

Delegated Report

Planning Ref: 24/00407/HOU
Applicant: Mr Johny Roux
Ward: Barwell



Hinckley & Bosworth
Borough Council

Site: 1 Dawsons Lane Barwell Leicestershire

Proposal: Two storey rear extension, first floor front extension, addition of a dormer to the front elevation and detached double garage

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 remodelling and restyling of an existing detached, traditionally styled, hipped roof bungalow, 1 Dawsons Lane, Barwell. The proposed scheme includes a two storey rear extension, a first floor front extension, hip to gable roof extensions and increase of 0.5 metres in roof ridge height, a front dormer window and a detached double garage with ancillary office in the roof space.
- 2.2. The proposed two storey rear extension would extend between 5 metres and 6.86 metres in depth from the rear elevation of the dwelling and for the full 9 metres width. The amended proposal would have a dual pitched rear gable with an eaves height of 3.3 metres and ridge height of 6 metres and a subordinate flat roof section to a height of 5.6 metres extending across the remaining width of the rear elevation. The proposed first floor front extension would extend over an existing bay window and would have an asymmetric front gable with a ridge height of 6 metres and eaves heights of 2.6 and 4.8 metres with the lower side roof extending to form an open porch canopy with outside corner post. The proposed front dormer would be 2 metres in width and 2.4 metres in height to ridge with a dual pitched gable fronted roof form. The proposed detached double garage and office would be located within the site frontage and would have a width of 7.7 metres and a depth of 5.7 metres. It would have a dual pitched roof form with side gables with eaves height of 2.9 metres and ridge height of 5.86 metres facing Dawsons Lane and the application dwelling.
- 2.3. The proposed scheme would result in a contemporary design and style and proposes the use of off-white smooth render and natural Cedar wood vertical cladding to walls, Equitone Pictura cladding system in dark grey for banding and detailing, grey concrete roof tiles and modern replacement black uPVC casement windows of varying proportions throughout.
- 2.4. Amended plans have been submitted to address issues raised during the course of the application process. Re-consultations have been undertaken.

3. Description of the site and surrounding area

- 3.1. The application site is located within the urban settlement boundary of Barwell in an area of both residential and mixed commercial/industrial uses. It is a large, elongated and elevated plot on the north side of Dawsons Lane. The application dwelling occupies a central position within the plot set back from the highway with extensive frontage and rear garden. It is a traditionally styled detached hipped roof bungalow constructed on a raised brick plinth with access steps across part of the

front elevation, flat roof front and side square bay windows and two brick chimney stacks. It is constructed of red facing bricks, small grey concrete roof tiles and brown timber and uPVC windows. The site has a low level stone retaining wall and overgrown raised bank to the highway frontage with a narrow ramped access from Dawsons Lane. The site frontage and long rear garden are currently being cleared of overgrown vegetation and have tall hedgerows/vegetation enclosing most of three sides of the plot along with a brick retaining wall along the western site boundary.

- 3.2. To the east there are similarly sized/proportioned raised plots with individually designed and styled dwellings of varying scale, and appearance. To the west there is a more recent residential development of two storey terraced dwellings that back onto the site. To the north there are the elongated rear gardens of large, detached dwellings on Shilton Road and to the south a large mixed commercial/industrial estate of old unattractive large scale buildings.

4. Relevant planning history

None.

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. Responses from one address have been received as a result of public consultation objecting to the two storey rear extension on the grounds that as a result of its height, higher ground level and proximity it would result in an overbearing impact on the neighbouring property.

6. Consultation

- 6.1. No objection has been received from Barwell Parish 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 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 various house extensions.

- 8.3 In respect of rear extensions, the Council's adopted Good Design Guide states:

'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 unless there is a detrimental impact on the adjacent properties as assessed by the 45 degree rule.' 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 A major element of the proposed remodelling and restyling of this traditional hipped roof bungalow would be the formation of additional upper floor accommodation within the proposed two storey rear and first floor front extensions and hip to gable roof extensions which include a modest increase in the main ridge height by 0.5 metres to 6 metres.
- 8.5 By virtue of its depth of between 5 metres and 6.86 metres together with its full 9 metres width, the proposed two storey rear extension would double the footprint of the existing bungalow and substantially increase the internal floor space available, including the introduction of roof space accommodation from front to rear. However, the existing bungalow is very modest in scale compared to the extensive plot that it occupies, and relative to all the other neighbouring dwellings along Dawsons Lane to the east that occupy similar sized plots. Therefore, notwithstanding the adopted GDG, it is considered that the scale of the proposed rear extension is not inappropriate in this case and that it would not result in any overdevelopment of the plot.
- 8.6 The amended design would have a dual pitched rear gable with an eaves height of 3.3 metres and ridge height of 6 metres and a subordinate two storey flat roof section to a height of 5.6 metres extending across the remaining width of the rear elevation. Whilst not a characteristic of the existing bungalow, the flat roof forms part of the overall contemporary remodelling of the dwelling and seeks to reduce visual impacts on neighbours and therefore has a degree of accord with the principles of the adopted GDG. Notwithstanding its two storey scale and design, by virtue of its construction entirely to the rear of the new dual pitched hip to side gable

roof extensions, its siting adjacent to an existing two storey flat roof on the neighbouring dwelling to the east and screening from the west by the new rear gable, the proposed rear extension would not be visually prominent from any public areas, would have no significant adverse impacts on the varied character or appearance of the surrounding area and is therefore considered to be acceptable in design terms in this case.

- 8.7 In respect of front and roof extensions, the Council's adopted Good Design Guide states:

'Front extensions... should not normally extend beyond the front elevation by more than 2 metres and not cover more than 50% of the front elevation.' and,

'Dormer windows, which allow for additional headroom within roof spaces can be appropriate in certain situations, however these will be considered in the context of impact upon the character of the building and on neighbours' amenity and should reflect the window pattern of the dwelling. Material selection, and scale of window opening and position within the roofscape is critical in the success of dormers.'

- 8.8 The proposed first floor front extension would extend over an existing bay window which has a depth of only 0.8 metres. It would extend for a total width of 4.5 metres, including the open porch canopy roof, which would be only half that of the 9 metres wide dwelling and it would therefore accord with the adopted GDG in these respects. It would have an acceptable contemporary design with an asymmetric front gable with ridge height of 6 metres and eaves heights of 2.6 and 4.8 metres and appropriately proportioned and styled fenestration. The proposed front dormer would be only 2 metres in width and 2.4 metres in height to ridge with a dual pitched gable fronted roof form. By virtue of its scale and design, the dormer would be of appropriate proportions and would sit comfortably within the main roof, appear clearly subordinate to the new front gable and would be characteristic of front dormers on other dwellings along Dawsons Lane to the east of the site.

- 8.9 The Council's adopted Good Design Guide states that *'Garages and car ports should generally be set back from the existing dwelling so as not to dominate the street scene.'* Notwithstanding this, the application site does not enable such siting and in this case, the proposed detached double garage and office would be located within the site frontage and perpendicular to the front elevation. It would have an appropriate width of 7.7 metres and a depth of 5.7 metres. It would have an acceptable dual pitched roof form with side gables with slightly raised eaves height of 2.9 metres to provide headroom and ridge height of 5.86 metres. Three roof lights are proposed to serve the staircase and office space within the west roof slope. Notwithstanding its position forward of the dwelling, its scale and higher ground level relative to the Dawsons Lane public highway, by virtue of its amended siting to be level with the building line of the adjacent two storey houses to the west of the site and screening provided by a tall conifer screen to the east boundary of the site, it is considered that the proposal would not appear overly prominent within the wider and already varied street scene or result in any significant adverse visual impacts on the surrounding area in this case. There are two other garages on site frontages to the east, one further back and one further forward, both with satisfactory screening from the highway.

- 8.10 The proposed use of off-white smooth render and natural Cedar wood vertical cladding to walls, together with dark grey cladding for banding and detailing, grey concrete roof tiles and modern replacement black uPVC casement windows of varying proportions throughout, would be appropriate for the contemporary remodelling and restyling of the dwelling. It is considered that the design and external materials proposed would result in a satisfactory and unified appearance that would enhance the overall appearance of the application site and would

complement the varied designs, styles and appearances of the neighbouring dwellings to the east of the site along Dawsons Lane.

- 8.11 By virtue of their scale, contemporary design and proposed use of appropriate contemporary external materials, the proposed remodelling and extensions would clearly change the scale, character and appearance of this traditionally styled red brick hipped roof bungalow. Notwithstanding this, it is considered that being of an appropriate scale the proposals would not overdevelop the plot, would enhance the overall character and appearance of the existing dwelling and would complement the varied scale, character and appearance of dwellings within the surrounding area. The remodelling/restyling scheme is therefore considered to be acceptable in design terms in this case and to be in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 8.12 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.
- 8.13 One objection has been received as a result of public consultation on the grounds that as a result of its height, higher ground level and proximity the rear extension would result in an overbearing impact on a neighbouring property. Amended plans have been submitted to seek to address this issue raised but the objection has nevertheless been maintained.
- 8.14 In respect of back to side separation distances, the Council's adopted Good Design Guide states: *'A principal window to a habitable room should ideally not be less than 8 metres from the blank side of a single storey neighbouring property, rising to 14 metres for a two storey property and above. An exception to this rule is in an urban location where it may be acceptable to have a reduced distance where issues of amenity and overlooking are dealt with by good design.'*
- 8.15 The neighbouring dwellings to the west are a two storey terrace occupying a lower ground level than the application site, the difference estimated at being between 1/1½ metres. The separation distance between the principal habitable room windows in their rear elevations to the main side elevation of the application dwelling is approximately 12.5 metres. The amended plans submitted include a much lower roof eaves height than originally proposed on the west side elevation of the two storey rear extension which has the effect of reducing the proposal to just over single storey in scale with only a roof above sloping away from the west boundary to a height of 6 metres. By virtue of the amended design and taking into account the ground level differences and separation distance, it is considered that the proposal would be generally acceptable in respect of the back to side separation distance recommendations within the adopted GDG in this case. Therefore, notwithstanding the objection received, it is considered that the proposed rear extension would not result in any significant or unacceptable overbearing or overshadowing impacts on the neighbouring dwellings to the west in this particular case.
- 8.16 The proposed new side gable would rise to a height of 6 metres but at a diminishing width above single storey height and therefore it is considered that it would not result in any significant adverse overbearing or overshadowing impacts on the neighbouring dwellings to the west. A new staircase/landing window is proposed in the west side gable that would face directly towards the neighbouring rear gardens of the dwellings on Knitters Close. Therefore, a condition to ensure that this would be fitted with appropriate obscure glazing and non-openable and thereafter retained

as such would be reasonable and necessary to protect the privacy and amenity of the neighbouring occupiers.

- 8.17 The proposed detached double garage would be located 14 metres from the rear elevation windows of the neighbouring dwellings to the west and 5 metres inside the west side boundary of the site and therefore would not result in any significant adverse overbearing or overshadowing impacts on the neighbouring dwellings to the west. The proposal includes three roof lights in the west roof elevation that would face directly towards the neighbouring rear gardens of the dwellings on Knitters Close. Therefore, a condition to ensure that these would be installed with a sill level of a minimum of 1.8 metres above the finished floor level of the rooms that they serve would be reasonable and necessary to protect the privacy and amenity of the neighbouring occupiers.
- 8.18 The neighbouring dwelling to the east (No. 2) is a semi-detached bungalow with a similar front building line to the application dwelling that occupies a slightly higher ground level of approximately 1 metre. It has been extended substantially to the rear with a single storey extension and to the rear side elevation with a large flat roof box dormer which, as a result of being constructed directly off the side elevation wall, gives the appearance of a part-two storey dwelling. It has a number of windows at ground floor in the rear side elevation facing the application site which are obscurely glazed, and three other windows above at first floor within the side dormer. The proposed two storey rear extension would extend to a greater depth within the plot than these ground floor windows at a separation distance of less than 3 metres, but not as far in depth as the rear elevation of No. 2. The proposals would therefore result in some loss of outlook (to the rear garden of the application dwelling) and a loss of light to the ground floor side elevation windows of No. 2 but these do not appear to be principal habitable room windows and no objection to the proposals has been received from the neighbouring occupiers. The first floor windows would not be so affected by virtue of their relative height and the flat roof design of the east side of the proposed rear extension. The only window in the east side elevation facing No. 2 is an existing window at ground floor level and faces a similar but obscurely glazed window in the side elevation of No. 2 and therefore does not result in any significant loss of privacy to the neighbouring occupiers. Notwithstanding that the proposed double garage/office would be located close to the east side boundary, by virtue of its siting and separation distance from the front elevation of No. 2 and the intervening neighbouring flat roof double garage and tall boundary vegetation, it is considered that the proposal would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of No. 2.
- 8.19 Notwithstanding the objection received, by virtue of the siting, scale, design and subject to the use and retention of obscure/fixed glazing where necessary and appropriate installation height of the roof lights which can be controlled by conditions, it is considered that the proposed remodelling and extensions and alterations would not result in any significant or unacceptable adverse impacts on the privacy or residential amenity of any neighbouring properties and would therefore be in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.

Impact upon parking provision

- 8.20 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.21 The proposals would result in a four bedroomed house for which the local highway authority design guide would require the provision of three off-street parking spaces. The proposals include the provision of a double garage along with

additional hard surfacing within the 12 metres wide and 19 metres long site frontage. Notwithstanding that the proposed garage would have a substandard internal depth of only 5.2 metres compared to the 6 metres required by the guide, three additional parking spaces would also be available on the extensive proposed hard surfacing located between the garage and the dwelling and could be secured by a condition. This level of provision would be adequate to serve the resulting four bedroomed 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 proposals would therefore 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 specifically, 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 Barwell 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 their siting, scale, design and proposed external materials, the proposed remodelling and extensions and alterations would clearly change the scale, character and appearance of the existing bungalow. Notwithstanding this, it is considered that the proposals are of an appropriate scale and acceptable contemporary design and appearance that would enhance the overall character and appearance of the site and would complement the varied scale, character and appearance of the surrounding area. Notwithstanding the objection received, by virtue of the siting, scale, design and subject to the use and retention of obscure/fixed glazing where necessary and appropriate installation height of the roof lights which can be controlled by conditions, it is considered that the proposed remodelling and extensions and alterations would not result in any significant or

unacceptable adverse impacts on the privacy or residential amenity of any neighbouring properties. Adequate off-street parking would be retained within the site frontage along with more than adequate private amenity space to the rear. The proposals are considered to be in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP and the general principles of the adopted Good Design Guide 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: Location Plan and Proposed Block Plan Drawing No. 136-03 Rev A, Dwelling - Proposed Floor Plans and Elevations Drawing No. 136-02 Rev O and Detached Garage - Proposed Floor Plans and Elevations Drawing No. 136-02-1 Rev A received by the local planning authority on 26 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 extensions and alterations shall be in accordance with the external materials details provided within the submitted Planning Application form and shall include off-white smooth render and natural Cedar vertical timber cladding to walls, Equitone Pictura cladding system in dark grey for banding and detailing, grey concrete roof tiles and black uPVC casement windows as detailed on the Proposed Dwelling Elevations Drawing No. 136-02 Rev O and Detached Garage Proposed Elevations Drawing No. 136-02-1 Rev A received by the local planning authority on 26 June 2024.

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).

4. The detached double garage/office building hereby permitted shall only be used for purposes ancillary to the residential occupation of 1 Dawsons Lane, Barwell and shall not be occupied, sold or separately leased or let as an independent unit.

Reason: To ensure compatible use and that the detached building hereby permitted is not occupied as an independent unit which may have additional impacts in accordance with Policies DM1, DM10, DM17 and DM18 of the

adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. Notwithstanding the submitted details, the proposed staircase/landing window in the west side gable elevation of the dwelling (facing Knitters Close, Barwell) 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).

6. The proposed roof lights within the west elevation of the proposed detached double garage/office building hereby permitted (facing Knitters Close, Barwell), shall have a sill height of a minimum of 1.8 metres above the finished first floor level of the room that they serve as confirmed by email from the agent dated 26 June 2024. Once so provided the roof lights 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).

7. Within one month of the first occupation of the extensions and alterations hereby permitted, a minimum of three off-street parking spaces, each with minimum dimensions of 5.5 metres in length and 2.5 metres in width, shall have been provided and hard surfaced in permeable hard-bound materials within the frontage of the site and once so provided shall be permanently retained for such use and maintained as such at all times thereafter.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally in the interests of highway safety and in accordance with Policies DM17 and DM18 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.