

Delegated Report

Planning Ref: 25/00200/HOU
Applicant: Mr Masoud Bastani
Ward: Ratby Bagworth And Thornton



Hinckley & Bosworth
Borough Council

Site: 144 Station Road Ratby Leicester

Proposal: Single storey rear extension and conversion of existing workshop into an annex

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

- 2.1. The application seeks full planning consent for a single storey rear extension and conversion of an existing workshop into an annex at 144 Station Road, Ratby.
- 2.2. The proposed single storey rear extension would replicate the footprint of the existing link extension/utility but would see an increase to the north-east elevation by 1.25 - 4.10 metres. It would have a pitched/mono-pitched roof form which would measure 3.75 - 4.79 metres to the ridge and 2.82 metres to the eaves.
- 2.3. Additional alterations to elevation A-A include the addition of a door and two windows to the ground floor and a window to the first floor. Additional alterations to elevation B-B include the addition of a window to the ground floor and three Velux windows to the roof.
- 2.4. The proposed external materials would match those of the existing dwelling.
- 2.5. Amendments have been sought during the application process to address neighbouring privacy concerns. A re-consultation has been undertaken.

3. Description of the site and surrounding area

- 3.1. The application site comprises a two-storey semi-detached residential dwelling situated within the settlement boundary of Ratby. The application dwelling hosts a predominant hipped roof form with pitched/flat roof elements to the rear and is finished in white render and red brick to the walls, brown tiles and metal cladding to the roof and white uPVC to the openings.
- 3.2. The surrounding street scene is residential in nature and consists of two-storey terraced properties with a range of finishes and does not host any particular uniform character.

4. Relevant planning history

75/00282/4M

- Removal of shop front provision of bay window and use of room for domestic purposes
- Planning Permission
- 03.06.1975

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. One objection and one comment of support have been received following the publication which are summarised below;

Objection:

- Invasion of privacy to our property due to the overlooking windows proposed.
- Risk of noise pollution.
- Do not consent to any contractors entering garden space/property in order for this work to be carried out if the planning permission is granted.

Support:

"We are writing on behalf of the National Annexe Planning Consultancy (NAPC) in support of the planning application 25/00200/HOU at 144 Station Road, Ratby, Leicester, Leicestershire LE6 0JP, which proposes the development of a single storey rear extension and conversion of an existing workshop into a granny annex.

As specialists in the sector, with extensive experience across the UK, NAPC strongly champions the use of annexes for ancillary residential use. We have seen firsthand the positive impact this type of accommodation provides, both at a family level and more broadly in addressing national structural challenges.

We support the principle of annexe development.

****PUBLIC BENEFITS OF ANNEXES****

Annexes play a vital role in the wider housing supply conversation by:

- *Supporting multigenerational living, easing housing pressure for younger adults and older family members alike.*
- *Reducing the burden on social care systems, allowing older relatives to age in place with the support of family.*
- *Providing a more affordable, sustainable form of housing.*
- *Creating housing capacity without increasing pressure on greenfield development or overstretched infrastructure.*

With the UK's aging demographic and increasing demand for intergenerational solutions, annexes represent a modern, adaptable, and compassionate approach to future housing.

****COMMON CONFUSION OVER ANCILLARY****

The use of the annexe should be reliant on the main dwellinghouse. It is important it does not constitute a separate, standalone unit of accommodation and it could not operate as such, given the site constraints and reliance on the main dwellinghouse.

Residential annexes are typically considered ancillary to the main dwelling, even if they contain all the facilities necessary for independent living (such as a kitchen, bathroom, and bedroom). The key distinction is that they are functionally linked to the main dwelling, rather than being separate, self-contained dwellings.

It is worth bearing in mind Uttlesford v SoS (Environment & White). In that case, the Inspector acknowledged that the annexe, while equipped with all the facilities for day-to-day domestic life, had the potential to function as a separate dwelling. However, the Inspector emphasised that the capability for independent use did not necessarily imply that it had been used as such. Notable factors in this determination included the lack of separate utility meters, a distinct postal address, and a dedicated telephone line. Additionally, the Inspector highlighted the absence of any separate curtilage as relevant considerations in assessing the independent nature of the annexe.

This is further supported by the case of R. (on the application of Fuller) v London Borough of Bromley [2012] EWHC 191 (Admin), where the High Court held that the Planning Inspector had correctly identified that an annexe was designed to be used ancillary to the main dwelling, even if it was capable of independent occupation.

****PROBLEMS WITH ANNEXES****

There are a lot of cowboy operators in the sector. There is a clear distinction between high-quality annexes and substandard developments often associated with the 'beds in sheds' issue. Poorly constructed or improperly used outbuildings can create long-term planning enforcement challenges and undermine the credibility of legitimate annexe developments.

To safeguard the integrity of annexe accommodation, we wish to highlight the importance of:

- *Effective planning conditions to ensure that annexes remain ancillary to the main dwelling and are not misused as unlawful separate dwellings.*
- *Longevity of the structure, ensuring that buildings are fit for purpose and not simply temporary solutions.*
- *Compliance with full Building Regulations, which is crucial for ensuring safety, structural integrity, and future property resale value.*
- *Consideration of financial implications, including Community Infrastructure Levy (CIL) exemptions where applicable, as well as council tax, insurance, mortgage, and finance considerations.*

While design and provider-specific elements fall outside our remit, we believe that a well-regulated approach to annexe accommodation benefits homeowners, local authorities, and communities alike. More details available here:

<https://napc.uk/annexe-support/>

Thank you for your time and consideration. Should you require any further information on the role of annexes in the UK housing sector, we would be happy to provide our expertise."

6. Consultation

6.1. Ratby Parish Council:

- No comments have been received.

7. Policy

7.1. Core Strategy (2009)

- Policy 8: Key Rural Centres Relating to Leicester
- 7.2. Site Allocations and Development Management Policies DPD (2016)
- Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM10: Development and Design
 - Policy DM18: Vehicle Parking Standards
- 7.3. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2024)
 - Planning Practice Guidance (PPG)
- 7.4. Other relevant guidance
- Good Design Guide (2020)
 - National Design Guide (2019)
- 8. Appraisal**
- 8.1. Key Issues
- Design and impact upon the character of the area
 - Impact upon neighbouring residential amenity
 - Impact upon parking provision
 - Other matters
- Design and impact upon the character of the area
- 8.2 Policy DM10 of the Site Allocations and Development Management Policies DPD 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.
- 8.3 The application seeks full planning consent for a single storey rear extension and conversion of an existing workshop into an annex at 144 Station Road, Ratby.
- 8.4 This is a householder application which cannot seek planning permission for a new dwelling or the sub-division of the existing planning unit. Instead, the application seeks approval for the conversion of an existing adjoining workshop to be used as a self-contained ancillary residential annexe to the main dwelling.
- 8.5 The proposed scheme would involve the conversion of the existing workshop at the site to a self-contained annex, a use which would not be inappropriate as it would complement the residential use of the application dwelling and of the surrounding area. The conversion would not involve any enlargements to the existing workshop's structure itself, however, would see minor alterations to the design which would include the addition of two Velux roof lights to the north-eastern slope of the pitched roof, additions which would be minimally viewable and that would reflect the existing roof openings already present to the main dwelling bearing no impact upon the character of the area. The existing workshop door would be retained ensuring that the proposal would maintain the character and appearance of the existing workshop.
- 8.6 The accommodation is indicated to host a sleeping area, tea station and shower room with an internal direct access to be placed between the annex and the kitchen of the main dwelling with the parking and amenity areas all being shared facilities, not having all the facilities needed for independent living meeting the criteria to be classed as an ancillary accommodation and therefore being appropriate. Despite

the above, a condition has been imposed to ensure that the proposed residential annexe is to remain ancillary to the residential occupation of the application dwelling at all times in the future for the avoidance of doubt.

- 8.7 The Council's Good Design Guide seeks to ensure that *"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."*
- 8.8 The proposed single storey rear extension would replace an existing link extension at the site and would replicate its footprint albeit with a minor extension to the north-east elevation by 1.25 - 4.10 metres. It would, nevertheless, remain to retain the existing dwellings form as it would sit flush with both the existing workshop's structure and dining room. It would have a pitched/mono-pitched roof form which would measure 3.75 - 4.79 metres to the ridge and 2.82 metres to the eaves replicating that of the existing roof form which along with its appropriate scale would ensure that the proposal appears to be a subordinate addition to the dwelling.
- 8.9 Additional alterations not listed above include the addition of a door, two windows to the ground floor and a window to the first floor of elevation A-A and the addition of a window to the ground floor of elevation B-B. The proposal would also involve the demolition of the existing garage.
- 8.10 The proposed external materials would match those of the existing dwelling.
- 8.11 As a result, it is considered that the proposed rear extension and ancillary residential conversion would preserve the character and appearance and thus the significance of the area and be in accordance with Policy DM10 of the adopted SADMP and the general principles of the Council's Good Design Guide.

Impact upon neighbouring residential amenity

- 8.12 Policy DM10 of the Site Allocations and Development Management Policies DPD and the adopted Good 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 An objection has been received from one address on the grounds that the proposed Velux windows to the south-west elevation would result in an unacceptable loss of privacy from overlooking and potential additional noise from conversion into an annexe.
- 8.14 Amendments have been sought during the application process to address the above neighbouring privacy concerns which has involved the removal of the Velux windows previously proposed to the south-west roof slope of the annex, satisfying the objection in this regard as no additional openings would be created to the south-west elevation. A re-consultation was undertaken to notify the objector of the amendment, however no further comments have been received.
- 8.15 Further to the above, the proposed annexe would be used only for residential purposes ancillary to the residential occupation of the application dwelling and therefore noise levels would be in proportion with such uses and are unlikely to result in any significant adverse noise impacts on the occupiers of any neighbouring dwellings. Should an unusual degree of noise pollution occur for such use it should be reported to the Council's environmental health team to be investigated under the separate environmental legislations in place.
- 8.16 The proposed extension would not extend further than either elevation A-A or B-B, would extend no further in height than the existing roof form hosted by the existing

workshop and any additional openings proposed would be in a similar positioning to those of the existing. By virtue of the above, there are not considered to be any adverse impacts upon the occupiers of the surrounding neighbouring dwellings due to the modest nature of the proposal.

- 8.17 Notwithstanding the objection received, by virtue of the ancillary residential use, removal of the Velux windows to the south-west elevation and modest siting, scale and design of the proposed extension, it is considered that the proposal would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring dwellings. The proposal 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

- 8.18 Policy DM18 of the Site Allocations and Development Management Policies DPD seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.19 An extra bedroom space is proposed due to the nature of the conversion. The proposal would result in the loss of some existing off-street parking provision at the site due to the proposed demolition of the existing garage, nevertheless, due to the extent of the existing gravelled hardstanding the site would remain satisfactory and, furthermore, the safety of the users of the adjoining highway will not be compromised. Therefore, the application complies with Policy DM18 of the SADMP.

Other matters

- 8.20 An objection has been received from one address regarding the access to the application dwelling when carrying out the construction works. Please note that conflict over access to the application site will have to be resolved between the occupiers of the dwellings and is a civil matter and not a material planning consideration. Nonetheless an informative is recommended reminding the applicants that the grant of planning permission does not impact private property rights, consent from the neighbouring landowners will be required before accessing their land.

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. The proposal is located within the settlement boundary of Ratby. As such, there is a presumption in favour of sustainable development under Policy DM1 of the SADMP, as long as the proposal is in accordance with the relevant policies of the SADMP.
- 10.2. The proposed development has been assessed, and the Local Planning Authority can conclude that the proposed development would complement the character and appearance of the host dwelling, would not cause any adverse impacts upon the visual amenity of the surrounding area or the neighbouring amenity of occupants surrounding the application site or upon the existing parking provision.
- 10.3. On this basis, the proposal is therefore considered to be in accordance with Policy DM1, DM10 and DM18 of the Site Allocations and Development Management Policies DPD and the general principles of the Councils Good Design Guide. The proposal 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 materials to be used externally shall accord with the approved application form, as received by the Local Planning Authority on the 4th March 2025.

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).

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

- Proposed Site & Location Plan, Drg No. 0201/02 as received by the Local Planning Authority on the 4th March 2025.
- Proposed Layout, Drg No. 0201/04 Rev A as received by the Local Planning Authority on the 9th April 2025.

Reason: To ensure a satisfactory form of development in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. The ancillary accommodation within the annex hereby approved shall only be used for purposes ancillary the residential accommodation of the dwelling known as 144 Station Road, Ratby, and shall not be occupied, sold or leased or let, on a permanent or temporary basis, as an independent unit of residential accommodation at any time.

Reason: To ensure the annexe is not occupied as an independent unit of accommodation which may have additional impacts in accordance with Policies DM10 and DM18 of the adopted Site Allocations and Development Management Policies Development Plan Document.

11.3 **Notes to applicant**

- 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.
- The applicant is requested to note that this permission does not affect private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required, it will be necessary for the applicant to obtain the landowners consent before such works commence.