

Delegated Report

Planning Ref: 24/00057/HOU
Applicant: Mr & Mrs K Winspur
Ward: Burbage Sketchley & Stretton



Hinckley & Bosworth
Borough Council

Site: 158 Sketchley Road Burbage Leicestershire LE10 2EA

Proposal: Two storey side and single storey front 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 householder application seeks planning permission for a two storey side extension and single storey front extension to a dwelling, 158 Sketchley Road, Burbage. The ground floor extension integrates with the existing garage and front porch. The garage is converted to a gym.
- 2.2. The side extension on both floors measure 3.4 metres in width, 6 metres in width at the ground floor front extension including the front porch, a long depth of 9.1 metres for both side and front extension at the ground floor, 7 metres depth on the first floor and set back by 0.8 metres. The ridge of the two storey extension is 6.5 metres slightly set down from the roof of the main dwelling and matching eaves height of 5.4 metres. The single storey has a mono pitched roof with ridge height of 3.5 metres and eaves of 2.5 metres.
- 2.3. The extension proposes roof tiles, brick work and uPVC windows to match the existing dwelling.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of Burbage in a residential area. It is a red brick built, two storey detached property with dual pitched roof, flat roof garage and front porch. The dwelling has a front driveway and a grassed area. The property is not listed and not within a conservation area.
- 3.2. The dwelling is on a row of similar built properties. The surrounding properties are characterised by a mix of modern detached and semi-detached properties.

4. Relevant planning history

22/00708/HOU- Two storey side extension and single storey front and rear extensions- Planning Permission – 21.09.2022.

21/00854/HOU – Two storey side and single storey extensions to front and rear of property – Planning Permission – 13.12.2021.

90/01338/4 – Alterations and extension to dwelling- Planning Permission- 14.01.1991.

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 has no objection to the application.

7. Policy

7.1. Burbage Neighbourhood Development Plan (BNDP) 2015-2026 (2021)

- No relevant policies

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 2023)
- Planning Practice Guidance (PPG)

7.5. Other relevant guidance

- Good Design Guide (GDG) (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. Burbage Neighbourhood Development Plan (BNDP) contains no relevant policies for domestic extensions but refers to the materials, design and scale of extensions and alterations being compatible with the original building (Para. 15.3).

8.3. The Council's adopted Good Design Guide 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 (the minimum distance for this should be 0.5 metres in both directions) unless in design terms this in itself would create an imbalance in the overall design of the property.'

- 8.4 The proposed extension joins with the existing garage, converts it to gym and further creates a new front porch with a mono pitched roof form. A section of the front elevation of the garage is bricked up and new window is inserted. The two storey side element of the extension is flush with the rear of the main dwelling, create a gable side roof. The extension on both floors measures 3.4 metres in width at the rear elevation, 6 metres in width at the ground floor front extension which includes the front porch, a long depth of 9.1 metres for both side and front extensions at the ground level, 7 metres depth on the first floor and set back by 0.8 metres from the main front elevation. The ridge of the two storey extension is 6.5 metres and so is slightly set down from the roof of the main dwelling with matching eaves height of 5.4 metres. The single storey has a ridge height of 3.5 metres and eaves of 2.5 metres. The extension extends further to the west boundary fence but does not go forward of the existing building line. The single storey front extension is clearly subordinate to the main dwelling. The roof design and height of both two storey and single storey elements are not harmful to the street scene. They match the building heights within the street scene. The overall design of the three similar dwellings on the row is altered. The application increases the overall massing of the dwelling, however the street scene has a varied scale of properties with different massing and therefore the proposed development is acceptable and complements the wider street scene. The proposal has suitably proportioned windows that reflect the size and style of those on the existing dwelling. Matching corresponding external materials of are proposed in the construction to ensure a satisfactory and unified appearance.
- 8.5 By virtue of the siting, scale, design and the proposed use of matching corresponding external materials to ensure a unified appearance, it is considered that the proposed extension and alteration respect and complement the scale, character and appearance of the existing dwelling and have no significant adverse visual impacts on the wider street scene. The proposal is therefore considered to be in accordance with Policy DM10 of the adopted SADMP, the general principles of the adopted Good Design Guide and the principles of the Burbage Neighbourhood Development Plan.

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 The adopted Good Design Guide states:
- 'The 45 degree rule is applied for planning applications for new extensions to existing properties which could result in the outlook from or daylight to a principal window to a habitable room being impacted upon. On a plan of the proposal, a projecting line is to be drawn from the nearest principal window to a habitable room that may be affected by the planning application towards the proposed building at an angle of 45 degrees. Habitable rooms include living rooms, bedrooms and kitchens but do not include rooms such as bathrooms, utility rooms, halls, landings or garages. The extension should not cross the 45 degree line.'*
- 8.8 The extension extends to the boundary fence to the west. The adjoining dwelling to the west (No. 160) is approximately a metre from the fence. The fence separates the gardens of both 158 and 160 Sketchley Road. The two storey element of the extension is set down and set back on the first floor. The extension does not go further forward of the existing building line. The extension has no side facing windows. The application site is oriented to be set forward of 160 Sketchley Road. The extension is also flush with the main elevation at the rear of the dwelling, therefore the extension does not have any significant adverse impact on the rear

and front principal windows to 160 Sketchely Road or breach the 45 degree rule. The adjoining neighbours to the east of the site are further away from the extension and therefore the scheme does not result in any significant or unacceptable adverse overbearing or overshadowing impacts on the adjoining dwellings. The proposal does not result in any loss of privacy to the adjoining occupiers from potential direct overlooking.

- 8.9 By virtue of the siting, scale, design, separation distances, set down and set back of the extension, it is considered that the proposal does not result in any significant or unacceptable adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. The proposal is therefore in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide. No objections to the proposal are received from the occupiers of any neighbouring properties.

Impact upon parking provision

- 8.10 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.11 The proposal results in the loss of the existing garage. The site frontage has a block paved driveway and grass area. The parking plan indicates the loss of a section of the green area to provide three off street parking for a three bedroom dwelling. The level of provision is sufficient to serve the dwellinghouse within a highly sustainable urban location with easy access to a full range of services and facilities by alternative and more sustainable transport means. The proposal is therefore in accordance with Policy DM18 of the adopted SADMP and the local highway authority 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.
- 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 alteration 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 distance, set down and set back of the extension, and the proposed use of matching corresponding external materials to ensure a unified appearance, it is considered that the proposed extensions and alterations respect and complement the scale, character and appearance of the existing dwelling and have no significant adverse visual impacts on the wider street scene. There are no significant or unacceptable adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. Adequate off-street parking is provided, along with adequate private amenity space to serve the dwelling. The proposal is considered to be in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP, the general principles of the adopted Good Design Guide and the principles of the Burbage Neighbourhood Development Plan and is 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 Grid Reference 443162,292284, Block Plan Grid Reference 443149,292270, Proposed Floor Plan, and Elevation Drawing Reference: Planning 02 received by the local planning authority on 18 January 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 shall match the corresponding materials of the existing dwelling and approved plans and elevation.

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 buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.
2. The applicant is advised to ensure that, when being constructed, no part of the development hereby permitted exceeds the extent of their land ownership, for example through any overhanging rainwater goods etc., in order to avoid any potential legal disputes with the adjoining neighbouring land owner(s).