

Delegated Report

Planning Ref: 24/00656/HOU

Applicant: Mr Hanspal

Ward: Newbold Verdon with Desford & Peckleton



Hinckley & Bosworth
Borough Council

Site: 31 Station Road Desford Leicestershire

Proposal: Two storey (part) and first floor (part) front 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 a part two storey part first floor front extension to a dwelling, 31 Station Road, Desford.

2.2. The proposal would extend up to 3.8 metres forward of the main front elevation for the full 11.3 metres width of the dwelling. The proposed front elevation would have two dual pitched gables to either side of a central recessed lean-to and flat roof link between. The gables would have apex windows to the first floor, a replacement square bay at ground floor with lean-to roof and a central entrance porch with lean-to roof. The proposed extension would have the same eaves height as the main roof and subordinate gable ridges. Matching corresponding external materials are proposed in the construction. An array of solar panels is also proposed to the existing main front roof elevation.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the settlement boundary of Desford in an established residential area. It is a detached two storey dwelling with dual pitched gable sided main roof form, a single storey forward projection, a corner entrance porch with hipped pitched roof and a square ground floor bay with hipped pitched roof to the front elevation. There is a central two storey extension with hipped pitched roof and single storey hipped roof extensions either side across the full width of the rear elevation. There is a detached double garage with dual pitched roof set forward of the front elevation. The dwelling and garage is constructed of light brown/buff facing bricks, large brown concrete plain roof tiles and dark grey uPVC windows.

3.2. The application dwelling lies within a row of large, detached dwellings with dual pitched gable sided roof form of similar design and appearance and is set back 40 metres from the highway within a large, elongated plot. There are open fields to the rear (northwest).

4. Relevant planning history

11/00085/FUL

- Extension and alterations to dwelling
- Permitted
- 18.04.2011

89/00581/4

- Erection of 1 four bed roomed detached house and double garage

- Permitted
- 20.06.1989

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. Leicestershire County Council (Ecology) raise no objection to the application following the submission of a bat/bird survey but recommend a condition to secure two swift boxes as recommended within the survey to enhance potential habitat for this species.
- 6.2. No response has been received from Desford Parish Council.

7. Policy

- 7.1. Desford Neighbourhood Plan (DNP) 2018-2036 (2021)
 - Policy H7: Housing Design
 - Policy ENV3: Biodiversity General
- 7.2. Core Strategy (2009)
 - No relevant policies
- 7.3. Site Allocations and Development Management Policies (SADMP) DPD (2016)
 - Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM2: Delivering Renewable Energy and Low Carbon Development
 - Policy DM6: Enhancement of Biodiversity and Geological Interest
 - Policy DM10: Development and Design
 - Policy DM18: Vehicle Parking Standards
- 7.4. National Planning Policies and Guidance
 - National Planning Policy Framework (NPPF) (2023)
 - Planning Practice Guidance (PPG)
- 7.5. 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
 - Impact upon biodiversity

Design and impact upon the character of the area

- 8.2 Policy H7 of the 'made' DNP requires that the design principles of extensions seek to enhance the local distinctiveness and character of the area in which they are situated and not disrupt the visual amenities of the street scene.
- 8.3 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 various forms of house extensions.
- 8.4 In respect of front extensions, the Good Design Guide states:
'Two-storey extensions to the front of properties are unlikely to be acceptable especially in relation to semi-detached and terraced properties as they will be visually prominent within the street scene. If this type of development is proposed, it should take the form of the existing building, mirroring the roof pitch, replicate or have lower eaves height and the ridge should be below the existing ridge height. In addition, the proposal should not normally extend beyond the front elevation by more than 2 metres and not cover more than 50% of the front elevation.'
- 8.5 In this case, the application dwelling is a detached two storey house and is set back 40 metres from the public highway and between similarly scaled and styled two storey detached dwellings. The proposal would have the same eaves height as the main roof and clearly subordinate gable ridges in line with GDG guidance. Notwithstanding that the proposal would extend up to 3.8 metres forward of the main front elevation and for the full 11.3 metres width of the dwelling, this part conflict with the adopted GDG is considered to be less critical in this particular case as the proposal would still not appear overly visually prominent within the street scene or disrupt its visual amenities.
- 8.6 The proposed front elevation would have two subordinate dual pitched gables to either side of a central recessed lean-to and flat roof link between. The gables would have apex windows to the first floor, a replacement square bay at ground floor with lean-to roof and a replacement central entrance porch with lean-to roof. This would result in a more contemporary but nevertheless acceptable design to the first floor of the front elevation that would not be out of character with the variety of designs found within the wider street scene and surrounding area or result in any adverse visual impacts. Matching corresponding external materials are proposed in the construction of the extension to ensure a satisfactory and uniform appearance.
- 8.7 Policy DM2 of the adopted SADMP states that the Borough Council is committed to reducing its environmental impact through carbon reduction measures and through the support of appropriately designed and sited renewable energy and low carbon developments. It further states that planning applications for the development of renewable energy and low carbon development installations at the domestic, community and commercial scales will be supported where all reasonable steps have been taken to avoid or mitigate any adverse impacts including, but not limited to, landscape, noise, visual and cumulative impacts.
- 8.8 Paragraph 157 of the NPPF (2023) states that the planning system should support renewable and low carbon energy and associated infrastructure. Paragraph 163 of the NPPF (2023) states that *'When determining planning applications for renewable and low carbon development, local planning authorities should: a) recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and b) approve the application if its impacts are (or can be made) acceptable.'*

8.9 It is therefore considered that there is strong support in principle within both local and national planning policies for the development of domestic scale renewable energy installations such as that proposed subject to all other planning matters being satisfactorily addressed. Notwithstanding that the proposed array of solar panels would be mounted on the main front roof elevation and would therefore be visible from the highway, by virtue of their substantial set back of over 40 metres from the highway and being located behind the two proposed front gables it is considered that they would not be overly visually prominent and that any minor visual impacts would be offset by the small but positive environmental benefits of the renewable energy generated by the solar panels and the consequent reduction in carbon emissions as supported by Policy DM2 of the adopted SADMP and the general overarching principles of the NPPF.

8.10 By virtue of the siting, scale, design and subject to the proposed use of matching corresponding external materials in their construction to ensure a satisfactory and uniform appearance, the proposals are considered to respect and complement the scale, character and appearance of the existing dwelling and the wider varied street scene. The proposals are therefore considered to be in accordance with Policy H7 of the 'made' DNP, Policies DM2 and DM10 of the adopted SADMP and the critical general principles of the adopted Good Design Guide and NPPF.

Impact upon neighbouring residential amenity

8.11 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.

8.12 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.'

8.13 The neighbouring two storey detached dwelling to the southwest (29 Station Road) has a blank near side gable facing the application dwelling. The near side elevation of the neighbouring two storey detached dwelling to the northeast (20 Goulton Crescent) has a ground floor side elevation kitchen window and an obscurely glazed first floor en-suite window. The window to the kitchen area currently faces towards the side elevation of the existing single storey forward projection of the application dwelling at a separation distance of approximately 3 metres and with a 2 metres high boundary fence between. This window is supplemented by additional windows to the rear elevation of the adjoining open plan breakfast area and double doors from this area into the rear conservatory (taken from planning permission 10/00836/FUL – Plot 1).

8.14 The main front elevation of the application dwelling is currently set back from the front building lines of the detached dwellings either side. Therefore, despite the two storey scale of the proposed front extension and its forward projection of up to 3.8 metres in depth, it would still not extend forward of any 45 degree line drawn from the quarter points of the nearest habitable room windows in the front elevations of either neighbouring dwelling or result in any significant adverse overbearing or overshadowing impacts thereon. The proposal would add a first floor above the single storey forward projection across the ground floor kitchen window in the side

elevation of 20 Goulton Crescent. However, this is not the only window to the open plan kitchen/breakfast area and therefore whilst the proposal would result in a loss of some light and outlook to/from this window, it is considered that this would not be so severe as to make the proposal unacceptable. One new first floor window is proposed in each of the existing side elevations but these would face towards the existing side gables of the dwellings either side rather than to any sensitive private areas and therefore would not result in any significant loss of privacy to either of the neighbouring occupiers.

- 8.15 By virtue of the siting, scale, design and separation distances, it is considered that the proposals would not result in any significant adverse overbearing or overshadowing impacts or loss of privacy to the occupiers of any neighbouring properties. 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. No objections have been received from any neighbouring properties.

Impact upon parking provision

- 8.16 Policy H7 of the 'made' DNP seeks that adequate off-road parking should be provided as a minimum of two car parking spaces for dwellings of three bedrooms or less and three spaces for dwellings of four bedrooms or more. Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.17 The proposals result in larger bedrooms rather than an increase in their number and there is more than adequate existing off-street parking and turning provision within the site to serve the existing/resulting five bedroomed dwelling. This comprises a double garage, double forecourt and additional parking to the side of the garage within the extensive area of hard standing within the site frontage. This existing provision would be unaffected by the proposed extension and the existing retained level of provision would remain in accordance with Policy H7 of the 'made' DNP, Policy DM18 of the adopted SADMP and adopted highway authority design guidance.

Impact upon biodiversity

- 8.18 Policy ENV3 of the 'made' DNP states that *'Development proposals that conserve or enhance biodiversity, and incorporate biodiversity in and around them, will be supported. Where a development proposal will adversely affect a protected species, an appropriate and suitable survey will be undertaken prior to development, and mitigation measures will be required as a development condition.'*
- 8.19 Policy DM6 of the adopted SADMP requires that development proposals demonstrate how they conserve and enhance features of nature conservation.
- 8.20 A bat/bird survey has been submitted to support the application. By virtue of the modern construction and well maintained nature of the dwelling, no bat/bird activity within the building or potential for such was identified. Notwithstanding this, two swift boxes are recommended within the report as this species have been observed in the locality. The survey report has been assessed by Leicestershire County Council (Ecology) who raise no objection to the application but seek a condition to secure the two swift boxes to enhance habitat potential for this species and this is included in the recommendation. Subject to such provision, the proposals are considered to accord with Policy ENV3 of the 'made' DNP and Policy DM6 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 and alterations to an existing dwelling located within the settlement boundary of Desford 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 their construction to ensure a satisfactory and uniform appearance, the proposals are considered to respect and complement the scale, character and appearance of the existing dwelling and the wider varied street scene. By virtue of the siting, scale, design and separation distances, it is considered that the proposals would not result in any significant adverse overbearing or overshadowing impacts or loss of privacy to the occupiers of any neighbouring properties. More than adequate off-street parking and turning would be retained within the site along with more than adequate private amenity space to serve the existing/resulting five bedroomed dwelling. The submitted bat/bird survey confirms that the proposal would have no adverse impacts on the biodiversity potential of the site. The proposals are considered to be in accordance with Policies H7 and ENV3 of the 'made' DNP, Policies DM1, DM2, DM6, DM10 and DM18 of the adopted SADMP and the general principles of the adopted Good 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, Proposed Site/Block Plan Drawing No. 24010-DSA-ZZ-RP-DR-A-005 Rev X and Proposed Floor Plans, Proposed Roof Plan and Proposed Elevations Drawing No. 24010-DSA-ZZ-XX-DR-A-002 Rev G received by the local planning authority on 3 July 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. The development hereby permitted shall be carried out in full and strict accordance with the swift habitat enhancement recommendations within section 5 of the submitted Bat/Bird Scoping Survey Report by Pear Tree Ecology dated September 2024.

Reason: To enhance the habitat potential of the site for breeding birds to accord with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2023).

5. Should the solar panel arrays hereby permitted no longer be required for the purposes of electricity generation or cease to operate for a continuous period of 6 months then they shall be removed from the roof within 3 months after the end of the 6 months cessation period.

Reason: In the interests of visual amenity and to protect the character and appearance of the application dwelling in accordance with Policies DM2 and 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.