

Delegated Report

Planning Ref: 24/00524/HOU
Applicant: Mr Lloyd Bagshaw
Ward: Earl Shilton



Hinckley & Bosworth
Borough Council

Site: Astleigh 108 Heath Lane Earl Shilton Leicestershire

Proposal: Front extension to existing garage (retrospective)

1. Recommendations

1.1. Grant retrospective planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

2.1. This householder application seeks retrospective planning permission for the construction of a front extension to an existing garage of a dwelling, Astleigh, 108 Heath Lane, Earl Shilton.

2.2. The front extension is 2.95 metres in width and 2.47 metres in depth with a hipped roof with a matching eaves height of 2.2 metres and matching ridge height of 3.4 metres as the pre-existing garage. It has been constructed with matching red bricks with external composite horizontal cream cladding to walls to match the cream coloured render on the dwelling, matching reclaimed terracotta plain clay roof tiles as the dwelling and pre-existing garage and a mid-brown (Golden Oak) garage door to match the doors and windows of the dwelling.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the settlement boundary of Earl Shilton in a residential area. It is a detached bungalow with hipped main roof form and set back from the highway boundary. It has a garage to the side elevation that is link attached by a flat roof covered walkway. The dwelling is constructed with cream rendered walls, reclaimed terracotta plain clay roof tiles and mid-brown (Golden Oak) uPVC doors and windows. The pre-existing garage is constructed with red facing bricks and matching roof tiles. The entire site frontage is hard surfaced in beige coloured loose stone chippings with hard bound highway boundary strip and provides off-street parking for numerous vehicles behind a low level red brick wall to the highway frontage.

3.2. The application dwelling lies within a row of similarly sized and scaled detached hipped roof bungalows of traditional styling and varying appearance, a number of which have single storey forward projections, including those either side of the site.

4. Relevant planning history

11/00141/FUL

- Extensions and alterations to dwelling.
- Permitted
- 15.04.2011

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 response has been received from Earl Shilton Town Council.

7. Policy

7.1. Earl Shilton and Barwell Area Action Plan (ESBAAP) 2006-2026 (2014)

- 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 dwellings and ancillary structures 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 highway safety and 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 various house extensions and suggests that: *'Garages and car ports should generally be set back from the existing dwelling so as not to dominate the street scene.'*

8.3. The pre-existing garage is located to the side of the dwelling and the front extension extends only 2.47 metres forward at a width of only 2.95 metres. By virtue of its modest forward projection the garage is still set back from the highway boundary by 7.5 metres. By virtue of this together with its single storey scale and hipped roof form with a matching eaves height of 2.2 metres and subordinate ridge height of 3.4 metres to the main roof of the dwelling, the proposal appears as a clearly subordinate addition to the dwelling and does not appear overly prominent in the street scene. There are a number of single storey forward projections on

neighbouring bungalows in the vicinity and therefore the extension respects the character of the surrounding area. It has been constructed with matching red bricks with external composite horizontal cream cladding to walls to match the cream coloured render on the dwelling, matching reclaimed terracotta plain clay roof tiles as the dwelling and pre-existing garage and a mid-brown (Golden Oak) garage door to match the doors and windows of the dwelling creating a unified appearance.

- 8.4 By virtue of its siting, scale, design and appearance the extension respects and complements the scale, character and appearance of the existing dwelling and the wider street scene and is therefore considered to be in accordance with Policy DM10 of the adopted SADMP and the principles of the adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 8.5 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.

- 8.6 The nearest neighbouring dwelling (No. 110) has a principal habitable room window in the centre of a small forward projection adjacent to the garage extension. Notwithstanding that the extension extends further forward of No. 110, by virtue of its modest forward projection and separation distance, the extension does not extend beyond a 45 degree line drawn from the centre-point of the nearest neighbouring window or result in any significant adverse overbearing or overshadowing impacts or loss of privacy to the neighbouring occupiers. The extension is therefore considered to be in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide. No objections have been received from any neighbouring properties.

Impact upon highway safety and parking provision

- 8.7 Policy DM18 requires adequate off-street parking space to be provided/maintained to serve the development.

- 8.8 By virtue of its setback of 7.5 metres from the highway boundary the front extension to the garage remains in excess of the setback distance required for a garage door within the local highway authority design guide enabling a vehicle to pull clear of the public highway whilst the door is opened/closed in the interests of highway and pedestrian safety. The site frontage retains ample off-street parking to serve a dwelling of this size on the extensive loose stone surfaced hard surfacing within the site frontage. The extension is 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 proposal is an extension to an ancillary building serving an existing dwelling located within the urban settlement boundary of Earl Shilton 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 its siting, scale, design and appearance the extension respects and complements the scale, character and appearance of the existing dwelling and surrounding area and does not result in any significant adverse impacts on the privacy or residential amenity of the occupiers of any neighbouring dwellings and adequate off-street parking and private amenity space would be retained within the site. It is therefore considered to be in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP and the principles of the adopted Good Design Guide and is therefore recommended for retrospective approval subject to conditions.

11.1 Grant retrospective planning permission subject to:

- Planning conditions outlined at the end of this report

11.2 Conditions and Reasons

1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows: Location Plan at scale 1:1250, Site Plan (part) at scale 1:200, Revised Frontage Floor Plan and Proposed Front Elevation and Proposed Side Elevation Drawing received by the local planning authority on 11 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).

2. The materials used on the external elevations of the extension and alteration hereby permitted shall match the corresponding materials of the existing dwelling at all times.

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).