

Delegated Report

Planning Ref: 24/01144/HOU
Applicant: Chloe Furze
Ward: Barwell



Hinckley & Bosworth
Borough Council

Site: 40 Hinckley Road Barwell Leicester

Proposal: Single storey 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. The application seeks full planning consent for a single storey rear extension at 40 Hinckley Road, Barwell.
- 2.2. The proposed rear extension would project outwards from the existing rear (north) elevation by 5.00 metres and would project outwards from the side (east) elevation of the existing conservatory by 5.50 metres. It would host a flat parapet roof design with an overall height of 1.50 metres, with an internal recess of 0.32 metres.
- 2.3. Additional alterations include the addition of a set of three bi-fold doors to the north (rear) elevation.
- 2.4. The proposed external materials would match those of the existing dwelling except for EDPM rubber to the flat roof.

3. Description of the site and surrounding area

- 3.1. The application site relates to a two-storey detached residential dwelling, situated within the settlement boundary of Barwell. The dwelling comprises the use of red brick and white render to the walls, brown tiles to the hipped to pitched roof and brown uPVC to the windows. An integral single car garage sits to the far east of the dwelling of which a timber canopy porch sits to the west of.
- 3.2. Gravelled hardstanding sits to the site's frontage, which is enclosed by 2.00-metre-high hedgerow to the southern and western boundaries and a 1.00-metre-high brick wall to the eastern boundary. Forward of the southern hedgerow, on highways owned land sits a grass verge and mature tree.
- 3.3. The street scene is predominantly residential, large areas of countryside can, however, be observed to the north and south-west of the site.
- 3.4. The proposed scheme previously sought prior approval under Condition A.4. of the Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 1, Class A for a larger home extension, however, was refused as the proposed enlargement would be joined to an existing enlargement of the dwellinghouse not falling under the requirements of the legislation.

4. Relevant planning history

82/01082/4

- Two storey extension and games room

- Planning Permission
- 24.02.1983

97/00515/FUL

- Extension to dwelling
- Refused
- 12.11.1997

98/00328/FUL

- Extension to dwelling
- Planning Permission
- 24.06.1998

06/00610/FUL

- Extensions and alterations to dwelling
- Planning Permission
- 12.07.2006

07/00301/FUL

- Extension and alteration to dwelling
- Planning Permission
- 19.04.2007

14/00028/HOU

- Extensions and alterations to dwelling.
- Planning Permission
- 19.03.2014

24/00998/HHGDO

- Single storey rear extension measuring 5.10m in depth, 3.00m in height to the ridge and 3.00m to the eaves
- Refusal of Prior Approval
- 09.12.2024

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site.
- 5.2. One letter of objection has been received which is summarised below:
 - 1.) The proposal will result in the loss of light to neighbouring dwellings.
 - 2.) Impact upon existing working well
 - 3.) Impact upon trees and hedgerows and disruption to owls and wildlife.

6. Consultation

- 6.1. Barwell Parish Council:

“No Objections.”

7. Policy

7.1. Earl Shilton and Barwell Area Action Plan (ESBAAP) 2006-2026 (2014)

- Policy 22: Development and Design

7.2. Core Strategy (2009)

- Policy 3: Development in Barwell

7.3. Site Allocations and Development Management Policies DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM10: Development and Design

7.4. National Planning Policies and Guidance

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

7.5. 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
- Other matters

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.

8.3. Policy 22 of the Earl Shilton and Barwell Area Action Plan (ESBAAP) 2006-2026 (2014) seeks to ensure that new development is not detrimental to the character and appearance of the host dwelling or surrounding area and respects the scale, proportions, height and materials of the existing buildings, neighbouring structures and overall street scene.

8.4. The application seeks full planning consent for a single storey rear extension at 40 Hinckley Road, Barwell.

8.5. The Councils Good Design Guide 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.”*

8.6. The proposed extension would feature an “L” shaped form. It would have an appropriate depth of 5.00 metres, sitting behind the existing conservatory and would project outwards from the conservatory’s side (eastern) elevation by 5.50 metres sitting within the confinements of the existing dwellings building line. The height of

the addition would sit narrowly below the ridge height of the existing single storey conservatory. The proposal would, therefore, appear as a clearly subordinate addition to the existing dwelling.

- 8.7 The Council's Good Design Guide states that *"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."*
- 8.8 The proposal would host a flat parapet roof design. Flat roofs should usually be avoided as they do not represent a traditional roof form prevalent in the Borough, however, as proposal would be single storey and situated to the rear of the dwelling not being viewable from a public viewpoint on Hinckley Road. The addition of a flat roof is not considered to bear any additional detrimental impacts upon the character of the area.
- 8.9 A public footpath (U1 to U37) runs to the north of the site. However, the proposal would not be highly viewable as the footpath is situated approximately 200 metres away from the site boundary.
- 8.10 Additional alterations include the addition of a set of three bi-fold doors to the north (rear) elevation. The proposed external materials would match those of the existing dwelling except for EDPM rubber to the flat roof.
- 8.11 Consequently, the proposal is a complementary addition to the dwelling which would not be prominent or result in any adverse visual impacts on the wider street scene, by virtue of this, this aspect of the proposal is considered to be in accordance with Policy DM10 of the SADMP and Policy 22 of the Earl Shilton and Barwell AAP.

Impact upon neighbouring residential amenity

- 8.12 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.
- 8.13 Policy 22 of the Earl Shilton and Barwell Area Action Plan (ESBAAP) 2006-2026 (2014) seeks to ensure that new development does not adversely affect the privacy and amenity of nearby residents and occupiers of adjacent buildings.
- 8.14 Concerns have been raised regarding the potential loss of light to the neighbouring dwellings which has been assessed below.
- 8.15 The proposed extension would project further than the building line of neighbouring dwelling to the east by a minor 0.30 metres. The separation distance would be retained and no openings are proposed. By virtue of this, there would be no adverse impacts upon the residential amenity of 38 Hinckley Road, Barwell in terms of loss of light or overlooking.
- 8.16 The proposed extension would be screened to the west by the existing conservatory and therefore there would be no adverse impacts upon the residential amenity of 42 Hinckley Road, Barwell in terms of loss of light or overlooking.
- 8.17 The proposed development would therefore satisfy Policy DM10 of the SADMP in this regard.

Other matters

- 8.18 Concerns regarding the impact of the development upon the existing well have been raised. The existing well has been identified upon the submitted plans demonstrating that the applicant is aware of the matter, even so, this would not be a planning matter and is a structural matter that would be dealt with upon construction.
- 8.19 Concerns have also been raised regarding the removal of trees and hedgerows and the potential disruption to owls and wildlife. The submitted scheme does not propose the removal of any trees or hedgerows and therefore it is not judged to be necessary to condition the retention of the trees/hedgerows. Furthermore the retention of the trees/hedgerow is not determinative of the acceptability of the application due to the minor nature of the proposal and due to the 1.80-2.00 metre fence that would remain in situ to the shared neighbouring boundary lines.
- 8.20 Further to the above, it should be noted that the applicant could remove the hedgerows without formal planning consent as the site is not situated within a Conservation Area nor covered by a TPO. If such works were to be done it would be the responsibility of the applicant to instruct a suitably qualified ecologist to carry out a survey to comply with the Wildlife And Countryside Act, 1981 whereby it is an offence for any person who intentionally takes, damages or destroys the nest of any wild bird, while the nest is in use or being built, or takes or destroys any eggs of such wild bird. The times when birds are nesting is generally between the months of March to September inclusive. A note to applicant is proposed to remind the applicant of this.

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 proposed development is for a property located within the settlement boundary of Barwell. As such, there is a presumption in favour of sustainable development under Policy DM1 of the SADMP, as long as the proposal is in accordance with the relevant policies of the SADMP.
- 10.1 The proposed development has been assessed, and the Local Planning Authority can conclude that the proposed development would complement the character and appearance of the host dwelling, and would not cause any adverse impacts upon the visual amenity of the surrounding area or the neighbouring amenity of

occupants surrounding the application site. On this basis, the proposal is therefore considered to be in accordance with DM1 and DM10 of the Site Allocations and Development Management Policies DPD and Policy 22 of the Earl Shilton and Barwell AAP. The proposal and is 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 18th 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).

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

- Sketch Scheme - Elevations, Section, Floor Plans, Site Location, Block Plan, Drg No.1371-02 Rev C as received by the Local Planning Authority on the 29th January 2025.

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.
- b.) It is a criminal offence to disturb or harm bats, or to damage, destroy, or obstruct a roost. If you plan to carry out any works to trees/hedgerows or structures which may have a suitable habitat in which bats may roost we recommend that it be surveyed for bats before any work is carried out.
- c.) The Wildlife and Countryside Act 1981 offers protection to wild birds, their eggs and nests. It is an offence for any person to intentionally take, damage or destroy the nest of any wild bird while it is in use or being built or to take or destroy the egg of any wild bird. We therefore recommend that any works to trees/hedgerows is done outside the nesting season - i.e. between the end of August and beginning March. If work is to be undertaken during the bird

breeding season, we recommend that a suitably qualified ecologist surveys the tree for nesting birds. If nesting birds are present, work must be postponed until the young have left the nest.