

Delegated Report

Planning Ref: 24/01007/HOU

Applicant: Mr And Mrs P Buckley

Ward: Earl Shilton



Hinckley & Bosworth
Borough Council

Site: 55 Belle Vue Road Earl Shilton Leicester

Proposal: Single storey rear extension

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

- 2.1. The application seeks full planning consent for the construction of a single storey rear extension at 55 Belle Vue Road, Earl Shilton.
- 2.2. The proposed single storey rear extension would project outwards from the existing rear elevation by 0.84 metres and would host a width of 5.53 metres. It would accompany a flat roof measuring 3.81 metres in height (including the proposed roof lanterns) which would span the entirety of the single storey element to the rear par the garage.
- 2.3. The proposed extension would involve the demolition of the existing conservatory extension and removal of the existing extensions hipped roof to form a new flat roof (both as approved under application 00/00502/FUL).
- 2.4. The proposed external materials would match those of the existing dwelling.
- 2.5. Additional alterations to the proposed extension include the addition of two roof lanterns, a set of four bi-fold doors, a singular door and a full length window and additional alterations to the existing dwelling include the addition of a singular window.
- 2.6. Amendment were sought and submitted during the application process, which saw the replacement of the proposed half hipped roof to a flat roof.

3. Description of the site and surrounding area

- 3.1. The application site comprises a two-storey semi-detached residential dwelling situated within the settlement boundary of Earl Shilton. The application dwelling comprises red brick to the walls, with grey cladding to the forward facing gable, red/brown tiles to the roof and grey uPVC to the windows. Two bay windows sit to the principle elevation, accompanied by a recessed arched porch and integrated flat roof garage. A tarmacadam/gravelled hardstanding and grassed frontage sits forward of the dwelling, enclosed by a metal boundary treatment to the south and timber to the north.
- 3.2. The rear of the dwelling hosts a generous private amenity space, with the rear elevation of the dwelling being subject to various previous enlargements as approved under application 00/00502/FUL and 20/00726/HOU.
- 3.3. The area surrounding site is predominantly residential in nature, however various non-residential uses such as Newlands Primary School sits immediately to the east along with Fusion Academy and a number of retail/takeaways to the north.

4. Relevant planning history

00/00502/FUL

- SINGLE STOREY SIDE AND REAR EXTENSIONS
- PER
- 30.06.2000

20/00726/HOU

- Outbuilding to rear
- PER
- 01.10.2020

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. No comments have been received.

6. Consultation

- 6.1. Earl Shilton Town Council;
- No comments have been received.

7. Policy

- 7.1. Earl Shilton and Barwell Area Action Plan (AAP) 2006-2026
- Policy 22: Development and Design
- 7.2. Core Strategy (2009)
- Policy 2: Development in Earl Shilton
- 7.3. Site Allocations and Development Management Policies DPD (2016)
- Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM10: Development and Design
- 7.4. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2024)
 - Planning Practice Guidance (PPG)
- 7.5. Other relevant guidance
- Good Design Guide (2020)
 - National Design Guide (2019)

8. Appraisal

- 8.1. Key Issues
- Design and impact upon the character of the area
 - Impact upon neighbouring residential amenity

Design and impact upon the character of the area

- 8.2 Policy DM10 of the SADMP requires new development to complement or enhance the character of the surrounding area with regards to scale, layout, density, mass, design, materials and architectural features.
- 8.3 Policy 22 of the Earl Shilton and Barwell AAP seeks to ensure that developments do not adversely affect the privacy and amenity of nearby residents and occupiers of adjacent buildings, do not have a detrimental impact upon the character or appearance of the host building or the surrounding area and respect the scale, proportions, height and materials of the existing building, neighbouring structures and overall street scene.
- 8.4 The application seeks consent for the construction of a single storey extension to the rear of the application dwelling, 55 Belle Vue Road, Earl Shilton.
- 8.5 The proposed extension would project outwards from the existing rear brick built elevation by a modest 0.84 metres and would span the entire width of the dwelling. Despite the extension the dwelling would, however, see a 1.10 metre reduction in projection overall, due to the demolition of the existing conservatory reducing the scale of development at the site.
- 8.6 The proposal would host a flat roof design which would also extend on to the existing single storey elements to the rear (par the garage) removing the existing extensions hipped roof form, ensuring a unified appearance between the addition and the existing dwelling.
- 8.7 The Council's Good Design Guide states that *"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."*
- 8.8 As per the above, generally flat roofs should be avoided as they do not represent a traditional roof form prevalent in the Borough. However, as the application dwelling already hosts a flat roof form to the garage, which would be connected to the extension albeit with a 0.42 metre step in height, the addition of a further flat roof is not considered to bear any additional detrimental impacts upon the character of the area. Originally the applicant sought consent for a flat roof form with the cutting back of the existing hipped roof over the utility, which would not have complemented the existing dwelling and neither would have demonstrated particularly good design. By virtue of this, the amendment would be a more positive alternative.
- 8.9 Additional alterations to the proposed extension include the addition of two roof lanterns, a set of four bi-fold doors, a singular door and a full length window and additional alterations to the existing dwelling include the addition of a singular window. None of which would be visible from a public viewpoint par one of the roof lanterns, however only to a minimal extent therefore the impact is considered to be minor.
- 8.10 Consequently, the proposal is considered to be a complementary addition to the dwelling, by virtue of this, this aspect of the proposal is considered to be in accordance with Policy DM10 of the SADMP and Policy 22 of the Earl Shilton and Barwell AAP.

Impact upon neighbouring residential amenity

- 8.11 Policy DM10 of the SADMP states that proposals should not adversely affect the occupiers of the neighboring properties.

- 8.12 Policy 22 of the Earl Shilton and Barwell AAP seeks to ensure that developments do not adversely affect the privacy and amenity of nearby residents and occupiers of adjacent buildings.
- 8.13 The proposed extension would see a minor increase in projection from the brick built element, however as the existing conservatory (which would extend 1.10 metres further than the proposed extension) and hipped roof are to be removed, the extension would host an overall reduction in projection and height to the existing structures. The separation distance between the neighbouring dwellings to the north and south would also remain unaltered. By virtue of the modest nature of the works the proposed extension is not considered to result in any overbearing impacts to the surrounding neighbouring dwellings.
- 8.14 Two roof lanterns are proposed to the flat roof of the extension along with a set of four bi-fold doors, a singular door and a full length window to the rear elevation of the extension, they are not, however, considered to bear any additional impacts than the existing glazed conservatory.
- 8.15 An additional window is also proposed to the northern side elevation of the existing dwelling hosting the utility. The window has, however, been conditioned to be obscured glazed to alleviate any loss of privacy to neighbouring dwelling, 57 Belle Vue Road, Earl Shilton.
- 8.16 The proposed development would therefore satisfy Policy DM10 of the SADMP in this regard.

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. The proposed development is for a property located within the settlement boundary of Earl Shilton. As such, there is a presumption in favour of sustainable development under Policy DM1 of the SADMP, as long as the proposal is in accordance with the relevant policies of the SADMP.
- 10.1 The proposed development has been assessed and the Local Planning Authority can conclude that the proposed development would complement the character and appearance of the host dwelling, and would not cause any adverse impacts upon the visual amenity of the surrounding area or the neighbouring amenity of occupants surrounding the application site. On this basis, the proposal is therefore

considered to be in accordance with DM1 and DM10 of the Site Allocations and Development Management Policies DPD and Policy 22 of the Earl Shilton and Barwell AAP. The proposal and is 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 materials to be used externally shall accord with the approved application form, as received by the Local Planning Authority on the 31st October 2024.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policy DM1 and DM10 of the Site Allocations and Development Management Policies DPD and Policy 22 of the Earl Shilton and Barwell AAP.

3. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

- Proposed Site Location and Block Plan, Drg No. 6493 / B / 7 as received by the Local Planning Authority on the 5th November 2024.
- Proposed Elevations, Section, Floor Plan, Drg No. 6493/B/5 A as received by the Local Planning Authority on the 5th December 2024.

Reason: To ensure a satisfactory form of development in accordance with Policy DM1 and DM10 of the Site Allocations and Development Management Policies DPD and Policy 22 of the Earl Shilton and Barwell AAP.

4. The window to the northern ground floor side elevation of the existing dwelling hosting the utility shall be fitted with obscure glazing to a minimum of level 3 of the Pilkington scale and non-openable. Once so provided the window shall be permanently maintained as such at all times thereafter.

Reason: To safeguard the privacy and amenity of neighbouring dwellings from potential overlooking in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and Policy 22 of the Earl Shilton and Barwell AAP.

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.

