

Delegated Report

Planning Ref: 24/00641/HOU
Applicant: Mr And Mrs Travers
Ward: Burbage Sketchley & Stretton



Hinckley & Bosworth
Borough Council

Site: 74 Sketchley Road Burbage Leicestershire

Proposal: Single storey rear extension to replace 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 a single storey rear extension to a dwelling, 74 Sketchley Road, Burbage.
- 2.2. The proposed single storey rear extension would extend 4.5 metres in depth from the rear elevation set in slightly from the existing northeast side elevation and boundary brick wall and would extend across the remainder of the rear elevation by 8.5 metres width to be flush with the southwest side elevation and attach to the existing double garage. It would have a contemporary flat roof design to a height of approximately 3.6 metres and a low profiled raised roof lantern. The application proposes the use of matching corresponding external materials in the construction.
- 2.3. The proposal would replace an existing 4.5 metres deep and 6.5 metres wide white uPVC conservatory.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the urban settlement boundary of Burbage in a residential area. It is a detached two storey house with almost pyramidal hipped roof form. It has a hipped part open canopy porch roof across the front elevation, a white uPVC conservatory with glazed pitched roof and a slate roof covered way attached to the rear elevation and a double garage with hipped slate roof set back to the side and rear of the dwelling with single storey outbuilding extending from the rear of that. The dwelling is constructed with a red brick plinth with cream rendered walls above, red brick detailing including two chimney stacks, quoins and soldier headers to windows and doors, slate roof and dark stained timber windows.
- 3.2. In addition to the double garage there is ample off-street parking on the 21 metres long tarmac surfaced driveway and part tarmac surfaced site frontage, the remainder of which has mature soft landscaping and is enclosed by a highway boundary hedgerow.
- 3.3. The application dwelling lies within a row of detached two storey dwellings of varying size, design and appearance and predominantly traditional styling.

4. Relevant planning history

97/00100/FUL

- Erection of rear conservatory and boundary wall
- Permitted
- 04.03.1997

96/00894/FUL

- Erection of rear conservatory and boundary wall
- Permitted
- 09.01.1997

91/00335/4

- Alterations and extensions to dwelling
- Permitted
- 21.05.1991

89/00248/4

- Erection of one bungalow
- Refused
- 21.03.1989

87/01159/4

- Erection of detached garage
- Permitted
- 16.12.1987

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. No objection has been received from Leicestershire County Council (Ecology).
- 6.2. 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) (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 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. The Council's adopted Good Design Guide provides further advice in respect of the siting and design of house extensions. 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:

- 8.4 *'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.'

- 8.5 The proposed single storey rear extension would extend for a not inappropriate depth of 4.5 metres from the rear elevation to the same depth as the existing conservatory that it would replace. It would be set in slightly (0.4 metres) from the existing northeast side elevation and boundary brick wall. It would extend for an appropriate width of 8.5 metres across the remainder of the rear elevation to be flush with the southwest side elevation and attach to the existing double garage, as does the existing covered way that would be replaced. It would have a contemporary flat roof design to a height of approximately 3.6 metres, contemporary full height fenestration and a central low profiled raised glazed roof lantern. By virtue of its height, width and depth, the proposal would appear as a clearly subordinate addition to the existing dwelling. By virtue of its single storey scale and siting entirely to the rear, the proposal would not have any visual impact within the street scene or be visible from any other public areas. As a result, the proposed contemporary flat roof design is considered to be acceptable in this case and the proposed use of matching corresponding external materials in its construction would ensure a unified appearance.

- 8.6 Overall, by virtue of the siting, scale, design and appearance, it is considered that the proposal would respect and complement the scale, character and appearance of the existing dwelling and would not result in any adverse visual impacts within the street scene or surrounding area. The proposal is therefore considered to be in

accordance with Policy DM10 of the adopted SADMP, the general principles of the adopted Good Design Guide and the Burbage Neighbourhood Development Plan.

Impact upon neighbouring residential amenity

- 8.7 Policy DM10 of the adopted SADMP and the adopted 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 Council's adopted Good Design Guide states:
- '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.'*
- 8.9 The neighbouring dwelling to the northeast (No. 72) is a two storey detached house set off the northeast side elevation of the application dwelling by approximately 0.4 metre. The nearest ground floor window in its rear elevation serves a kitchen area that is of sufficient size to also provide dining/sitting space for the occupiers and is well used. The window has been enclosed externally by a small, glazed lean-to. There is a brick boundary wall that extends from the northeast side elevation of the application dwelling along the common side boundary at a height of approximately 2.7 metres for a depth of 2.7 metres and thereafter at a height of approximately 2 metres for an additional depth of 4.3 metres. By virtue of its hipped roof form and height the existing conservatory is currently all but screened by the boundary wall. Notwithstanding that the proposed flat roof extension would be of greater height at approximately 3.6 metres and therefore more of a visible presence from the neighbouring window, this height is not considered to be excessive and the proposal would also be set in marginally from the existing boundary wall by approximately 0.4 metres which would reduce impact to a degree. By virtue of the proximity of the neighbouring window to the side boundary and the depth of the proposed extension, it is likely that it would extend beyond a 45 degree line drawn from the centre-point of the neighbouring window in conflict with the adopted Good Design Guide. However, notwithstanding this, by virtue of the height of the existing boundary wall and the proposal being set in from the boundary, it is considered that it would not result in any significant or unacceptable overbearing or overshadowing impacts on the window or the residential amenity of the neighbouring occupiers in this case. There are no side elevation windows proposed that would result in any loss of privacy to the neighbouring occupiers. The neighbouring occupier has confirmed verbally that he does not intend to object to the proposal.
- 8.10 By virtue of the separation distance of 6 metres and screening provided by boundary landscaping and the existing double garage that extends much further in depth to the rear, the proposal would have no significant adverse impacts upon the residential amenities or privacy of the occupiers of the neighbouring dwelling to the southwest (No. 78) or any other neighbouring dwellings.
- 8.11 Notwithstanding the conflict identified with the adopted Good Design Guide in this case, by virtue of the siting, single storey scale, flat roof design, partial screening by existing structures and separation distances, it is considered that the proposed extension and alteration would not result in any significant adverse impacts upon the residential amenities or privacy of the occupiers of any neighbouring properties

and would therefore be in accordance with Policy DM10 of the adopted SADMP. No objections 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 proposal would not result in the addition of any bedroom space and would not affect the existing off-street parking provision, thereby having a neutral impact. The existing level of off-street parking provision would remain more than adequate to serve the resulting dwelling which is located within a highly sustainable urban location with easy access to a full range of services and facilities by alternative more sustainable transport means. The proposal would therefore be in accordance with Policy DM18 of the adopted SADMP and the local highway authority design guide 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 an extension and alteration 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. By virtue of the siting, scale, design and appearance, it is considered that the proposal would respect and complement the scale, character and appearance of the existing dwelling and would not result in any adverse visual impacts within the street scene or surrounding area. Notwithstanding the conflict identified with the adopted Good Design Guide in this case, by virtue of the siting, scale, flat roof design, partial screening by existing structures and separation distances, it is considered that the proposal would not result in any significant adverse impacts upon the residential

amenity or privacy of the occupiers of any neighbouring dwellings. The proposal would retain adequate more than adequate private rear amenity space and off-street parking provision to serve the resulting dwelling. The proposal is 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 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: Location Plan and Proposed Block Plan Drawing No. 115, Proposed Floor Plans Drawing No. 110 Rev B and Proposed Elevations Drawing No. 111 Rev B received by the local planning authority on 28 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 extension and alterations hereby permitted shall match the corresponding materials of the existing dwelling.

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.