

Delegated Report

Planning Ref: 24/01134/HOU
Applicant: Mr and Mrs Webster
Ward: Groby



Hinckley & Bosworth
Borough Council

Site: 83 Leicester Road Groby Leicester

Proposal: Single Storey and two storey rear extension. Replacement front porch.

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 application seeks full permission for a single storey rear extension which will also incorporate a two storey extension above.
- 2.2. The extension will span the width of the host dwelling's rear elevation and incorporate the footprint of an existing single storey extension (under a flat roof), which currently provides a storage space and W.C. The extension will protrude 3.2 metres from the host dwelling's original rear elevation.
- 2.3. The ground floor element will be under a mono-pitch roof, with an eaves height of 2.6 metres and a maximum roof height of approx. 3.9 metres - which will sit below the window cill of the first floor window above.
- 2.4. The first floor element will cover approximately half the footprint of the proposed rear extension and will be under a (tiled) hipped roof, with an eaves height of approx. 5 metres, with a roof ridge height of approx. 6 metres measured from ground level below.
- 2.5. An existing single storey side extension (conservatory type, under a lean-to roof) currently adjoins the host dwelling's side elevation, and is proposed to be demolished (together with the existing rear storage building) as part of the proposed works.
- 2.6. This application also proposes the erection of an entrance porch (under a lean-to slate roof) upon the host dwelling's front (highway facing) elevation, which infills a recess area located between the side (east) of the dwelling and the side of the host dwelling's two storey protruding gable feature. The height and footprint of the proposed structure will mirror the dwelling's existing front porch (3.7 metres max roof height, approx. 3.8 metre width and 2.7 metre depth). The proposed porch however will be constructed from a timber frame and under a slate roof.
- 2.7. The proposed ground floor extension proposes an extended kitchen/dining space and the first floor extension will provide an en-suite bathroom space.

3. Description of the site and surrounding area

83 Leicester Road is a modern (Post war/mid 20C Suburban style) semi-detached, brick built, two storey dwelling. The dwelling is under a tiled hipped type roof.

- 3.1. The property is sited within a row of similar dwellings (age and style) which flank the north-east side of linear dual carriage (Leicester Road), whereby similar dwellings flank the southern side of the highway.

4. Relevant planning history

4.1. None

5. Publicity

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

5.2. No Comments received

6. Consultation

6.1. Groby Parish Council.

6.2. No comments Received.

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 DM18: Vehicle Parking Standards

7.2. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2021)
- 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 indicates that development will be permitted providing it meets good standards of design including that it would complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features and would not have a significant adverse effect on the privacy and amenity of nearby residents.

8.3 The two storey element of the proposed rear extension's side (east) elevation will be sited approximately 1.75 metres from the common boundary shared with the neighbouring dwelling (No.85) and the single storey element will be built upon the adjoining dwelling's single storey rear extension (under a similar lean-to roof). Despite the relative close proximity of the proposed two storey flank wall in relation to the common boundary (east), given its siting, scale the proposed development will sit comfortably within proposal site, and moreover will retain sufficient rear

amenity space in terms of both area and distance the proposal will be sited in relation to the dwelling's rear boundary.

8.4 The proposed rear extension rear elevation will not be able to be viewed from the nearby streetscene, whilst its proposed two storey side extension will only be glimpsed in view from the nearby highway. The proposed (replacement) front porch will be viewed from the nearby highway. However, given their siting, scale and design both the front (porch) and rear extensions will be sympathetic to the design and scale of the host dwelling, neighbouring dwelling. Moreover, given their siting and scale the proposed extensions will not introduce an incongruous or harmful feature within the surrounding streetscene.

8.5 Therefore, the proposal accords with Policies DM10 of the SADMP and the recommendation's made in the Good Design Guide SPD.

Impact upon neighbouring residential amenity

8.6 Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy or amenity of nearby residents and occupiers of adjacent buildings and the amenity of occupiers of the proposed development would not be adversely affected by activities within the vicinity of the site.

8.7 The proposed two storey flank walls will measure approx. 5 metres in height to its lower eaves height (measured from ground level) and the hipped roof above ridge height will measure 6 metres from ground level. Furthermore, the two storey element will protrude approx. 3.2 metres from the host dwelling's original rear elevation. However, given its siting (1.75 metres from the eastern/common boundary shared with No.85), a relatively shallow depth, and the siting of the adjoining neighbour's (No 85) single storey rear extension, the bulk of the proposed side elevation - that can be viewed from both adjoining neighbours rear amenity space - will not introduce an overshadowing or oppressive feature upon.

8.8 Otherwise given its siting, the proposals side elevations (east facing) will not intersect a 45 degree splay line drawn from the centre of both adjoining neighbour's ground floor and upper floor living space windows that are located closest to the proposed extension.

8.9 Therefore, given its siting, height and scale, the proposed extension to the host dwelling will not otherwise introduce any overbearing or overshadowing features to the living space windows and rear amenity space belonging to neighbouring dwellings.

8.10 The proposed two storey element of the rear extension will introduce a window within its the rear elevation, that will be sited approx. 3.2 metres closer to the adjoining neighbour's (no 85) rear amenity space. The proposal will not though introduce any greater opportunity for overlooking, loss of privacy or loss of amenity than that which is already experienced or to be expected from dwellings sited in relative close proximity to one another (within a suburban setting). Furthermore, the proposed window to be inserted within the proposed first floor extension's rear elevation will serve an en-suite bathroom space, and therefore a planning condition will be attached to the approval of this application that requires this window to be obscure glazed and maintained as such.

8.11 Furthermore, the proposed fenestration within the proposed extension will not introduce any overlooking of neighbouring property's living space windows.

- 8.12 Nevertheless, to ensure any overlooking or the perception of overlooking upon neighbouring property's rear amenity space is avoided, a condition has been added to the approval of this application that requires permission should be applied for from the local planning authority for any further window opening to be inserted in the proposed extension's side elevations (both east and west).

Impact upon highway safety

- 8.13 Policy DM18 of the SADMP requires new development to provide an appropriate level of parking provision to serve the development proposed. This is further supported by the relevant recommendations set out in Leicestershire County Council's Highway Design Guide.
- 8.14 Further bedroom spaces are not proposed as part of this application and the development will not result in the loss of existing off-street parking provision. Therefore, the proposal will not impact current on-street parking provision, furthermore, the safety of the users of the adjoining highway will not be compromised. Therefore the application complies with Policy DM18 of the 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 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 is located within the settlement boundary of Groby and therefore there is a presumption in favour of sustainable development as set out in Policy DM1 of the SADMP and the wider policies of the NPPF.
- 10.2. The application is in keeping with the existing dwelling and would not have an adverse visual impact on the area. It complies with Policy DM10 of the SADMP. There would be no significant loss of residential amenity to any neighbouring properties or adverse implications on highway safety. The proposal is therefore in accordance with Policy DM10 and DM18 of the SADMP and in this regard the proposed development can be supported.

11. Recommendation

11.1 Grant planning permission subject to Conditions and Reasons at the end of this report:

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 Plan.
- Proposed Site Block Plan, Drg No. W10 (90) 01
- Proposed Ground Floor Plan, Drg No. W10 (PL) 01
- Proposed Elevations, Drg No. W10 (PL) 03

All received by the Local Planning Authority 16th December 2024.

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 alteration shall match the corresponding materials of the existing dwelling except for those specified within the materials schedule of the planning form submitted as part of this approved application - received by the Local Planning Authority 16th December 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).

4. The window to be inserted within the approved upper rear (north) elevation shall be fitted with obscure glazing to a minimum of level 3 of the Pilkington scale. Once so provided the window(s) shall be permanently maintained as such at all times thereafter.

Reason: To safeguard the privacy and amenity of neighbouring dwellings from potential overlooking in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) no window other than those approved under this permission shall be inserted into the upper east and upper west side elevations of the proposed extension unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11.2 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.