

Delegated Report

Planning Ref: 23/01089/HOU
Applicant: Mr And Mrs McNeill
Ward: Burbage St Catherines & Lash Hill



Hinckley & Bosworth
Borough Council

Site: 38 Grove Road Burbage Leicestershire

Proposal: Single storey rear extension, hip to gable loft conversion and replacement 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 for a single storey rear extension, a hip to gable loft conversion with rear dormer windows and a replacement detached garage to a dwelling, 38 Grove Road, Burbage.

2.2. The proposed single storey rear extension would extend across the full 9.76 metres width of the dwelling and to a depth of 6 metres. It would have a part lean-to/part flat roof form and a central dual pitched roof gable to the rear elevation with a maximum height of 3.7 metres and variable eaves. It would replace an existing smaller single storey flat roof extension. The proposed loft conversion with a hip to gable roof form would maintain the existing eaves height of the main roof and increase the overall roof ridge height of the dwelling only marginally from 9.3 metres to 9.6 metres (0.3 metre increase). It would also maintain two of the three existing feature brick chimney stacks to the side elevation and the wealth of traditional architectural detailing and features to the front elevation. Two rear elevation dormer windows are proposed with dual pitched gabled roof form along with three small high level roof lights to the front elevation. A replacement garage (to address structural defects) is proposed in the same position within the site frontage and to the same external dimensions as the existing garage which is 5.7 metres in width and 5.5 metres in depth with a pyramidal roof form with an eaves height of 2.3 metres and peak of 4.1 metres. The proposed extensions and replacement garage are to be constructed with matching off-white render, replacement grey concrete roof tiles throughout and matching uPVC windows and doors.

2.3. This is a resubmission of a similar extant scheme previously approved in 2022 (planning permission reference 22/00292/HOU) but not yet implemented.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the settlement boundary of Burbage in a predominantly residential area but with a school to the rear. It is a two storey detached house with hipped roof form and three brick chimney stacks. It has a traditional design with two storey front bay windows with hipped pitched roof above, arched recessed open porch and arched integral garage with timber folding doors. It has a small flat roof extension to part of its rear elevation. The dwelling is constructed with red facing bricks to the ground floor and off-white rendered walls to the first floor with red brick quoins, string course and window detailing to the front elevation. It has red plain clay roof tiles to the main roof and white UPVC windows throughout. There is a detached garage with pyramidal roof form within the site frontage forward of the dwelling. This is constructed of red facing bricks, small red plain roof tiles and white up-and-over garage door. In addition to the garaging, the

site also provides a minimum of four off-street parking spaces on the extensive loose stone surfaced hardstanding within the 22 metres deep and 15 metres wide site frontage. To the rear there is a private garden enclosed by fencing and planting that provides over 600 metres of amenity space.

- 3.2. There is a similarly scaled and styled two storey detached house with hipped roof form to the northeast also set in a substantial plot, two detached dwellings of more modern design and located on an infill cul-de-sac to the southwest and a school to the north. Grove Road is characterised by dwellings with a wide variety of scale, design, style and appearance including both hipped roof and gable roof dwellings of both traditional and more modern design and style.

4. Relevant planning history

22/00292/HOU

- Alteration of roof from hips to gable ends, 2no. rear dormer windows, installation of 2no. rooflights to front roof slope, single storey rear extension and changes to fenestration
- Permitted
- 30.06.2022

78/01734/4M

- Erection of a utility room
- Permitted
- 24.10.1978

78/01350/4M

- Erection of a utility room
- Permitted
- 22.08.1978

76/01632/4M

- Erection of double garage
- Permitted
- 29.11.1976

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. One response has been received objecting to the loft conversion on the grounds of overlooking to a neighbouring property from the proposed dormer windows.

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 (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). The Council's adopted Good Design Guide provides further advice in respect of the siting and design of house extensions.

8.3 In respect of roof extensions, the adopted Good Design Guide states:

'Wherever possible, locate roof extensions to the rear of properties to minimise potential impact on the street scene. Roof lights that lie flush with the roof itself will typically be the easiest way of introducing natural light into a roof space without resulting in negative visual impact. Dormer windows, which allow for additional headroom within roof spaces can be appropriate in certain situations, however these will be considered in the context of impact upon the character of the building should reflect the window pattern of the dwelling.' and, *'material selection and scale of window opening and position within the roofscape is critical in the success of dormers. Dormers to fronts of properties will only be acceptable where this is a prevailing feature of the surrounding context.'*

8.4 The proposed loft conversion including hip to gable roof extension would clearly alter the hipped roof character and appearance of the existing dwelling. Notwithstanding this, by virtue of the modest increase in the overall roof height and the presence of other two storey dwellings with gable sided roof form within the vicinity and wider street scene, it is considered that the proposal would result in a

well-proportioned and appropriate roof form that would respect and complement the varied character, designs and styles of neighbouring development within the surrounding area and therefore that the proposal would not result in any significant adverse visual impacts. The proposal would maintain two of the three existing feature brick chimney stacks to the side elevation and the wealth of traditional architectural detailing and features to the front elevation. Only roof lights are proposed to the front elevation with two appropriately proportioned dual pitched roof dormers limited to the rear roof elevation where they would not be prominent or result in any adverse visual impacts on the character of the area.

- 8.5 In respect of rear extensions, the Council's adopted Good Design Guide 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. Where there are no public views into a site, a fully integrated two storey extension may be acceptable.'*
- 8.6 The proposed single storey rear extension would extend across the full 9.76 metres width of the dwelling and to a depth of 6 metres. It would have a part lean-to/part flat roof form and a central dual pitched roof gable to the rear elevation with a clearly subordinate maximum height of 3.7 metres and variable eaves. Whilst the proposal would result in a substantial increase to the floor space at ground floor, the application dwelling occupies an extensive plot and could comfortably accommodate the extensions. By virtue of its single storey scale the proposal would be clearly subordinate to the existing dwelling and by virtue of its siting entirely to the rear it would not have any prominence within any street scene or have any significant adverse visual impacts on the surrounding area. It is therefore considered that the proposed extension would have an appropriate height, width, depth and design.
- 8.7 In respect of garages, the Council's adopted Good Design Guide states that:
- 'Garages and car ports should generally be set back from the existing dwelling so as not to dominate the street scene.'*
- 8.8 Notwithstanding this, the proposed replacement garage would be constructed in the same position within the site frontage and to the same external dimensions as the existing garage. It would be 5.7 metres in width and 5.5 metres in depth with a pyramidal roof form with an eaves height of 2.3 metres and peak of 4.1 metres. By virtue of its siting/replacement nature, scale, design and subject to the use of satisfactory external materials in its construction, the proposal would respect the character and appearance of the existing dwelling and would have no adverse visual impacts on the wider street scene.
- 8.9 The proposed extensions and replacement garage are to be constructed with matching off-white render, replacement grey concrete roof tiles throughout and matching uPVC windows and doors to ensure a satisfactory and uniform appearance.
- 8.10 By virtue of the siting, scale, design and the proposed use of appropriate and complementary corresponding external materials to ensure a satisfactory and unified appearance, it is considered that the resulting dwelling would be compatible with the size of the plot and that the proposed extensions and alterations would respect and complement the scale, character and appearance of the existing dwelling and neighbouring development and would have no significant adverse visual impacts on the already varied 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

- 8.11 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.
- 8.12 The neighbouring dwelling to the northeast (No. 36) is a similarly scaled and styled two storey detached dwelling with hipped roof form. It is constructed on a similar building line, although marginally set back from the application dwelling, and has been extended with a conservatory across its rear elevation. It has no significant windows in its rear side elevation facing the application dwelling. By virtue of the relative siting to the side and modest increase in roof height of the proposed hip to gable loft conversion and separation distance between the dwellings of approximately 5 metres, it is considered that the proposal would not result in any significant adverse overbearing or overshadowing impacts on No. 36. There are no new windows proposed that would result in any significant adverse impacts to the neighbouring occupiers of No. 36 from loss of privacy from any potential direct overlooking. The proposed single storey rear extension would not extend beyond the depth of the rear elevation ground floor windows of the conservatory of No. 36 and by virtue of the 5 metres separation distance (2.5 metres either side of the boundary), would not result in any significant adverse overbearing or overshadowing impacts on No. 36. Existing boundary treatments defining the side boundary would maintain the respective privacy of both occupiers.
- 8.13 The rear gardens of two detached dwellings back onto the southwest side boundary of the site (Nos. 7 and 8 Grosvenor Crescent). By virtue of the modest increase in roof height of the proposed hip to gable loft conversion and separation distance of approximately 22 metres to the principal habitable room windows in the rear elevations of the neighbouring dwellings to the southwest, it is considered that the proposal would not result in any significant adverse overbearing or overshadowing impacts on these dwellings or private rear gardens. Notwithstanding that a new side elevation landing window is proposed in the loft conversion at second floor that would face directly into the rear garden of No. 8, this can be conditioned to be obscurely glazed and non-openable below a height of 1.7 metres above the floor level of the space that it serves to mitigate any potential loss of privacy to the neighbouring occupiers from overlooking. By virtue of its single storey scale and being set in from the southwest side boundary by 4 metres, the proposed single storey rear extension would not result in any significant adverse overbearing or overshadowing impacts on No. 7. Existing boundary treatments defining the side boundary would maintain the respective privacy of both occupiers.
- 8.14 The proposed replacement garage would be constructed to the same external dimensions and design as the existing garage and therefore would not result in any significant adverse impacts on the residential amenity or privacy of any neighbouring occupiers.
- 8.15 One response has been received as a result of public consultation objecting to the loft conversion on the grounds that it would result in overlooking to a neighbouring property from the proposed dormer windows. Notwithstanding this, after careful consideration, by virtue of the relative position of the dormer windows which would face directly towards the applicant's own rear garden and the nearest dormer window being set inside the relevant side boundary by 5 metres, it is considered that the proposal would not result in any significant or unacceptable loss of privacy to the neighbouring property as a result of any direct overlooking. It should also be noted that the proposed dormer windows form part of an extant planning permission approved under a previous similar scheme (22/00292/HOU).

- 8.16 Notwithstanding the objection received, by virtue of the siting, scale, design, separation distances and existing screening, and subject to the use of obscure/fixed glazing where necessary, 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.

Impact upon parking provision

- 8.17 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.18 Notwithstanding that the existing detached double garage (which is to be rebuilt to the same dimensions) is undersized in respect of current highway authority design guide standards, the site also provides a minimum of four off-street parking spaces on the extensive loose stone surfaced hardstanding within the 22 metres deep and 15 metres wide site frontage.
- 8.19 The proposals would result in the provision of an additional fifth 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 have no impact on the existing off-street parking provision which would therefore remain adequate to serve the resulting five 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, design and the proposed use of appropriate and complementary corresponding external materials to ensure a satisfactory and unified appearance, it is considered that the resulting dwelling would be compatible with the size of the plot and that the proposed extensions and alterations would respect and complement the scale, character and appearance of the existing dwelling and neighbouring development and would have no significant adverse visual impacts on the already varied wider street scene. Notwithstanding the objection received, by virtue of the siting, scale, design, separation distances and existing screening, and subject to the use of obscure/fixed glazing where necessary, 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 at least four vehicles would be retained along with more than adequate private amenity space of approximately 600 square metres to serve the resulting five 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 Block Plan Drawing No. 12C, Proposed Dwelling Floor Plans and Elevations Drawing No. 13D and Proposed Garage Floor Plan and Elevations Drawing No. 15B received by the local planning authority on 17 November 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 extensions and alterations hereby permitted shall be in accordance with the external materials details provided within the submitted Planning Application form and detailed on the approved Proposed Dwelling Elevations Drawing No. 13D and Proposed Garage Elevations Drawing No. 15B received by the

local planning authority on 17 November 2023 and shall match the corresponding materials of the existing dwelling where stated.

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).

4. The new second floor landing window in the southwest side elevation shall be fitted with obscure glazing to a minimum of level 3 of the Pilkington scale and non-openable below a height of 1.7 metres above the floor level of the space that it serves. Once so provided the window shall be permanently maintained as such at all times thereafter.

Reason: To safeguard the privacy and amenity of neighbouring dwellings from potential overlooking 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.