

Delegated Report

Planning Ref: 24/00287/HOU

Applicant: Mr A. Mukuku

Ward: Groby



Hinckley & Bosworth
Borough Council

Site: 11 Percival Way Groby Leicestershire

Proposal: Single storey rear extension and conversion and extension of existing garage

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 a single storey extension to the rear elevation of a dwelling and the conversion and a single storey extension to the rear of the existing garage at 11 Percival Way, Groby.
- 2.2. The proposed dwelling extension would project 3 metres in depth from the rear elevation and across the full rear elevation for a width of 4.4 metres to be flush with the main side elevations. It would have a low profiled dual pitched roof forming a rear gable with an eaves height of 2.5 metres and a ridge height of 3.3 metres and a parapet wall to a height of 2.8 metres along the common boundary. It would have patio doors in the rear elevation. The proposed garage extension would project 3.6 metres from the rear elevation of the garage and for a width of 3.7 metres, 1 metre wider than the existing garage. It would have a mono-pitch roof form with an eaves height of 2.5 metres and maximum height of 4.1 metres and narrow diameter metal flue to serve a log-burner. Bi-fold doors would be fitted to the internal side elevation to provide a garden room. The rearmost half of the garage would be converted to a kitchenette and outside shower/toilet with the front half remaining for storage. The extensions are proposed to be constructed with matching corresponding external materials.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of Groby on a small residential estate. It is a two storey end terraced house (of three) with gable sided roof form and accommodation within the roof space served by a small front dormer window and rear rooflights. It has a plain fronted design other than a shallow depth flat roofed concrete porch canopy. The front elevation is finished in beige render with red brick quoins to the outer corners of the terrace, red brick headers and stone effect cills, red brick corbelled eaves detailing and red brick verge detailing to the side gable. The rear and side elevations are constructed in red multi facing bricks and have no window detailing. The roof is constructed with plain grey concrete roof tiles and windows are of white uPVC construction.
- 3.2. There is a single garage set back to the side and rear with a dual pitched gable sided roof form. This is detached from the application dwelling but forms half of a pair with the other serving the adjoining terraced dwelling. The 12.5 metres wide and 2.5 metres wide driveway to the front of the garage is surfaced in tarmac and provides an additional two off-street parking spaces. The rear garden is enclosed by solid close boarded timber fencing of 2 metres in height. At the rear of the site there is a pedestrian access between the adjoining dwelling and its garage and a shared parking court beyond that.

- 3.3. The surrounding estate comprises predominantly two storey dwellings of varying type, design and appearance. There is an area of public play and open space which includes children's play equipment approximately 45 metres to the west of the site.

4. Relevant planning history

None.

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

6. Consultation

- 6.1. No objection has been received from Leicestershire County Council (Highways)
- 6.2. Groby Parish Council raise concerns in respect of adequate parking provision and potential pollution from the proposed log burner flue.

7. Policy

- 7.1. Core Strategy (2009)
- No relevant policies
- 7.2. 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
- 7.3. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2023)
 - Planning Practice Guidance (PPG)
- 7.4. Other relevant guidance
- Good Design Guide (2020)
 - National Design Guide (2019)
 - Local Highway Authority Design Guide

8. Appraisal

- 8.1. Extensions and alterations to existing dwellings within 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. The Council's adopted

Good Design Guide provides further advice in respect of the siting and design of house extensions and in respect of rear extensions 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.'

- 8.3 The proposed dwelling extension would project for an appropriate 3 metres in depth from the rear elevation and for an appropriate width of 4.4 metres to be flush with both the main side elevations of the dwelling. By virtue of its single storey scale and low profiled dual pitched roof form and rear gable design with an eaves height of 2.5 metres and maximum height of just 3.3 metres it would appear as a clearly subordinate addition to the existing dwelling. It would also reflect the scale and design of the similar rear extension attached to the adjoining dwelling to the east. It is proposed to be constructed with matching corresponding external materials to ensure a satisfactory and unified appearance.
- 8.4 The proposed garage extension would project 3.6 metres from the rear elevation of the garage and for a width of 3.7 metres, 1 metre wider than the existing garage, and would fully occupy a concrete slabbed area currently used for barbecue purposes. It would have a contrasting mono-pitch roof form with an eaves height of 2.5 metres and maximum height of 4.1 metres which would be clearly subordinate to the existing 4.6 metres high ridge of the garage. Notwithstanding the contrasting roof form, the proposal is nevertheless considered to be acceptable in design terms as it would have no significant adverse visual impacts on the surrounding area and it is proposed to be constructed with matching corresponding external materials to ensure a uniform appearance. The part conversion of the garage would have no adverse visual impacts as it would retain the up and over garage door on the front elevation.
- 8.5 Together the proposals would reduce the open garden amenity area to just 30 square metres, far less than the Good Design Guide requirement of 80 square metres for a three bedroomed house. Notwithstanding this, both extensions would have bi-fold or patio doors enabling the occupiers to enjoy the spaces in association with the garden and also in this case there is a large area of public open space only 45 metres to the west that provides children's play equipment. Therefore, the reduced level of private amenity space within the site is not considered to be unacceptable in this particular case and would not be dissimilar to that provided within other plots within the wider estate.
- 8.6 By virtue of their siting to the rear, single storey scale, design and matching appearance, the proposals would respect and complement the scale, character and appearance of the existing dwelling and would not be visually prominent or result in any significant adverse visual impacts on the surrounding area. The proposals are therefore considered to be in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.

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 By virtue of its siting between the applicant's garage and the existing single storey extension of similar scale, design and depth on the rear elevation of the adjoining dwelling and facing directly towards a shared parking court at the rear of the site, the proposed rear extension would have no significant adverse impacts on the residential amenity or privacy of any neighbouring occupiers. The proposed garage extension would be only single storey and constructed adjacent to a private

pedestrian walkway linking the rear garden of the adjoining dwelling with its remote garage and the shared communal parking court at the rear rather than adjacent to any sensitive private amenity areas. Therefore, it is considered that the proposal would not result in any significant adverse overbearing or overshadowing impacts on any neighbouring occupiers. The proposed side elevation bi-fold doors would face into the applicants own garden which is enclosed by 2 metres high solid close boarded timber fencing that protects the privacy of the respective occupiers.

- 8.9 Groby Parish Council raise concerns in respect of the proposed log-burner and whether this would result in potential air pollution given the relatively low 4.5 metres height of its flue. The proposed log-burner/flue would be required to comply with separate building regulations approval. The flue exceeds the height of the ridge of the extension and is not located immediately adjacent to any neighbouring windows or sensitive private amenity areas other than that of the applicant's. Environmental Health (Pollution) team have previously advised that any potential future pollution issues that result in a nuisance to the occupiers of any neighbouring dwellings would be able to be satisfactorily addressed through separate environmental legislation should it become necessary. The proposal is therefore considered to be acceptable in planning terms.
- 8.10 By virtue of their siting, single storey scale, design and screening by existing structures, the proposals would not result in any significant adverse impacts on the residential amenity or privacy of any neighbouring properties and would therefore be in accordance with Policy DM10 of the adopted SADMP. No objections have been received from any neighbouring properties.

Impact upon parking provision

- 8.11 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.12 Groby Parish Council raise concerns in respect of whether adequate parking provision would be retained.
- 8.13 The proposal would result in the loss of the garage parking space but would not result in the provision of any additional bedroom space. Therefore, the existing/retained off-street parking provision of two spaces on the 12.5 metres long and 2.5 metres wide tarmac driveway would remain adequate to serve the existing/resulting three bedroomed dwelling in accordance with Policy DM18 of the adopted SADMP and the local highway authority design guide standards.

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 are for extensions and alterations to an existing dwelling within the settlement boundary of Groby 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 subject to the proposed use of matching corresponding external materials to ensure a unified appearance, the proposals would respect and complement the scale, character and appearance of the existing dwelling and would not be visually prominent or result in any significant adverse visual impacts on the surrounding area. Notwithstanding the air pollution concern raised, by virtue of their siting, single storey scale, design, separation distances and screening by existing structures, the proposals would not result in any significant adverse impacts on the residential amenity or privacy of any neighbouring properties. Notwithstanding the concern raised, adequate off-street parking of two spaces would be retained within the site to serve the existing/resulting three bedroomed dwelling along with an undersized, but in this case acceptable, private amenity space of 30 square metres. The proposals are considered to be in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP and the general principles of the adopted Good Design Guide 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 Block Plan Drawing No. 6482/M/7 and Proposed Site/Ground Floor Plan and Proposed Elevations Drawing No. 6482/M/6 received by the local planning authority on 25 March 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 extensions and alterations hereby permitted 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 building.control@blaby.gov.uk or call 0116 272 7533.