**DELEGATED REPORT**

**Recommendation Made: 11 August 2011**

**Reference:- 11/00448/FUL** **Parish:- Earl Shilton Town Council**

**Applicant:- Mr John Baker**
**44 Equity Road East**
**Earl Shilton**
**Leicester**
**Leicestershire**

**Location:- 44 Equity Road East Earl Shilton Leicester Leicestershire LE9 7FY**

**Proposal:- EXTENSIONS AND ALTERATIONS TO DWELLING.**

**Introduction:-**

This application seeks full planning permission for the erection of a two storey extension to the rear of this detached property.

The application property is constructed from rendered walls and slate.

Planning History:

None

**Consultations:-**

Site notice displayed on 19/07/2011 and neighbours notified.

No objections have been received from:-

The Directorate of Chief Executive (LCC Ecology)
The Head of Community Services (Land Drainage)
Earl Shilton Town Council

**Development Plan Policies:-**

Adopted Local Plan

The site lies within the settlement boundary of Earl Shilton as defined in the adopted Hinckley and Bosworth Local Plan.

Policy BE1 - Design and Siting of the Development
Policy T5 - Highways Design and Vehicle Parking Standards

Supplementary Planning Guidance: House Extensions Design Guidance (SPG)

**Appraisal:-**

The main considerations in respect of this application are the principle of development, the impact of the proposed extensions on the character and appearance of the existing dwelling and the amenities of the occupiers of neighbouring properties

The Principle of Development

The site is located within the settlement boundary of Earl Shilton, as defined in the Adopted Hinckley and Bosworth Local Plan Proposals Map; therefore there is a presumption in favour of development subject to all

other planning matters being appropriately addressed.

Impact on Existing Dwelling

The proposed extension has a gabled roof design which projects from the rear elevation wall of the main house. The ridge height will be 0.4 metres lower than the ridge on the main house. Despite the lower ridge height the proposed extension extends the full width across the rear elevation by approximately 6 metres and projects 4.7 metres out.

The large projecting gable forms a prominent feature with a bulky appearance in relation to the main house contrary to advice given in the SPG. Nevertheless, the proposal is at the rear of the site away from the street scene. The proposal is considered satisfactory at the rear of the property and will not impact on the character of the street scene. The proposal is therefore acceptable in terms of the design requirements of Policy BE1.

Neighbours Amenities

The proposed extension will project 4.7 meters from the rear elevation wall of the main house.

No. 46 is a detached dwelling house that is set back 2 metres from the rear elevation wall of the applicants dwelling. The impact of its large scale and mass has been considered against the extensions relationship with no. 46. It is noted the proposed extension will extend 2.7 metres beyond the rear elevation wall of no. 46. This exceeds the advice given in the SPG by 0.7 metres. Nevertheless, the extension is off-set three metres to the side elevation of no. 46 and 1.5 metres to the common boundary line. It is considered the off-set and set back distance in relation to the rear elevation of no. 46, this will lessen the impact of the extensions large scale and compensates for the extent in which the extension projects.

Given the suns orientation and the position of the extension due south of no. 46 there will be a shadow cast towards this property during the late morning and afternoon. On the side (south) elevation of no. 46 there is a secondary ground floor kitchen window and two first floor (obscure glazed) bathroom windows. However, there is a primary kitchen window on the rear elevation which will not be adversely affected therefore it is not considered to result in a material loss of light or overshadowing into the kitchen. In relation to the obscure glazed side elevation windows these do not serve habitable rooms, and therefore not considered to result in a material loss of light / overshadowing.

Two first floor windows will be inserted on the side elevation of the main house facing no. 46. Nevertheless, the windows serve a proposed bathroom and en-suite where it is typical for such windows to be obscure glazed and given the first floor windows on no. 46 are also obscure glazed there will be no significant loss of privacy. A side door and window will be inserted on the side elevation at ground floor level but appropriate boundary treatment prevents any overlooking.

No. 42 is a detached dwelling house set back 5 metres from the rear elevation wall of the applicants dwelling. Given the rear elevation of the extension will fall 0.3 metres short of the rear elevation of no. 42 and the fact the extension is due north, it is not considered to result in any loss of light or overshadowing. It was noted there is only a door on the side (north) elevation that faces the applicants site with a pathway leading to the rear garden and as a result the large mass and scale of the two storey extension is not considered to have an overbearing impact. A large bay window will be replaced by a smaller window that would not result in any significant overlooking into the driveway of no. 42.

There will be no direct overlooking from the first floor rear elevation windows into the rear gardens of either no. 42 or no. 46. It is not uncommon for there to be some overlooking into rear gardens in built up areas due to the layout of residential estates.

Although the proposed extension exceeds the guidance contained in the SPG by 2.7 metres by projecting 4.7 metres from the rear elevation of the dwelling, given its position inset off from the boundaries and the set back distances of both neighbouring properties (No. 46 and No. 42) it is not expected that the mass and scale of the proposed extension will have an impact on the amenities of the occupiers of the neighbouring properties.

Additional Issues

The property currently provides one off-street car parking space. The proposal will not result in an extra bedroom and moreover the development enlarges the three bedrooms. Given the existing situation and its urban location close to local public transport links, the lack of on-site parking space would not sustain a successful reason for refusal on highway grounds alone.

The Directorate of Chief Executive (Ecology) have commented that the Ecology report submitted with this application is satisfactory, no protected species or ecological features of note were identified, and no further action is required.

Conclusion

The proposal would not have a detrimental impact on the character of the existing dwelling or street scene and would not adversely affect the amenities of the occupiers of neighbouring properties. In addition the proposal would not harm highway safety or ecology. The application is considered to be in accordance with Policy BE1 of the Local Plan and is therefore recommended for approval subject to conditions.

**RECOMMENDATION:- Permit subject to the following conditions:-**

**Summary of Reasons for Recommendation and Relevant Development Plan Policies :**

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below, it is considered that subject to compliance with the conditions attached to this permission, the proposed development by virtue of the scale, mass and design of the proposed extension would not detrimentally impact on the amenities of neighbouring residents or the character and appearance of the street scene and would not harm highway safety or ecology and would be in accordance with the development plan.
Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1 & T5

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

2 The materials to be used on the external elevations of the proposed extension and alteration shall match the corresponding materials of the existing dwelling unless previously agreed in writing with the Local Planning Authority.

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

Drawing - 11/006/01/1 - Received on 07/07/2011
Drawing - 11/006/02/2 - Received on 07/07/2011
Drawing - 11/006/03/3 - Received on 07/07/2011

**Reasons :-**

1 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2 To ensure that the development has a satisfactory external appearance to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.

3 For the avoidance of doubt and in the interests of proper planning.

**Notes to Applicant:-**

1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the

Building Control Section.

3 As from 6 April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

4 All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

**Contact Officer:- Kevin Roeton Ext 5919**