garden is enclosed by 1.8 metres high close boarded timber panel fencing. There are tall trees in the neighbouring gardens either side to the north and south and within the applicant's garden inside the north side and west rear boundaries.
- 3.2. There is a detached two storey house to the south of the site, a detached (part) dormer bungalow to the north of the site. Neighbouring dwellings in the immediate surrounding area are predominantly detached with a variety of scales and designs and of mixed appearance.

4. Relevant planning history

None.

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. Burbage Parish Council objects to the application as the proposed materials, namely zinc roofing and coloured zinc cladding, would be totally out of keeping in the street scene and at odds with the traditional materials and design of the existing property and neighbouring properties, and would create a visual intrusion in the street scene, adversely affecting neighbouring properties contrary to both Policy DM10 and Policy 15.3 of the Burbage Neighbourhood Plan, relating to design.

7. Policy

7.1. Burbage Neighbourhood Plan (BNP) 2015-2026 (2021)

- Policy 2: Design and Layout

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) (2021)
- Planning Practice Guidance (PPG)

7.5. Other relevant guidance

- Good Design Guide SPD (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.

- 8.3 Policy 2 of the Burbage Neighbourhood Plan (BNP) states that any future residential development within the Parish of Burbage must respect its surroundings and, where appropriate, should follow the existing pattern of development and should retain existing important natural features on the site, such as trees, hedgerows and streams. Paragraph 15.3, which precedes the policy, requires that materials, design and scale of extensions and alterations be compatible with the original building.
- 8.4 The Council's adopted Good Design Guide Supplementary Planning Document (2020) provides further advice in respect of the siting and design of house extensions and states:
- 'Two storey side extensions should appear smaller in scale and massing in order to be subordinate to the main dwelling. Any proposal for a two storey side extension should be set down from the ridge of the existing house and set back from the front elevation.'* And,
- 'Rear extensions should be designed to be clearly subordinate to the main dwelling. They should be an appropriate height, width, depth and reflect or complement the detailing and materials of the original building.'*
- 8.5 Paragraph 126 of the National Planning Policy Framework (NPPF) (2021) states that: *'Good design is a key aspect of sustainable development' and 'Being clear about design expectations, and how these will be tested, is essential for achieving this.'* Paragraph 128 states: *'To provide maximum clarity about design expectations at an early stage, all local planning authorities should prepare design guides or codes consistent with the principles set out in the National Design Guide and which reflect local character and design preferences.'* Paragraph 129 states: *'Design guides and codes can be prepared at an area-wide, neighbourhood or site specific scale, and to carry weight in decision-making should be produced either as part of a plan or as supplementary planning documents.'* Paragraph 134 states: *'Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.'*
- 8.6 Burbage Parish Council objects to the proposed extension as *'the proposed materials, namely zinc roofing and coloured zinc cladding, would be totally out of keeping in the street scene and at odds with the traditional materials and design of the existing property and neighbouring properties, and would create a visual intrusion in the street scene, adversely affecting neighbouring properties'* contrary to both Policy DM10 and Policy 15.3 of the Burbage Neighbourhood Plan, relating to design.
- 8.7 The front section of the proposed extension would be only single storey and extend just 0.5 metres forward of the existing main front elevation of the dwelling with a width of 5.1 metres and with a flat roof design to a depth of 3.5 metres. It would replace an existing single width flat roof garage set off the side elevation and infill the gap between. It is not clear whether the existing garage was constructed with the original dwelling as it is a detached structure other than a small wall link over the side access gate at the front. Nonetheless, this front section of the proposed extension does respect the single storey scale and flat roof form of the existing garage and, notwithstanding the increased width to adjoin the main house, it is therefore considered to be acceptable in design terms in this case and to respect the character of the existing dwelling. In addition, by virtue of the proposed use of matching red facing bricks as the existing dwelling in its construction, along with a timber garage door this would ensure a unified and satisfactory external appearance.

- 8.8 By virtue of its 5.1 metres width and 12 metres depth, the proposed two storey side/rear extension behind the replacement garage would represent a substantial addition to the footprint and floorspace of the existing two storey dwelling. However, notwithstanding this, the proposal would still sit comfortably, in terms of available space, within the plot and retain adequate private amenity space to the rear. In addition, whilst two storey in scale, by virtue of the main dual pitched roof section being set back from the main front elevation of the dwelling by 4.8 metres and having a narrow front gable, the proposal would appear as being visually subordinate to the existing dwelling when viewed from the street scene in terms of both its height and width. Whilst extending 5.7 metres in depth at two storey height beyond the existing main rear elevation, this would be within a well enclosed and screened rear garden where any visual impact of the additional depth would be very limited. The clearly contemporary design and appearance of the proposed two storey dual pitched roof section does not seek to replicate or respect the traditional character or appearance of the existing dwelling. Instead, the design includes simple single pane irregularly sized aluminium framed window openings and proposes contrasting external materials including grey facing bricks and red standing seam zinc roof covering for the main body of the extension. Notwithstanding this clear contrast in terms of its design and appearance, and the objection received from Burbage Parish Council, the visual impact of this dual pitched roof section of the proposal would be limited to the publicly visible front elevation as the remainder would be within a well enclosed and screened rear garden.
- 8.9 However, the front elevation of the two storey section would be dominated by a poorly related corridor link at first floor level with a chamfered flat roof design that extends 6.7 metres from the side elevation of the existing dwelling and across the front gable of the proposed two storey side/rear extension. It would have a large contemporary style single pane aluminium framed window in its front elevation which contrasts sharply with the multi-pane windows of the existing front elevation and its external wall surface is proposed to be finished in sharply contrasting green zinc cladding. By virtue of its size, its siting to the front elevation, its two storey height above the proposed garage roof, its contrasting materials and its chamfered flat roof design, despite its set back from the front elevation, it would still be clearly visible within the street scene and would therefore be a prominent feature of the proposed extension.
- 8.10 The Planning Consultants Design Opinion submitted to support the application seeks to justify the flat roof design of the corridor link with reference to the Council's adopted Good Design Guide relating to roofscape which states: *'Flat roofs on extensions will not normally be considered appropriate where they do not form part of the original design of the house, however in some circumstances, where they are not visible from the public realm and the use of a flat roof may result in a reduced visual impact, they may be considered acceptable, particularly if designed with a contemporary aesthetic style.'* However, notwithstanding the flat roof form of the existing single storey garage, the proposed chamfered flat roof link would be at two storey height, clearly visible from within the public realm and would appear an incongruous feature poorly related to both the existing dwelling and the proposed two storey dual pitched roof extension behind it. It is considered that the layout of the existing dwelling and scope of the site would provide alternative and more appropriate design solutions to overcome the design and appearance issues raised however, on this occasion, the local planning authority has been asked to determine the application on the original plans submitted.
- 8.11 Whilst a two storey side/rear extension of contemporary design would not be unacceptable in principle, it is considered that by virtue of the proposed siting,

scale, height, incongruous design and discordant and inappropriate external materials, the proposed extension and alterations would be poorly integrated with the existing dwelling and would result in an uncharacteristic and discordant form of development that neither respects, complements nor enhances the character or appearance of the existing dwelling or the wider street scene. In particular, by virtue of its design and proposed use of inappropriate external materials the proposed first floor chamfered flat roof link across the front elevation would appear as an incongruous and visually prominent feature within the street scene to the detriment of its character and appearance and that of the existing dwelling. It is therefore considered that the proposed development is contrary to Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), Policy 2 of the Burbage Neighbourhood Plan, the general principles of the adopted Good Design Guide Supplementary Planning Document (2020) and the overarching design principles contained within section 12 of the National Planning Policy Framework (2021) with particular reference to paragraph 134 (see paragraph 8.4 above).

Impact upon neighbouring residential amenity

- 8.12 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.
- 8.13 The proposed side/rear extension would extend for a total depth of 15.5 metres at only 0.9 metres inside the southern boundary of the plot and well beyond the rear elevation of the neighbouring dwelling to the south (7 Boyslade Road). Notwithstanding this, No. 7 is located approximately 8.5 metres to the south of the boundary and there is a substantial and continuous tall tree screen within the garden of No. 7 that would completely screen the proposal from No. 7 and its garden. By virtue of the screening and separation distance the proposals would not result in any significant adverse impacts on the residential amenity or privacy of the neighbouring occupiers of No.7.
- 8.14 The proposed side/rear extension would extend for a total depth of 5.7 metres beyond the main rear elevation of the application dwelling and the neighbouring dwelling to the north (11 Boyslade Road) but at 11.5 metres inside the northern side boundary of the site. In addition, there are a number of tall trees along that boundary within both rear gardens that would provide substantial and satisfactory, if not complete, screening of the proposal from No. 11 and its rear garden. By virtue of the screening and separation distance the proposals would not result in any significant adverse impacts on the residential amenity or privacy of the neighbouring occupiers of No.11.
- 8.15 By virtue of the existing tree screening and substantial separation distance of approximately 36 metres to the rear elevations of dwellings to the west (rear) on Goosehills Road and approximately 15 metres to the west (rear) boundary, the proposals would not result in any significant adverse impacts on the residential amenity or privacy of those neighbouring occupiers. By virtue of the separation distance of over 25 metres to the neighbouring dwelling to the east (1A Boyslade Road East) the proposals would not result in any significant adverse impacts on the residential amenity or privacy of those neighbouring occupiers.
- 8.16 Accordingly, the proposals would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties and are therefore considered to be in accordance with Policy DM10 in terms of such amenity impacts.

Impact upon parking provision

- 8.17 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.18 The proposal would result in a four bedroomed dwelling for which the local highway authority design guide would require a minimum of three off-street parking spaces of appropriate dimensions to be provided.
- 8.19 The proposed replacement garage would have an internal length dimension of only 5.5 metres which is substandard in relation to the 6 metres internal length standard required by the local highway authority design guide to be counted as a viable parking space. However, there would still be space for three open off-street car parking spaces of 5.5 metres length by 2.5 metres width to accord with the design guide on the existing 8 metres long and 7.5 metres wide hard surfaced driveway which is to be retained. The proposals would therefore 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 extension and alterations to an existing dwelling located within the urban settlement boundary of Burbage 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, design, separation distances and existing screening the proposals 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 would be retained within the site to serve the resulting dwelling.
- 10.3. However, it is considered that by virtue of the siting, scale, height, incongruous design and discordant and inappropriate external materials, the proposed extension

and alterations would be poorly integrated with the existing dwelling and would result in an uncharacteristic and discordant form of development that neither respects, complements nor enhances the character or appearance of the existing dwelling or the wider street scene. In particular, by virtue of its design and proposed use of inappropriate external materials the proposed first floor chamfered flat roof link across the front elevation would appear as an incongruous and visually prominent feature within the street scene to the detriment of its character and appearance and that of the existing dwelling. It is therefore considered that the proposed development is contrary to Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), Policy 2 of the Burbage Neighbourhood Plan, the general principles of the adopted Good Design Guide Supplementary Planning Document (2020) and the overarching design principles contained within section 12 of the National Planning Policy Framework (2021) and is therefore recommended for refusal.

11. Recommendation

11.1 Refuse planning permission for the reasons at the end of this report.

11.2 Reasons

1. By virtue of the proposed siting, scale, height, incongruous design and discordant and inappropriate external materials, the proposed extension and alterations would be poorly integrated with the existing dwelling and would result in an uncharacteristic and discordant form of development that neither respects, complements nor enhances the character or appearance of the existing dwelling or the wider street scene. In particular, by virtue of its design and proposed use of inappropriate external materials the proposed first floor chamfered flat roof link across the front elevation would appear as an incongruous and visually prominent feature within the street scene to the detriment of its character and appearance and that of the existing dwelling. It is therefore considered that the proposed development is contrary to Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), Policy 2 of the Burbage Neighbourhood Plan, the general principles of the adopted Good Design Guide and the overarching design principles contained within section 12 of the National Planning Policy Framework (2021) with particular reference to paragraph 134 therein.

11.3 Notes to applicant

1. This application has been assessed and determined with reference to the submitted Householder Planning Application Form, Design and Access Statement, Site Location Plan Drawing No. WA 619 (04) 01, Existing Ground and First Floor Plans Drawing No. WA 619 (04) 02, Existing Attic and Roof Plans Drawing No. WA 619 (04) 03, Existing Elevations Drawing No. WA 619 (04) 04, Proposed Ground and First Floor Plans Drawing No. WA 619 (04) 05, Proposed Roof Plan Drawing No. WA 619 (04) 06 Proposed Elevations Drawing No. WA 619 (04) 07, Proposed Internal Courtyard Elevations Drawing No. WA 619 (04) 08, Proposed Site Plan Drawing No. WA 619 (04) 09 all received 27 June 2023, emails from the agent dated 3rd and 7th August 2023 and subsequent Planning Consultant's Opinion on Design/Policy Appraisal received 21 August 2023.