

Delegated Report

Planning Ref: 23/00360/HOU

Applicant: Mr Steve Lloyd

Ward: Newbold Verdon with Desford & Peckleton

Site: 3 Peckleton Road Kirkby Mallory Leicestershire



Hinckley & Bosworth
Borough Council

Proposal: Single storey rear 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 the construction of a single storey rear extension to create a bedroom with en-suite shower/toilet facilities with level wheelchair access to a dwelling, 3 Peckleton Road, Kirkby Mallory.
- 2.2. The proposal would extend 4.7 metres in depth from the original rear elevation to be level with an existing rear extension to which it would be attached and would extend 5.5 metres in width across part of the rear elevation. It would have a flat roof design to a height of 2.7 metres just above the height of the existing main eaves. Matching external rendered walls and windows are proposed in its construction.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of Kirkby Mallory within a cluster of residential properties. It is a detached dormer bungalow with twin dual pitched roof gables to its front elevation and gable sided main roof form, single storey pitched roof extensions to its rear elevation and detached dual pitched roof garaging to the rear. It is constructed with a mix of red facing bricks and cream render to walls, red/brown plain clay roof tiles and white uPVC windows. The extensive plot includes large gardens to the front and rear and extensive tarmac surfaced hardstanding to the side and rear providing ample off-street parking and turning space.
- 3.2. There is a detached two storey house to the west and a detached gable fronted dormer bungalow to the east of the site.

4. Relevant planning history

12/00803/HOU

- Erection of double garage (retrospective)
- Permitted
- 07.11.2012

02/00603/FUL

- Alterations and extensions to bungalow
- Permitted
- 27.06.2002

81/00865/4

- Extension to dwelling and erection of garages

- Permitted
- 29.09.1981

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. No response has been received from Peckleton 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) (2021)
 - 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 further advice in respect of the siting and design of house extensions and states that:

'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.' and,

'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.'

8.3 By virtue of its clearly subordinate and appropriate 4.7 metres depth, 5.5 metres width and 2.7 metres height, the proposal would appear as a clearly subordinate addition to the existing dwelling in accordance with the adopted design guidance. The proposed flat roof design is at odds with the existing pitched roof form of the dwelling and its previous extensions. However, notwithstanding this, in this case the proposal would be only single storey and small in scale and located entirely to the rear where it would be screened on two sides to the south and east by the existing dwelling and from both neighbouring properties to the north by the existing detached garaging, and to the west by the existing 2.5 metres high close boarded solid timber fencing. The flat roof would be seen against the existing eaves and pitched roofs of the parts of the dwelling to which it would be attached and would not be at all visible within any street scene. The proposed design includes appropriately proportioned windows/doors and the proposed use of matching external rendered walls and windows in its construction would ensure a satisfactory and unified appearance.

8.4 By virtue of the discreet siting to the rear, clearly subordinate single storey scale and footprint, appropriate design, and subject to the proposed use of matching external materials in its construction, the proposal would respect and complement the scale, character and appearance of the existing dwelling and would have no adverse visual impacts on the wider surrounding area. The proposal is 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

8.5 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.

8.6 By virtue of its single storey small scale, separation distances to all neighbouring boundaries and screening to all sides by the existing dwelling, existing detached garaging and solid close boarded timber fencing around the boundaries of the site, the proposal would not result in any significant adverse overbearing or overshadowing impacts or loss of privacy to the occupiers of any neighbouring properties. The proposal would therefore be in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide.

Impact upon parking provision

8.7 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.

8.8 The site currently has more than adequate detached garaging and extensive tarmacadam hardstanding to the side and rear of the dwelling to provide sufficient off-street parking and turning provision to serve the existing/resulting dwelling and this would be unaffected by the proposal. The proposal would therefore be in accordance with Policy DM18 of the adopted SADMP and the local highway authority design guidance 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 The equality implications arising from this application relate to the protected characteristics of the end user of the proposed extension who has impaired mobility/disabilities, and the design of the proposal has been taken into consideration in the assessment of this application in relation to Policy DM10 of the adopted SADMP and the design guidance within the National Planning Policy Framework (2021).
- 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 proposal is for an extension and alterations to an existing dwelling within the settlement boundary of Kirkby Mallory 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 discreet siting, screening, single storey small scale, design, and subject to the proposed use of matching external materials in its construction, the proposal would respect and complement the scale, character and appearance of the existing dwelling and would have no adverse visual impacts on the surrounding area or any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. More than adequate off-street parking and turning space and ample private amenity space would be retained within the extensive plot. 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 local highway authority design guide 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: Location Plan and Proposed Block Plan Drawing No. LD0034/PL/001, Proposed Ground Floor Plan Drawing No. LD0034/PL/002, Proposed Rear Elevation Drawing No. LD0034/PL/005 and Proposed West Side Elevation Drawing No. LD0034/PL/006 received by the local planning authority on 19 April 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).

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.

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.