

Delegated Report

Planning Reference 25/00220/HOU
Applicant(s) Mr & Mrs Stokes
Ward Burbage, Sketchley & Stretton



Hinckley & Bosworth
Borough Council

Application Site 21 Manor Close, Burbage, Hinckley

Proposal Two storey side extension, partially over existing garage with balcony to rear first floor bedroom and single storey rear extension.

Case Officer Sullivan Archer (Senior Planning Officer)

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions detailed at the end of this report.

2. Planning Application Description

2.1. This householder planning application seeks full planning permission for a two-storey side extension that is partially over the existing garage and a single storey rear extension to 21 Manor Close, Burbage. The proposal includes a balcony to the rear first floor bedroom and a 5.8m high flue on the southern side elevation of the property. The proposal is constructed with materials to match the existing property.

2.2. The two-storey side extension externally measures 3.6m in width and 6.5m in depth. The side extension is set back from the front elevation by 0.5m and has a pitched roof with a ridge height of 6.5m and an eaves height to match the existing property. The first-floor balcony then protrudes 2.5m to the rear of this extension and acts as a flat-roofed shelter at ground floor level. The balcony is 2.7m from ground level and includes a 1.8m high privacy screen on its northern elevation, which creates a total height of the balcony of 4.5m.

2.3. The single storey rear extension externally measures 4.6m in width by 3m in depth and has a mono-pitch roof that has a maximum height of 3.6m, and an eaves height of 2.3m.

3. Description of the Site and the Surrounding Area

3.1. The application site is to the west of, but within, Burbage and consists of a two-storey detached dwelling, 21 Manor Close.

3.2. Manor Close is wholly residential in character and the site is adjacent to dwellings to the north, east, and south that are predominantly constructed with a red brick finish and a white horizontal cladding, are two-storey in massing and have a gable-ended roof design. There is open countryside to the west and rear of the property.

3.3. The dwelling is constructed with red brick and features a mono-pitch roofed extension and an attached pitched-roof garage on its principal elevation. The entirety of the application site is covered by a Tree Preservation Order (67/00001/TPORD).

4. Relevant Planning History

4.1 08/00953/FUL

- Replacement of flat roof with pitched roof and alterations to dwelling
- Permitted
- 27.11.2008

5. Publicity

5.1 The application has been publicised by sending out letters to local residents and a site notice was also posted within the vicinity of the site. No responses have been received.

6. Consultation

6.1 Burbage Parish Council objected to the development solely due to the potential overlooking and loss of privacy to the neighbouring property, 23 Manor Close, as a result of the proposed rear balcony.

6.2 The County Council's Ecology Department do not object to the planning application.

6.3 No further responses have been received.

7. Policy

7.1 Core Strategy (2009):

- Policy 4: Development in Burbage

7.2 Site Allocations and Development Management Policies Development Plan Document (SADMP) (2016):

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM6: Enhancement of Biodiversity and Geological Interest
- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.3 Burbage Neighbourhood Plan 2015 – 2026 (BNP) (2021):

- Policy 1: Settlement Boundary
- Policy 2: Design and Layout
- Policy 4: Parking

7.4 National Planning Policies and Guidance:

- National Planning Policy Framework (NPPF) (2024)
- National Design Guide (2019)
- Planning Practice Guidance (PPG)

7.5 Other Relevant Guidance:

- Good Design Guide (2020)
- Leicestershire Highway Design Guide (LHDG) (2024)
- Technical Housing Standards – Nationally Described Space Standards (2015)

8. Appraisal

8.1. Extensions to existing domestic properties 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 residential amenity
- Impact upon parking provision and highway safety

Design and Impact upon the Character of the Area

8.2 Policy DM10(c) of the SADMP states that developments will be permitted where they complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features. Policy 2 of the Burbage Neighbourhood Plan (BNP) states that any future residential development within the Parish of Burbage must respect its surroundings.

8.3 In accordance with the Good Design Guide, two-storey side extension appear smaller in scale and massing in order to be subordinate to the main dwelling. Any proposal should be set down from the ridge of the existing house and set back from the front elevation by a minimum of 0.5m.

8.4 The two-storey side extension is set back from the principal elevation by 0.5m, but the height of the two-storey extension does not comply with the recommendations of the Good Design Guide. The Agent highlighted that to ensure that the ridge height of the development was set down by 0.5m from the height of the host dwelling, this would result in the extension being set back by over 2m from the front elevation of the existing property, would not represent good design, be at odds with the character of the area and create issues with ground floor layout of the scheme.

- 8.5 Ultimately, the Good Design Guide confirms that every application will be assessed on its own merits depending on the individual characteristics of the site such as orientation, ground levels, window positions, garden size and shape.
- 8.6 The application site is at the end of a cul-de-sac in an area where neighbouring properties have benefited from two-storey side extensions, such as 8 Manor Close where the extension has not been set down or set back in accordance with the Good Design Guide. Whilst the ridge height of the extension is not set down by 0.5m in accordance with the Good Design Guide, it is appreciated that the ridge height of the development is still set down from the ridge of the existing dwelling.
- 8.7 Therefore, in light of the location of the application site, the character of the surrounding area, as well as the extension's set back from the principal elevation of the existing dwelling and the public highway, and its set down from the ridge height of the host property, the height of the two-storey side extension is not considered to result in any unacceptable impacts to the character of the area in these site-specific circumstances.
- 8.8 The scheme does not extend any further to side of the property than the existing attached structures within the site and the rear balcony cannot be seen from public viewpoints. The proposal also utilises materials to match the existing dwelling, which preserves the character of the property and the surrounding area.
- 8.9 By virtue of these factors, it is not considered that the two-storey side extension results in any significant adverse impacts to the character of the site or the surrounding area.
- 8.10 The single storey rear extension cannot be seen from public viewpoints. By virtue of its size, scale, height, and design, the single storey rear extension is not considered that the single storey rear extension results in any significant adverse impacts to the character of the site or the surrounding area.
- 8.11 In summary, by virtue of the size, scale, height, design, and use of matching external materials, the proposal does not result in any unacceptable impacts to the character of the surrounding area in accordance with Policy 2 of the BNP, Policy DM10 of the SADMP, and the Good Design Guide.

Impact upon Residential Amenity

- 8.12 Policy DM10(a) and (b) of the SADMP states development will be permitted provided that it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting and noise and that the amenity of occupiers would not be adversely affected by activities within the vicinity of the site.
- 8.13 The Good Design Guide requires the way buildings to relate to each other, and their orientation and separation distances, to provide and protect acceptable levels of amenity.

- 8.14 The two-storey side extension and associated balcony do not protrude further to the rear than the main rear elevation of the neighbouring property to the north, 23 Manor Close. Whilst 23 Manor Close benefits from windows on its southern side elevation that face towards the application site, these are not primary windows and therefore the proposal is not considered to result in any significant and unacceptable harm to this neighbouring property as a result of any overbearing or loss of light impacts.
- 8.15 The proposal also includes a 1.8m high privacy screen on its northern elevation to prevent any loss of privacy or overlooking impacts. This privacy screen can be secured via planning condition to prevent any significant adverse overlooking or loss of privacy impacts to 23 Manor Close, Burbage.
- 8.16 The single storey development protrudes 3m to the rear of the neighbouring property to the south, 19 Manor Close. The proposal is sited to the north of 19 Manor Close and has a maximum height of 3.6m, which reduces to 2.3m as it extends away from the rear of the dwelling. Whilst this could have an impact on the neighbouring dwelling, by virtue of its size, scale, height, roof design, and siting, the development is not considered to result in any significant adverse or unacceptable impacts on the residential amenity of 19 Manor Close, Burbage.
- 8.17 By virtue of these factors, and the fact that there have been no objections to the scheme, the proposed extensions and the first-floor balcony are not considered to result in any significant adverse or unacceptable impacts to neighbouring residential amenity, subject to conditions, in accordance with Policy DM10 of the SADMP.

Impact upon Parking Provision and Highway Safety

- 8.18 Policy DM17 of the SADMP states that development proposals need to demonstrate that there is not a significant adverse impact upon highway safety, and that the residual cumulative impacts of development on the transport network are not severe.
- 8.19 Policy DM18 of the SADMP requires developments to demonstrate an adequate level of off-street parking provision.
- 8.20 The scheme creates one new bedroom and makes the property a four-bedroom dwelling. It is considered that there is already adequate off-street parking for the dwelling and that the proposal does not create an unacceptable impact on highway safety or the road network. Therefore, the scheme is regarded as in accordance with Policies DM17 and DM18 of the SADMP.

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 Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission to be granted, subject to the imposition of appropriate conditions.

11. Recommendation

11.1 **Grant planning permission** subject to:

- Planning conditions detailed 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 received by the Local Planning Authority as follows:

- Block & Site Location Plan (003) (submitted: 07.03.2025)
- Existing Elevations (002A) (submitted: 07.03.2025)
- Existing Floor Plans (001A) (submitted: 07.03.2025)
- Proposed Elevations (020E) (submitted: 29.08.2025)
- Proposed First Floor Plan (013B) (submitted: 07.03.2025)
- Proposed Ground Floor Plan (012B) (submitted: 07.03.2025)

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 rear balcony hereby approved shall not be used until such a time as a 1.8m high privacy screen, that shall first be submitted to and agreed in writing by the Local Planning Authority, has been erected on the western side elevation of the balcony in accordance with the details provided within the Proposed Elevations (020C) (submitted: 07.03.2025).

Reason: In the interests of residential amenity and in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. 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).

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. There appears to be a small pond immediately to the rear of the property and there is a possibility that a newt, or small numbers of Great Crested Newts (GCN) could be present on the site. Great Crested Newts are a species fully protected by law. Therefore, due care should be taken during implementation of the proposed development to ensure that all contractors are aware of the possibility of finding great crested newts, and stored materials are carefully removed by hand. Work should cease if a Great Crested Newt is found, and advice from a licensed ecologist should be sought.