

Delegated Report

Planning Ref: 24/00552/HOU

Applicant: Ms Maria Woods

Ward: Burbage Sketchley & Stretton



Hinckley & Bosworth
Borough Council

Site: 12 Colts Close Burbage Hinckley Leicestershire LE10 2HH

Proposal: Single storey rear extension 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 seeks planning permission for a single storey rear extension and a front porch to a dwelling, 12 Colts Close Burbage.

2.2. The proposed single storey rear extension extends 3.8 metres in depth from the rear elevation and extends across a width of 3.48 metres. It has a contemporary flat roof design to a height of 3.1 metres and a raised roof lantern. The front porch projects out by 1.8 metres to a width of 2.8 metres. It has a pitched roof with a ridge height of 3.3 metres and eaves height of approximately 2.3 metres. The extension is constructed with matching red bricks and matching brown uPVC windows.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the settlement boundary of Burbage in a residential estate. It is a semi-detached two storey house with a hipped roof form, front canopy and a bay window. The dwelling is constructed with red multi facing bricks, grey concrete roof tiles and brown uPVC windows. The front driveway is paved and provides two off-street car parking spaces for the dwelling. The rear of the dwelling currently has a lean-to structure which will be demolished and replaced by the proposed extension. The dwelling has a long garden with a 1.8 metre fence to the east side boundary and a high hedge to the west side boundary. The house is not listed and is not within a conservation area.

3.2. The surrounding area has similarly designed semi-detached two storey dwellings of similar scale. Some of the surrounding dwellings have front porches while others have canopies. To the north of the site is an open play space.

4. Relevant planning history

93/00070/4

- Extensions to dwelling
- Planning Permission
- 08.03.1993

5. Publicity

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

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

6. Consultation

6.1. Burbage Parish Council has no objections to the application.

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

8. Appraisal

- 8.1. Extensions and alterations to existing domestic properties within 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. The Council's adopted Good Design Guide provides further advice in respect of the siting and design of house extensions and 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.' and,

'Flat roofs on extensions will not normally be considered appropriate where they do not form part of the original design of the house, however in some circumstances where they are not visible from the public realm and the use of a flat roof may result in a reduced visual impact, they may be considered acceptable, particularly if designed with a contemporary aesthetic style.'

'Front extension should not be visually prominent within the street scene. if this type of development is proposed, it should take the form of the existing building, mirroring the roof pitch, replicate or have lower height and the ridge should be the existing ridge height'.

- 8.3 The proposed flat roof single storey rear extension extends 3.8 metres in depth from the rear elevation, has a width of 3.48 metres and a height of 3.1 metres with a raised roof lantern. This replaces the existing lean-to structure at the rear of the house. The roof is slightly higher than the existing rear projection however remains subordinate to the main dwelling. The flat roof design does not result in a significant visual impact on the street character and is not visible from the street. Matching materials are used for the walls, windows and door of the rear extension. As a result, the proposed contemporary flat roof design is acceptable as it has appropriate scale, design, layout and massing.
- 8.4 The front porch projects out by 1.8 metres to a width of 2.8 metres. It has a pitched roof with ridge height of 3.3 metres and eaves height of approximately 2.3 metres. The overall front extension is subordinate to the dwelling and similar to the front porch at 20 Colt Close. The roof design mirrors the main dwelling and other front porches within the street. It has appropriate scale, eaves and ridge heights and does not look overly prominent within the street scene. The extension is constructed with matching red bricks to the walls and matching brown uPVC windows to ensure a unified appearance.
- 8.5 By virtue of their siting, scale and design and subject to the proposed use of matching corresponding external materials in their construction to ensure a satisfactory and unified appearance, the proposal respects and complements the scale, character and appearance of the existing dwelling and has no adverse visual impacts within the already varied wider street scene. The proposal is therefore acceptable in design terms and in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.

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. The Council's adopted Good Design Guide states:
- 8.7 *'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 rear extension is single storey in scale, has appropriate height, width and depth, and extends to the west side boundary. A 1 metre fence and high hedge separate the gardens of 10 and 12 Colts Close. Due to the existing rear projection at 12 Colts Close, the proposed extension is approximately 2.4 metres away from the rear elevation of 10 Colts Close. This reduces the level of overbearing effect, overshadowing and loss of light to the rear of 10 Colt Close. There is no side window to cause any overlooking into the gardens of 10 Colt Close. There is no breach of the 45 degree rule as a result of the rear extension.
- 8.9 The proposed front porch is to east of the front elevation and is approximately 2.3 metres away from the east side boundary. It has no adverse impacts on the residential amenity of any neighbouring properties and is appropriately designed. The forward projection of 1.8 metres and width of 2.8 metres does not significantly affect the front driveway. It is set away from adjoining neighbours and therefore

does not result in any significant overbearing or overshadowing effect on the wider street.

- 8.10 The proposed front and rear extensions do not significantly impact the street character and appearance. By virtue of its siting, scale, design, screening and separation distances, it is considered that the proposal does not result in any significant adverse impacts on the residential amenity or privacy of any neighbouring properties. The proposal is therefore considered to be in accordance with Policy DM10 of the adopted SADMP and the overall general principles of the adopted Good Design Guide. No objections have been received from any neighbouring properties.

Impact upon parking provision

- 8.11 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.12 The site currently provides two off-street spaces on the front driveway. The front projection slightly impacts on the existing driveway however does not significantly impact on the existing parking provision. The proposal does not result in the addition of any more bedrooms. As a result, the existing retained off-street parking provision remains adequate to serve the three bedroomed house and in accordance with Policy DM18 of the adopted SADMP and the local highway authority design guidance standards.

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 proposal relates to extensions and alterations to an existing dwelling within the 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 its siting, scale, design, appropriate dimensions and separation distances and subject to the proposed use of matching corresponding external materials in their construction, the proposal respects and complements the scale, character and appearance of the existing dwelling and has no adverse visual impacts within the wider street scene. The proposal does not result in any significant or unacceptable adverse impacts on the residential amenity or privacy of any neighbouring properties. Sufficient off-street parking provision is retained. Adequate private amenity space to serve the dwelling is retained. The proposal is therefore in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP and the overall general principles of the adopted Good Design Guide and is 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 P-101
 - Proposed Site Plan Drawing Number P-102
 - Proposed Floor Plans and Elevations Drawing Number P-104received by the local planning authority on 04 June 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 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 building.control@blaby.gov.uk or call 0116 272 7533.