**DELEGATED REPORT**

**Recommendation Made: 6 April 2011**

**Reference:- 10/01004/FUL** **Parish:- Earl Shilton Town Council**

**Applicant:- Mr & Mrs Toby Heason**
**26 Elmdale Road**
**Earl Shilton**
**Leicestershire**
**LE9 7HQ**

**Location:- 26 Elmdale Road Earl Shilton Leicester Leicestershire LE9 7HQ**

**Proposal:- EXTENSIONS AND ALTERATIONS TO DWELLING INCLUDING THE RELOCATION OF THE EXISTING GARAGE**

**Introduction:-**

This application seeks to obtain full planning permission for the erection of a single storey extension and a detached garage at the rear of 26 Elmdale Road, Earl Shilton. The application property is a semi-detached dormer bungalow (chalet style) with eaves facing the highway. The dwelling has flat roof dormer windows on the front and rear roof planes. An existing garage is detached from the main property set back approximately 3 metres from the front elevation of the neighbour's detached garage that abuts the common boundary. The external walls of the house comprises of brown facing brick, the roof tiles are interlocking and the window frames are timber. The topography of the site slopes down in an eastwards direction to the bottom of the rear garden bounded by recreational open space. There is a 0.65 metre drop from the patio area.

The property sits in a street of dormer bedroom properties and bungalows. A recreation ground is beyond the rear garden. There is wooden fencing 1.8 metres in height along the boundary with No. 28 and wooden fencing along the side boundary with No. 24.

The proposed dimensions of the rear extension will be 4 metre in length x 4.9 metres in width x 3.4 metres in height. The proposed dimensions of the detached garage will be 3.8 metres in width x 6.3 in length x 2 metres in height to the eaves x 2.5 metres in height to the ridge.

Recent Planning History:

None

**Consultations:-**

Site noticed displayed and neighbours notified.

No neighbour representations received.

No objections have been received from:-

Earl Shilton Town Centre
The Head of Community Services (Land Drainage)

**Development Plan Policies:-**

Adopted Hinckley and Bosworth Borough Council Local Plan

The site lies within the settlement boundary of Earl Shilton as defined in the adopted Hinckley and Bosworth Local Plan.

BE1 (Design and siting of development)

Other Policy Documents

Adopted Supplementary Planning Guidance: House Extensions Design Guidance (SPG)

**Appraisal:-**

The main considerations for the determination of this application are the design of the extensions and impact on the existing dwelling and neighbours amenities.

Design

The proposal is for a flat roof rear extension with a roof lantern skylight. To be in accordance with the House Extension Design Guide, the roof of a single storey extension should normally reflect the main house. Due to the long roof plane and the low eaves level on the main house (3 metres in height to the eaves), a flat roof design where the eaves are level with the main house is considered acceptable in this instance. The design and scale of the proposed rear extension is also considered acceptable at the rear of the property.

It will also reflect the projective geometry of the flat roof dormer windows positioned above, which is a characteristic feature of the main dwelling house. The ridge of the roof lantern skylight will be up to the bottom edge of the dormer windows. The proposed materials are considered to be in keeping with the existing dwelling.

Neighbours amenities

In order to protect the amenity of surrounding properties, in terms of loss of light, privacy, overshadowing and overbearing impact, the House Extension Supplementary Planning Guidance (SPG) advises that a single storey extension should project out no further than three metres along the common boundary with an adjoining dwelling.

The proposed rear extension will project 4 metres from the rear elevation wall of the main house. The adjoining property (No. 28) has a rear extension extending out 2.5 metres and is off-set 0.75 metres from the common boundary line with a window on the side (south facing) elevation which directly faces the wooden boundary fencing. The proposed extension will project 1.5 metres beyond the neighbour's rear extension and will also be off-set 0.2 metres from the common boundary line. Despite projecting 1 metre beyond the advisable limit, it is not considered the proposed extension will have an overbearing impact on the neighbouring property and is therefore compliant with this section of the SPG..

Due to the suns orientation and the siting of the proposed extension to the south of No. 28, the proposed development will reduce the amount of light entering the side (south) elevation window of the neighbour's rear extension, however the amount of sunlight is already compromised by the presence of the boundary fence adjacent to the existing extensions. Notwithstanding this point, there are two glazed window units on the sliding doors positioned on the rear elevation of the neighbours extension, and therefore, the proposal is not considered to result in a material loss of light as there is another set of windows on the neighbours rear extension that will allow daylight to enter.

There are no side elevation windows that would allow for overlooking into neighbouring properties or garden areas.

Since the side elevation of the extension nearest to the boundary with No. 24 is approximately 4 metres from the neighbours garage, it is not considered the rear extension will adversely affect the amenities currently enjoyed by the occupiers of No. 24.

As the maximum height of the proposed garage will be 2.5 metres and its siting will be along the boundary with No. 24 (not forward of the principle elevation), the proposed garage would fall under Permitted Development (PD). However due to the eastwards slope down the rear garden, the proposed garage will be positioned on a 0.6 metre high brick base. This means there will be approximately 0.6 metre of side elevation facing brick to the eaves that would be visible above the 2.1 metre high wooden fencing. Since the proposed garage will be sited 1 metre behind the neighbour's garage and given the south west corner of the garage extension will be

approximately 7 metres to the north east corner of the main house at No. 24, it is therefore not considered to adversely affect the amenities currently enjoyed by the occupiers of No. 24 in terms of overbearing impact or loss of light.

Conclusion

In summary, it is not considered the proposed developments will have a detrimental impact on the character of the existing dwelling and would not adversely affect neighbours amenities.

**RECOMMENDATION :- Permit subject to the following conditions :-**

**Summary of Reasons for Recommendation and Relevant Development Plan Policies :**

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan and the design would not harm the existing property and would not adversely affect the amenities of neighbouring properties.
Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

2 All facing bricks used in the development hereby permitted shall be of the same type, texture and colour as those used in the existing building unless otherwise agreed in writing by the Local Planning Authority.

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

Drawing – D/1401/1/PD - Received on 17/02/2011

**Reasons :-**

1 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2 To ensure that the development has a satisfactory external appearance to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.

3 For the avoidance of doubt and in the interests of proper planning.

**Notes to Applicant:-**

1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3 As from 6 April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

4 All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

5 This permission does not convey any authority to enter onto land or into any building not within the

control of the applicant except for the circumstances provided for in The Party Wall etc Act 1996.

**Contact Officer:-** **Kevin Roeton Ext 5919**