

Delegated Report

Planning Ref: 24/00333/HOU

Applicant: Mr O. Hrywnak

Ward: Groby



Hinckley & Bosworth
Borough Council

Site: 27 Pine Tree Avenue Groby Leicester

Proposal: Single storey side and rear extension and new boundary fence

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

- 2.1. The application seeks full planning consent for a single storey side and rear extension and new boundary fence at 27 Pine Tree Avenue, Groby.
- 2.2. The proposed single storey side extension would project outwards from the existing side elevation by approximately 1.88 metres and would have a width of approximately 4.82 metres. It would feature a pitched roof which would measure 2.82 metres to the eaves and 4.11 metres to the ridge.
- 2.3. The proposed single storey rear extension would project outwards from the existing rear elevation by approximately 1.35 metres and would have a width of approximately 2.45 metres. It would feature a mono-pitched roof which would measure 2.82 metres to the eaves and approximately 3.61 metres to the ridge.
- 2.4. The proposed boundary fence would measure approximately 14.31 metres in width, 2.00 metres in height and would be constructed with timber close boarded panels, concrete posts and gravel boards.
- 2.5. Amendments were sought and received in regards to the vegetation proposed to be retained at the site.
- 2.6. The proposed materials would be to match the materials of the existing dwelling.

3. Description of the site and surrounding area

- 3.1. The application site comprises a two-storey detached dwelling situated within a cul-de sac, within the settlement boundary of Groby. The dwelling comprises the use of bleach brown bricks to the walls, brown interlocking tiles to the roof and white uPVC to the windows. To the front elevation of the dwelling sits an integrated single car garage hosted by a mono-pitched roof and a tarmacadam hardstanding lined by block paving suitable to host up to two off-street parking spaces. To the south-west of the hardstanding sits a relatively generous area of grassland along with a semi-mature specimen to the centre.
- 3.2. The street scene hosts a vast amount of residential dwellings, all which are relatively uniform in scale, design and finish.
- 3.3. The trees within the vicinity and surrounding the site are protected by THE BOROUGH COUNCIL OF HINCKLEY AND BOSWORTH GROBY (GLEBE FARM) TREE PRESERVATION ORDER 1975 (Reference; 75/00006/TPORD).

4. Relevant planning history

84/00545/4

- ERECTION OF NEW FENCE LINE
- REF
- 21.08.1984

92/01002/4

- TWO STORY SIDE EXTENSION TO DWELLING
- PER
- 30.11.1992

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. No objections have been received.

6. Consultation

- 6.1. Grobby Parish Council;

29.04.2024 – (Comments prior to revisions)

“The Planning & Development Committee reviewed the application and had no objections to the extension and new boundary fence.

It was however questioned as to whether any trees or hedges will need to be removed?”

14.05.2024 - (Comments following revisions)

“The Planning & Development Committee reviewed the application and had no objections to the revised plans.”

7. Policy

- 7.1. Core Strategy (2009)
- Policy 7: Key Rural Centres
 - Policy 8: Key Rural Centres Relating to Leicester
- 7.2. Site Allocations and Development Management Policies DPD (2016)
- Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM10: Development and Design
- 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)

8. Appraisal

8.1. Key Issues

- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity

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.
- 8.3 The Council's Good Design Guides states that *"Boundary treatments are a significant feature of local character, the loss of which can have a highly detrimental impact on local distinctiveness."*
- 8.4 *Fencing is often selected as a cost effective means of creating a boundary treatment. Consideration should be given to its potential negative impact on the wider street scene, particularly where this would entirely block through views and create dead frontages."*
- 8.5 The use of timber fencing is already present to the north-west boundary of the site, notwithstanding this the existing boundary treatment is set back from the adjacent public highway, Chestnut Walk by approximately 0.96 metres further than the proposed scheme. Other alterations include the increase in height of the fence by 0.20 metres and the introduction of concrete posts and gravel boards to replace the existing timber supports. The width would remain as existing.
- 8.6 Examples of timber fencing can be observed within the surrounding street scene. Particular observation has been given to the timber fencing to the south-east of 25 Pine Tree Avenue immediately adjacent to the application site which abuts the highway public footpath boundary. Observation has also been given to the fencing layout within the wider street scene to 1 and 2 Pine Tree Avenue, both which host corner plots and host fencing abutting to the highway public footpath boundary along with there being very limited screening in place. The proposed fencing to the application site is to feature a very similar appearance in terms of proximity to the adjacent highway, Chestnut Walk. By virtue of the above, the proposed replacement fencing would appear subordinate within the existing street scene and are considered to be a coherent addition to the property and wider area.
- 8.7 The Council's Good Design Guides states that *"side extensions should appear smaller in scale and massing in order to be subordinate to the main building."*
- 8.8 The Council's Good Design Guides states that *"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."*
- 8.9 The proposed side extension would be set back from the principle elevation by approximately 6.45 metres and would feature a width of approximately 1.88 metres, resulting in a minimum set back distance from the adjacent highway of approximately 0.67 metres. It would feature a pitched roof to appear coherent with the existing dwelling which would measure 2.82 metres to the eaves and 4.11 metres to the ridge.
- 8.10 At the rear, the proposed extension would project approximately 1.35 metres from the main rear elevation. It would feature a mono-pitched roof which would measure 2.82 metres to the eaves and approximately 3.61 metres to the ridge. The roof line

would adjoin to the pitched roof proposed to host the side extension element creating a subordinate appearance between the two additions. The overall height of the roof of the proposed extensions would not exceed those of the existing dwelling.

- 8.11 The proposed extensions would form an L-shape to create a utility space attached to the existing kitchen.
- 8.12 Both additions would be highly viewable from a public realm from Chestnut Walk due to the application dwellings siting on a corner plot and the proposed removal of the existing soft landscaping forward of the proposed side extension. Nevertheless, due to the extensions minor scale and subordinate appearance there is not considered to be a detrimental impact upon the character of the surrounding area.
- 8.13 The proposed extensions would result in the loss of two conifers and bamboo. Notwithstanding this, neither are subject to a high amenity value and therefore their loss would not result in an adverse impact upon the amenity of the area. All further existing specimens are to be retained and six bushes are proposed to be planted at the site.
- 8.14 The proposed materials would be to match the materials of the existing dwelling.
- 8.15 In light of the above, it is considered that the proposal would complement the character of the existing dwelling and surrounding area and therefore complies with Policies DM1 and DM10 of the SADMP and the Good Design Guide SPD.

Impact upon neighbouring residential amenity

- 8.16 Policy DM10 of the SADMP states that proposals should not adversely affect the occupiers of the neighbouring properties.
- 8.17 The proposed single storey extensions would sit approximately 14.02 metres away from the neighbouring dwelling to the north-west, 25 Pine Tree Avenue. A significant amount of the separation distance accounts for the highway, Chestnut Walk which is situated between the two sites. To the south-east boundary of 25 Pine Tree Avenue sits a 2.00 metre high timber fence hosted by hedging, no ground floor windows are viewable from the street scene and no windows are proposed to the north-west elevation of the extensions. By virtue of the above, there is not considered to be any adverse impacts in terms of loss of light or overlooking on the occupiers if 25 Pine Tree Avenue.
- 8.18 The neighbouring dwelling to the north-east is orientated to the north-west, differing from the application dwellings south-west orientation. As a factor of this the proposed extensions would be positioned towards the hardstanding to the front of, 15 Chestnut Walk. The application site features a significant line of vegetation to the north-east boundary as does 15 Chestnut Walk which would restrict the extension from view. By virtue of the above, there is not considered to be any adverse impacts in terms of loss of light or overlooking on the occupiers if 15 Chestnut Walk.
- 8.19 As single pane window is proposed to the south-west elevation of the side extension. Notwithstanding this addition, due to the generous set back distance of the extension from the principle elevation of the existing dwelling and the existing hedgerow and gated access fronting the extension that are to be retained there is not considered to be any adverse impacts in terms overlooking to the occupiers to the south-west of the site.
- 8.20 The proposed development would therefore satisfy Policy DM10 of the SADMP in this regard.

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.

10. Conclusion

10.1. The proposal is located within the settlement boundary of Groby and is for a single storey side and rear extension and a new rear garden 2.00 metre close-boarded side fence at 27 Pine Tree Avenue, Groby, therefore there is a presumption in favour of sustainable development as set out in Policy DM1 and the wider policies of the NPPF.

10.2. For the reasons given in the report above, it is considered that the proposed scheme of extensions and alterations would respect the overall scale, character and appearance of the existing dwelling and street scene. The proposals would not result in any significant adverse overbearing or overshadowing effects or result in any loss of privacy to the occupiers of any neighbouring properties. The proposal is considered to be in accordance with Policies DM1 and DM10 of the adopted SADMP and 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 materials to be used externally shall accord with the approved application form, as received by the Local Planning Authority on the 8th April 2024.

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).

3. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

Proposed Elevations and Floor Plans, Drg No. 27PT / 2024 /2/2 Rev A as received by the Local Planning Authority on the 2nd May 2024.

Reason: To ensure a satisfactory form of development in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11.3 Notes to applicant

- a) 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.