

Delegated Report

Planning Reference: 25/00646/HOU
Applicant(s): Mr and Mrs Jordan
Ward: Burbage Sketchley & Stretton



Hinckley & Bosworth
Borough Council

Application Site: The Briary, Bullfurlong Lane,
Burbage LE10 2HQ

Proposal: Single storey rear extension and proposed garden room outbuilding.

Case Officer: Gwion Russell (Planning Officer)

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions detailed at the end of this report.

2. Planning Application Description

- 2.1. This householder planning application seeks planning permission for a single-storey rear extension and additional rear outbuilding to The Briary, Bullfurlong Lane, Burbage.
- 2.2. The extension will remove the existing rear conservatory and add a permanent structure that will serve an open plan dining and living room. An external garden room, incidental to the main uses of the dwelling is proposed at the rear of the garden and within the property curtilage.
- 2.3. The rear extension element is proposed with an external width of 6785mm and depth of 5660mm. A 2.5m by 1.5m roof lantern is proposed on the flat roof of the extension. The garden room outbuilding also has a flat roof and has external dimensions of 3400mm by 5400mm.
- 2.4. The rear extension element is proposed to be finished in both red brick and render. The detached garden room is to be finished in grey timber cladding. All windows are proposed to be finished in pale green/green timber to match existing.
- 2.5. In addition to the extension rooflight, proposed fenestration includes bi-fold doors to the rear elevation of the extension and two windows to the side elevation, facing northwest. A further bi-fold door to the northwest elevation of the garden room and a narrower window to the northeast elevation.

3. Description of the Site and the Surrounding Area

- 3.1. The application dwelling is a two-storey, detached property on Bullfurlong Lane to the south of, and within the settlement boundary of Burbage. The property faces northeast, is set back 5.5m from the highway, has a high foliage boundary treatment to its frontage and the dwelling itself is constructed with half red brick, half cream render. Most properties along Bullfurlong Lane differ in architectural style, scale and massing and as such there is minimal consistency in the design of the street-scene – both immediate neighbouring properties are single-storey in massing. Bullfurlong Lane is wholly residential in character but there is open countryside adjacent to the opposite properties to the east.

4. Relevant Planning History

02/00540/FUL

- Single storey rear extensions and detached garage
- Permitted
- 20.06.2002

97/00430/FUL

- Erection of rear conservatory (revised scheme)
- Permitted
- 03.06.1997

14/00153/HOU

- Erection of detached garage
- Permitted
- 11.04.2014

14/00691/HOU

- Erection of detached garage
- Permitted
- 26.08.2014

14/01200/HHGDO

- Rear extension measuring 5.900 metres in depth; 4.000 metres in height to the ridge; and 2.650 metres to the eaves
- HHPAR
- 08.01.2015

15/00096/HOU

- Single storey rear extension
- Permitted
- 23.03.2015

89/00424/4

- Extensions and alterations to detached house and double garage
- Permitted

- 08.06.1989

5. Publicity

5.1 The application has been publicised by sending out letters to local residents.

6. Consultation

6.1 There have been no objections from the following consultees:

- Burbage Parish Council
- LCC's Ecology Unit

6.2 No further responses have been received.

7. Policy

7.1 Core Strategy (2009):

- Policy 4: Development in Burbage

7.2 Site Allocations and Development Management Policies Development Plan Document (SADMP) (2016):

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.3 Burbage Neighbourhood Plan 2015 – 2026 (BNP) (2021):

- Policy 2: Design and Layout

7.4 National Planning Policies and Guidance:

- National Planning Policy Framework (NPPF) (2024)
- National Design Guide (2019)
- Planning Practice Guidance (PPG)

7.5 Other Relevant Guidance:

- Hinckley and Bosworth Borough Council – The Good Design Guide (2020)
- Leicestershire Highway Design Guide (LHDG) (2024)

8. Appraisal

8.1. Extensions to existing domestic properties 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 residential amenity
- Impact upon parking provision and highway safety

Design and Impact upon the Character of the Area

8.2 Chapter 12 of the NPPF confirms that good design is a key aspect of sustainable development, and the creation of high quality, beautiful, and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 135 of the NPPF details the six national policy requirements of development to ensure the creation of well-designed and beautiful places.

8.3 Guidance Point C1 of the NDG confirms that well-designed new development should respond positively to the features of the site itself and the surrounding context beyond including the existing built development and landscape character, amongst others. Guidance Point I1 of the NDG highlights that new developments should consider the composition of street scenes and individual buildings and their elements including the height, scale, massing and relationship between buildings, as well as views, vistas, landmarks, and landscaping, amongst others.

8.4 Ultimately, Guidance Point I2 of the NDG advised that well-designed places should contribute to local distinctiveness and Guidance Point I3 of the NDG highlights that design decisions at all levels and scape should help to create a memorable sense of place.

8.5 Paragraph 137 of the NPPF states that applicants, where applicable, should provide sufficient information to demonstrate how their proposals will meet the design expectations set out in local and national policy.

8.6 Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design (as contained in the National Design Guide and National Model Design Code), taking into account any local design guidance and supplementary planning documents such as design guides and codes.

8.7 Policy DM10(c) of the SADMP states that developments will be permitted where they complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.

8.8 Paragraph 15.1 of the Burbage Neighbourhood Plan states that houses should be matched in terms of design and scale with neighbouring properties. As there is already a high degree of variation in housing design along Bullfurlong Lane and given the proposals at the rear of the dwelling, the design is not contrary to the guidance set out in the Neighbourhood Plan.

- 8.9 In accordance with the Good Design Guide, rear extensions should be designed to be clearly subordinate to the main dwelling and should be an appropriate height, width, depth and reflect or complement the detailing and materials of the original building. The rear extension is designed in a way that matches and complements the existing dwelling materials. The outbuilding is proposed to be finished in grey cladding which does not match the main building but is largely mitigated due to its siting away from the main dwelling building. All fenestration is proposed in green which matches all existing windows.
- 8.10 The proposals are not visible from the highway or from the principal frontage elevations of neighbouring Amberley and The Willows, which are both single-storey in massing. Although the rear extension is visible from the rear elevations of both neighbouring properties, its visual impact is largely mitigated because the extension replaces an existing extension structure and overhead canopy. The presence of an existing garage outbuilding within the property curtilage and the more cohesive design complement the main dwelling and further mitigate the schemes impacts.
- 8.11 There are dwellings to the rear of the application site, but due to the presence of foliage and the large separation distance (66m), these factors are sufficient to mitigate any potential design drawbacks. As a result of this, it is regarded that the development does not have a significant adverse impact on the character of the surrounding area and complements the main dwelling.
- 8.12 The rear extension is not considered to result in an overbearing or overly dominant impact, owing to its sufficient separation from all property boundaries and the fact that it largely replaces an existing conservatory structure.
- 8.13 The proposed rear garden room outbuilding, however, will be seen from the rear elevations of Amberley, The Willows and Nos. 7 and 9 Robinson Way. There is still sufficient separation distance from the rear of this outbuilding with the rear elevations of Nos. 7 and 9 Robinson Way, and therefore this is largely mitigated. The Willows, directly, to the south of the application site, will have direct a view of the external garden room, due to its slim boundary distance (0.5m) and the soft boundary treatments separating the properties. However, as no blank side of the proposed outbuilding is in close proximity to any habitable windows, this is seen to mitigate this drawback.
- 8.14 By virtue of its consistent design, the proposed use of matching external materials, the scale and the limited prominence of the extension and proposed outbuilding, the proposal respects the character of the existing dwelling and surrounding area and is in accordance with Policy DM10 of the SADMP, the Burbage Neighbourhood Plan and the Good Design Guide.

Impact upon Residential Amenity

- 8.15 Paragraph 135(f) of the NPPF requires planning policies and decisions to ensure that developments create places that are safe, inclusive, and accessible, which

promote health and well-being, and a high standard of amenity for existing and future users.

- 8.16 Policy DM10(a) and (b) of the SADMP states development will be permitted provided that it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting and noise and that the amenity of occupiers would not be adversely affected by activities within the vicinity of the site.
- 8.17 The Good Design Guide requires the way buildings relate to each other, and their orientation and separation distances, to provide and protect acceptable levels of amenity.
- 8.18 Two side windows are proposed at the extension's north side elevation facing neighbouring Amberley. However, as these windows do not have any direct views into any neighbouring habitable windows and given the orientation and positioning of the neighbouring property and the presence of a hard boundary treatment separating the properties, this will not cause any loss of privacy. Both bi-fold doors proposed do not have any direct views of any neighbouring windows or internal habitable spaces.
- 8.19 The Good Design Guide recommends that a principal window to a habitable room should ideally be no less than 8m from the blank side of a single storey neighbouring property. Not only is the rear elevation of neighbouring The Willows 12m from the side elevation of the proposed outbuilding, it maintains a projection of approximately 2.3m from the rear elevation of the application proposal (rear extension) and so there is little amenity impact in this regard.
- 8.20 In addition, the separation distance between two principal windows to habitable windows should be a minimum of 21m. Owing to the generous dimensions of gardens, there is adequate distance from the neighbouring properties at the rear and the side.
- 8.21 The Good Design Guide states that proposals should not breach 45-degrees from the centre of a neighbouring habitable window. The only nearby property that this would apply to would be Amberley to the north. The rear extension proposed does not breach 45-degrees from the centre of its nearest habitable window.
- 8.22 To comply with the Good Design Guide, four-bedroom houses should also provide a minimum of 80m² of private outdoor amenity space with a minimum length of 7m. The proposals maintain private outdoor amenity space that exceeds 32m in length and 370m² in total area, which is compliant with the Good Design Guide.
- 8.23 By virtue of these factors the proposal does not result in any adverse overbearing or overshadowing impacts or any overlooking or loss of privacy to the neighbouring properties and therefore is considered to be in accordance with Policy DM10 of the SADMP and the Good Design Guide.

Impact upon Parking Provision and Highway Safety

- 8.24 Paragraph 115(b) of the NPPF states that planning decisions should ensure that developments provide safe and suitable access to the site for all users. In accordance with Paragraph 115(d) of the NPPF, any proposal should ensure that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.
- 8.25 Ultimately, development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios in accordance with Paragraph 116 of the NPPF.
- 8.26 Policy DM17 of the SADMP states that development proposals need to demonstrate that there is not a significant adverse impact upon highway safety, and that the residual cumulative impacts of development on the transport network are not severe.
- 8.27 All proposals for new development and changes of use should reflect the highway design standards that are set out in the most up to date guidance adopted by the relevant highway authority (currently this is the Leicestershire Highway Design Guide (LHDG)) (2024).
- 8.28 Policy DM18 of the SADMP requires developments to demonstrate an adequate level of off-street parking provision.
- 8.29 Given the scheme does not create any additional bedrooms and there is already adequate off-street parking for the dwelling the proposal does not create an unacceptable impact on highway safety or the road network. Therefore, the scheme is regarded as in accordance with Policies DM17 and DM18 of the SADMP, and the LHDG.

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 Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission to be granted, subject to the imposition of appropriate conditions.

11. Recommendation

11.1 **Grant planning permission** subject to:

- Planning conditions detailed at the end of this report.

11.2 Conditions

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 received by the Local Planning Authority as follows:

- Application Form
- Drg No. 25 51 07 – Location Plan
- Drg No. 25 51 06A – As Proposed Garden Room
- Drg No. 25 51 05 – As Proposed Site Plan
- Drg No. 25 51 02A – Proposed Elevations and Floor Plans
- All received by the Local Planning Authority on 01/07/25

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).

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.