

Delegated Report

Planning Ref: 23/00280/HOU

Applicant: Alan Bates

Ward: Burbage Sketchley & Stretton



Hinckley & Bosworth
Borough Council

Site: 30 Applebee Road Burbage Hinckley Leicestershire LE10 2LJ

Proposal: Single storey front extension and dropped kerb

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 full planning permission for a single storey front extension to a dwelling and widen existing dropped kerb, 30 Applebee Road Burbage Hinckley.

2.2. The proposed single storey front extension extends 1.2 metres forward and 4.6 metres wide. The proposed extension has dual pitched roof with an eaves height of 2.21 metres and ridge height of 4.43 metres. The proposed development widens the existing dropped kerb by approximately 3 metres. The use of matching corresponding external materials is proposed for the extension.

3. Description of the site and surrounding area

3.1. The application site is a single storey semi-detached dwelling located within the settlement boundary of Burbage. It is a brick built bungalow with concrete roof tiles and white uPVC windows. The site has a front paving driveway and garden.

3.2. The surrounding street has similar residential bungalows with a mixed of brick work and render. The dwelling is not listed and is not within a conservation area.

4. Relevant planning history

20/01055/HOU – Single storey rear extension – Planning Permission – 02.12.2020.

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. Burbage Parish Council were consulted, and the Parish Council has no objection to the application.

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. The adopted Good Design Guide states that:

'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. It should not result in the loss of existing parking spaces where it would impact on the street scene.'

8.4. The proposed porch extends 1.2 metres forward of the front elevation to a width of 4.6 metres and has a sympathetic dual pitched roof design with an eaves height of 2.21 metres and ridge height of 4.33 metres. The front extension has appropriate height, width and depth, however the proposed extension extends beyond the uniform building line on the street scene. Applebee Road is not a classified road and therefore the extension of the existing dropped kerb is accepted as the proposed change could reasonably be constructed under permitted development rights.

8.5. By virtue of the small scale of the proposed extension and the proposed use of matching corresponding external materials in its construction, the proposed development ensures a satisfactory and unified appearance and not result in any adverse visual impacts on the street scene.

8.6. The proposals are therefore considered 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

8.7. Policy DM10 of the adopted SADMP 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.

8.8. The Council's adopted Good Design Guide states:

'The 45 degree rule is applied for planning applications for new extensions to existing properties which could result in the outlook from or daylight to a principal window to a habitable room being impacted upon. On a plan of the proposal, a projecting line is to be drawn from the nearest principal window to a habitable room that may be affected by the planning application towards the proposed building at an angle of 45 degrees. Habitable rooms include living rooms, bedrooms and kitchens but do not include rooms such as bathrooms, utility rooms, halls, landings or garages. The extension should not cross the 45 degree line.'

- 8.9 The proposed single storey front extension is approximately 2.8 metres from the east boundary and 3.3 metres from west boundary. This provides adequate separating distance from the neighbour's boundary and therefore has no significant overbearing or overshadowing effect. The extension has a smaller scale with pitched roof and there is no breach of the 45 degree rule. The loss of section of the grass verge and the front garden will impact on the street scene and landscaping character, however considered acceptable.
- 8.10 By virtue of its siting, appearance, single storey scale and separation distances there is no neighbouring properties affected by the proposal. The proposals are therefore considered to be in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide. No objections have been received from the occupiers of any neighbouring properties.

Impact upon parking provision

- 8.11 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.12 Paragraph 3.165 of the LHDG requires a minimum parking size of 2.4m x 5.5m, adding 0.5m if bounded by a wall, fence, hedge, line of trees or other similar obstruction on 1 side, and 1m if bounded on both sides.
- 8.13 The proposed dwelling makes provision for two off-street parking spaces for the two-bedroom bungalow. The proposal does not increase the number of bedrooms to the dwelling and therefore has no impact on parking requirements. The proposals are therefore considered to be in accordance with Policy DM18 of the adopted SADMP and the standards within 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 proposals are for extensions and alterations to an existing dwelling within the settlement boundary of Burbage 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, subordinate single storey small scale, sympathetic design and proposed construction in matching corresponding external materials, the proposals respect and complement the scale, character and appearance of the existing dwelling and does not result in any significant adverse visual impacts on the character or appearance of the street scene, or the privacy or residential amenity of any neighbouring properties. The proposal is 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 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 development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows: Location Plan Drawing No. 1600/SL (received 09/05/2023), Proposed Block Plan Drawing No. 1600/BP REV-A, Existing and Proposed Floor Plans and Elevation Drawing No. 1600/REV A received by the local planning authority on 29/06/2023.

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. The materials to be used on the external elevations of the proposed extensions and alterations shall match the corresponding materials of the existing dwelling.

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).

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 or call 01455 238141.