

Delegated Report

Planning Reference: 25/00612/HOU
Applicant(s): Miss Adrienn Tolli
Ward: Twycross Sheepy & Witherley



Hinckley & Bosworth
Borough Council

Application Site: Lynnberra, 49 Main Street, Orton
on the Hill

Proposal: Two-storey side extension

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 two-storey side extension to Lynnberra, 49 Main Street, Orton-on-the-Hill.
- 2.2. The property is currently a two-storey three-bedroom semi-detached dwelling with a detached garage. The proposal involves constructing a two-storey side extension to the main dwelling and demolishing the existing garage. The extension will add a gross footprint of 54m², measuring 6.3m in width and 8.4m in depth. The first floor reduces this footprint slightly and adopts a dormer style consistent with the existing dwelling, as well as the neighbouring property (along with its two-storey side extension). The ground floor extension incorporates a newly attached garage, and open plan kitchen/dining room while the first-floor incorporates an additional master bedroom, with en-suite, inverted dormer/balcony and walk-in wardrobe.
- 2.3. The proposed ground floor fenestration includes a new grey uPVC garage door and standard kitchen window to the front elevation, a small window on the side elevation serving the WC, and 5m wide bifold doors at the rear. On the first floor, there is a side window serving the en-suite, a standard dormer window for the additional bedroom and an inverted dormer/balcony serving the opposite side of the same bedroom, with a depth of 1.5m. All windows and the bi-fold door are proposed in white uPVC to match the existing ones, while the front door and garage door will use dark grey uPVC. A brick finish to match existing is proposed on the dwelling façade and cedar wood cladding is proposed on the dormer. The brown concrete roof tiles are proposed to match the existing roof.

3. Description of the Site and the Surrounding Area

- 3.1. The application dwelling is a two-storey, semi-detached property on Main Street in the northeast area of the village of Orton-on-the-Hill, which sits back approximately 21m from the highway. Although the application property is in the settlement boundary, it sits to the north of the village conservation area but is not within any protected viewpoints. Although the property is two-storey in massing, it has dormer windows on the first-floor with a large steep-pitch gable roof encompassing the entire first-floor, which mimics the attached dwelling. It is constructed with a brick finish, with stone detailing and brown concrete tiles on the roof. Due to the variety of architectural styles and ages of the properties within the street, there is no discernible unique character to the street scene but most dwellings are two-storey in massing. Main Street is mainly residential in character but there is open countryside to the rear of the application dwelling and neighbouring properties.

4. Relevant Planning History

- 4.1 There is no planning history associated with this property.

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 and a notice was displayed in the local press.
- 5.2 No responses have been received.

6. Consultation

- 6.1 There have been no comments received from the following consultees:
- Twycross Parish Council
- 6.2 No further responses have been received.

7. Policy

- 7.1 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
- 7.2 National Planning Policies and Guidance:

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

7.3 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

Impact upon the Significance of the Listed Building and the Orton on the Hill Conservation Area

8.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

8.3 Therefore, in determining applications, Paragraph 212 of the NPPF requires great weight to be given to the conservation of designated assets and the more important the asset, the greater the weight should be.

8.4 Paragraph 216 of the NPPF highlights that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

8.5 Nevertheless, Paragraph 219 of the NPPF confirms that local planning authorities should look for opportunities for new development within Conservation Areas, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

- 8.6 The Planning Practice Guide (PPG) and Historic England Advice Note 2 (HEAN2) Making Changes to Heritage Assets sets out how the policies of the NPPF are expected to be applied and includes guidance on the conservation of and making changes to the historic environment.
- 8.7 Policies DM11 and DM12 of the SADMP seek to protect and enhance the historic environment and heritage assets. All proposals for extensions and alterations of listed buildings and development affecting the setting of Listed Buildings will only be permitted where it is demonstrated that the proposals are compatible with the significance of the building and its setting. Development proposals should ensure the significance of a conservation area is preserved and enhanced.
- 8.8 Policies DM11 and DM12 of the SADMP seek to protect and enhance the historic environment and heritage assets. Policy DM11 of the SADMP requires all developments proposals which have a potential to affect a heritage asset or its setting to demonstrate:
- (a) An understanding of the significance of the heritage asset and its setting; and
 - (b) The impact of the proposal on the significance of the asset and its setting, including measures to minimise or avoid these impacts; and
 - (c) How the benefits of the proposal will outweigh any harm caused; and
 - (d) Any impacts on archaeology in line with Policy DM13 of the SADMP.
- 8.9 Policy DM12 of the SADMP confirms that all developments affecting heritage assets and their setting will only be permitted where it is demonstrated that the proposals are compatible with their significance and their setting. Assets identified on the Locally Important Heritage Asset List should be retained and enhanced wherever possible.
- 8.10 Guidance Point C2 of National Design Guide (NDG) highlights that well-designed places and buildings are influenced positively by the history and heritage of the site, its surroundings and the wider area, including cultural influences, as well as, the significance and setting of heritage assets and any other specific features that merit conserving and enhancing.
- 8.11 It is noted the application site does not fall directly within the Orton-on-the-Hill conservation area however is within the settlement boundary and to the north of the conservation area's boundary. Although any development within the application site boundary is unlikely to have an impact on the conservation area and does not impinge on protected views, any design drawbacks should be carefully mitigated in order to maintain the heritage value of the corresponding settlement boundary, as a whole. The development would not impact the special character of the Conservation Area and therefore complies with policy DM11 and DM12.

Design and Impact upon the Character of the Area

- 8.12 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.
- 8.13 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.
- 8.14 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 scale should help to create a memorable sense of place.
- 8.15 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.
- 8.16 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.
- 8.17 Policy DM4(i) of the SADMP states that development in the countryside will be considered sustainable where it does not have a significant adverse effect on the intrinsic value, beauty, open character, and landscape character of the countryside.
- 8.18 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.
- 8.19 In accordance with the Good Design Guide, two-storey side extensions should appear smaller in scale and massing in order to be subordinate to the main dwelling. Any proposal should be set down from the ridge of the existing house and set back from the front elevation by a minimum of 0.5m. The side extension maintains a setback distance of 0.5m but set down only 0.3m from the main roof ridge line. However, as the side extension appears subservient to the main dwelling and given the wider separation distance from neighbouring No. 47 Main Street, the side extension is seen to be subservient to the main dwelling meeting the aims of the side extension.

- 8.20 The selection of external materials is in keeping with the rural character of the area, as well as the nearby and adjoining dwellings. The use of brown brick matches the existing brickwork, complemented by a cedar wood dormer and brown concrete roof tiles. The adjoining property also features a two-storey side extension finished in matching brick. As such, the scale, massing, and design of the proposed two-storey side extension are considered to be consistent with the surrounding area, the existing dwelling, and the broader building context.
- 8.21 By virtue of the distance from the highway, the design, the proposed use of external materials, the scale and the limited prominence of the extension, the proposal respects the character of the existing dwelling and surrounding area and is in accordance with Policy DM10 of the SADMP, and the Good Design Guide.

Impact upon Residential Amenity

- 8.22 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.
- 8.23 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.
- 8.24 The Good Design Guide requires the way buildings to relate to each other, and their orientation and separation distances, to provide and protect acceptable levels of amenity.
- 8.25 The application site sits beside and adjacent to Nos. 47 and 51 Main Street.
- 8.26 For the attached No. 51 Main Street, the two-storey side extension is unlikely to cause loss of light or overdominance for the occupiers of this property, due to the direction of the sun path and location of the extension which does not protrude beyond the existing building line of the dwelling. There may be some additional loss of privacy for the rear garden of No. 51 however this is not sufficient to warrant a refusal based on the fact there are already existing windows overlooking the garden. Any loss of privacy from the balcony is mitigated significantly by the presence of an inverted dormer which masks some of the potential vantage points. Overall no adverse loss of privacy would be experienced.
- 8.27 As the side extension is proposed to the south boundary, adjacent to No. 47 Main Street, the occupiers of this property will be most impacted by the proposals. Due to the sun path direction, there may be some loss of light for the rear garden of No. 47 in the early to late morning however this is largely mitigated by the large separation distance maintained. The proposed windows will overlook the rear garden, however the presence of a deciduous tree/foliage will mitigate this for part of the year, and

due to the application site's topography and direction and presence of existing windows this is unlikely to be adverse or warrant refusal. The inverted dormer will also mitigate some of this impact. Although the side extension will reduce the separation distance between the two dwellings, there is still a reasonable separation distance maintained and there are no principal habitable windows on either elevation. There are two windows proposed on the side (south) elevation of the application site, however as both windows are relatively small, overlook a driveway and detached garage with no direct views into any habitable windows and would serve a bathroom they would cause minimal amenity impact for the occupiers of No. 47 Main Street. A condition is attached to ensure these proposed windows (W.C and en-suite) are obscure-glazed to protect any neighbouring amenity.

- 8.28 The proposals will not cause loss of light for any neighbouring property habitable windows due to the sensitive, amenity-focussed siting and positioning of the proposals and given that it does not extend beyond the rear of the property rear façade. There is also no 45-degree breach for any neighbouring habitable windows as set out in the Good Design Guide.
- 8.29 There is no amenity impact for the occupiers of dwellings on the opposite side of the highway, due to the large distance separating the dwellings. There are no dwellings at the rear of the application site.
- 8.30 Notwithstanding this, any separation distances or guidance from The Good Design Guide are the minimum standards that are required, and every application will be assessed on its own merits depending on the individual characteristics of the site such as orientation, ground levels, window positions, garden size, and shape.
- 8.31 To comply with the Good Design Guide, three-bedroom houses should also provide a minimum of 80m² of private outdoor amenity space with a minimum length of 7m. The proposals do not impinge upon the dwelling's existing rear garden space, which after the proposals total 290m² in total area and therefore will not breach the guidance set out in the Good Design Guide.
- 8.32 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

- 8.33 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.

- 8.34 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.
- 8.35 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.
- 8.36 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).
- 8.37 Policy DM18 of the SADMP requires developments to demonstrate an adequate level of off-street parking provision.
- 8.38 Table 28 (Residential Parking Standards) of the LHDG requires dwellings with up to three bedrooms should provide a minimum of two off-street parking spaces. This increases to a minimum of three off-street parking spaces for properties with four or more bedrooms. Any reduction below minimum standards will require robust justification.
- 8.39 Given the length of the existing driveway (approximately 21m) and a turning space near the front door of the property, there is ample existing space for four standard vehicles.
- 8.40 The scheme creates one new bedroom and makes the property a four-bedroom dwelling. It is considered that there is already adequate off-street parking for the dwelling and that 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 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 received by the Local Planning Authority as follows:

- Application Form (received by the Local Planning Authority on 23/06/25)
- Proposed elevations - Drg No. 3969-02-C (received by the Local Planning Authority on 01/08/25)
- Proposed Floor, Roof Plans and Site Plans – Drg No. 3969-01-D (received by the Local Planning Authority on 08/07/25)
- Proposed site plan – Drg No. 3969-03-A (received by the Local Planning Authority on 08/07/25)

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).

3. The windows on the south west side elevation of the dwelling that are utilised for WC on the ground floor and Bedroom 4's en-suite shall be fitted with obscure glazing to a minimum of level 3 of the Pilkington scale and non-openable below 1.7m above the floor of the room. Once so provided the window(s) shall be permanently maintained as such at all times thereafter.

Reason: To safeguard the privacy and amenity of neighbouring dwellings from potential overlooking in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

a. **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.