

Delegated Report

Planning Ref: 23/00255/HOU

Applicant: Mr Martin Algar

Ward: Burbage, Sketchley and Stretton

Site: 11 Lychgate Lane, Burbage

Proposal: Two storey side extension, single storey rear extension and garage conversion



Hinckley & Bosworth
Borough Council

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 proposes a two storey side extension, single storey rear extension and garage conversion. The proposal includes the use of off white/grey render to the proposed new additions.

3. Description of the site and surrounding area

- 3.1. The application site is a semi-detached two-storey dwelling, located on Lychgate Lane, within the settlement boundary of Burbage. The lane is made up of a mix of detached, semi-detached, terrace houses and bungalows, with a variety of design and materials used.

4. Relevant planning history

None

5. Publicity

- 5.1. The application has been publicised by posting a site notice within the vicinity of the site and letters have been sent to neighbours.
- 5.2. No comments have been received.

6. Consultation

- 6.1. Burbage Parish Council: No objections.

7. Policy

7.1. Site Allocations and Development Management Policies DPD (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) (2019)
- Planning Practice Guidance (PPG)

7.3. 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
- Impact upon highway safety

Design and impact upon the character of the area

- 8.2. Policy DM10 of the SADMP seeks to ensure that new development should complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.3. Lychgate Lane is made up of a mix of house types, design and materials. The proposed extensions are subservient to the main dwelling, being set down and set back in line with the guidance set out within the Good Design Guide (2020). A similar extension can be seen at No. 15, whereby the side extension is set down and set back. The proposal also seeks to introduce render on the extensions to distinguish the new and old, retaining the red brick used on the original dwelling. It is considered that the design and materials used would not be out of character with the area.
- 8.4. It is therefore considered that the proposal is in accordance with Policy DM10 of the SADMP.

Impact upon neighbouring residential amenity

- 8.5. Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings.
- 8.6. The proposed extensions would be located on East side of the development site. This would see a two storey extension erected above the existing single storey side extension/garage. Whilst it is acknowledged that there is a slight change in levels from the development site to No. 13 Lychgate Lane, the proposed extensions are set down from the ridge height and set back from the original dwellings principle elevations. In addition the window in the side facing elevation at No.13 is a landing window and does not serve a habitable room, for the above reasons the extension is not considered to cause unacceptable overbearing or overshadowing impacts.
- 8.7. The existing window on the side elevation is to be removed as part of the proposed extensions and it is not considered that the proposed development would cause significant adverse impacts upon the privacy and amenity of nearby residents, in terms of loss of light, loss of privacy or overbearing impacts.
- 8.8. Overall, the proposed development would not cause any adverse overshadowing, overlooking, overbearing impact or loss of light impacts, and is therefore in accordance with Policy DM10 of the SADMP.

Impact upon highway safety

- 8.9. Policy DM17 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety. Policy DM18 of the SADMP requires new development to provide an appropriate/justified level of parking provision.
- 8.10. The application proposes the conversion of the existing garage, into a habitable room as part of the proposed extensions. This would result in the loss of one off-

street car parking space. In addition, the proposed extensions would lead to an increase in bedrooms from three to four, requiring 3 off-street car parking spaces in line with the Leicestershire Highway Design Guide. This level of off-street car parking can be achieved, as evidenced in the proposed floor plans. No highway safety issues are considered to arise as part of this proposal.

- 8.11. Overall the proposal would not result in adverse impacts upon highways safety and would be in accordance with Policies DM17 and 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 proposal seeks to erect a two storey side extension, single storey rear extension and convert the garage. The proposal is deemed acceptable due to the limited adverse impacts upon the character of the area, neighbouring residential amenity and highway safety.

- 10.2. It is considered that the proposed development would be in accordance with Policies DM10, DM17 and DM18 of the adopted SADMP.

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:

Proposed Block Plan Drg No. 2022-01-PL-00-0002 Rev C
Proposed Floor Plans Drg No. 013-MDB--PL-00-2000 Rev D
Proposed Elevations Drg No. 013-MDB--EL-XX-2003 Rev D
Proposed Sections Drg No. 013-MDB--SE-XX-2004 Rev C

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 proposed elevations of the extensions shall accord with the approved materials detailed within the application form.

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

4. The development hereby permitted shall not be occupied until such time as 3 off street car parking spaces have been provided in accordance with Proposed Floor Plans Drg No. 013-MDB--PL-00-2000 Rev D. Thereafter the onsite parking provision shall be so maintained in perpetuity.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally in the interests of highway safety and in accordance with Policy DM17 and DM18 of the adopted Site Allocations and Development Management Policies DPD (2016) Paragraphs 108 and 110 of the National Planning Policy Framework (2021).

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.