

Delegated Report

Planning Ref: 24/00151/HOU

Applicant: Mr D Grewcock

Ward: Barlestone Nailstone and Osbaston



Hinckley & Bosworth
Borough Council

Site: 160 Newbold Road Barlestone Leicestershire

Proposal: Single storey extension to side and rear of bungalow

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 single storey side and rear extension to a dwelling, 160 Newbold Road, Barlestone.

2.2. The proposed single storey side extension would be set back from the front elevation behind and attached to the rear elevation of an existing attached garage. It would extend for the same 3.2 metres width from the side elevation and for a total depth of 12.85 metres wrapping around the entire rear elevation for a depth of 3 metres and total width of 9.8 metres. The proposed 3 metres deep rear extension would have a dual pitched roof forming a rear gable with the same 2.6 metres eaves height and same 4.45 metres ridge height as the main roof of the bungalow. The proposed side extension would have a flat roof form to a height of 2.8 metres. It is proposed that the original bungalow and the proposed extension and alterations would be constructed with smooth white rendered walls to match those of the recently rendered front elevation, matching roof tiles and matching uPVC windows/doors. A new side elevation en-suite window is also proposed.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the settlement boundary of Barlestone in a ribbon development of residential properties on the south side of Newbold Road to the east of the village. It is a detached bungalow with a dual pitched gable fronted main roof form. It has a dual pitched roof gable fronted garage attached to the east side elevation and set partly forward of the front elevation of the bungalow. A small white uPVC framed flat roofed conservatory is attached to the rear of the garage. It has a dual pitched roof gable fronted entrance porch to the front elevation. The front elevation has recently been finished in a smooth white render and with dark grey uPVC windows and entrance door. The remainder of the bungalow is currently constructed in plain red facing bricks, plain grey concrete roof tiles and white uPVC windows. In addition to the garage the loose stone surfaced hard standing within the 11 metres deep site frontage provides additional off-street parking or turning for at least three more vehicles. There is an extensive rear garden enclosed by 2 metres high close boarded solid timber fencing providing ample private amenity space.

3.2. There are three similar detached gable fronted bungalows in a staggered building line to the northwest of the site and two storey detached dwellings of varying scale and individual design, style and appearance beyond. To the southeast there is a strip of land containing electricity power lines with predominantly two storey detached dwellings of varying scale and individual design, style and appearance beyond. To the southwest (rear) and northeast on the opposite side of Newbold Road there are open fields.

4. Relevant planning history

None.

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.

5.2. No responses have been received as a result of public consultation.

6. Consultation

6.1. No objection has been received from Leicestershire County Council (Ecology)

6.2. No objection has been received from Barlestone 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 states:

'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.' and,

'Flat roofs on extensions will not normally be considered appropriate where they do not form part of the original design of the house, however in some circumstances where they are not visible from the public realm and the use of a flat roof may result in a reduced visual impact, they may be considered acceptable, particularly if designed with a contemporary aesthetic style.'

- 8.3 The proposed single storey side extension would be set back from the front elevation behind and attached to the rear elevation of an existing attached garage. It would extend for the same appropriate 3.2 metres width from the side elevation and for a total depth of 12.85 metres wrapping around the entire rear elevation for an appropriate depth of 3 metres and a not inappropriate total width of 9.8 metres. The proposed 3 metres deep rear extension would have a fully flush dual pitched roof forming a rear gable with the same 2.6 metres eaves height and same 4.45 metres ridge height as the main roof of the bungalow. Whilst not subordinate in height, it would be located entirely to the rear where it's height is not critical in this case in visual terms and where it would not result in any adverse visual impacts on the application bungalow or the surrounding area. Notwithstanding that the side extension would have a flat roof form to a height of 2.8 metres, by virtue of its siting to the rear of the existing dual pitched roof garage and subordinate single storey scale being viewed against the existing dual pitched main roof of the bungalow, the flat roof would not have any visual prominence within any street scene or have any significant adverse visual impacts on the application bungalow or the surrounding area in this case and would therefore the proposals would be acceptable in design terms. It would replace a smaller flat roofed white uPVC conservatory.
- 8.4 It is proposed that the original bungalow and the proposed extension and alterations would be constructed with smooth white rendered walls to match those of the recently rendered front elevation, matching plain grey concrete roof tiles and uPVC windows/doors to ensure a satisfactory and unified appearance.
- 8.5 By virtue of the siting, scale, design and subject to the proposed use of matching corresponding external materials in the construction, the proposals would respect and complement the scale, character and appearance of the existing dwelling and would have no adverse visual impacts on the wider street scene or surrounding area. The proposals are therefore considered to be acceptable in design terms and 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 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. 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 northwest (No. 158) is a detached bungalow constructed further forward of the application bungalow such that the rear elevation of the application bungalow is set back by approximately 4 metres from that of No. 158. Both bungalows are set in from each side of the side boundary of the site by

approximately 1 metre. The centre point of the nearest habitable room window in the rear elevation of No. 158 is approximately 4 metres from the side elevation of the application bungalow. Therefore, a 45 degree line drawn from it would extend to the existing rear corner of the application bungalow. The proposed extension would extend 3 metres further to the rear and to the southeast of the window and therefore would clearly extend beyond the 45 degree line. Notwithstanding this, by virtue of the height of the existing solid close boarded timber boundary fencing which, by virtue of the slightly higher ground level the respective rear gardens, is almost to eaves height, the only part of the extension readily visible from No. 158 would be the roof. By virtue of the proposed rear gable design, this would pitch away from the side boundary to a maximum height of only 4.45 metres and at a distance of approximately 4.3 metres inside the side boundary and a further 3 metres from the centre point of the nearest habitable room window in the rear elevation of No. 158. Notwithstanding the 45 degree line, by virtue of its relative position, separation distance to No. 158 and its single storey scale and proposed roof form, it is considered that the proposal would not result in any significant adverse overbearing or overshadowing impacts on the rear elevation or garden of No. 158 in this particular case.

- 8.8 The only new window proposed would be in the existing northwest side elevation of the bungalow and would serve a new en-suite. As this has the potential to face across the rear elevation and garden of No. 158 a condition to require the window to be obscurely glazed and fixed below a height of 1.7 metres above the level of the room would be reasonable and necessary to ensure the protection of the neighbouring occupiers privacy. Subject to this, the proposal would not result in any significant loss of privacy to the neighbouring occupiers. There are no other neighbouring properties within close proximity to the proposal that would be adversely affected. No objections to the proposals have been received from the occupiers of any neighbouring properties.
- 8.9 On balance and notwithstanding the 45 degree rule of the adopted Good Design Guide in this particular case, by virtue of its siting, scale, design and relationship to the neighbouring bungalow and other dwellings, and subject to the use of obscure and fixed glazing where necessary, it is considered that the proposals would not result in any significant or unacceptable adverse impacts on the privacy or residential amenity of any neighbouring properties and would therefore be in accordance with Policy DM10 of the adopted SADMP.

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 proposals result in the creation of three larger existing bedrooms and a potential additional fourth bedroom/study. In addition to the garage, the loose stone surfaced hard standing within the 11 metres deep site frontage provides additional off-street parking of appropriate dimensions for at least three more vehicles and would be unaffected by the proposals. This level of retained provision would be adequate to serve the resulting three/four bedroomed dwelling and in accordance with the local highway authority design guide provision standards for a dwelling of this size and with 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 proposals relate to extensions and alterations to an existing dwelling located within the settlement boundary of Barlestone 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 subject to the proposed use of matching corresponding external materials in the construction, the proposals would respect and complement the scale, character and appearance of the existing dwelling and would have no adverse visual impacts on the wider street scene or surrounding area. Notwithstanding the 45 degree rule, by virtue of its siting, scale, design and relationship to the neighbouring bungalow and other dwellings, and subject to the use of obscure and fixed glazing where necessary, it is considered that in this particular case the proposals would not result in any significant or unacceptable adverse impacts on the privacy or residential amenity of any neighbouring properties. Adequate off-street parking for four vehicles and private amenity space of approximately 350 square metres would be retained within the site to serve the resulting three/four bedroomed dwelling. The proposals are considered to be in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP, the general principles of the adopted Good Design Guide and the local highway authority design guide and are 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 and Proposed Site Plan Drawing No. 24/01/3, Proposed Ground Floor Plan Drawing No. 24/01/1 and Proposed Elevations Drawing No. 24/01/2 received by the local planning authority on 21 February 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).

4. Notwithstanding the submitted details and plans, the new en-suite window in the northwest side elevation facing 158 Newbold Road shall be fitted with obscure glazing to a minimum of level 3 of the Pilkington scale and non-openable below a height of 1.7 metres above the floor level of the room that it serves. Once so provided the window shall be permanently maintained as such at all times thereafter.

Reason: To safeguard the privacy and amenity of the neighbouring dwelling from potential overlooking 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 building.control@blaby.gov.uk or call 0116 272 7533.