

Delegated Report

Planning Reference 26/00719/HOU
Applicant Mr Tom Davenport
Ward



Hinckley & Bosworth
Borough Council

Burbage, Sketchley and Stretton

Application Site 1 Maines Close, Burbage, LE10 2GR

Proposal Single Storey garage extension

Case Officer Jack Playle (Technical Planning Assistant)

1. Recommendations

- 1.1. **Refuse planning permission** subject to planning reasons detailed at the end of this Report.

2. Planning Application Description

- 2.1. This householder planning application seeks full planning permission for a single storey garage extension at 1 Maines Close, Burbage. The proposed single storey garage extension would adjoin the existing double bay garage and cinema room to the front of the dwelling and would reconfigure the existing arrangements of the property by incorporating a triple bay garage and an office to the existing cinema room.
- 2.2. The proposed garage extension would measure 4.15 metres at ridge height and 2.25 metres at eaves height. As well as measuring 7.4 metres in width and 6.9m metres in depth. The proposed extension would not follow the ridge height of the existing garage and would be 0.1 metres higher than the existing ridge line of the garage. The proposed garage would be constructed using facing brickwork and plain concrete tiles that would match the existing materials associated with the application site. Whilst not shown on the submitted plans, the existing roof above the garage and cinema room has an array of solar panels on eastern roof slope which was observed during a site visit.

3. Description of the Site and the Surrounding Area

- 3.1. The application site is a two-storey detached dwelling located the south of Maines Close within the settlement boundary of Burbage. The dwelling forms part of a minor housing scheme developed under application 24/00117/FUL

for the erection of 5 dwellings and subsequent changes to the site plan and design for plot 1 under 24/00665/CONDIT. The application site features a l-shape configuration with an existing double-bay garage and cinema room protruding from the principal elevation of the property. The dwelling features a mix of white render and red brick to the external façade and comprises of a cross-gable roof form.

- 3.2. The associated dwellings within Maines Close constructed under 24/00117/FUL and 24/00665/CONDIT are of similar design and style particularly with the mix use of white render and red brick and cross-gable roof forms. However, there is a range of bungalows and two-storey detached dwellings within Maines Close. To the south of the site lies access to Bullfurlong Lane and to the west lies a further access down Bullfurlong Lane to Burbage Fields Farm.

4. Relevant Planning History

- 4.1. **24/00665/CONDIT** Permitted (determined: 19.08.2024)

Application vary condition 2 on 24/00117/FUL. Amended site plan and design of unites 1 and 2.

- 24/00117/FUL** Permitted (determined: 07.06.2024)

Construction of 5 dwellings with associated garages and amenity spaces and improvements to existing access to Bullfurlong Lane.

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.

6. Consultation

- 6.1. There have been no objections from the following consultants:

- Burbage Parish Council

7. Policy

- 7.1. Core Strategy (2009):

- Policy 4: Development in Burbage

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. Burbage Neighbourhood Plan 2015 – 2026 ('BNP') (2021):

- Policy 1: Settlement Boundary
- Policy 2: Design and Layout

7.4. National Planning Policies and Guidance:

- National Planning Policy Framework ('NPPF') (2026)
- National Design Guide ('NDG') (2019)
- Planning Practice Guidance ('PPG')

7.5. Other Relevant Guidance:

- The Good Design Guide (2020)
- Leicestershire Highway Design Guide ('LHDG') (2024)

8. **Appraisal**

8.1. NPPF Policy S4(1) confirms that development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in the Framework.

8.2 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

8.3 NPPF Policy DP3(1) confirms that development proposals should respond to their context (the history, character and features of their site and its setting),

so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets. This should not preclude innovation or change where appropriate, especially where an increased scale or density of development is justified in accordance with NPPF Policies L2 and L3.

- 8.4 NPPF Policy DP3(3) states that development proposals should be refused if, without clear justification, they conflict with NPPF Policy DP3(1) or relevant aspects of the principles in NPPF Policy DP3(2), or with any explicit design standards set out in the development plan (including those in locally specific policies, guides, codes or masterplans). Substantial weight should be given to compliance with relevant development plan policies when assessing the design quality of proposals.
- 8.5 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.
- 8.6 The Good Design Guide states that garages and car ports should generally be set back from the existing dwelling so as not to dominate the street scene and confirms that roofscapes are a key character forming feature of detail in residential design.
- 8.7 The Good Design Guide requires developments to the front of dwellings to take the form of the existing building, mirroring the roof pitch, replicate or have lower eaves height and the ridge should be below the existing ridge height.
- 8.8 Policy 1 of the BNP highlights that developments within the settlement boundary would be acceptable if it aligns with other design policies and Policy 2 of the BNP discusses that developments should follow the existing pattern of development and retain natural features on the site, such as trees, within the immediate vicinity of the area.
- 8.9 The proposed single storey garage extension would adjoin the existing garage that protrudes from the principal elevation of the property. Its substantial width, depth and increased ridge height would materially enlarge the existing projecting garage and result in a dominant and visually prominent garage frontage. The resulting scale, massing and roof form would not remain subordinate to the host dwelling. The proposal would fail to comply with the Good Design Guide, which requires development to reflect the existing roof form and have a ridge lower than the existing ridge height.

- 8.10 The proposal would therefore appear as an incongruous addition that would not complement the design of the dwelling or reflect the character of the surrounding residential development. The use of matching external materials would not overcome the harm arising from the extension's overall scale, form and prominence.
- 8.11 The dwelling occupies the prominent entrance position to the recently approved development. The previously approved development plans secure a large green entrance to the sites entrance, with landscaping plans securing hedge planting, shrub and tree planting within this area. By virtue of the scale and siting of the garage much of this green space would be lost, alongside a portion of hedgerow planting and all approved shrub planting, this would be replaced by the mass of the garage alongside the large parking area proposed. The scheme includes some mitigatory tree planting, however, this is proposed to the rear of the garage, out of public view therefore would be poor mitigation. Overall, the extension would diminish the design quality of the recently approved development.
- 8.12 To conclude, by virtue of the proposed siting, scale, height, massing and design of the extensions as well as the loss of green space, the development would be considered not to respect the character of the existing dwelling and surrounding area and would not be in accordance with Policy DP3 of the NPPF, Policy DM10 of the SADMP, Policies 1 and 2 of the BNP and the Good Design Guide.

Impact upon Residential Amenity

- 8.13 NPPF Policy P3(1) states that development proposals should be appropriate for their location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, whether these effects are on or off-site; and whether this is as a result of the development itself or the product of preexisting conditions in its vicinity.
- 8.14 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.
- 8.15 The Good Design Guide requires the way buildings relate to each other, and their orientation and separation distances, to provide and protect acceptable levels of amenity.

- 8.16 The nearest neighbouring property to the application site that would be affected as a result of the development would be Bonitta, Bullfurlong Lane to the north which would be separated from the single storey front garage extension by 5.3 metres with 6.8 metres to the nearest habitable window. The proposed development would not result in overlooking as there would be no windows in the side or front elevations. The proposal would protrude beyond the front elevation of Bonitta, however, would comply with the 45-degree guidance as set out in the Council's Good Design Guide and as a result is unlikely to cause adverse overdominance or loss of light.
- 8.17 By virtue of the proposed garage extension separation distances and its single storey massing, the proposal would not be considered to result in any significant adverse impacts to the residential amenity of the occupiers of the host dwelling, nor the amenity of neighbouring residential properties in these site-specific circumstances. By virtue of these factors, the proposal would be considered to accord with NPPF Policy P3 and Policy DM10 of the SADMP.

Impact upon Parking Provision and Highway Safety

- 8.18 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.
- 8.19 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).
- 8.20 Policy DM18 of the SADMP requires developments to demonstrate an adequate level of off-street parking provision. Any reduction below minimum standards will require robust justification.
- 8.21 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.
- 8.22 Figure 44 (Dimensions) of the LHDG requires minimum parking sizes to be 2.4m in width by 5.5m in depth, and an additional 0.5m in width is required the parking space is bounded by a wall, fence, hedge, line of trees or other similar obstructions on one side. This width increases to 1m if the parking space is bounded on both sides.

- 8.23 The LHDG states that garages will not normally be counted as a parking space for the purpose of calculating parking provision for:
- The garage meets the minimum dimensions
 - Planning conditions are imposed to control the use of the garage; or
 - Restrictions are placed on converting the garage to a room that can be lived in.
- 8.24 In accordance with the LHDG single bay garages should have a minimum internal dimension of 3m in width by 6m in depth, with a minimum door width for 2.3m. This increases to 6m in width with a minimum door width of 4.2m for double garages.
- 8.25 The proposal would extend the existing access point from Maines Close whilst proposing to the extend the driveway to provide additional off-site parking within the application site. The existing access onto Maines Close is an unclassified public highway that is subject to a 30mph speed limit. The development would be for the private use of the Applicant and therefore the scheme would not be considered to intensify the use of the existing access. Furthermore, the four-bedroom property would be considered to accommodate sufficient off-street parking as set out in the LHDG. As such, the use of the existing access to serve the proposed garage and proposed parking facilities would not be considered to result in any material impact upon the highway safety of the existing access to the site in these site-specific circumstances.
- 8.26 The development would comply with the LHDG's minimum internal dimensions for a double garage. Furthermore, the existing hardstanding, together with the proposed new driveway to the east of the garage extension, would provide sufficient off-street parking for the application site.
- 8.27 In light of the above, the proposal would not be considered to create an unacceptable impact on highway safety or the road network 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.

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. Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission is refused subject to the reasons at the end of this report.

11. Recommendation

11.1. **Refuse planning permission** subject to the reasons detailed at the end of this Report.

11.2. Reasons

1. By virtue of the proposal's location, scale, design and massing, the development would represent poor design that would fail to reflect local design policies and government guidance on design. The poor design of the scheme would result in significant harm to the character of the site and surrounding area, which is exacerbated by the visual prominence of the development, and its detrimental impact on the discernible character

of the surrounding area to which the existing host dwelling positively contributes.

The proposal would therefore be contrary to, and in conflict with, Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), Policy DP3 of the National Planning Policy Framework (2026), the National Design Guide (2019), Policies 1 and 2 of the Burbage Neighborhood Plan (2021) and the Council's Good Design Guide (2020).

a. **Notes to Applicant**

1. The application has been determined in accordance with the following submitted details:
 - Existing Plans & Elevations Existing Site Plan Location Plan Drw No 26/073/01 (submitted: 10.08.2026)
 - Proposed Plans & Elevations Proposed Site Plan Draw No 26/073/02 (submitted: 10.08.2026)