

Delegated Report

Planning Ref: 23/00913/HOU
Applicant: Mrs Carla Colden
Ward: Burbage Sketchley & Stretton



Hinckley & Bosworth
Borough Council

Site: 24 Flamville Road Burbage Leicestershire

Proposal: Two storey side and rear extension (following the demolition of existing 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. This householder application seeks planning permission for a two storey side and rear extension following the demolition of an existing single storey rear extension to a dwelling, 24 Flamville Road, Burbage.
- 2.2. The amended proposed two storey side extension would be set back from the main front elevation by 0.4 metres and extend 2.5 metres in width from the west side elevation. It would have a total depth of 10.5 metres to extend 3 metres beyond the main rear elevation. It would extend across the entire rear elevation at a depth of 3 metres for a total width of 8.4 metres up to the common boundary with the adjoining dwelling. The proposed amended side extension would have the same gable sided roof form and pitch as the existing dwelling and matching 5.2 metres eaves height but slightly lower 8.45 metres ridge height. The amended proposed two storey rear extension would have the same 5.2 metres eaves height as the existing main roof and twin hipped roof form with 7.2 metres ridge height and central valley gutter. Matching corresponding external materials of red facing bricks, cream render and concrete interlocking roof tiles are proposed in the construction.
- 2.3. Amended plans have been submitted to address roof design issues raised by the case officer. Re-consultation has been undertaken.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of Burbage in a residential area and at the end of a narrow dead end cul-de-sac. It is a two storey semi-detached house with a gable sided main roof form and central brick chimney stack. It has a traditional design with ground floor bay window with flat roof and recessed open porch with arched segmented brick headers to the front elevation and a single storey flat roofed extension across part of its rear elevation. It is constructed with red brick plinth and quoins and cream coloured rough cast render to the front elevation and red facing bricks to the remaining elevations along with grey plain concrete roof tiles and white uPVC windows. There is a 6.5 metres wide and 14 metres deep loose stone surfaced parking area to the west side providing four off-street parking spaces and another space on similar loose stone hardstanding within the site frontage. There is a 2 metres high solid close boarded timber fence to the side boundary and part 4 metres high conifers in the neighbouring garden and part additional trellis and a 32 metres long rear garden providing approximately 380 square metres of private amenity space enclosed by similar 2 metres high solid close boarded timber fencing.

- 3.2. The application dwelling lies at the end of a double row of similarly scaled and styled semi-detached houses. There are more modern larger scale detached two storey dwellings within an unrelated cul-de-sac to the west.

4. Relevant planning history

None.

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
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. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2023)
 - Planning Practice Guidance (PPG)
- 7.5. Other relevant guidance
- Good Design Guide (GDG) (2020)
 - National Design Guide (2019)
 - Local Highway Authority Design Guide

8. Appraisal

- 8.1. Extensions and alterations 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 The Council's adopted Good Design Guide states:

'Two storey side extensions should appear smaller in scale and massing in order to be subordinate to the main dwelling. Any proposal for a two storey side extension should be set down from the ridge of the existing house and set back from the front elevation (the minimum distance for this should be 0.5 metres in both directions) unless in design terms this in itself would create an imbalance in the overall design of the property.' and,

'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. Where there are no public views into a site, a fully integrated two storey extension may be acceptable.'

- 8.4 The amended proposed two storey side extension would be set back only 0.4 metres from the main front elevation in order to achieve an internal door width to the proposed extension and would have only a marginally subordinate (by 0.25 metres) roof ridge. Notwithstanding this, by virtue of the position of the proposed extension at the far side of the dwelling and at the end of a narrow dead end cul-de-sac where it would not be at all prominent within the street scene, the marginal shortfall to the GDG would not result in any significant adverse visual impacts and is therefore considered to be acceptable in design terms in this particular case. It would extend for an appropriate width of 2.5 metres from the west side elevation, clearly less than half the width of the existing dwelling and have the same gable sided roof form and pitch as the existing dwelling along with matching 5.2 metres eaves height.

- 8.5 The proposed two storey extension would have a total depth of 10.5 metres to extend 3 metres beyond the main rear elevation and across the entire rear elevation at that depth for a total width of 8.4 metres up to the common boundary with the adjoining dwelling. The amended roof design would have the same 5.2 metres eaves height as the existing main roof and twin hipped roof form with clearly subordinate 7.2 metres ridge heights which ensure that the rear extension would appear as a clearly subordinate addition to the main dwelling.

- 8.6 The proposals include suitably proportioned windows that reflect the size and style of those on the existing dwelling to ensure a unified design. Matching corresponding external materials of red facing bricks, cream render, grey plain concrete roof tiles and white uPVC windows are proposed in the construction to ensure a satisfactory and unified appearance.

- 8.7 By virtue of the siting, scale, amended design and the proposed use of matching corresponding external materials to ensure a 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 have no significant adverse visual impacts on the wider street scene. 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

- 8.8 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.

- 8.9 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. On a plan of the proposal, a projecting line is to be drawn from the nearest principal window to a habitable room that may be affected by the planning application towards the proposed building at an angle of 45 degrees. Habitable rooms include living rooms, bedrooms and kitchens but do not include rooms such as bathrooms, utility rooms, halls, landings or garages. The extension should not cross the 45 degree line.'

- 8.10 The adjoining dwelling to the east (No. 23) is a similarly scaled and styled semi-detached two storey house that has a single storey extension with a lean-to roof form and depth of 3 metres across its entire ground floor rear elevation. The proposed two storey rear extension would extend for the same depth of 3 metres from the main rear elevation along the common side boundary. As a result of its similar depth, it would have no adverse overbearing or overshadowing impacts on the ground floor rear elevation windows of No. 23. However, it would extend approximately 1 metre beyond a 45 degree line drawn from the centre point of the nearest first floor bedroom window in the rear elevation of No. 23. Notwithstanding this, the window is north facing and by virtue of the proposed hipped roof design of the extension it is considered that the proposal would not result in any significant or unacceptable adverse overbearing or overshadowing impacts on the window. There are no side elevation windows proposed that would result in any loss of privacy to the adjoining occupiers from potential direct overlooking. No objection to the proposal has been received from the adjoining occupiers.
- 8.11 The blank west side elevation of the proposed two storey side extension would be set in from the side boundary/rear garden boundary of the neighbouring dwellings to the west (Nos. 39 and 37 Lychgate Close) and would retain a separation distance of approximately 15 metres and 14 metres respectively to the main rear elevation windows of those neighbouring dwellings which would be in accordance with the back to side separation distance for two storey development suggested by the adopted GDG. Whilst No. 37 has a rear conservatory this would still retain a separation distance of approximately 11.5 metres and the proposal would not extend across the whole of the rear outlook of No. 37 such that no significant adverse overbearing or overshadowing impacts would result. There are no side elevation windows proposed that would result in any loss of privacy to the occupiers of these neighbouring properties from potential direct overlooking.
- 8.12 The nearest dwelling to the north (No. 35 Lychgate Close) is offset from the rear elevation of the application dwelling and its nearest part at approximately 11 metres from the proposal is the rear and side elevations of a double garage rather than any principal habitable room windows or private amenity area. Accordingly, the proposal would not result in any significant adverse impacts on the residential amenity or privacy of this neighbouring dwelling.
- 8.13 By virtue of the siting, scale, amended design, separation distances and existing screening, it is considered that the proposals would not result in any significant or unacceptable adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. The proposals would therefore be in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide. No objections to the proposals have been received from the occupiers of any neighbouring properties.

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 site currently provides a minimum of four off-street parking spaces on the 6.5 metres wide and 14 metres deep loose stone surfaced parking area to the west side of the dwelling and another space on similar loose stone hardstanding within the site frontage.
- 8.16 The proposals would result in the provision of an additional fourth bedroom. The local highway authority design guide would therefore seek a minimum of three off-street car parking spaces to serve the resulting dwelling. The proposals would enable the retention of two existing tandem spaces to the side of the dwelling and the space on the site frontage. This level of retained existing provision would remain adequate to serve the resulting four bedroomed dwelling in this highly sustainable urban setting with easy access to a full range of services and facilities by alternative and more sustainable transport means. The proposals are therefore considered to 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 the siting, scale, amended design and the proposed use of matching corresponding external materials to ensure a 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 have no significant adverse visual impacts on the wider street scene. By virtue of the siting, scale, amended design, separation distances and existing screening, it is considered that the proposals would not result in any significant or unacceptable

adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. Adequate off-street parking for three vehicles would be retained along with more than adequate private amenity space of 380 square metres to serve the resulting four bedroomed 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: Location Plan and Proposed Site Plan Drawings received by the local planning authority on 14 September 2023 and Proposed Ground Floor Plan, Proposed First Floor Plan, Proposed Front (south) and Side (west) Elevations and Proposed Rear (north) and Side (east) Elevations Drawings received by the local planning authority on 31 October 2023.

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.

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.
2. The applicant is advised to ensure that, when being constructed, no part of the development hereby permitted exceeds the extent of their land ownership, for example through any overhanging rainwater goods etc., in order to avoid any potential legal disputes with the adjoining neighbouring land owner(s).