

Delegated Report

Planning Ref: 24/00346/HOU
Applicant: Mr Luke Hopewell
Ward: Groby



Hinckley & Bosworth
Borough Council

Site: 45 Woodbank Road Groby Leicestershire

Proposal: Single storey rear and side extension

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 rear and side extension to a dwelling, 45 Woodbank Road, Groby.
- 2.2. The proposed single storey rear extension would extend for a depth of 4.1 metres from the main rear elevation and along the common side boundary, replacing an existing ground floor bay window and brick lean-to structure on the rear elevation. It would extend for the full width of the rear elevation and for 1.6 metres beyond the opposite southeast side elevation, a total width of 7.5 metres, and wrap around the rear corner and along the southeast side elevation with a total depth of 6.85 metres. It would have a lean-to roof form with an eaves height of 2.7 metres and maximum height of 4 metres. Matching corresponding external materials are proposed in its construction. The proposal also includes the demolition of an existing brick garage with mono-pitch roof form set back to the side and rear of the dwelling to enable the development.
- 2.3. Amended plans have been submitted to provide the missing northwest side elevation and re-consultation has been undertaken with the adjoining neighbouring occupier.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of Groby on a residential estate. It is a semi-detached two storey house with a hipped roof form. It has flat roofed ground floor bay windows to the front and rear elevations, an integral open porch with arched brick headers. It has a small brick lean-to with corrugated roof attached to the rear elevation and a brick garage with mono-pitch roof form set back to the side and rear. It is constructed of red/brown multi facing bricks, grey concrete interlocking roof tiles and white uPVC windows. In addition to the garage there are three further off-street spaces on the 15 metres long and 2.4 metres wide concrete block paved driveway to the southeast side of the plot. There is a 22 metres long rear garden and a large area of woodland to the rear of the site.
- 3.2. The dwellings in the immediate vicinity are a mix of traditionally styled semi-detached and detached two storey houses and bungalows predominantly with hipped main roof form and of varying appearance with both red/brown facing brick and render characteristic of the street scene.

4. Relevant planning history

None.

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. Groby Parish Council refer to sufficient parking being provided to serve the dwelling following the loss of the garage.

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) (2023)
 - 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 '*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.*' Side extensions are also required to be subordinate to the existing dwelling and reflect or complement the detailing and materials of the original building.

8.4 The proposed single storey side extension would extend only 1.6 metres in width to within 0.9 metres of the side boundary. It would be set back 4 metres from the main front elevation with a roof height of only 4 metres such that it would appear as a clearly subordinate addition to the existing two storey dwelling and have no visual prominence within the wider street scene. By virtue of its 4.1 metres depth and 7.5 metres width, the proposed rear extension would result in a substantial increase in the ground floor footprint of the dwelling. Notwithstanding this, by virtue of its single storey scale and sympathetic lean-to roof design to a maximum height of only 4 metres, the proposal would, nevertheless, appear as a clearly subordinate addition to the existing two storey dwelling. By virtue of its siting to the rear it would have no visual impact in the wider street scene. Matching corresponding external materials are proposed in the construction which would ensure a satisfactory and uniform appearance.

8.5 By virtue of the siting, single storey scale, appropriate design and proposed matching appearance, the proposal would respect and complement the scale, character and appearance of the existing dwelling and would have no adverse visual impacts within the varied wider street scene. The proposal is 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

8.6 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.

8.7 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.'

8.8 The adjoining neighbouring dwelling to the northwest (No. 47) is a similarly designed two storey semi-detached house with hipped main roof form. It has not been extended to the rear but has the same 3.2 metres wide flat roofed ground floor bay window attached to its rear elevation that extends to a depth of 1.2 metres from its main rear elevation along the common boundary. As a result of its proposed 4.1 metres total depth up to and along the common boundary, the proposed rear extension would extend beyond a 45 degree line drawn from the centre point of the neighbouring bay window by 1.3 metres. Notwithstanding this, and its position to the south, the proposal would be only single storey and have a sympathetic shallow pitched lean-to roof form that diminishes from its maximum of 4 metres where it adjoins the main rear elevation to only 2.7 metres in height at its maximum depth. Therefore, it is considered that the impact of the proposal on the level of light to, and outlook from, the neighbouring 3.2 metres wide ground floor bay window would not be adversely affected to a significant or unacceptable degree to warrant the application being refused on such grounds, particularly as there has been no objection from the neighbouring adjoining occupiers. The side elevation facing the adjoining dwelling is blank and therefore would not result in any significant loss of privacy to the neighbouring adjoining occupiers from potential overlooking.

8.9 The neighbouring dwelling to the southeast (No. 43) is a similarly designed two storey semi-detached house with hipped main roof form set off the boundary by approximately 3 metres with a driveway between and constructed on a slightly lower ground level than the application dwelling. It has only a door and small obscurely glazed window in its near side elevation facing the site at ground floor. It also has the same 3.2 metres wide flat roofed ground floor bay window attached to its rear elevation that extends to a depth of 1.2 metres. The proposed side/rear extension would extend 1.6 metres closer to No. 43 but at only single storey height and would be 0.9 metres inside the side boundary and at a separation distance of approximately 4 metres to the side elevation of No. 43. Whilst it would extend for a total depth of 6.85 metres, only 4 metres of this would be beyond the rear elevation of the ground floor bay. Therefore, the proposal would not extend beyond a 45 degree line drawn from the centre-point of the bay and by virtue of its single storey scale and depth would not result in any significant adverse overbearing or overshadowing impacts on No. 43. The proposed removal of the garage that currently extends much further to the rear along the side boundary would result in a more open outlook for both occupiers. There are no additional side elevation windows proposed facing towards No. 43 that would result in any significant loss of privacy to the neighbouring occupiers.

8.10 Notwithstanding the small degree of conflict identified with adopted Good Design Guide, by virtue of the siting, single storey scale, shallow pitched lean-to roof design and separation distances, it is considered that the proposal would not result in any significant or unacceptable adverse impacts on the residential amenity or privacy of any neighbouring properties. The proposal is therefore considered to be in accordance with Policy DM10 of the adopted SADMP and the overall general principles of the adopted Good Design Guide. No objections have been received from 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 In addition to the garage the site currently provides three further off-street spaces on the 15 metres long and 2.4 metres wide concrete block paved driveway to the southeast side of the plot. The proposal would not result in the addition of any bedrooms to the three bedroomed dwelling but would result in the loss of the existing garage and part of the available driveway leaving only one available off-street parking space within the site.

8.13 The consultation response from Groby Parish Council refers to sufficient parking being provided to serve the dwelling following the loss of the garage. The local highway authority design guide requires a minimum of two spaces, each of 5.5 metres in length and 2.4 metres in width, to be provided to serve a three bedroomed dwelling. As a result, a condition to require the provision of a replacement parking space would be reasonable and necessary to ensure adequate off-street parking to serve the resulting dwelling to be in accordance with Policy DM18 of the adopted SADMP and the local highway authority design guidance standards.

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 proposal is for an extension and alterations to an existing dwelling within the settlement boundary of Groby 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 the siting, scale, design and proposed matching appearance, the proposal would respect and complement the scale, character and appearance of the existing dwelling and would have no adverse visual impacts within the varied wider street scene. Notwithstanding the small degree of conflict identified with adopted Good Design Guide, by virtue of the siting, scale, design and separation distances, it is considered that the proposal would not result in any significant or unacceptable adverse impacts on the residential amenity or privacy of any neighbouring properties. Subject to the provision of a replacement parking space the site would provide adequate off-street parking to serve the resulting dwelling and ample private amenity space of approximately 160 square metres would be retained within the site. The proposal is considered to be in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP and the overall 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. 2066-05 and Proposed Block Plan Drawing No. 2066-06 received by the local planning authority on 11 April 2024 and Proposed Ground Floor Plan Drawing No. 2066-03 and Proposed Elevations Drawing No. 2066-04 received by the local planning authority on 7 May 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 extension and alteration hereby permitted 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).

4. Within one month of the first occupation of the extension hereby permitted, a minimum of two off-street parking spaces each with 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 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.