

Delegated Report

Planning Ref: 23/00512/HOU

Applicant: Mr Alex Morris

Ward: Groby



Hinckley & Bosworth
Borough Council

Site: 1 Fir Tree Walk Groby Leicestershire

Proposal: Single storey side extension (including the demolition of existing side 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 single storey side extension to a dwelling, 1 Fir Tree Walk, Groby.

2.2. The proposed single storey side extension would extend 2.2 metres in width from the existing side elevation and involve the demolition, rebuild and incorporation of the existing side/highway boundary wall into the new structure. It would extend 0.7 metres forward of the existing main front elevation and would be flush with the existing main rear elevation. It would have a dual pitched gable sided roof form with an eaves height of 2.1 metres and ridge height of 4 metres and is proposed to be constructed of matching external materials as the existing dwelling and side/highway boundary wall. Proposed internal alterations would result in new four pane wide full height bi-fold glazed doors on the ground floor rear elevation. The proposal would replace an existing flat roof store to the side elevation that would be demolished to enable the scheme.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the settlement boundary of Groby in a mixed use area with similar two storey terraced residential properties to the northwest, southwest and southeast and two storey commercial offices units to the north east. It is a two storey end terraced house with gable sided main roof form and is side-on to the highway. It has a forward projecting front porch with lean-to roof, flat roof single storey store to the side elevation and a timber framed open gazebo to the rear. It is constructed of red facing bricks, brown interlocking concrete roof tiles and dark grey UPVC windows. The rear garden is enclosed by a 2/2.5 metres high red brick highway boundary wall to the northeast side with a staggered profile following the ground levels which fall generally from northwest to southeast. There is approximately 65 square metres of private amenity space at the rear. The dwelling has no highway frontage and is accessed via a shared pedestrian footpath.

4. Relevant planning history

77/01398/4M

- Replacement of existing window with bow window
- Permitted
- 27.10.1977

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. Groby Parish Council seek that the brickwork used is consistent and in keeping with the rest of the building and street scene and that public safety is ensured as the proposed works will be adjacent to a public footpath.

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) (2021)
 - 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 domestic properties located 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 highway safety and parking

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.
- 8.3. Groby Parish Council seek that the brickwork used in the construction is consistent and in keeping with the rest of the building and street scene.
- 8.4. By virtue of its single storey scale, dual pitched gable sided roof form with an eaves height of 2.1 metres and ridge height of 4 metres that reflects both the form and pitch of the existing main roof, its narrow 2.2 metres width and modest 0.7 metres forward projection, the proposal would appear as a clearly subordinate addition to

the existing dwelling and together with the proposed use of matching external construction materials to ensure a unified appearance is considered to respect and complement the scale, character and appearance of the existing dwelling.

8.5 Notwithstanding that the proposal would break the main building line along this side of Fir Tree Lane, by virtue of its narrow 2.2 metres width, single storey scale and the strong sense of enclosure provided and maintained by the existing/rebuilt and incorporated 2/2.5 metres high brick highway boundary wall, it is considered that, subject to the proposed use of matching external materials in its construction, the proposal would not be overly prominent in, or result in any significant adverse visual impacts on, the character or appearance of the wider street scene.

8.6 The proposal is 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 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 to the far side highway elevation, its single storey scale and separation distances of 12 metres to the garden boundaries of neighbouring properties to the front and rear, the proposal would not result in any significant adverse overbearing or overshadowing impacts or result in any significant loss of privacy to the occupiers of any neighbouring properties. The proposal would therefore be in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide. No objections to the proposal have been received from the occupiers of any neighbouring properties.

Impact upon highway safety and parking provision

8.9 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.

8.10 The existing three bedroomed dwelling does not currently benefit from any off-street parking provision and the proposal does not result in the provision of any additional bedroom space. Therefore, the proposal would have a neutral impact on parking provision in this case. There is no reasonably viable opportunity to provide such facilities by virtue of the layout of the dwellings and size of the respective plots. On-street parking immediately adjacent to the dwelling is unrestricted.

8.11 As the proposal includes the demolition of the existing 2/2.5 metres high brick highway boundary wall and its rebuilding incorporated into the proposed side extension, a note to applicant is included to advise of the need to obtain separate permission for any works within the public highway and to seek to protect pedestrian safety along the public footway as highlighted within the response of Groby Parish Council.

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 proposal relates to an extension and alteration 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 its siting, scale, design and subject to the proposed use of matching external materials in its construction to ensure a unified appearance, the proposal would respect and complement the scale, character and appearance of the existing dwelling and would have no significant adverse visual impacts upon the wider street scene or the residential amenity or privacy of the occupiers of any neighbouring properties. Adequate private rear amenity space of 65 square metres would be retained within the site. The proposal is therefore considered to be in accordance with Policies DM1 and DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide and is 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: Site Location Plan, Proposed Site Plan and Proposed Floor Plans, Roof Plan and Elevations Drawing No. 2023-09-PL02 received by the local planning authority on 25 May 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 strictly 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. Planning permission does not give you approval to work on the public highway. If the proposal requires the temporary diversion of the public highway footway to enable the development to take place and in the interests of pedestrian public safety, then you must obtain separate written permission from the local highway authority (Leicestershire County Council) before commencing works. Further information is available at: <https://www.leicestershire.gov.uk>