

Delegated Report

Planning Ref: 23/01130/HOU

Applicant: Julie and Andrew Downes

Ward: Burbage Sketchley & Stretton



Hinckley & Bosworth
Borough Council

Site: 4 The Lychgate Lychgate Close Burbage

Proposal: Single storey 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 application is seeking full planning permission for the construction of a single storey side extension to provide a utility area to the south east of the existing dwelling. The application is a re-submission of a previous approved application for a side extension (20/00843/FUL). There are no differences between the two schemes.

2.2. The proposed extension measures 3.4 metres in width and 4.9 metres in depth. It has a steep dual pitched roof to a ridge height of 5.6 metres and eaves height of 2.6 metres matching with the eaves of the existing dwelling.

2.3. Proposed external materials include are to match the existing dwelling.

3. Description of the site and surrounding area

3.1. 4 The Lychgate is a large detached property located at the head of a private drive serving a small cluster of dwellings within an established residential area in the settlement boundary of Burbage.

3.2. The character of the surrounding area is predominantly large detached dwellings of varying ages and designs, some of which have very generous garden areas.

4. Relevant planning history

20/00843/HOU – Single storey side extension – Planning Permission – 15.10.2020.

5. Publicity

5.1. The application has been publicised by sending out letters to local residents.

5.2. No response has been received as part of the publicity.

6. Consultation

6.1. Burbage Parish Council has no objection to the application.

7. Policy

7.1. Burbage Neighbourhood Plan (BNDP) (2015-2026) (2021)

- No relevant policies

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) (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 urban 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 and highway safety

Design and impact upon the character of the area.

8.2 Policy DM10 of the SADMP requires new development to complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features and for building materials to respect existing/neighbouring buildings and the local area generally. Burbage Neighbourhood Development Plan (BNDP) contains no relevant policies for domestic extensions but refers to the materials, design and scale of extension and alterations being compatible with the original building (Para. 15.3). The Council's adopted Good Design Guide provides further advice in respect of the siting and design of the house extensions.

8.3 The proposed extension is located to the south east of the site. It measures 3.4 metres in width and 4.9 metres in depth, a dual pitched roof to a ridge height of 5.6 metres and eaves height of 2.6 metres. In context to the existing dwelling and surrounding properties, the proposed extension is considered to have appropriate dimensions. It is constructed with matching materials and in a design to match the existing dwelling, and clearly subordinate in scale to the host dwelling.

8.4 By virtue of the siting, scale, design and the proposed used of appropriate and matching external materials to ensure satisfactory and unified appearance, the proposed extension and alteration respect and complement the scale, character, and appearance of the existing visual impacts on the street scene. The proposal is therefore in accordance with Policy DM10 of the SADMP, the principles of BNDP and the adopted Good Design Guide.

Impact upon neighbouring residential amenity

8.5 Policy DM10 of the SADMP and the adopted Good Design Guide requires that development proposals would have no significant harm the amenity of neighbouring residential properties.

8.6 The proposed extension is single storey in scale and considered to have appropriate scale, and at a sufficient distance away from neighbouring properties. It is approximately 2.7 metres away from the side boundary. There is no significant impact on the garden land and neighbouring properties. There is no overbearing impact or loss of natural light as a result of the proposed development.

8.7 The proposal is single storey and not visible from the public highway. Considering its location and separation distance from the property boundary and neighbouring properties, the proposal does not result in any significant adverse overbearing, loss of privacy on the occupants of neighbouring properties.

8.8 By virtue of the above, the proposal is in accordance with Policy DM10 of the SADMP and the adopted Good Design Guide.

Impact upon parking and highway safety

8.9 Policies DM18 of the SAPMP requires that development would provide an appropriate level of parking provision, and that there is no significant adverse impact upon highway safety.

8.10 The proposal does not result in the any additional bedroom. The existing off-street car parking provision is not impacted by the proposal. The site is also located in a sustainable urban settlement with good connection to public transport.

8.11 The extension is unlikely to result in any significant adverse impact upon existing parking and highway safety. The proposal is therefore considered to be in accordance with Policies DM18 of the SADMP, the adopted Good Design Guide and 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 proposal relates extensions and alteration to an existing dwelling located within the settlement boundary of Burbage and where there is a general presumption in favour of sustainable development as set out in Policy DM1 of the SADMP, and the wider policies of the NPPF.

- 10.2. By virtue of the siting, scale, design, separation distance and the proposed use of appropriate and matching external materials to ensure a satisfactory and unified appearance, it is considered that the proposed development respect the scale and character of the existing dwelling and street scene, retain adequate parking and private amenity space within the curtilage and have no adversely impact on the amenities of the occupiers of neighbouring properties. The proposal is considered to be in accordance with Policies DM1, DM10 and DM18 of the SADMP, the general principles of the adopted Good Design Guide and the principles of the Burbage Neighbourhood Plan. 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 / 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:
Site Location and Block Plan Drawing Number M402.01.01 Rev B, received by
the local planning authority on 03 January 2024, Proposed Plan and Elevation Drawing Number M402.02.02 Rev A, received by the local planning authority on 28 November 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 extension and alteration shall match the corresponding materials of the approved plans and elevation.

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.