

Delegated Report

Planning Ref: 24/00221/HOU
Applicant: Mr Luke Williams
Ward: Groby



Hinckley & Bosworth
Borough Council

Site: 11 Woodlands Drive Groby Leicestershire

Proposal: Single storey side and 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 and side extension to a dwelling, 11 Woodland Drive, Groby.
- 2.2. The proposed single storey side/rear extension would be set back 5 metres from the front elevation and extend for a width of 1.8 metres from the side elevation leaving a 0.8 metres wide access to the rear garden. It would extend a total of 7.2 metres in depth wrapping around the rear corner and across part of the rear elevation for a total width of 5.8 metres and a depth of 3.8 metres from the rear elevation. It would have a flat roof design to a height of 2.8 metres, marginally above the existing eaves of the main hipped roof. It is proposed to be constructed in matching corresponding external materials with cream rendered walls and a red brick plinth to its front elevation and matching white uPVC windows and doors. An existing detached brick outbuilding would be demolished to enable the extension to be constructed.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of Groby on a residential estate. It is a detached dormer bungalow with hipped roof form and flat roofed dormer windows to its front and rear roof elevations. It has a small, detached brick outbuilding with shallow monopitch roof at the rear. The bungalow is constructed with red facing bricks to the front elevation and cream rendered walls with red brick plinth and quoins to the sides and rear elevations, red interlocking concrete roof tiles and white uPVC windows. There are two off-street parking spaces within the site on the 14.5 metres long and 2.5 metres wide concrete slab surfaced driveway to the front and side of the bungalow. The rear garden is enclosed by 2 metres high solid close boarded timber fencing to the side boundaries. There is a large area of Ancient Woodland to the rear of the site.
- 3.2. The application dwelling lies within a row of similar detached hipped roof bungalows, some of which have been extended with subordinate front, side and rear extensions and altered in appearance since original construction.

4. Relevant planning history

None.

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 note to applicant in respect of bats and protective legislation.
- 6.2. No objection has been received from the Forestry Commission.
- 6.3. No objection has been received from Groby Parish Council.
- 6.4. No response has been received from Natural England.

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 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 and Ancient Woodland
 - Impact upon neighbouring residential amenity
 - Impact upon parking provision

Design and impact upon the character of the area and Ancient Woodland

- 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:

'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 The proposed single storey side/rear extension would be set back 5 metres from the front elevation and extend for an appropriate width of only 1.8 metres from the side elevation and inside the side boundary by 0.8 metres so maintaining access to the rear garden. It would extend a total of 7.2 metres in depth wrapping around the rear corner and across part of the rear elevation for an appropriate total width of 5.8 metres and an appropriate depth of 3.8 metres from the rear elevation. It would have a flat roof design to a height of 2.8 metres, marginally above the existing eaves of the main hipped roof of the bungalow. By virtue of its single storey scale and appropriate width and depth, the proposal would appear as a clearly subordinate addition to the existing bungalow. It is proposed to be constructed in matching corresponding external materials with cream rendered walls and a red brick plinth to its front elevation and matching white uPVC windows and doors to ensure a satisfactory and uniform appearance to that of the existing bungalow.
- 8.4 Notwithstanding that the proposed flat roof extension would be visible within the street scene from directly in front of the driveway, it is considered that by virtue of it being set well back from the front elevation by 5 metres and located between the two neighbouring bungalows together with its small unobtrusive scale, that it would not be overly prominent or result in any significant adverse visual impacts on the character or appearance of the application dwelling or surrounding area. There is a similarly sited and designed flat roof side/rear extension on a detached hipped roof bungalow to the southeast of the site (33 Lawnwood Road) which is more readily visible due to its position opposite the Woodlands Drive junction. In addition, flat roof garages set back to the side and rear of dwellings are a common feature of the surrounding estate. Therefore, the proposal would not be uncharacteristic in its context.
- 8.5 The proposal would be constructed 19 metres within the rear boundary with the Ancient Woodland of Martinshaw Wood to the rear of the site and therefore would not result in any adverse impacts on this protected natural open space.
- 8.6 Notwithstanding its flat roof design, by virtue of the siting to the rear, set back to the side, single storey scale and subject to the proposed use of matching corresponding external materials to ensure a unified appearance, it is considered that the proposed extension and alteration would respect and complement the scale, character and appearance of the existing dwelling and the surrounding area. The proposal is therefore considered to be acceptable in design terms in this case 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. The Council's 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 proposed single storey side/rear extension would extend only 1.8 metres from the existing side elevation and remain 0.8 metres inside the side boundary with the neighbouring bungalow to the northwest (No. 13) which has a blank near side elevation facing the proposal. It would extend 4 metres beyond the main rear elevation of No. 13 but at a separation distance of approximately 3 metres. As a result, the proposal would not extend beyond a 45 degree line drawn from the centre point of the nearest habitable room four pane patio doors/window combination within the rear elevation of No. 13. By virtue of the siting, separation distance, single storey scale and flat roof design, the proposal would have no significant adverse overbearing or overshadowing impacts on No. 13. By virtue of the existing screening provided by the 2 metres high solid close boarded timber boundary fencing, the proposed door within the side elevation would not result in any significant adverse impacts on the privacy of the occupiers of No.13 from any direct overlooking.
- 8.9 The neighbouring bungalow to the southeast of the site (No. 9) is set off the side boundary by approximately 3 metres and extends much further to the rear. It has two windows in its side elevation that face towards the application bungalow. It also has a flat roofed garage set back to the side and rear and extending along the side boundary. By virtue of the siting of the proposed rear extension 7 metres inside the boundary with No. 9 together with its single storey scale and flat roof design, the proposal would not result in any significant adverse overbearing or overshadowing impacts on No. 9. The proposal would have a pair of patio doors in its side elevation facing towards No. 9 but these would be set inside the boundary by 7 metres and by virtue of the existing screening provided by the 2 metres high solid close boarded timber boundary fencing, the proposed doors would not result in any significant adverse impacts on the privacy of the occupiers of No. 9 from any direct overlooking.
- 8.10 By virtue of its siting, scale, design, separation distances and existing screening, it is considered that 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

- 8.11 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.12 The site currently provides two off-street parking spaces on the 14.5 metres long and 2.5 metres wide concrete slab surfaced driveway to the front and side of the bungalow. The proposal would result in the addition of a third bedroom and the shortening of the existing driveway to 10 metres, 1 metre short of a length required for two spaces within the local highway authority design guide. Notwithstanding this, the proposal includes the provision of additional off-street parking on new block paved hard standing within part of the frontage of the site. This would result in the provision of two off-street parking spaces of appropriate dimensions to serve the resulting three bedroomed bungalow in accordance with the local highway authority design guide provision standards for a dwelling of this size. The proposals 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 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 and alteration 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. Notwithstanding its flat roof design, by virtue of the siting to the rear, set back to the side, single storey scale and subject to the proposed use of matching corresponding external materials to ensure a unified appearance, it is considered that the proposed extension and alteration would respect and complement the scale, character and appearance of the existing dwelling and the surrounding area. By virtue of its siting, scale, design, separation distances and existing screening, it is considered that the proposal would not result in any significant adverse impacts on the privacy or residential amenity of any neighbouring properties. More than adequate private amenity space of over 330 square metres would be retained within the site to serve the resulting three bedroomed dwelling along with two off-street parking spaces. The proposals would be in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP and the general principles of the adopted Good Design Guide 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: Location Plan and Proposed Block Plan Drawing No. Williams-L-2a-06, Proposed Ground Floor Plan Drawing No. Williams-L-2a-02 and Proposed Elevations Drawing No. Williams-L-2a-05 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 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).

4. Within one month of the first occupation of the extension hereby permitted, a minimum of two off-street parking spaces each with dimensions of 5.5 metres in length and 2.5 metres in width shall have been provided and hard surfaced in permeable hard-bound materials within the frontage of the site in accordance with the approved Proposed Ground Floor Plan Drawing No. Williams-L-2a-02 received by the local planning authority on 7 March 2024 and once so provided shall be permanently retained for such use and maintained as such at all times thereafter.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally in the interests of highway safety and in accordance with Policies DM17 and DM18 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 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.