

Delegated Report

Planning Ref: 23/00924/HOU

Applicant: Mr Micheal Ensor

Ward: Newbold Verdon with Desford & Peckleton



Hinckley & Bosworth
Borough Council

Site: 29 Norfolk Road Desford Leicestershire

Proposal: Single storey front and 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 a single storey front and side extension to a dwelling, 29 Norfolk Road, Desford.

2.2. The proposed single storey front extension would extend between 1.8 and 2.3 metres forward of the main front elevation for a width of 6.2 metres. It would have a hipped pitched roof over the replacement porch area and a lean-to roof extending sideways over the main front elevation ground floor window. The proposed single storey side extension would extend 2.7 metres from the main side elevation flush with the main rear elevation and extend forward along the side elevation for a depth of 5.6 metres. It would have a hipped pitched roof form. The existing flat roof garage would be extended by 0.5 metres to both its near side and rear to attach to the proposed new front and side extensions. Matching corresponding external materials are proposed in the construction.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the settlement boundary of Desford on a residential estate. It is a semi-detached two storey dwelling with dual pitched gable sided roof form and a hipped roof porch to the front elevation. It has a detached flat roof garage to the part front/side which is in turn attached to a similar garage of the neighbouring dwelling (No. 27). It is constructed with red/brown facing bricks, a cream smooth rendered panel to the front elevation between and below the main front elevation windows, grey concrete interlocking roof tiles and white uPVC windows.

3.2. The application dwelling lies within a row of originally similarly scaled and designed semi-detached and detached two storey dwellings. However, most have been extended to the front in a variety of forms, including both single storey and two storey extensions, some more sympathetically designed than others and also now have a varied appearance. There are open school grounds to the rear.

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 response has been received from Desford Parish Council.

7. Policy

7.1. Desford Neighbourhood Plan (DNP) 2018-2036 (2021)

- Policy H7: Housing Design

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 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

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 house extensions.

8.4. The proposed front extension would extend between 1.8 and 2.3 metres forward of the main front elevation and for a width of 6.2 metres but at only single storey height. It would have a similar hipped pitched roof over the replacement porch area to the existing structure that it would replace, and a lean-to roof extending sideways over the main front elevation ground floor window. Notwithstanding that it would extend across the whole of the front elevation to adjoin the existing flat roof garage,

there are a number of neighbouring properties in the vicinity with front extensions of similar forward projection and width (e.g., Nos. 25 and 23) albeit these have plain lean-to roof form.

- 8.5 The proposed single storey side extension would extend for an appropriate width of 2.7 metres from the main side elevation flush with the main rear elevation, retaining a 1 metre gap to the side boundary and extending forward along the side elevation for an appropriate depth of 5.6 metres. It would also have a hipped pitched roof form which minimises its mass and visual impact. The existing flat roof garage would be extended by 0.5 metres to both its near side and rear with a similar flat roof to attach to the proposed new front and side extensions.
- 8.6 By virtue of their siting, clearly subordinate single storey scale, sympathetic 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 character and appearance of neighbouring dwellings in the wider varied street scene. The proposals would therefore be in accordance with Policy H7 of the 'made' DNP, Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 8.7 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.
- 8.8 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.'
- 8.9 By virtue of its 1.8 metres depth together with its single storey scale and lean-to roof form the proposed front extension would not extend beyond a 45 degree line drawn from the centre point of the main habitable room window in the front elevation of the of the adjoining dwelling (No. 31) or result in any significant adverse overbearing or overshadowing impacts and there are no windows proposed that would result in any loss of the occupiers privacy.
- 8.10 The proposed single storey side extension would be set in from the side boundary with the other neighbouring dwelling (No. 27) by 1 metre and have a hipped pitched roof that would slope away from the boundary. It would be set off the neighbouring side gable by approximately 4.5 metres. In addition, there are no principal habitable room windows in the side gable of No. 27 facing the proposal, only a ground floor kitchen side door and a first floor window, the outlook and privacy of which would not be affected to any significant degree from any overbearing or overshadowing impacts.
- 8.11 By virtue of the siting, scale, design and separation distances, it is considered that the proposed scheme would not result in any significant adverse overbearing or overshadowing impacts on any neighbouring properties or result in any significant adverse impacts from overlooking 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

- 8.12 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.
- 8.13 Existing off-street parking within the site comprises a garage with substandard internal width (2.5 metres) and length (5 metres) dimensions and a driveway of substandard 4.6 metres length both of which fail to meet current highway authority design guide standards.
- 8.14 The proposals do not include the provision of any additional bedroom space within the dwelling. The proposals would nevertheless result in the internal dimensions of the garage increasing in both width (to 3 metres) to meet the design standard and length (to 5.7 metres) to be only marginally short of the design standard. In addition, a further off-street parking space is proposed within the site frontage of minimum dimensions of 3 metres in width by 5 metres in depth. Therefore, the proposals would result in a net gain of off-street parking to serve the existing/resulting dwelling.
- 8.15 In view of the current parking provision and the incorporation of the existing garage to adjoin the proposed accommodation extensions, a condition to ensure that the resulting garage would remain available for off-street parking is considered to be reasonable and necessary in this case to ensure satisfactory future provision in accordance with Policy H7 of the 'made' DNP, Policy DM18 of the adopted SADMP and adopted highway authority design guidance.

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 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 the construction, it is considered that the proposed extensions and alterations would respect the scale, character and appearance of the existing dwelling and the varied character and appearance of the wider street scene. By virtue of the siting, scale and design, the proposals would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. Adequate off-street parking of two spaces would be provided and retained within the site along with adequate private amenity space of over 100 square metres to serve the existing/resulting dwelling. The proposals are considered to be in accordance with Policy H7 of the 'made' DNP, Policies DM1, 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 and proposed Site Plan Drawing No. 6465/ME/1 and Proposed Floor Plan, Roof Plan, Elevations and Sections Drawing No. 6465/ME/6 received by the local planning authority on 21 September 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 alterations 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 use of the garage shall remain at all times for the purpose of parking a motor vehicle and shall not be converted to additional living accommodation unless separate planning permission has first been granted.

Reason: To ensure that adequate off-street parking facilities are available to serve the dwelling in accordance with Policy DM18 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.