

Delegated Report

Planning Ref: 24/00038/HOU
Applicant: Mr and Mrs Poulter
Ward: Barwell



Hinckley & Bosworth
Borough Council

Site: The Bungalow Stapleton Lane Barwell Leicestershire

Proposal: Remodelling of bungalow including a two storey rear extension with first floor balcony, front dormer windows and front porch

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 proposes the remodelling of a bungalow to provide first floor accommodation including an increase in the roof height, a two storey rear extension with first floor balcony and dormer windows and a porch to the front elevation of the dwelling known as The Bungalow, Stapleton Lane, Barwell.
- 2.2. The proposed increase in the main roof ridge height would be 1.4 metres higher than the existing ridge but the existing 2.7 metres eaves height would be retained. The proposed two storey rear extension would extend 6 metres from the existing rear elevation and for a width of 8.5 metres. It would have a double gable to its rear elevation with a low profiled dual pitched roof with an eaves height of 4.8 metres and a ridge height of 6 metres. The first floor balcony would have a depth of 3.2 metres and be enclosed by 0.8 metres high metal railings to the rear and north west side elevations and a 1.8 metres high timber fence screen to the southeast side elevation.
- 2.3. The proposed dormer windows to the front roof slope would both have a width of 3.7 metres, a height of 2.7 metres and depth of 3.4 metres. They would have a dual pitched gable fronted roof form with an eaves height of 4.6 metres and a ridge height of 5.8 metres. The proposed front porch would extend 1 metre forward of the front elevation with a width of 2.5 metres. The porch canopy roof would extend for a further metre forward and would have a dual pitched gable fronted roof form with an eaves height of 2.5 metres and ridge height of 3.4 metres and be supported by two timber posts.
- 2.4. Matching corresponding materials are proposed in the construction throughout other than for the use of cream coloured render to the walls and cheeks of the proposed front dormer windows and timber frame to the proposed front porch.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located in the countryside to the northwest of Barwell and on the southwest side of Stapleton Lane. It is a detached bungalow with gable sided main roof form and an open timber framed gazebo attached to its rear elevation. It is constructed of red facing bricks, brown concrete interlocking roof tiles and white uPVC windows. The flat roofed gazebo has a clear corrugated plastic sheet roof covering. The bungalow is set back from the highway boundary and has open tarmac hard-standing of 11 metres depth and 12 metres width providing a minimum of four off-street parking spaces flanked by side boundary hedgerows. There is an extensive garden to the rear.

- 3.2. There is a detached two storey dwelling with hipped roof form and of red brick and cream render construction fronting Stapleton Lane to the southeast of the site. There is a detached red brick bungalow with gable sided roof form and a farm complex at distance to the southwest of the site, a farm access track and open fields to the northwest and to the north east on the opposite side of Stapleton Lane.

4. Relevant planning history

87/01303/4

- Approval of reserved matters application for one bungalow
- Approved
- 23.02.1988

87/00155/4

- Replacement of existing bungalow (outline)
- Approved
- 30.03.1987

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. No objection has been received from Barwell Parish Council.

7. Policy

- 7.1. Earl Shilton and Barwell Area Action Plan (ESBAAP) 2006-2026 (2014)
- No relevant policies
- 7.2. Core Strategy (2009)
- No relevant policies
- 7.3. Site Allocations and Development Management Policies (SADMP) DPD (2016)
- Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM4: Safeguarding the Countryside and Settlement Separation
 - Policy DM10: Development and Design
 - Policy DM18: Vehicle Parking Standards
- 7.4. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2023)
 - Planning Practice Guidance (PPG)
- 7.5. Other relevant guidance
- Good Design Guide (2020)
 - National Design Guide (2019)
 - Highway Authority Design Guide

8. Appraisal

8.1. Notwithstanding its countryside location, extensions and alterations 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 neighbouring residential amenity
- Impact upon parking provision

Design and impact upon the character of the area

8.2 Policy DM4 of the adopted SADMP allows the extension of existing buildings in the countryside which lead to an enhancement of the immediate setting and where it does not have a significant adverse effect on the appearance and open character of the countryside. 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 Council's adopted Good Design Guide states:

'Wherever possible, locate roof extensions to the rear of properties to minimise potential impact on the street scene. Dormer windows, which allow for additional headroom within roof spaces can be appropriate in certain situations, however these will be considered in the context of impact upon the character of the building and should reflect the window pattern of the dwelling. Material selection, and scale of window opening and position within the roofscape is critical in the success of dormers. Dormers to fronts of properties will only be acceptable where this is a prevailing feature of the surrounding context.' and,

'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. A fully integrated two storey rear extension may be acceptable unless there is a detrimental impact on the adjacent properties.'

8.4 The proposed increase in the main roof ridge height would be only a modest 1.4 metres higher than the existing ridge and the existing 2.7 metres roof eaves height would be retained. The proposed two storey rear extension would extend 6 metres from the existing rear elevation at ground floor level and for almost the full 8.5 metres width of the dwelling, but only 2.8 metres in depth at first floor with an open balcony over the remainder. Whilst the proposed extension would result in a substantial increase in the footprint and floor space of the dwelling, the current bungalow is very modest in size in relation to the size of the extensive plot that it occupies and to the neighbouring two storey dwelling. In addition, the extension would be to the rear with a marginally subordinate roof ridge height (by virtue of the low profiled roof pitch) and would be set in from the more publicly visible northwest side elevation which would ensure that the extension would not be overly prominent and that the main roof of the bungalow and its side gable would remain dominant and distinct in terms of the overall design.

8.5 The proposal includes the construction of two dormer windows to the front roof slope, one either side of the proposed new front entrance porch. At 3.7 metres in width, 2.7 metres in dual pitched roof height and depth of 3.4 metres, they are large in proportion. However, they would nevertheless be set back from the front

elevation wall plate, set in from both side elevations and be marginally subordinate to the main ridge. They would therefore still sit comfortably within the front elevation roof slope, would complement the pattern and proportions of the existing front elevation ground floor windows below them and would provide some balance to the scale and mass of the proposed two storey rear extension. Notwithstanding the adopted Good Design Guide and that there are no dormer windows in either the application dwelling or its neighbour, it is considered that their inclusion in this case would not result in any significant adverse visual impacts on the character or appearance of the surrounding area in this relatively isolated context.

- 8.6 The proposed front porch would sit centrally and comfortably below the proposed dormers and extend a modest 1 metre forward of the front elevation with a width of 2.5 metres. The porch canopy roof would extend for a further metre forward and would have a dual pitched gable fronted roof form similar to the two proposed dormers above either side. The proposed construction materials include timber framing which would result in an attractive focal entrance design feature.
- 8.7 Matching corresponding materials are proposed in the construction throughout other than for the use of cream coloured render to the walls and cheeks of the proposed front dormer windows. The use of cream coloured would respect the mix of red facing bricks and cream coloured render used in the construction of the neighbouring dwelling (Meadowside) and therefore would result in a satisfactory, characteristic and unified appearance.
- 8.8 By virtue of the siting, scale, design and the proposed use of sympathetic and matching corresponding external materials, the proposed extensions and alterations would respect and complement the scale, character and appearance of the application dwelling and neighbouring dwelling and would not result in any significant adverse impacts on the rural character or open appearance of the surrounding countryside. The proposals are therefore, considered to be in accordance with Policies DM4 and DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 8.9 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.
- 8.10 The Councils 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.'
- 8.11 The neighbouring dwelling to the southeast (Meadowside) is a two storey detached house with a hipped main roof form. The main body of the dwelling is set off the side boundary by approximately 7 metres with a garage and single storey extension constructed between. There are no principal habitable room windows in its near side elevation facing the application dwelling and the nearest in the rear elevation is approximately 10 metres from the side boundary. Notwithstanding the 6 metres depth of the proposed two storey rear extension, it would be set inside the side boundary of the site by almost 2 metres and 9 metres from the main side elevation of the neighbouring dwelling. By virtue of the separation distance, the proposal

would not extend beyond a 45 degree line drawn from the nearest principal habitable room windows in the rear elevation of Meadowside or result in any significant adverse overbearing or overshadowing impacts on the neighbouring dwelling or its garden. The proposed first floor balcony across the rear of the extension would extend beyond the rear elevation of Meadowside and therefore would potentially enable direct sideways views towards and across the most sensitive private amenity areas of the neighbouring dwelling. In order to mitigate this, notwithstanding the hit-and-miss timber privacy screen proposed, a condition to require the provision of a 1.8 metres high solid timber privacy screen to the southeast side elevation of the balcony is considered to be more reasonable and necessary to protect the privacy of the neighbouring occupiers. Whilst views of the rear garden would still be available from the rear of the balcony these would be to less sensitive areas and at a greater distance where they would not result in any significant loss of privacy.

- 8.12 By virtue of the separation distance of approximately 32 metres to the rear garden boundary, the proposals would have no adverse impacts on the residential amenity or privacy of the occupiers of the neighbouring dwelling to the southwest.
- 8.13 By virtue of the siting, scale and design of the proposed extensions and alterations together with their separation from the neighbouring properties and subject to the provision of an appropriate side privacy screen to the balcony, it is considered that the proposals would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of the neighbouring properties. The proposals would therefore be in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide. No objections to the proposals have been received from the occupiers of any neighbouring properties.

Impact upon parking provision

- 8.14 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.15 Other than the 2 metres encroachment by the proposed front porch which in this case has no critical impact, the existing off-street parking provision of a minimum of four spaces on the tarmac surfaced 11 metres deep and 12 metres wide site frontage would be unaffected by the proposals and would remain more than adequate to serve the existing/resulting dwelling. The proposals 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. Notwithstanding its countryside location, the proposals relate to extensions and alterations to an existing dwelling for which there is a general presumption in favour of sustainable development as set out in Policy DM1 and DM4 of the adopted SADMP and the overarching principles of the NPPF.
- 10.2. By virtue of the siting, scale, design and the proposed use of sympathetic and matching corresponding external materials, the proposed extensions and alterations would respect the scale, character and appearance of the existing dwelling and neighbouring development and would not result in any significant adverse impacts on the rural character or open appearance of the surrounding countryside. By virtue of their siting, scale, design and separation distances, the proposals would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. More than adequate off-street parking and substantial private amenity space would be retained within the site to serve the existing/resulting dwelling. The proposals are considered to be in accordance with Policies DM1, DM4, DM10 and DM18 of the adopted SADMP and the general principles of the Council's 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 Drawing No. 23/81-00, Proposed Block Plan Drawing No. 23/81-07a and Proposed Floor Plans and Elevations Drawing No. 23/81-04b received by the local planning authority on 12 January 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 extensions and alterations hereby permitted shall match the corresponding materials of the existing dwelling other than the addition of cream coloured render to the front dormer windows.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. Notwithstanding the submitted details, the southeast side of the proposed first floor balcony hereby permitted shall be enclosed by a solid 1.8 metres high timber privacy screen and once so provided shall be permanently retained as such at all times thereafter.

Reason: To safeguard the privacy and amenity of neighbouring dwelling from potential overlooking 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.