

Delegated Report

Planning Ref: 24/01139/HOU

Applicant: Mr Simon Taylor

Ward: Burbage Sketchley & Stretton



Hinckley & Bosworth
Borough Council

Site: 26 Pyeharps Road Burbage Hinckley

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 application seeks full permission for a single storey rear extension under a concrete tiled mono-pitch roof (including two roof light type window inserted within its slope). The extension is proposed to be constructed from matching bricks. The proposed rear elevation will contain a bi-fold door opening.
- 2.2. The proposed extension will span the width of the host dwelling's rear elevation and protrude 3 metre from its original rear elevation. The lowest eaves height (from ground level) will measure 2.25 metre and the proposed lean-to roof's maximum height will measure approx. 3.4 metre (from ground level below).

3. Description of the site and surrounding area

- 3.1. 26 Pyeharps Rd, Burbage is a brick built, two storey, detached dwelling (under a concrete tiled duo-pitched roof).
- 3.2. The property was built late 20th Century and is a typical suburban type design for the period. The property is sited within a row of similar dwellings (scale, age and design) of which is sited within avenue and wider residential estate containing similar properties (age and design).

4. Relevant planning history

- None

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. One comment received from neighbour (No 28). Does not object to the proposal; however, the owners raised the point that main sewerage drain (serving the line of neighbouring dwellings) is located within their curtilage and will be sited adjacent/in close proximity to the proposed side (west) elevation.

6. Consultation

- 6.1. None required

7. Policy

7.1. Site Allocations and Development Management Policies DPD (2016)

- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.2. National Planning Policies and Guidance

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

7.3. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)
- Leicestershire Highway Design Guide (2023)

8. Appraisal

8.1. Key Issues

- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact upon highway safety

Design and impact upon the character of the area

8.2 Policy DM10 of the SADMP indicates that development will be permitted providing it meets good standards of design including that it would complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features and would not have a significant adverse effect on the privacy and amenity of nearby residents.

8.3 The proposed rear extension will not be able to be viewed from the nearby highway and therefore will not introduce any incongruous or harmful features within the surrounding streetscene.

8.4 Despite the proposed extension's side (south-east) elevation will be sited upon the common boundary shared with the adjoining neighbour (No.28) given its mass and footprint, I consider the development will sit comfortably within proposal site, and moreover will retain sufficient rear amenity space- in terms of both area and distance the proposal will be sited in relation to the dwelling's rear common boundary.

8.5 Overall, by virtue of its siting , scale and design the proposed extension to is sympathetic to the design and scale of the host dwelling, neighbouring dwellings and furthermore will not introduce a harmful feature within the surrounding streetscene. Therefore, the proposal accords with Policies DM10 of the SADMP and the recommendation's made in the Good Design Guide SPD.

Impact upon neighbouring residential amenity

8.6 Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy or amenity of nearby residents and occupiers of adjacent buildings and the amenity of occupiers of the proposed

development would not be adversely affected by activities within the vicinity of the site.

- 8.7 By virtue of their extended rear elevations (single storey), the proposed extension's depth (3 metres from the original rear elevation) will not intersect a 45 degree splay line drawn from the centre of the nearest living space windows belonging to the neighbouring (No.s 28 and 24). Notwithstanding a certificate of proposed lawful development, which would ordinarily consider the siting and dimensions of the proposal as permitted development, due to its relatively low height (2.25 up to 3.3 metres and shallow depth of 3m) and by virtue of the erection of close boarded fence boundary treatments (2 metre height) which are sited upon the common boundary shared with adjoining neighbours (no.s 24 and 28) the proposal will not cause any significant harm to the outlook and amenity afforded to the neighbouring occupants.
- 8.8 The proposed extension's side elevation (south east facing) will protrude beyond a window sited in the adjoining neighbours (No. 28) lower side elevation. After investigation, this window has been confirmed to serve as a secondary light source to the neighbouring property's kitchen space. Therefore the proposal will not introduce an overshadowing or oppressive feature to the amenity afforded to the neighbouring occupants' kitchen space.
- 8.9 Therefore, given its siting, height and scale the proposed extension to the host dwelling will not otherwise introduce any overbearing or overshadowing features to the living space windows and rear amenity space belonging to neighbouring dwellings.
- 8.10 Furthermore, the proposed fenestration within the extension will not introduce any overlooking of neighbouring property's living space windows and the rear amenity space areas most enjoyed by their occupants.
- 8.11 Therefore, the proposal accords with Policies DM10 of the SADMP and the recommendation's made in the Good Design Guide SPD.

Impact upon highway safety

- 8.12 Policy DM18 of the SADMP requires new development to provide an appropriate level of parking provision to serve the development proposed. This is further supported by the relevant recommendations set out in Leicestershire County Council's Highway Design Guide.
- 8.13 Further bedroom spaces are not proposed as part of this application and the development will not result in the loss of existing off-street parking provision. Therefore, the proposal will not impact current on-street parking provision, furthermore, the safety of the users of the adjoining highway will not be compromised. Therefore the application complies with Policy DM18 of the SADMP.

Other Considerations

- 8.14 The neighbours (No 28 Pyeharps Rd) comments have been noted and the applicant's agent has been informed of the siting of the waste drain located upon the boundary shared with the proposal site. However, the neighbouring owner and agent have been informed the siting and potential disturbance of a waste drain is not a material planning consideration. Moreover, concerns and agreements relating to land/property owned by third parties would be subject to the specific civil (land/property) legislation and the auspices of the Party Wall Act.

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.

10. Conclusion

10.1. The application is in keeping with the existing dwelling and would not have an adverse visual impact on the area. It complies with Policy DM10 of the SADMP and advice within the Good Design SPD. There would be no significant loss of residential amenity to any neighbouring properties or adverse implications on highway safety. The proposal is therefore in accordance with Policy DM10 and DM18 of the SADMP and in this regard the proposed development can be supported.

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 and Block Plan
 - Proposed Ground Floor Plan
 - Existing & Proposed Elevations - Drg No. 24.14.02
- All received by the Local Planning Authority 17th December 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 accord with the approved Drawing: Existing and Proposed Elevations, Drg No. 24.14.02. Received by the Local Planning Authority 17.12.2024.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM10, DM11 and DM12 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.