

Delegated Report

Planning Ref: 25/00255/HOU

Applicant: Mr and Mrs Newton

Ward: Burbage St Catherines & Lash Hill



Hinckley & Bosworth
Borough Council

Site: 135 Sapcote Road Burbage Leicestershire

Proposal: Single storey rear extension and two storey side and rear 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 rear extension and two storey side and rear extension to a dwelling, 135, Sapcote Road, Burbage.

2.2. The proposed single storey rear extension would extend 1.9 metres in depth from the existing rear elevation which features an existing single storey rear extension, spanning 4.15m in width, with a flat roof (inc. roof light) design of 3.1m. This would replace the footprint of the existing “sunroom”. The proposed two storey side and rear (“wraparound”) extension would extend 2.985m from the existing first floor rear elevation, and 1.3m metres in width from the existing side elevation. The maximum width of the two-storey element is 4.2m, and the total depth 6.66m, and the roof structure would be crossover gables. The two-storey rear extension would be rendered, with all other elements of the proposal finished in red brickwork to match the existing dwelling, with matching roof tiles.

2.3. Revisions have been requested and submitted during the course of this application, to alter the materials of the side extension (timber to brick) and to reduce the depth of the single storey rear extension in the interests of neighbouring amenity.

3. Description of the site and surrounding area

3.1. The application dwelling lies within the settlement boundary of Burbage in a residential area and to the north side of Sapcote Road. It is a two-storey semi-detached house with a projecting front gable and a catslide main roof, set back from the highway. There is a large front drive and lawned front garden. The application dwelling is constructed with red brickwork, brown concrete roof tiles and white uPVC windows. It has a substantial rear garden that tapers in width to the rear.

3.2. The surrounding area is characterised by both individually designed and styled two storey detached dwellings and two storey semi-detached dwellings with traditional bay window design and styling. There are open fields to the rear (north) of the site.

4. Relevant planning history

N/A

5. Publicity

5.1. The application has been publicised by sending out letters to local residents and a site notice was erected next to the dwelling.

5.2. No responses have been received as a result of public consultation.

6. Consultation

6.1. No objection has been received from Burbage Parish Council.

7. Policy

7.1. Burbage Neighbourhood Development Plan (BNDP) 2015-2026 (2021)

- No relevant policies

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. Burbage Parish Neighbourhood Plan (2021)

- Policy 1: Settlement Boundary
- Policy 2: Design and Layout
- Policy 4: Parking

7.5. National Planning Policies and Guidance

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

7.6. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)
- Local Highway Authority Design Guide

8. Appraisal

8.1. Extensions to existing domestic properties within urban 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 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. Burbage Neighbourhood Development Plan (BNDP) contains no relevant policies for domestic extensions but refers to the materials, design and scale of extensions and alterations being compatible with the original building (Para. 15.3).

8.3. In respect of rear extensions, the Council's adopted Good Design Guide states:

'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.' and,

'Flat roofs on extensions will not normally be considered appropriate where they do not form part of the original design of the house, however in some circumstances where they are not visible from the public realm and the use of a flat roof may result in a reduced visual impact, they may be considered acceptable, particularly if designed with a contemporary aesthetic style.'

- 8.4 The proposed single storey rear extension would have an appropriate depth of only 1.9 metres, spanning 4.15m, with a flat roof design. The extension would not be visible from the public realm and is considered acceptable.
- 8.5 The proposed two storey side extension would be set back 5.2 metres from the front elevation, and whilst appearing slightly incongruous and unbalanced when viewed alongside the matching neighbouring dwelling, it is not considered to be unacceptable by virtue of this set back and the limited side projection and would appear appropriately subordinate to the main dwelling. The proposed two-storey rear extension would not be visible from the street and would also be subordinate to the main dwelling. The proposed materials originally included timber cladding for the side extension, however officers requested this to be changed to matching brickwork to better assimilate with the main dwelling. The render on the rear two-storey extension is considered acceptable as it is not visible from the street. The proposal would therefore be acceptable in design terms in this case.
- 8.6 By virtue of their siting, scale, design and the proposed use of matching/appropriate external materials, it is considered that the proposed extensions and alterations would respect and complement the scale, character and appearance of the existing dwelling and would not result in any significant adverse visual impacts on the wider street scene or surrounding area. The proposals are therefore considered to be in accordance with Policy DM10 of the adopted SADMP, the general principles of the adopted Good Design Guide and the principles of the Burbage Neighbourhood Development Plan.

Impact upon neighbouring residential amenity

- 8.7 Policy DM10 of the adopted SADMP and the adopted Good 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 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. Habitable rooms include living rooms, bedrooms and kitchens but do not include rooms such as bathrooms, utility rooms, halls, landings or garages. A projecting line is to be drawn from the nearest principal window to a habitable room that may be affected towards the proposed building at an angle of 45 degrees. The extension should not cross the 45 degree line.'*
- 8.9 The single storey proposal would project approximately 1.9m metres beyond the rear elevation of the neighbouring dwelling to the west (No. 133) and 1.3m towards the boundary at a flat roof height of 3.1m. This would leave 0.5m separation from 135 to the boundary, and a further 2m from the side (east) elevation of No. 133. Therefore, notwithstanding the additional projection of the proposal and its proximity to the side boundary, it is considered that it would be unlikely to result in any

significant adverse overbearing or overshadowing impacts on any significant rear elevation windows or the garden space of No. 133.

- 8.10 The single storey flat roof extension to replace the existing sunroom would have the same footprint, with a lower maximum height but slightly higher eaves height. The existing sunroom already marginally breaches the 45-degree line with the principal ground floor window of No.137, and the replacement extension is considered on balance to have a neutral impact on this neighbour.
- 8.11 There are no windows that would result in any loss of privacy to the neighbouring occupiers. The two-storey side and rear proposal would not breach the 45-degree line and would not result in any significant adverse overbearing or overshadowing impacts on any significant rear elevation windows or the garden space of No. 133.
- 8.12 There are no other potential impacts.
- 8.13 By virtue of their siting, scale, design, separation distances and existing screening, 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 and would therefore be in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide. No objection has been received from any neighbouring occupiers.

Impact upon parking provision

- 8.14 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.15 The proposals would not result in an increase in the number of bedrooms to the dwelling which would remain at five, albeit one having an increase in floorspace. The proposal would also result in the loss of one space within the demolished garage. Notwithstanding this, the proposal would retain tandem off-street parking for two cars across the loose stone surfaced site frontage and two further cars on the concrete block paved side driveway and side car port. The four off-street parking spaces would be adequate to serve the resulting five bedroomed dwelling which is located within a highly sustainable urban location with easy access to a full range of services and facilities by alternative more sustainable transport means. The proposals would therefore be in accordance with Policy DM18 of the adopted SADMP and the local highway authority design guide.

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 urban settlement boundary of Burbage 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 their siting, scale, design and the proposed use of matching/appropriate external materials throughout to ensure a satisfactory and unified appearance, it is considered that the proposed extensions and alterations would respect and complement the scale, character and appearance of the existing dwelling and would not result in any significant adverse visual impacts on the wider street scene or surrounding area. By virtue of their siting, scale, design, separation distances and existing screening, 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 proposal would retain more than adequate private rear amenity space and adequate off-street parking provision to serve a four-bedroom dwelling. The proposals are considered to be in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP, the general principles of the adopted Good Design Guide and the principles of the Burbage Neighbourhood Development Plan 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:

- Site Location and Block Plan – Job No. 23/54 Drawing No. 00b
- Alterations and extensions – Job No. 23/54 Drawing No. 03c

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 extensions and alterations hereby permitted shall be in accordance with the details provided on the

approved plan - Alterations and extensions – Job No. 23/54 Drawing No. 03c received by the local planning authority on 22nd May 2025, and 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).

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.