

## Delegated Report

**Planning Reference:** 25/00462/HOU  
**Applicant(s):** Mr Joshua Morris  
**Ward:** Ratby, Bagworth & Thornton



Hinckley & Bosworth  
Borough Council

**Application Site:** 39 Nicholas Drive, Ratby  
**Proposal:** Proposed two storey side extension  
**Case Officer:** Gwion Russell (Planning Officer)

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### 1. Recommendations

#### 1.1. Grant planning permission subject to:

- Planning conditions detailed at the end of this report.

### 2. Planning Application Description

- 2.1. This householder planning application seeks full planning permission for a two-storey side extension to No. 39 Nicholas Drive, Ratby.
- 2.2. The extension externally measures 6.84m in depth and 2.83m in width from the existing main dwelling. The ground-floor will form an indoor kitchen space and the first-floor will form an additional bedroom with en-suite to the front of the dwelling. There are some minimal internal configuration changes to the existing dwelling.
- 2.3. The extension is proposed to be 0.5m set back (from the principal frontage) and 0.5m set down from the main existing dwelling roofline. All external materials are proposed to match existing materials.
- 2.4. Fenestration changes to the rear façade of the dwelling include a half window to the middle of the rear façade is proposed as a double patio door and the existing double sliding door to the left rear façade is proposed as a cill-level window of identical width. Both storeys of the proposed extensions feature new rear-facing windows.

### 3. Description of the Site and the Surrounding Area

- 3.1. The host dwelling is situated in a wholly residential area. Nearby properties are mainly either detached or link-detached with garages and set back from the highway. The host dwelling is nestled within neighbouring residential properties, to its rear and side. The host dwelling is a gable-roofed detached property with a projecting flat-roof garage in its central front elevation and is finished in a brown brick covering the entire façade.

#### **4. Relevant Planning History**

4.1 There is no planning history associated with the property.

#### **5. Publicity**

5.1 The application has been publicised by sending out letters to local residents.

5.2 A neighbouring property has objected to the proposals and has raised concerns over the following: Loss of light and overshadowing, overbearing and oppressive appearance, impact on privacy and the proposal being out of character with the street scene.

#### **6. Consultation**

6.1 There have been no comments received from the following consultants:

- Ratby Parish Council

6.2 No further responses have been received.

#### **7. Policy**

7.1 Site Allocations and Development Management Policies Development Plan Document (SADMP) (2016):

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.2 National Planning Policies and Guidance:

- National Planning Policy Framework (NPPF) (2024)
- National Design Guide (2019)
- Planning Practice Guidance (PPG)

7.3 Other Relevant Guidance:

- Hinckley and Bosworth Good Design Guide (2020)
- Leicestershire Highway Design Guide (LHDG) (2024)
- Ratby Village Design Statement (2011)

#### **8. Appraisal**

8.1. Extensions to existing domestic properties 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 residential amenity
- Impact upon parking provision and highway safety

Design and Impact upon the Character of the Area

8.2 Chapter 12 of the NPPF confirms that good design is a key aspect of sustainable development, and the creation of high quality, beautiful, and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 135 of the NPPF details the six national policy requirements of development to ensure the creation of well-designed and beautiful places.

8.3 Guidance Point C1 of the NDG confirms that well-designed new development should respond positively to the features of the site itself and the surrounding context beyond including the existing built development and landscape character, amongst others. Guidance Point I1 of the NDG highlights that new developments should consider the composition of street scenes and individual buildings and their elements including the height, scale, massing and relationship between buildings, as well as views, vistas, landmarks, and landscaping, amongst others.

8.4 Ultimately, Guidance Point I2 of the NDG advised that well-designed places should contribute to local distinctiveness and Guidance Point I3 of the NDG highlights that design decisions at all levels and scape should help to create a memorable sense of place.

8.5 Paragraph 137 of the NPPF states that applicants, where applicable, should provide sufficient information to demonstrate how their proposals will meet the design expectations set out in local and national policy.

8.6 Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design (as contained in the National Design Guide and National Model Design Code), taking into account any local design guidance and supplementary planning documents such as design guides and codes.

8.7 Policy DM10(c) of the SADMP states that developments will be permitted where they complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.

8.8 In accordance with the Good Design Guide, two-storey side extensions should appear smaller in scale and massing in order to be subordinate to the main dwelling, this also helps avoid a terracing impact with neighbouring properties. Any proposal should be set down from the ridge of the existing house and set back from

the front elevation by a minimum of 0.5m. The side extension complies with this and maintains a setback and setdown distance of 0.5m from the main dominant roofline.

- 8.9 According to Policy DM10 of the SADMP, development proposals should complement or enhance the character of the surrounding area with regard to scale, layout and design. The application seeks to erect a two-storey side extension, with no rear or front extensions proposed. The extension is proposed to be finished in matching brickwork, and the gabled roof form would be retained, consistent with the existing and nearby dwellings. Whilst no nearby dwellings have extended the width of their properties, the resulting gap between the dwelling and No.37 is not dissimilar to that found between nos 33-37 Nicholas Drive as such the loss of the existing gap between properties would not be out of keeping. Following the amended proposals detailing a 0.5m set back (from the principal frontage) and set down, the proposal respects the prevailing character of the area and is considered to align more closely with Policy DM10 of the SADMP.
- 8.10 Additionally, although the existing garage is consistent with nearby dwellinghouses, the proposed side extension would result in the existing garage being positioned centrally within the overall layout of the house, which may appear visually unbalanced and out of keeping with the dwelling's original design. However, it is worth noting that despite the original uniform design, the dwellings in the immediate area and adjoining streets have a variety of extension designs – No. 33 Nicholas Drive has a single storey frontage extension and No. 35 Nicholas Drive has previously extended upward with a contrasting hipped roof. Due to the variety of existing extensions within the immediate street-scene the design of the proposed side extension is not seen as incongruous to the immediate street-scene and therefore isn't contrary to policy DM10 of the SADMP.
- 8.11 The Ratby Village Design Statement (2011) states that the size of houses needs to match the size of plot to avoid the crowding together of buildings and extensions to the side should leave sufficient space for easy access between houses. Whilst the space to the side of the property is diminished the plot still benefits from side access on the other side of the dwelling and the proposal does not compromise the side access for the neighbouring property. Furthermore, due to the age of the document, this can be afforded minimal weight in the determination.
- 8.12 The materials proposed for the roof and external walls of the proposed extension are to match existing. As a result, the detailing and external finishing are sensitive to the design of the main dwelling, nearby dwellings and immediate street-scene and therefore comply with DM10 of the SADMP.
- 8.13 By virtue of the design, the proposed use of matching external materials and the scale the proposal respects the character of the existing dwelling and surrounding area and is in accordance with Policy DM10 of the SADMP, and the Good Design Guide.

#### Impact upon Residential Amenity

- 8.14 Paragraph 135(f) of the NPPF requires planning policies and decisions to ensure that developments create places that are safe, inclusive, and accessible, which promote health and well-being, and a high standard of amenity for existing and future users.
- 8.15 Policy DM10(a) and (b) of the SADMP states development will be permitted provided that it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting and noise and that the amenity of occupiers would not be adversely affected by activities within the vicinity of the site.
- 8.16 The Good Design Guide requires the way buildings to relate to each other, and their orientation and separation distances, to provide and protect acceptable levels of amenity. It also states that side-to-side distances should be at least 2m to maintain good neighbourliness. The proposed extension extends to the host property boundary with less than 1m from the property boundary and neighbouring property side elevation, resulting in a narrow space (0.85m) between the host and neighbouring dwelling No. 37 Nicholas Drive. However, as highlighted earlier No. 37 still benefits from a side access to the other side of the property.
- 8.17 Through infilling the gap between No.37 and No.39 there would be some loss of light to early morning sunlight, but this would be minor considering this relates only to light passing between the two dwellings and that there are no openings in the side elevation of No.37. The proposed side extension may therefore cause minimal loss of sunlight to the rear garden of neighbouring No. 37 Nicholas Drive, however as both gardens benefit from South facing sunlight sufficient sunlight will be retained and neighbouring access to daylight respected.
- 8.18 As the proposed extension is in line with the rear elevation of the existing host and neighbouring dwelling, is set back from the front elevation of both dwellings and that No.37 has a blank side elevation the extension would not be adversely overdominant to No.37.
- 8.19 No windows are proposed in the side elevation facing No.37. The proposed additional first floor window which overlooks the rear garden would serve a bedroom. The window will be closer to the shared boundary with No.37 but would not introduce adverse loss of privacy considering existing first floor windows in the rear elevations of the existing dwelling and those surrounding No.37. This is a typical residential amenity relationship.
- 8.20 Properties situated perpendicular to the host dwelling, along Ferndale Drive, maintain an adequate distance and due to the siting of the extension, there will be minimal amenity impact for occupants of these properties. No. 22 Ferndale Drive maintains a distance of 19m from the proposed extension and No. 24 Ferndale Drive is sited so that it will unlikely see the main bulk of the side extension.

- 8.21 In addition, the separation distance between two principal windows to habitable windows should be a minimum of 21m. Properties at the rear of the application site maintain a 16m back-to-back distance, but as the proposed extension does not impact this distance, the proposals do not result in amenity impact for the occupiers of these dwellings.
- 8.22 Notwithstanding this, these separation distances are the minimum standards that are required, and every application will be assessed on its own merits depending on the individual characteristics of the site such as orientation, ground levels, window positions, garden size, and shape.
- 8.23 There are some fenestration changes to the rear façade of the dwelling. A half window to the middle of the rear façade is proposed as a double patio door and the existing double sliding door to the left rear façade is proposed as a cill-level window of identical width. As these changes are to the ground floor they will not introduce additional overlooking.
- 8.24 The Good Design Guide (2021) states that gardens play an important part of the quality of life afforded by a house and that properties with 3 or more bedrooms should maintain a garden space of 80m<sup>2</sup>, with a length of 7m. The garden proposed retains a length of 9m and a space of 90m<sup>2</sup> and is therefore considered to provide sufficient private amenity garden space.
- 8.25 By virtue of these factors and the fact that there have been no objections to the scheme, the proposal does not result in any adverse overbearing or overshadowing impacts or any overlooking or loss of privacy to the neighbouring properties and therefore is considered to be in accordance with Policy DM10 of the SADMP and the Good Design Guide.

#### Impact upon Parking Provision and Highway Safety

- 8.26 Paragraph 115(b) of the NPPF states that planning decisions should ensure that developments provide safe and suitable access to the site for all users. In accordance with Paragraph 115(d) of the NPPF, any proposal should ensure that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.
- 8.27 Ultimately, development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios in accordance with Paragraph 116 of the NPPF.
- 8.28 Policy DM17 of the SADMP states that development proposals need to demonstrate that there is not a significant adverse impact upon highway safety, and that the residual cumulative impacts of development on the transport network are not severe.

- 8.29 All proposals for new development and changes of use should reflect the highway design standards that are set out in the most up to date guidance adopted by the relevant highway authority (currently this is the Leicestershire Highway Design Guide (LHDG)) (2024).
- 8.30 Policy DM18 of the SADMP requires developments to demonstrate an adequate level of off-street parking provision.
- 8.31 The LHDG states that garages will not normally be counted as a parking space for the purpose of calculating parking provision for:
- The garage meets the minimum dimensions
  - Planning conditions are imposed to control the use of the garage; or
  - Restrictions are placed on converting the garage to a room that can be lived in.
- 8.32 In accordance with the LHDG single bay garages should have a minimum internal dimension of 3m in width by 6m in depth, with a minimum door width for 2.3m. This increases to 6m in width with a minimum door width of 4.2m for double garages.
- 8.33 The scheme creates one new bedroom and makes the property a four-bedroom dwelling. Table 28 of the Leicestershire Highway Design Standards state that properties with 4 or more bedrooms should have a minimum of 3 off-street parking spaces. A parking plan has been submitted as part of the application however this does not clearly show how 3 motor vehicles can adequately park in the existing driveway without additional hardstanding provision. However, due to the nature of the street and the low volume of passing traffic it is reasonable to assume there if there was additional on-street parking as a result it would not lead to highways safety harm in this case.
- 8.34 . It is considered that despite the shortfall in off-street parking, the proposal would not create an unacceptable impact on highway safety or the road network. Therefore, the scheme is regarded as in accordance with Policies DM17 and DM18 of the SADMP, and the LHDG.

## **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 Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission to be granted, subject to the imposition of appropriate conditions.

## **11. Recommendation**

11.1 **Grant planning permission** subject to:

- Planning conditions detailed 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 received by the Local Planning Authority as follows:
  - Application Form (received by the Local Planning Authority on 07/05/2025)
  - Construction details – Drawing 2025/00/03 Rev A (received by the Local Planning Authority on 08/07/2025)
  - Site and block plan – Drawing 2025/00/04 Rev A (received by the Local Planning Authority on 08/07/2025)
  - Proposed plans and elevations – Drawing 2025/00/01 Rev A (received by the Local Planning Authority on 08/07/2025)

**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).

a. **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](mailto:building.control@blaby.gov.uk) or call 0116 272 7533.