

Delegated Report

Planning Reference: 25/00658/HOU
Applicant(s): Mr Armajit Singh
Ward: Earl Shilton



Hinckley & Bosworth
Borough Council

Application Site: 23 King Richards Hill

Proposal: Conversion of garage, erection of first-floor extension above and rear extension.

Case Officer: Gwion Russell (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 planning permission for a garage conversion, first-floor and rear extension to 23 King Richards Hill, Earl Shilton.
- 2.2. The ground-floor conversion and extension externally measures 2.6m in width by 8.2m in depth, with a proposed ground floor footprint of 21.7m². By only extending 1.3m from the original rear façade of the garage, the ground floor alterations remain minimal and utilise the existing integrated garage.
- 2.3. The first-floor element proposes building upon the existing integrated garage structure with dimensions of 2.6m in width and 6.2m in depth, retaining a roofed section to the principal frontage and rear façade.
- 2.4. New fenestration on the ground floor includes double patio doors to the rear, a small window to the side elevation and a wider window to the principal frontage (where the existing garage door sits) all serving the proposed living room/office. New fenestration to the first-floor includes a window to the rear façade and principal frontage, serving the proposed en-suite and additional bedroom, respectively. All fenestration and external materials are proposed to match existing.

3. Description of the Site and the Surrounding Area

- 3.1. The proposed dwelling is a detached, two-storey property located on a cul-de-sac along King Richards Hill. The site lies in the northeastern section of Earl Shilton, within the defined settlement boundary and at its eastern boundary. The property is set back 12m from the highway and has a driveway with a length and width

sufficient for two vehicles. It is constructed with a buff brick finish, has white uPVC windows and a white uPVC lean-to conservatory that spans the majority of the existing rear façade of the dwelling. The estate is typical of housing design built around the 1980s and early 1990s. Properties along King Richards Hill are typically two-storey in massing and mostly detached, however there are differing yet complementing exterior brick materials. As most dwellings are detached, their positioning is scattered - the application dwelling is positioned forward of the principal elevation of neighbouring No. 24 King Richards Hill. There is open land to the rear of the application dwelling which has secured planning permission (ref 20/01225/FUL) for a residential development of 81 dwellings.

4. Relevant Planning History

- 4.1 There is no planning history associated with this property.

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 further responses have been received.

6. Consultation

- 6.1 There have been no objections from the following consultees:
- LCC's Ecology Unit
- 6.2 There have been no comments received from the following consultees:
- Earl Shilton Parish Council
- 6.3 No further responses have been received.

7. Policy

- 7.1 Core Strategy (2009):
- Policy 2: Development in Earl Shilton
- 7.2 Site Allocations and Development Management Policies Development Plan Document (SADMP) (2016):
- Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM10: Development and Design
 - Policy DM17: Highways and Transportation
 - Policy DM18: Vehicle Parking Standards

7.3 Earl Shilton and Barwell Area Action Plan (2014):

- Policy 22: Development and Design

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:

- Hinckley and Bosworth Borough Council – The Good Design Guide (2020)
- Leicestershire Highway Design Guide (LHDG) (2024)

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 Chapter 12 of the NPPF confirms that good design is a key aspect of sustainable development, and the creation of high quality, beautiful, and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 135 of the NPPF details the six national policy requirements of development to ensure the creation of well-designed and beautiful places.

8.3 Guidance Point C1 of the NDG confirms that well-designed new development should respond positively to the features of the site itself and the surrounding context beyond including the existing built development and landscape character, amongst others. Guidance Point I1 of the NDG highlights that new developments should consider the composition of street scenes and individual buildings and their elements including the height, scale, massing and relationship between buildings, as well as views, vistas, landmarks, and landscaping, amongst others.

8.4 Ultimately, Guidance Point I2 of the NDG advised that well-designed places should contribute to local distinctiveness and Guidance Point I3 of the NDG highlights that design decisions at all levels and scape should help to create a memorable sense of place.

- 8.5 Paragraph 137 of the NPPF states that applicants, where applicable, should provide sufficient information to demonstrate how their proposals will meet the design expectations set out in local and national policy.
- 8.6 Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design (as contained in the National Design Guide and National Model Design Code), taking into account any local design guidance and supplementary planning documents such as design guides and codes.
- 8.7 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.
- 8.8 Policy 22 of the Earl Shilton and Barwell Action Plan states proposals should respect the local distinctiveness of existing buildings including the scale, proportions and height of the existing building, neighbouring structures and overall street scene. Fenestrations should be well proportioned, well balanced within the elevations and sympathetic to adjoining/neighbouring buildings and the use and application of building materials respects the materials of existing, adjoining/neighbouring buildings and the local area generally.
- 8.9 In accordance with the Good Design Guide, two-storey side extensions should 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. Extensions to the front of properties should not normally extend beyond the front elevation by more than 2m and not cover more than 50% of the front elevation. The first-floor side extension element is both set down and set back by 0.5m and does not cover more than 50% of the dwelling's original principal frontage and therefore complies with this guidance.
- 8.10 In addition to its subordinate design, the roof matches the pitch and detailing of the existing main roofline, which is proposed to be dual-pitched (side-gabled) and also set down by 0.5m from the main roofline.
- 8.11 The proposal is seen from the highway and by neighbouring No. 24 King Richards Hill. However, due to its cul-de-sac location, matching materials and well-proportioned fenestration, the extensions are seen to be consistent in design and complement the existing dwelling's design, massing and scale and the design of the immediate street scene. In addition, the ground floor proposals remain largely within the existing footprint, albeit with a minimal additional projection at the rear of the property. The visual revisions proposed at the front of the dwelling are a first-floor subordinate side extension and proposed matching windows on the ground and first floors. The character of the area is largely defined by its presence of late-century dwelling design. As such, the proposed extension respects and continues this design consistency.

- 8.12 The application dwelling backs on to a pocket of large open space to its east and it is noted that it sits at the boundary of the settlement of Earl Shilton and the Earl Shilton and Barwell Action Plan. However, there is a large housing development proposed here under reference 20/01225/FUL for a residential development of 81 dwellings, with construction underway. As such in the context of the neighbouring development the proposals will not harm the character of the adjacent countryside.
- 8.13 By virtue of its design, the proposed use of matching external materials, the scale and massing, the proposal respects the character of the existing dwelling and surrounding area and is in accordance with Policy 22 of the Earl Shilton and Barwell Action Plan, Policy DM10 of the SADMP and the Good Design Guide.

Impact upon Residential Amenity

- 8.14 Paragraph 135(f) of the NPPF requires planning policies and decisions to ensure that developments create places that are safe, inclusive, and accessible, which promote health and well-being, and a high standard of amenity for existing and future users.
- 8.15 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.
- 8.16 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.
- 8.17 The application dwelling sits forward of the principal elevation of No. 24 King Richards Hill and back from No. 22 King Richards Hill. Between both No. 24 and the host dwelling there is a separation distance of approximately 1m, however these separation distances and boundary relationships are typical of the nearby detached dwellings in the area.
- 8.18 The side extension and ground-floor alterations will only impact No. 24 King Richards Hill. The adjacent neighbouring No. 22 King Richards Hill will not have direct views from any habitable window/space of any element of the proposals.
- 8.19 The first-floor side extension element sits forward of the principal elevation of No. 24 King Richards Hill, and as such, the dwelling's rear façade sits back from the neighbouring rear façade. This mitigates the loss of privacy caused by the new first-floor rear elevation window, which is proposed to be obscure-glazed.
- 8.20 While the side extension breaches the 45-degree guidance on the nearest quarter-point of the nearest first-floor habitable window of neighbouring No. 24, this is a minor breach of ~28cm. The window is unimpeded from other angles and

considering the minor nature of the 45-degree breach, the extension is not considered to cause such adverse loss of light or over dominance to be significantly adverse to residential amenity and to warrant refusal of the application.

- 8.21 The Good Design Guide recommends that a principal window to a habitable room be no less than 8m from the blank side of a single storey neighbouring property, rising to 14m for a two-storey property. Despite the minimal separation distance, the ground-floor window which is proposed on the side elevation is non-principal (there are unimpeded front and rear facing windows) and is proposed to be obscure-glazed. Therefore, there will be no loss of privacy caused by this window for neighbouring No. 24 and present/future occupiers retain a good outlook for this room. Due to the cul-de-sac layout of the dwellings, the proposed side window will be approximately 24m from the principal frontage of No. 25 King Richards Hill but due to its size, sensitive location and obscure glazing will not impact the amenity of these neighbours.
- 8.22 The proposed patio door at the ground-floor of the rear elevation has no direct views into any neighbouring habitable space, due to its setback distance, orientation (facing large unused land) and presence of hard boundary treatment. The proposal to replace the existing garage door with a standard window does not cause any loss of privacy for nearby neighbouring properties due to the layout of the cul-de-sac.
- 8.23 In addition, the separation distance between two principal windows to habitable windows should be a minimum of 21m. There are no current dwellings at the rear of the application site, however as set out above dwellings are under construction. The approved planning layout shows that the separation distance would be in excess of 21m to the future dwelling in compliance with the Good Design Guide.
- 8.24 Notwithstanding this, these separation distances are the minimum standards that are required, and 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.
- 8.25 To comply with the Good Design Guide, four-bedroom houses should also provide a minimum of 80m² of private outdoor amenity space with a minimum length of 7m. The dwelling is provided with private outdoor amenity space that exceeds 7m in length and 80m² compliant with the Good Design Guide.
- 8.26 By virtue of these factors the proposal does not result in any adverse overbearing or overshadowing impacts or any overlooking or loss of privacy to the neighbouring properties and therefore is considered to be in accordance with Policy DM10 of the SADMP and the Good Design Guide.

Impact upon Parking Provision and Highway Safety

- 8.27 Paragraph 115(b) of the NPPF states that planning decisions should ensure that developments provide safe and suitable access to the site for all users. In accordance with Paragraph 115(d) of the NPPF, any proposal should ensure that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.
- 8.28 Ultimately, development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios in accordance with Paragraph 116 of the NPPF.
- 8.29 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.
- 8.30 All proposals for new development and changes of use should reflect the highway design standards that are set out in the most up to date guidance adopted by the relevant highway authority (currently this is the Leicestershire Highway Design Guide (LHDG)) (2024).
- 8.31 Policy DM18 of the SADMP requires developments to demonstrate an adequate level of off-street parking provision.
- 8.32 Table 28 (Residential Parking Standards) of the LHDG requires dwellings with up to three bedrooms should provide a minimum of two off-street parking spaces. This increases to a minimum of three off-street parking spaces for properties with four or more bedrooms.
- 8.33 Any reduction below minimum standards will require robust justification.
- 8.34 The scheme creates one new bedroom and makes the property a four-bedroom dwelling. A parking plan has been submitted as part of the application which details sufficient off-street parking for four vehicles and therefore 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, and the LHDG.

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 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

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:

- Application Form
- Proposed elevations - Drg. 250602 - PL - 004 Rev B
- Proposed floor plans - Drg. 250602 - PL - 005 Rev B
- Site Location plan - Drg. 250602 - PL – 001
- Proposed parking plan - Drg. 250602 - PL - 006 Rev B
- All received by the Local Planning Authority on 01/09/25

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 proposed window located in the centre of the ground-floor south (side) elevation serving the lounge/office and first-floor east (rear) elevation serving the en-suite shall both be fitted with obscure glazing to a minimum of level 3 of the Pilkington scale. Once so provided the window(s) shall be permanently maintained as such at all times thereafter.

Reason: To ensure that the privacy of neighbours is protected and in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

a. **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.