

Delegated Report

Planning Ref: 24/00157/HOU

Applicant: Mr Lee Fenwick

Ward: Newbold Verdon with Desford & Peckleton

Site: 3 Rush Close Newbold Verdon Leicestershire



Hinckley & Bosworth
Borough Council

Proposal: Erection of a two-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 householder application seeks planning permission for the construction of a two storey side extension to a dwelling, 3 Rush Close, Newbold Verdon.
- 2.2. The amended proposed two storey side extension would be set back 2.5 metres from the main front elevation. It would extend 2.45 metres in width up to the side boundary and a total of 7.35 metres in depth, 2 metres beyond the main rear elevation. It would have a matching 5.3 metres eaves height as the main roof and a subordinate ridge height of 7 metres and a gable sided roof form with a pitch to match that of the existing main roof. The rear two storey projection would have a matching 5.3 metres eaves height and a hipped roof with subordinate 6 metres high ridge. It is proposed that the extension would be constructed in matching corresponding external materials to those of the existing dwelling. Two off-street parking spaces are proposed to be retained within the concrete block paved site frontage.
- 2.3. Amended plans have been submitted to increase the set back of the extension from the main front elevation and to remove the originally proposed first floor side elevation window. By virtue of the nature of the amendments (reduction) and lack of any previous responses no neighbour re-consultation is considered to be necessary or has been undertaken.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of Newbold Verdon on a large residential estate. It is a two storey semi-detached house with a gable sided main roof form. It has been extended to part of the front elevation with a wide porch with lean-to roof, across the width of the rear elevation with a single storey extension with lean-to roof and to part of the side elevation with a lean-to car port. There is also a detached garage set back to the side and rear of the dwelling. The application dwelling is constructed of red multi facing bricks, an off-white rendered panel to the first floor front elevation, weathered brown concrete interlocking roof tiles and white uPVC windows. The site currently provides a garage parking space and up to two tandem spaces on the 15 metres long and 2.45 metres wide concrete block paved driveway to the front and side of the dwelling and a further undersized 4.6 metres long space within the concrete block paved site frontage. The rear garden provides 78 square metres of private amenity space enclosed by 2 meters high solid close boarded timber fencing.
- 3.2. The application dwelling lies close to the entrance of a small cul-de-sac and within a small row of similarly scaled, designed and styled two storey dwellings all of which have been extended and modified in various forms since original construction.

4. Relevant planning history

83/00198/4

- Porch kitchen lounge extensions
- Permitted
- 20.04.1983

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. No response has been received from Newbold Verdon 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) (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 and in respect of two storey side extensions states:

'Two storey side extensions should appear smaller in scale and massing in order to be subordinate to the main dwelling. Any proposal for a two storey side extension should be set down from the ridge of the existing house and set back from the front elevation (the minimum distance for this should be 0.5 metres in both directions) unless in design terms this in itself would create an imbalance in the overall design of the property.' and, *'In assessing the merit of the planning application, consideration will be given to the impact on local character created by reducing the space between buildings.'*

- 8.3 The amended proposed two storey side extension would extend for an appropriate width of 2.45 metres, less than half the 7 metres width of the existing dwelling but would extend right up to the side boundary of the site. Notwithstanding this, the amended plans would provide an appropriate 2.5 metres set back from the main front elevation such that the proposal would have a matching eaves height of 5.3 metres but a lower ridge height of 7 metres to that of the main roof and therefore appear as a clearly subordinate addition to the existing dwelling and with the same roof pitch and gable sided roof form. The set back and set down would also ensure that the semi-detached character and appearance of the row of four dwellings would be maintained, and any potential terracing effect reduced, should a similar extension be proposed on the neighbouring dwelling in the future. The proposal would extend for a total of 7.35 metres along the side boundary but for an appropriate depth of only 2 metres beyond the main rear elevation of the dwelling and would have matching 5.3 metres high eaves and a clearly subordinate hipped roof to a height of 6 metres. It is proposed that the extension would be constructed in matching corresponding external materials to those of the existing dwelling which would ensure a satisfactory and uniform appearance.

- 8.4 By virtue of its siting, scale, amended design and the proposed use of matching corresponding external materials to ensure a unified appearance, the amended proposal would respect and complement the scale, character and appearance of the existing dwelling and would not result in any significant adverse visual impacts upon the character or appearance of the wider street scene. 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

- 8.5 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.

- 8.6 The 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.'

- 8.7 The neighbouring dwelling to the south (No. 2) is a two storey semi-detached house set in from the side boundary with the application dwelling by approximately 2.5 metres with a driveway between. It has been extended at both two storey and single storey height from its original rear elevation. It has only two non-principal habitable room windows fitted with obscure glazing at first floor in the near side elevation facing the proposal. Notwithstanding its extending up to the side boundary and for a

total depth of 9 metres, the proposal would be constructed adjacent to the side elevation of the neighbouring dwelling at a separation of 2.5 metres rather than extending any further to the rear. As a result, the proposal would have no significant adverse overbearing or overshadowing impacts on any principal habitable room windows in the neighbouring dwelling or upon its rear garden. There are no side facing windows proposed that would result in any adverse impacts on the privacy of the neighbouring occupiers of No. 2 from any potential direct overlooking.

- 8.8 By virtue of its 2 metres depth and being set in by 6.8 metres from the common side boundary with the adjoining dwelling (No. 4), the proposed two storey rear projection would not result in any significant adverse overbearing or overshadowing impacts on any principal habitable room windows in the neighbouring dwelling or upon its rear garden. The amended plans have removed the originally proposed side elevation first floor window in the rear projection facing No. 4 and therefore the proposal would not result in any adverse impacts on the privacy of the adjoining occupiers of No. 4 from any potential direct overlooking.
- 8.9 By virtue of the siting, scale, amended design, separation distances and existing structures and boundary treatments, the proposed extension and alterations would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties and would therefore be in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide. No objections have been received from any neighbouring properties.

Impact upon parking provision

- 8.10 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.11 The proposal would result in the loss of off-street parking spaces in the existing garage, car port and side driveway. The proposal would also increase the size of the dwelling from a three bedroomed house to a 4 bedroomed house.
- 8.12 The amended proposal would retain two existing off-street parking spaces, one with appropriate standard dimensions of 5.5 metres in length and 2.45 metres in width on the existing concrete block paved driveway in front of the proposed side extension and another sub-standard space of only 4.6 metres in length on the existing concrete block paved site frontage. This would result in a shortfall of off-street parking relative to the current local highway authority design guide which would require three full size spaces. However, notwithstanding this, it is considered that the shortfall would not be critical in this particular case in the context of the location of the site within a small residential cul-de-sac in close proximity to the services and amenities of Newbold Verdon by more sustainable transport means and that it would not result in any significant additional on-street parking or any significant adverse impacts on highway safety that would warrant refusal of the amended proposal on such grounds. The amended proposal is considered to be in acceptable in respect of Policy DM18 of the adopted SADMP.

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 to an extension to an existing dwelling located within the settlement boundary of Newbold Verdon 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 its siting, scale, amended design and the proposed use of matching corresponding external materials to ensure a unified appearance, the amended proposal would respect and complement the scale, character and appearance of the existing dwelling and would not result in any significant adverse visual impacts upon the character or appearance of the wider street scene. By virtue of the siting, scale, amended design, separation distances and existing structures and boundary treatments, the proposed extension and alterations would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. Acceptable off-street parking of two spaces and private amenity space of 78 square metres would be retained within the site to serve the resulting four bedroomed dwelling. The proposal would be in accordance with Policies DM1, DM10 and acceptable in respect of Policy 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 No. TQRQM24058175207514 at scale 1:1250 received by the local planning authority on 4 March 2024 and amended Proposed Floor Plans Drawing and amended Proposed Elevations Drawing received by the local planning authority on 11 June 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 alterations 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).

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.