

## Delegated Report

**Planning Ref: 23/00494/HOU**  
**Applicant: Grace Holcroft**  
**Ward: Twycross Sheepy & Witherley**



Hinckley & Bosworth  
Borough Council

**Site: 20 Ormes Lane Ratcliffe Culey Leicestershire**

**Proposal: Re-modelling of existing dwelling to include demolition of existing conservatory and garage, raised roof, erection of a two storey side and rear extension, front porch, dormer windows and associated works**

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### **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, and extensions and alterations to, an existing gable fronted dormer bungalow, 20 Ormes Lane, Ratcliffe Culey. The proposed scheme includes the raising of the roof eaves and ridge heights, two storey side and rear extensions following the demolition of the existing flat roof garage and rear conservatory, front porch extension and dormer windows to the side elevations, feature brick chimney stack and other alterations including new windows and doors and external materials.

### **3. Description of the site and surrounding area**

- 3.1. The application dwelling is located within the settlement boundary of Ratcliffe Culey adjacent to the southern edge of the rural hamlet. It is a detached dormer bungalow with dual pitched gable fronted roof design, central brick chimney, side elevation flat roof dormer windows and a flat roof garage attached to the north side elevation. A rear conservatory has already been partly demolished. The dwelling is set back approximately 22 metres from the highway boundary and occupies a central position within its long plot. It is constructed of light brown facing bricks at ground floor, weathered concrete sand faced hanging tiles within the gables at first floor, brown concrete interlocking roof tiles and white uPVC windows. It has no architectural or design features of any note. The garage and tarmac surfaced driveway to the side and within the site frontage currently provides space for tandem parking for up to six vehicles.
- 3.2. There are detached bungalows and dormer bungalows of a variety of designs and styles to the north, west and east of the site, individually designed two storey dwellings further to the northeast on Ormes Lane and an open field to the south.

### **4. Relevant planning history**

None.

### **5. Publicity**

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site.
- 5.2. As a result of public consultation, responses have been received from four separate addresses raising objections to the proposals on the following grounds:
- 1) Loss of light to/output from solar panels on roof of neighbouring dwelling

- 2) Loss of light to and views from windows of neighbouring dwelling
- 3) Will over-dominate the plot and neighbouring dwelling(s), skyline and surroundings due to increase in height
- 4) Out of keeping with neighbouring dwellings in the lane

## **6. Consultation**

- 6.1. No response has been received from Witherley Parish Council.

## **7. Policy**

- 7.1. Core Strategy (2009)
  - No relevant policies
- 7.2. 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
- 7.3. National Planning Policies and Guidance
  - National Planning Policy Framework (NPPF) (2021)
  - Planning Practice Guidance (PPG)
- 7.4. 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 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.
- 8.3. As a result of public consultation, objections have been received on the grounds that by virtue of the proposed 2.5 metres increase in its height, the resulting dwelling would over-dominate the plot, neighbouring dwelling(s), the skyline and its surroundings and would be out of keeping with neighbouring dwellings in the lane.
- 8.4. The proposed remodelling and restyling of this dual pitched roof gable fronted dormer bungalow includes an increase in the height of the roof eaves and ridge and two storey side and rear extensions to enable the provision of additional accommodation under a new dual pitched gable fronted main roof. This would have

a new eaves height of 4.5 metres (up from 2.2 metres) and a new main ridge height of 8.8 metres (up from 6.4 metres). The main body of the dwelling would increase in width by 2.1 metres (from 6.7 metres to 8.8 metres) but still be inset from the side boundary by 1 metre and 5.7 metres in depth (from 10 metres to 15.7 metres), to a similar depth as the neighbouring dwelling to the north (No. 18). Therefore, the proposals would result in a significant increase in its scale and mass compared to the existing structure and the similarly scaled and designed neighbouring dwelling to the north.

- 8.5 Notwithstanding this, the application dwelling is the smallest within this area of Ormes Lane and occupies a large enough plot such that the proposals are not considered to be overly excessive in this case. Whilst neighbouring development is predominantly single storey or 1½ storey in scale, there are two storey dwellings further to the northeast along Ormes Lane and these occupy elevated positions in relation to the highway. Notwithstanding the proposed increase in roof height and width, by virtue of the retained separation distance to the main body of the neighbouring dwelling of approximately 3.7 metres, it is considered that the submitted street scene drawing demonstrates that the resulting dwelling would not over-dominate it and by virtue of its significant set-back from the highway of approximately 22 metres it is considered that it would not over-dominate the wider street scene and would sit comfortably within its plot and context in this case.
- 8.6 The existing dwelling is a plain, gable fronted dormer bungalow of its time with no particular architectural or design features of particular merit. The proposed dwelling is designed with a range of architectural features including a canted brick plinth, corbelled roof verges to the front and rear gables, feature brick chimney stack to the south side elevation, arched brick headers and canted cills to fenestration to the front and side elevations and a similarly detailed subordinate front porch providing a feature entrance. The rear elevation would have a more contemporary design with extensive full height glazing extending into the gable and with the provision of a Juliette balcony with glazed balustrade. As a result of the inclusion of these architectural features in its design, and of red facing bricks and plain clay roof tiles in its construction, that can be secured for prior approval by a planning condition, it is considered that the proposals would significantly enhance the character and appearance of the existing dwelling and the already varied wider street scene.
- 8.7 The proposals would clearly change the scale, character and appearance of the existing dwelling. However, notwithstanding this and the objections received, by virtue of the scale, mass, design with a range of architectural features and subject to the proposed use of more appropriate external materials, it is considered that the resulting dwelling would not be overly prominent within the street scene and that the scheme would enhance the design quality and overall appearance of the existing dwelling and complement the varied character and appearance of dwellings within the surrounding area. The remodelling/restyling scheme is therefore considered to be acceptable in design terms in this particular case and therefore to be in accordance with Policy DM10 of the adopted SADMP.

Impact upon neighbouring residential amenity

- 8.8 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.
- 8.9 As a result of public consultation, objections have been received on the grounds that by virtue of the proposed increase in its height, width and mass that the proposals would result in a loss of light to and views from windows of the neighbouring dwelling to the north, particularly those on its south side elevation, and in a loss of light to/output from solar panels on its south side facing roof elevation.

- 8.10 The neighbouring dwelling to the north is a detached dormer bungalow (No. 18) of similar scale and design to the application dwelling and with a similar front building line but has been extended with a fully integrated rear extension. The main body of the dwelling is set off the side boundary with the application dwelling by approximately 2.7 metres by virtue of the flat roof garage attached to its near south side elevation and its side driveway. It has what appear to be a wide staircase/landing and obscurely glazed bathroom dormer window and a secondary roof light within its south side roof elevation facing the application dwelling, rather than the principal windows to any habitable rooms, along with an array of solar panels.
- 8.11 The proposed extensions would result in the overall height of the dwelling increasing by approximately 2.5 metres and being 1.3 metres closer to the north side boundary with No. 18. However, the new eaves of the proposal would remain on a similar level with the neighbouring first floor facing windows and at a separation distance of approximately 4.7 metres and with the roof pitch above sloping away from the side boundary such that the new ridge would be approximately 9 metres from these windows. The proposed rear extension would not extend to any significant degree beyond the rear elevation of No. 18 or extend beyond a 45 degree line drawn from the principal habitable room windows in its rear elevation. Notwithstanding the objections received, by virtue of the proposed height, depth and separation distances it is considered that the proposals would not result in any significant adverse overbearing or overshadowing impacts on any windows in of No. 18, be they to principal habitable rooms or otherwise.
- 8.12 Notwithstanding the objections received regarding potential adverse impacts on the existing solar panels array and their potential output, no evidence has been submitted to demonstrate that any significant adverse impacts would occur. From my site visit, I observed that the shadow from the existing roof ridge fell only half way across the applicants own driveway. It is therefore considered unlikely that the proposed 2.5 metres increase in the ridge height at a separation distance from the nearest solar panels of approximately 8 metres would result in any significant adverse overshadowing impacts on them. It is recognised that the visit was undertaken in the summer when the sun is at its highest and that in the months before and after then the shadow may lengthen. However, it is also recognised that during other months the suns power is also reduced and therefore any potential impact on output is also likely to be reduced.
- 8.13 The proposed north side elevation facing No. 18 would have two dormer windows serving a bathroom and an en-suite. By virtue of their proximity to the side boundary and level and position in relation to the neighbouring windows, a condition to require them to be obscurely glazed and non-openable below a height of 1.7 metres above the finished floor level of the rooms that they serve is considered to be reasonable and necessary to protect the privacy of the neighbouring occupiers.
- 8.14 By virtue of the substantial separation distance of 20 metres to the rear garden boundary and a further 8 metres to the rear elevations of the bungalows to the west, the proposals would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of these neighbouring dwellings.
- 8.15 Notwithstanding the objections received, by virtue of the proposed height, depth and separation distances, and subject to the use of obscure and fixed glazing where necessary, it is considered that the proposed remodelling and extensions and alterations would not result in any significant adverse impacts on the privacy or residential amenity of any neighbouring properties that would warrant refusal of the application on such grounds and that the proposals would therefore be in

accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide.

Impact upon parking provision

- 8.16 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.17 The existing garage and tarmacadam surfaced driveway to the side and within the site frontage currently provides space for tandem parking for up to six vehicles to serve the existing two bedroomed dwelling.
- 8.18 The proposals would result in an increase in the size of the dwelling to four bedrooms and the loss of the garage and the side driveway. Notwithstanding this, the existing 22 metres long tarmacadam driveway within the site frontage would be retained and would provide adequate off-street parking of three tandem spaces to serve the resulting four bedroomed dwelling. The proposals would therefore be in accordance with Policy DM18 of the adopted SADMP and the local highway authority design guidance.

## **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 proposals relate to the remodelling, extensions and alterations to an existing dwelling within the established settlement boundary of Ratcliffe Culey 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. The proposals would clearly change the scale, character and appearance of the existing dwelling. However, notwithstanding this and the objections received, by virtue of the scale, mass, design and subject to the proposed use of more appropriate external materials, it is considered that the resulting dwelling would enhance the design quality and overall appearance of the existing dwelling and

would respect and complement the already varied character and appearance of the surrounding area. Notwithstanding the objections received, by virtue of the siting, scale, design and separation distances, and subject to the use of obscure and fixed glazing where necessary, it is considered that the proposed remodelling and extensions and alterations would not result in any significant adverse impacts on the privacy or residential amenity of any neighbouring properties. Adequate off-street parking of three spaces and adequate private amenity space in excess of 200 square metres would be retained within the site to serve the resulting four bedroomed dwelling. The proposals are considered to be in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP 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, Proposed Floor Plans Drawing No. 6B, Proposed Street Scene, Sections and Roof Plan Drawing No. 7A and Proposed Elevations Drawing No. 8A received by the local planning authority on 24 May 2023.

**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. No development above foundation level shall commence on site until representative samples of the types and colours of materials to be used on the external elevations of the extensions and alterations hereby permitted have been deposited with and approved in writing by the local planning authority, and the scheme shall be implemented in accordance with those approved materials.

**Reason:** To ensure that the development has a satisfactory appearance in the interests of visual amenity in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. The new first floor dormer windows serving a bathroom and en-suite on the north side elevation facing 18 Ormes Lane, Ratcliffe Culey shall be fitted with obscure glazing to a minimum of level 3 of the Pilkington scale and non-openable below a height of a minimum of 1.7 metres above the finished floor level of the rooms that they serve. Once so provided the dormer windows shall be permanently maintained as such at all times thereafter.

**Reason:** To safeguard the privacy and amenity of neighbouring dwelling from potential overlooking 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 [buildingcontrol@hinckley-bosworth.gov.uk](mailto:buildingcontrol@hinckley-bosworth.gov.uk) or call 01455 238141.