

Delegated Report

Planning Ref: 24/01106/HOU
Applicant: Mr Arnie Wheeler
Ward: Barwell



Hinckley & Bosworth
Borough Council

Site: 84 Hereford Close Barwell Leicestershire

Proposal: Single storey side and 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 single storey side and rear extension to a dwelling, 84 Hereford Close, Barwell.
- 2.2. The proposed single storey side/rear extension would be set back marginally (0.23 metres) from the front elevation and extend for a width of 1.65 metres from the side elevation retaining a gap of 0.9 metres to the side boundary. It would extend for a total depth of 11.8 metres, including 4 metres in depth from the main rear elevation, and for a total width of 7.4 metres across the rear elevation up to the common side boundary. It would have a flat roof design to a height of 2.6 metres. Matching corresponding external materials to the existing dwelling are proposed in its construction. The existing garage within the rear garden would be removed to enable the proposed development.
- 2.3. Amended plans have been submitted to set the side extension back slightly from the front elevation. By virtue of the minor nature of the amendment no re-consultations are considered to be necessary or have been undertaken.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the urban settlement boundary of Barwell and within a small cul-de-sac on a large residential estate. It is a two storey semi-detached house with gable sided main roof form. It is constructed of plain red/brown facing bricks, grey concrete interlocking roof tiles and white uPVC windows. It has a detached garage with low profiled dual pitched gable fronted roof form set back to the side and rear of the dwelling constructed of pebble dashed concrete sections and a brown up-and-over door. There are two off-street parking spaces on the concrete block paved hard standing within the site frontage. The rear garden is enclosed by solid timber panel fencing of between 1.7 and 2 metres in height.
- 3.2. The cul-de-sac comprises semi-detached and detached two storey houses and bungalows with some variety in design and appearance.

4. Relevant planning history

79/01111/4

- Erection of garage
- Permitted
- 07.08.1979

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. One response has been received as a result of public consultation that raises no objection to the proposal.

6. Consultation

- 6.1. No response has been received from Barwell Parish Council.

7. Policy

- 7.1. Earl Shilton and Barwell Area Action Plan (ESBAAP) 2006-2026 (2014)
 - No relevant policies
- 7.2. Core Strategy (2009)
 - No relevant policies
- 7.3. Site Allocations and Development Management Policies 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) (2024)
 - 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 dwellings 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
 - Biodiversity

Design and impact upon the character of the area

- 8.2. Policy DM10 of the adopted SADMP. 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 various forms of house extensions and 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.' and,

'Flat roofs on extensions will not normally be considered appropriate where they do not form part of the original design of the house, however in some circumstances where they are not visible from the public realm and the use of a flat roof may result in a reduced visual impact, they may be considered acceptable, particularly if designed with a contemporary aesthetic style.'

- 8.3 The proposed single storey side/rear extension would be set back marginally (0.23 metres) from the front elevation and extend for a width of only 1.65 metres from the main side elevation, retaining an appropriate gap of 0.9 metres to the side boundary to retain access to the rear garden. It would extend for a total depth of 11.8 metres, including an appropriate depth of 4 metres from the main rear elevation, and for an appropriate total width of 7.4 metres across the rear elevation up to the common side boundary. It would have a flat roof design which would be uncharacteristic of the existing pitched roof dwelling and garage and the side extension would be visible within the street scene from the driveway. However, notwithstanding this, it is considered that by virtue of the side extension being only 1.65 metres in width with a clearly subordinate height of only 2.6 metres and located between the two neighbouring dwellings, that it would not be overly prominent or result in any significant adverse visual impacts on the character or appearance of the application dwelling or wider street scene in this case. The rear extension would also have a similar flat roof design but would be located within a well enclosed rear garden and between two existing rear extensions on both neighbouring dwellings and therefore would have no significant visual impacts or prominence within any street scene. There are other more visually prominent flat roof forms on part-integral garage projections to the front of dwellings within the cul-de-sac directly opposite the site. Therefore, the proposal would not be totally uncharacteristic of its surrounding context. The design includes appropriately proportioned fenestration to its front and rear elevations. By virtue of its single storey scale and appropriate width and depth, the proposal would appear as a clearly subordinate addition to the existing two storey dwelling. It is proposed that it would be constructed in matching corresponding external materials with plain red facing bricks to the front elevation and white rendered walls to the side and rear and with matching white uPVC windows and doors to ensure a satisfactory and uniform appearance.

- 8.4 Notwithstanding its flat roof design, by virtue of its siting, scale, design and subject to the proposed use of matching corresponding external materials to ensure a unified appearance, it is considered that the proposed extension and alteration would respect and complement the scale, character and appearance of the existing dwelling and the surrounding area. The proposal is therefore considered to be acceptable in design terms in this case and in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 8.5 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
- 8.6 The Council's 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.'

- 8.7 The proposed single storey side extension would extend parallel with the blank side gable elevation of the neighbouring dwelling to the east (No. 86). The proposed single storey side/rear extension would then extend 4 metres beyond the rear elevation of the application dwelling but only approximately 1 metre beyond the rear elevations of the single storey conservatory extensions attached to the rear elevations of both of the neighbouring dwellings either side. That of the neighbouring adjoining dwelling to the west (No. 82) has a blank near side elevation facing the proposal, the principal windows being to the rear elevation. The near side elevation of the other neighbouring conservatory to the east (No. 86) has only high level windows, the principal windows also being to the rear elevation and the occupier has confirmed that he has no objection to the proposal. By virtue of its depth and flat roof design to a height of only 2.6 metres, the proposal would not extend beyond a 45 degree line drawn from the centre-point of the rear elevation windows of either neighbouring dwelling or result in any significant adverse overbearing or overshadowing impacts upon the residential amenities of the occupiers of any neighbouring dwellings. There are no side elevation windows proposed that would result in any loss of privacy to any neighbouring occupiers.

- 8.8 By virtue of its siting, scale, design, and position between existing neighbouring structures, it is considered that the proposal would not result in any significant adverse impacts on the privacy or residential amenity of any neighbouring properties and would therefore be in accordance with Policy DM10 of the adopted SADMP and the principles of the adopted Good Design Guide. No objections have been received from any neighbouring properties.

Impact upon parking provision

- 8.9 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision and of appropriate design.
- 8.10 The site currently provides a minimum of three off-street parking spaces within the garage and on the concrete block paved hard standing within the site frontage to serve this three bedroomed house. The proposal would not create any additional bedroom space but would result in the loss of the existing garage space which is to be removed to enable the development. It would however retain the existing two off-street car parking spaces on the concrete block paved hard standing within the site frontage which would be unaffected. This level of retained off-street parking provision would remain in accordance with the local highway authority design guide provision standards for a three bedroomed dwelling, particularly being located in a highly sustainable urban location with easy access to a full range of services and facilities by alternative more sustainable transport means. The proposal would therefore remain in accordance with Policy DM18 of the adopted SADMP and the local highway authority design guide standards.

Biodiversity

- 8.11 The proposal would be exempt from the biodiversity gain condition by virtue of being a householder application development within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order (2015).

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 located within the urban settlement boundary of Barwell 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. Notwithstanding its flat roof design, by virtue of its siting, scale, design and subject to the proposed use of matching corresponding external materials to ensure a unified appearance, it is considered that the proposed extension and alteration would respect and complement the scale, character and appearance of the existing dwelling and the surrounding area. By virtue of its siting, scale, design, and position between existing neighbouring structures, the proposal would not result in any significant adverse impacts on the privacy or residential amenity of any neighbouring properties. Adequate off-street parking of two spaces and private amenity space of over 90 square metres would be retained within the site to serve the resulting dwelling. The proposal is 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 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: Location Plan, Block Plan and Proposed Floor Plans Drawing No. 002 Rev A and Proposed Elevations Drawing No. 003 Rev A received by the local planning authority on 16 January 2025.

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 hereby permitted shall be in accordance with the details on the approved Proposed Elevations Drawing No. 003 Rev A received by the local planning authority on 16 January 2025 and 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.