

Delegated Report

Planning Ref: 23/00817/HOU
Applicant: Mr Andrew McMillan
Ward: Burbage Sketchley & Stretton



Hinckley & Bosworth
Borough Council

Site: 3 Lodge Close Burbage Leicestershire

Proposal: Single storey side and two storey side and rear extensions including the demolition of existing conservatory

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 the contemporary remodelling and restyling of, and extensions and alterations to, a dwelling, 3 Lodge Close, Burbage.

2.2. The proposals include a single storey side extension replacing an existing smaller conservatory and two storey side and rear extensions. The proposed single storey side extension would be 4.5 metres in width and extend for the full 12 metres depth of the southwest side elevation to be flush with the existing front and rear ground floor elevations. It would have a flat roof design to a height of 3 metres, bi-fold glazed doors to its front and rear elevations and two roof skylights. The proposed two storey side and rear extension would be flush with the main front elevation and up to 7.7 metres in width from the existing first floor northeast side elevation. It would extend for a depth of 12 metres and 2.2 metres beyond the existing first floor rear elevation. It would have an asymmetric roof design to the front and rear elevations with an eaves height of 5.2 metres and a ridge height of 7.5 metres and a number of roof lights and a photovoltaic panel. Full height sliding doors/windows are proposed within its contemporary design. Although no specific external materials have been submitted at this stage, the application proposes a mix of render, facing brick and timber cladding to walls, aluminium powder coated windows/doors and standing seam zinc pitched roof and sedum flat roof. The existing chimney stack would be retained.

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 and at the end of a private security gated driveway serving just two dwellings. It is a detached two storey house with a gable fronted dual pitched main roof design and single storey additions. To the southwest side elevation there is a white uPVC conservatory with dual pitched polycarbonate roof, to the northeast side elevation a red brick and concrete tile double garage with gable sided roof form. The single storey rear extension has a part dual pitched roof with rear gable and part lean-to roof form. The application dwelling is constructed of red facing bricks to the ground floor, off-white render to the first floor (front and side), brown interlocking concrete roof tiles and white uPVC windows. It occupies a large private plot with gardens to the front, southwest side and rear. The double garage and tarmac surfaced 'U' shaped private driveway provides ample off-street parking and turning. The plot is enclosed by 2 metres high solid close boarded timber fencing to the northeast (side) and northwest (rear) boundaries with neighbouring dwellings, a 5 metres high mainly conifer landscaped planting strip to the southwest (side)

boundary with the neighbouring dwelling and a continuous 4 metres high conifer hedgerow to the southeast (front) boundary with allotment land.

- 3.2. There is a variety of scales, designs and styles in the surrounding area. There is a detached bungalow to the northeast of the site that shares the private driveway, two detached 2/2½ storey houses to the northwest off Britannia Road, and a detached two storey house to the southwest and allotments to the southeast both accessed off Workhouse Lane.

4. Relevant planning history

04/01167/FUL

- Erection of detached double garage and alterations and extensions to dwelling
- Permitted
- 12.11.2004

99/00986/FUL

- Bedroom and kitchen extensions
- Permitted
- 24.01.2000

84/01127/4

- Erection of detached house and garage
- Permitted
- 22.01.1985

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 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) (2021)
- Planning Practice Guidance (PPG)

7.5. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)
- Local Highway 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:

'Roofscape is a key character forming feature of detail in residential design. This includes the shape and pitch of roofs, as well as the materiality.' and,

'Two storey side extensions should appear smaller in scale and massing in order to be subordinate to the main dwelling. Any proposal for a two storey side extension should be set down from the ridge of the existing house and set back from the front elevation.' 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. Where there are no public views into a site, a fully integrated two storey extension may be acceptable.' 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.'

8.4 The application dwelling is located at the end of a private, security gated driveway serving just two detached dwellings. By virtue of their intelligent and well considered design, the additional internal space to be provided is achieved without substantial increases to the overall footprint, mass or height of the existing dwelling. The resulting dwelling would therefore continue to sit comfortably within its substantial and private plot. By virtue of the retained overall ridge height of 7.5 metres and the asymmetric gable fronted roof design of the proposed two storey side/rear extension, the proposal would respect the roof scape of the application dwelling and surrounding development. Although not set back from the front elevation, by virtue of the asymmetric roof design, the proposal would appear subordinate in height (if not width) to the existing dwelling. The proposed two storey rear extension would be

fully integrated but would not be publicly visible. The contemporary flat roof design of the proposed single storey side extension would reflect the contemporary remodelling of the remainder of the dwelling, would be to the far side of the dwelling where it would be well screened by boundary walls and planting and would not be publicly visible. By virtue of their siting, scale, mass and design the proposals would not visually overwhelm the application dwelling or, by virtue of the separation distance, the neighbouring detached bungalow to the northeast and there are no other dwellings that relate directly to the application dwelling within any street scene. The proposals are therefore considered to be in general accordance with the overall principles of the adopted Good Design Guide.

- 8.5 The contemporary design includes extensive but appropriately proportioned and positioned fenestration that reflects the modern design and the application proposes the use of a mix of render, facing brick and timber cladding to walls, aluminium powder coated windows/doors and standing seam zinc pitched roof and sedum flat roof to reflect the contemporary remodelling proposed. As no specific external materials have been submitted at this stage, a condition to require their submission for prior approval would be reasonable and necessary to ensure a satisfactory and appropriate external appearance.
- 8.6 The contemporary remodelling and extensions and alterations proposed would clearly change the character and appearance of the existing dwelling. However, notwithstanding this, by virtue of their siting, scale, mass and design and subject to the use of appropriate external materials that could be secured through a planning condition to ensure a satisfactory and appropriate appearance, it is considered that the resulting dwelling would be compatible with the size of the plot, would not be overly prominent and would respect and complement the varied scale, character and appearance of neighbouring development within the surrounding area. The proposals are therefore considered to be acceptable in design terms and 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

- 8.7 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.
- 8.8 The proposed single storey side extension would extend 4.5 metres in width towards the neighbouring dwelling to the southwest (5 Workhouse Lane) and for 12 metres in depth but would still be 2.5 metres inside the side boundary and would be only 3 metres in height with a flat roof design. The proposed two storey rear extension would extend only 2.2 metres in additional depth at first floor but would be set in from the southwest side boundary by 7 metres. 5 Workhouse Lane has only secondary (kitchen) windows facing the application site within a larger open plan room with its main bi-fold doors being within its southeast (rear) elevation. There is an existing principal bedroom window at first floor in the southwest side elevation of the application dwelling facing the side elevation of No. 5 and this would be retained. However, and in any case, there is a tall, landscaped planting strip along the boundary which is to be retained and which would continue to completely screen the respective dwellings from each other. By virtue of their siting, design, separation distances and existing/retained screening, the proposals would have no significant adverse overbearing or overshadowing impacts on 5 Workhouse Lane or result in any loss of privacy to those neighbouring occupiers from direct overlooking.
- 8.9 By virtue of the 5.2 metres high eaves height and very low profiled roof design together with the separation distance of 6 metres to the nearest side elevation of 2

Lodge Close the proposed two storey side/rear extension would not result in any significant adverse overbearing or overshadowing impacts on this neighbouring bungalow. There is a main bedroom and its en-suite window in the side elevation of 2 Lodge Close facing the application site but these are located under a wide flat roof canopy, are set in approximately 8.5 metres from the site boundary and in any case face towards the front driveway area of No. 3 which is screened by 1.8 metres high close boarded timber fencing rather than directly towards the proposed extension. Other than high level roof lights in the very low profiled pitched roof there are no windows directly facing 2 Lodge Close and therefore the proposals would not result in any loss of privacy to those neighbouring occupiers from direct overlooking.

- 8.10 The proposed two storey rear extension would extend for a width of 14 metres and 2.2 metres in additional depth at first floor towards the rear garden boundary with Nos. 70 and 72 Britannia Road located to the northwest of the site. Notwithstanding this, the proposal would retain an acceptable separation distance of between 11 and 12 metres to the rear garden boundary and over 30 metres to the main rear elevations of those dwellings, well in excess of the 21 metres separation distance between back-to-back habitable rooms suggested as being acceptable within the adopted Good Design Guide. Therefore, notwithstanding the additional first floor rear elevation habitable room windows, by virtue of the siting, scale and separation distances the proposals would not result in any significant adverse overbearing or overshadowing impacts or loss of privacy to those occupiers from direct overlooking.
- 8.11 By virtue of the siting, scale, well considered design, separation distances and existing screening, it is considered that the proposed remodelling and extensions and alterations would not result in any significant 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 in this respect. No objections to the proposals have been received from the occupiers of any neighbouring properties.

Impact upon parking provision

- 8.12 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.13 The site currently provides a minimum of seven off-street car parking spaces within the double garage and on the 'U' shaped private tarmac driveway along with turning. The proposals would increase the number of bedrooms within the dwelling from three to four plus an office. The local highway authority design guide would therefore seek a minimum of three off-street car parking spaces to serve the resulting dwelling. The proposals include the retention of double garaging and car port spaces and the driveway spaces. This level of existing/retained provision would remain more than adequate to serve the resulting four bed roomed dwelling in this 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. The contemporary remodelling and extensions and alterations proposed would clearly change the character and appearance of the existing dwelling but by virtue of their siting, scale, mass and design and subject to the use of appropriate external materials to ensure a satisfactory and appropriate appearance, it is considered that the resulting dwelling would be compatible with the size of the plot and would respect and complement the varied scale, character and appearance of neighbouring development within the surrounding area. By virtue of their siting, scale, design, separation distances and existing screening, it is considered that the proposals would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. The proposals would retain more than adequate private amenity space of over 650 square metres and satisfactory off-street car parking provision of at least seven spaces to serve the resulting four bedroom dwelling in this highly sustainable urban setting. The proposals are 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 No. GD009_SP_E1 Rev V2, Proposed Site Plan Drawing No. GA141_SP_P1 Rev V3, Proposed Ground Floor Plan Drawing No. GD009_P_P1 Rev V4, Proposed First Floor Plan Drawing No. GD009_P_P2 Rev V3, Proposed Roof Plan Drawing No. GD009_RF_P1 Rev V3, Proposed Front/South and Side/East Elevations Drawing No. GD009_E_P1 Rev V4 and Proposed Rear/North and Side/West Elevations Drawing No. GD009_E_P2 Rev V4 received by the local planning authority on 22 August 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. Notwithstanding the submitted details, no development above foundation level shall commence on site until representative samples of the types and colours of materials to be used on the external elevations of the extensions and alterations hereby permitted have been deposited with and approved in writing by the local planning authority, and the scheme shall be implemented in accordance with those approved materials.

Reason: To ensure that the development has a satisfactory appearance in the interests of visual amenity 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 or call 01455 238141.