

## Delegated Report

**Planning Ref: 23/01152/HOU**

**Applicant: Mr Matthew Storrer**

**Ward: Burbage St Catherines & Lash Hill**



Hinckley & Bosworth  
Borough Council

**Site: 74 Featherston Drive Burbage Leicestershire LE10 2PP**

**Proposal: Single storey rear extension and alteration to dwellinghouse**

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### **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 a single storey rear extension and alteration to dwellinghouse, 74 Featherston Drive, Burbage.

2.2. The proposed single storey rear extension covers the full width of the existing dwelling. It extends 3.35 metres from the main rear elevation of the existing dwelling, has an eaves height of 2.15 metres and ridge height of 3.51 metres. The rear extension has a mono pitched roof with rooflights, brickwork is used for the walls and the roof is tiled to match the existing materials. The extension includes insertion of new window and blocking of existing door to the east facing elevation of the main dwelling.

### **3. Description of the site and surrounding area**

3.1. The application dwelling is located within the settlement boundary of Burbage in a residential area. It is a two storey semi-detached house with a hipped main roof form and a brick chimney stack. The dwelling is constructed with render to the front elevation, red brick to the side and rear elevation, concrete roof tile, and white uPVC windows. The dwelling is not listed and site is not within a conservation area. The front curtilage is hard surfaced. The surrounding area has similar two storey semi-detached properties.

### **4. Relevant planning history**

None.

### **5. Publicity**

5.1. The application has been publicised by sending out letters to local residents.

5.2. A site notice was posted within the neighbourhood.

5.3. No responses have been received as a result of public consultation.

### **6. Consultation**

6.1. No objection has been received from Burbage Parish Council.

### **7. Policy**

7.1. Burbage Neighbourhood Development Plan (BNDP) 2015-2026 (2021)

- 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 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 (GDG) (2020)
- National Design Guide (2019)
- Local Highway Authority Design Guide

**8. Appraisal**

8.1. Extensions and alterations to existing domestic properties within urban 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. Burbage Neighbourhood Development Plan (BNDP) contains no relevant policies for domestic extensions but refers to the materials, design and scale of extensions and alterations being compatible with the original building (Para. 15.3).

8.3 The Council's adopted Good Design Guide 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. Where there are no public views into a site, a fully integrated two storey extension may be acceptable.'*

8.4 The proposed single storey rear extension covers the full width of the existing main elevation. It is single storey in scale and has a depth of 3.35 metres, eaves height of 2.15 metres and ridge height of 3.51 metres. It is not viewable from the street scene and uses matching material for the walls and roof. It is just set in from the west side elevation. The single storey rear extension has appropriate width, depth, and height. It does not result in any significant adverse visual impacts and is therefore considered to be acceptable in design terms.

8.5 By virtue of the siting, scale, appropriate dimensions, and the proposed use of matching corresponding external materials to ensure a unified appearance, it is considered that the proposed extensions and alterations respect and complement the scale, character and appearance of the existing dwelling and have no significant adverse visual impacts on the wider street scene. The proposal is therefore considered to be in accordance with Policy DM10 of the adopted SADMP, the

general principles of the adopted Good Design Guide and the principles of the Burbage Neighbourhood Development Plan.

### **Impact upon neighbouring residential amenity**

- 8.6 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.
- 8.7 The 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 extension is just set in from the west boundary fence (No. 72). The existing 2 metres high fence separates the gardens of both properties. The extension is approximately 2 metres from the east boundary (No. 76). The extension as a result of its single storey scale and appropriate dimensions does not result of in any significant adverse overbearing or overshadowing impacts on the neighbouring properties despite any slight breach of the 45 degree line. No side elevation windows proposed to result in loss of privacy or potential overlooking into neighbouring properties. The proposal does not result in any significant or unacceptable adverse overbearing or overshadowing impacts and loss of privacy to the adjoining properties.
- 8.9 By virtue of the siting, scale, design, separation distances and appropriate dimension, it is considered that the proposal does not result in any significant or unacceptable adverse impacts on the residential amenity or privacy of the occupiers of any 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**

- 8.10 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.11 The site currently has a loose stone frontage driveway. This is not affected by the proposed development and no additional bedroom is provided as a result of the proposal. The dwelling is located in a highly sustainable urban setting with easy access to a full range of services and facilities by alternative and more sustainable transport means. The proposals are therefore considered to 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 proposals relate to extensions and alterations to an existing dwelling located within the urban settlement boundary of Burbage 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 the siting, scale, design, appropriate dimension, and the proposed use of matching corresponding external materials to ensure a unified appearance, it is considered that the proposed extensions and alterations respect and complement the scale, character and appearance of the existing dwelling and have no significant adverse visual impacts on the wider street scene. The proposal does not result in any significant or unacceptable adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. Existing parking spaces and adequate private amenity spaces are retained. The proposal is considered to be in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP, the general principles of the adopted Good Design Guide and the principles of the Burbage Neighbourhood Development Plan 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: Site Location Plan Drawing Number PP-12642591v1, Proposed Site Plan, Ground

Floor Plan and Elevation Drawing Number ND/23/186/02 received by the local planning authority on 30 November 2023.

**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 materials on the approved plans and elevation.

**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 [buildingcontrol@hinckley-bosworth.gov.uk](mailto:buildingcontrol@hinckley-bosworth.gov.uk) or call 01455 238141.
2. The applicant is advised to ensure that, when being constructed, no part of the development hereby permitted exceeds the extent of their land ownership, for example through any overhanging rainwater goods etc., in order to avoid any potential legal disputes with the adjoining neighbouring land owner(s).