

Delegated Report

Planning Ref: 24/00216/HOU

Applicant: Mr P. Chick

Ward: Newbold Verdon with Desford & Peckleton



Hinckley & Bosworth
Borough Council

Site: Willow Brook 3 Brook Lane Peckleton Leicestershire

Proposal: Single storey side 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 side extension to a dwelling, Willowbrook, 3 Brook Lane, Peckleton.

2.2. The proposed single storey side/rear extension would be 3.8 metres in width and 5.7 metres in depth and would infill a rear corner. It would have a low-profiled dual pitched gable sided roof form with an eaves height of 2.6 metres and ridge height of 4.1 metres. It is proposed that it would be constructed in matching corresponding external materials to the existing dwelling. It would replace an existing similar sized hipped glazed roof conservatory.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the settlement boundary of Peckleton on the edge of the village and at the end of a short no-through road which continues as a public right of way. It is a detached bungalow with a low profiled dual pitched gable sided main roof form with a subordinate shallow projecting gable and a forward projecting double garage with low profiled gable fronted roof form to the front elevation, a single storey flat roof extension and hipped roof glazed conservatory to the southeast side elevation and a small, glazed porch with dual pitched roof to the rear elevation. The bungalow is constructed with plain red facing bricks other than the shallow front gable which has cream smooth rendered walls, large grey plain concrete roof tiles and white uPVC windows and doors. In addition to the double garage the tarmac surfaced double width driveway provides two further off-street parking spaces. There is a well enclosed garden to the rear.

3.2. There is a two storey house with a detached double garage between to the south of the site set forward of the application dwelling and a detached dormer bungalow to the west to the far side of a public right of way. There are grassed paddock areas to the north and east of the site.

4. Relevant planning history

98/00133/FUL

- Erection of detached double garage
- Permitted
- 23.03.1998

12/00777/CLUP

- Certificate of proposed lawful development for extensions and alterations to dwelling.

- Certificate of proposed use
- 05.11.2012

18/00832/HOU

- Single storey front extensions
- Permitted
- 17.10.2018

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site.
- 5.2. No responses have been received as a result of public consultation.

6. Consultation

- 6.1. Leicestershire County Council (Ecology) raise no objections but recommend the inclusion of an informative to the applicant should planning permission be granted in respect of protection of bats and their habitat and relevant legislation.
- 6.2. No response has been received from Kirkby Mallory, Peckleton and Stapleton 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 to existing dwellings 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.
- 8.3 The proposed single storey side/rear extension would replace an existing similar sized hipped glazed roof conservatory that has slightly more width but slightly less depth. The proposal would be located to the rear of, and attached to, an existing bedroom/study with a flat roof form, which itself is located to the rear of, and attached to, a double garage with a low profiled dual pitched gable fronted roof form. The proposal would have an appropriate width of 3.8 metres and appropriate depth of 5.7 metres to be flush with the existing side extension and the main rear elevation of the bungalow and infill the rear corner. It would have a low profiled dual pitched gable sided roof form to reflect that of the main roof with the same eaves height of 2.6 metres and a clearly subordinate ridge height of 4.1 metres. It is proposed that it would be constructed in matching corresponding external materials to the existing dwelling to ensure a satisfactory and uniform appearance.
- 8.4 By virtue of its unobtrusive siting to the side/rear, single storey scale, sympathetic design and subject to the proposed use of matching corresponding external materials in its construction to ensure a uniform appearance, the proposal would respect and complement the scale, character and appearance of the existing dwelling and would have no adverse visual impacts on the street scene or surrounding area. The proposal is 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

- 8.5 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 The nearest neighbouring dwelling (No. 4) is set forward of the application bungalow and is located approximately 12 metres to the south of the proposal. It has a detached double garage with dual pitched gable sided roof form that is located between the proposal and its main rear elevation. By virtue of its position to the north, being set in from the side boundary by a minimum of 2 metres and its single storey scale, the proposal would not result in any adverse overbearing or overshadowing impacts on the rear garden of No. 4. The southeast side boundary to the application site with No. 4 is defined by the blank side gable of the neighbours garage and a 1.5 metres high solid brick wall with 2 metres high brick pillars and infill timber trellis panels which protect the privacy of the respective occupiers. Notwithstanding that there are windows proposed in the southeast side elevation of the proposal these are only at ground floor height and would face towards the aforementioned 2 metres high side boundary wall/fencing and therefore, as with the existing side facing conservatory windows, would not result in any significant adverse impacts on the neighbouring occupiers of No. 4 from loss of privacy from direct overlooking.
- 8.7 By virtue of its siting relative to neighbouring dwellings, single storey scale, design, separation distances and existing boundary screening, the proposal would not result in any significant adverse impacts on the privacy or residential amenity of any neighbouring properties and would therefore be in accordance with Policy DM10 of

the adopted SADMP and the principles of the adopted Good Design Guide. No objections have been received from any neighbouring properties.

Impact upon parking provision

- 8.8 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.9 The proposal does not result in the creation of any bedrooms and the existing off-street parking provision of four spaces of appropriate dimensions would be unaffected by the proposal. This level of retained provision would be adequate to serve the existing/resulting (up to) three bedroomed bungalow and would remain in accordance with the local highway authority design guide provision standards for a dwelling of this size. The proposal would therefore be 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 proposal is for an extension to an existing dwelling within the settlement boundary of Peckleton 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 its siting, scale, design and subject to the proposed use of matching corresponding external materials in its construction to ensure a uniform appearance, the proposal would respect and complement the scale, character and appearance of the existing dwelling and would have no adverse visual impacts on the street scene or surrounding area. By virtue of its siting relative to neighbouring dwellings, single storey scale, design, separation distances and existing boundary screening, the proposal would not result in any significant adverse impacts on the privacy or residential amenity of any neighbouring properties. Adequate off-street parking for

four vehicles and private amenity space of over 250 square metres would be retained within the site to serve the existing/resulting three bedroomed dwelling. The proposal would 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 Site Plan Drawing No. 3BL/2024 1/2 and Proposed Floor Plan and Elevations Drawing No. 3BL/2024 2/2 received by the local planning authority on 7 March 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 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.
2. The property may be suitable for roosting bats, which are protected by law from harm. It is the applicant's responsibility to ensure that bat legislation is not breached, and therefore may need to consult with a licenced bat ecologist prior to commencement to ensure that bats will not be impacted by the works. The applicant should ensure that all contractors and individuals working on the property are aware of this possibility, as works must cease if bats are found during the course of the works whilst advice from a licensed bat ecologist is obtained. Bats are particularly associated with the roof structure of buildings, including lofts, rafters, beams, gables, eaves, soffits, flashing, ridge-tile, chimneys, the under-tile area, etc. but may also be present in crevices in stone or brickwork and in cavity walls.