

Delegated Report

Planning Ref: 23/00788/HOU
Applicant: Chris Beards
Ward: Barwell



Hinckley & Bosworth
Borough Council

Site: 25 Bardon Road Barwell Leicestershire LE9 8FG

Proposal: Single storey rear to replace existing conservatory and store and alteration to the dwellinghouse

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 the construction of a single storey rear extension to replace existing conservatory and store and alteration to the dwellinghouse, 25 Bardon Road, Barwell.
- 2.2. The proposed single storey rear extension measures 4.75 metres from the main rear elevation to a width of 5.59 metres, leaving a space of 2.44 metres from the extension to the north east boundary and 0.42 metres to the south west boundary. It has a flat roof with lantern to the height of 3.7 metres and eaves of 3.137 metres. The extension creates a kitchen/dinning, internal alteration and move existing window to the north elevation of the dwellinghouse.
- 2.3. Proposed external materials include composite cladding to insulated timber frame wall, rubberised membrane over flat roof and uPVC double glazed door.
- 2.4. Advice from LCC Highway Authority on the dropped kerb resulted to the applicant amending the application to remove the dropped kerb application.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located in the settlement boundary of Barwell and forms part of two storey semi-detached houses along Bardon Road. It is set back from the public highway. The surrounding dwellings are similar in height, design and they are built with a mix of render, brick work, hipped roofs with tiles and uPVC windows and doors. The dwelling is not listed or within a conservation area. The rear of the dwelling currently has a conservatory and a store which are demolished to make way for the proposed rear extension. The dwelling has a hardstanding front driveway and fairly long amenity space to the rear.

4. Relevant planning history

None relevant

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. No objection has been received from Barwell Parish Council.
- 6.2. LCC Highway Authority has no comment as the proposal has no material impact on the public highway.

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 (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) (2021)
 - 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. Notwithstanding the settlement boundary, extensions and alterations to existing domestic properties 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 and surrounding countryside
 - 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.
- 8.3 The proposed extension is designed to be clearly subordinate the host dwelling. It is to the rear and not viewable from the street scene. It has appropriate dimensions of 4.75 metres from the main rear elevation to a width of 5.59 metres, leaving a space of 2.44 metres from the extension to the north east boundary and 0.42 metres to the south west boundary. It has a flat roof with roof lantern to a height of 3.7 metres and eaves of 3.1 metres. Flat roofs are not in character with the existing dwelling, however it is located to the rear and in this instance is not harmful to the character of the area. It is constructed with composite cladding to insulated timber frame wall, rubberised membrane over flat roof and uPVC double glazed door, and these are not harmful to the street character. Alterations relating to the movement of the window to the side elevation of the existing dwelling do not affect the character of the area. Alteration to windows in this case does not require planning permission.

- 8.4 By virtue of its siting, single storey scale, sympathetic design and detailing, it is considered that the extension remains subordinate to the main dwellinghouse and therefore respects and complements the scale, character and appearance of the dwelling. This does not result in a significant adverse visual impact on the appearance. The proposal is therefore considered to be in accordance with Policy DM10 of the adopted SADMP and acceptable in terms of the general principles of the adopted Good Design Guide in this case.

Impact upon neighbouring residential amenity

- 8.5 Policy DM10 of the adopted SADMP requires 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 proposed single storey rear extension follows the footprint of existing conservatory and store and extends further to the rear of the property. The highest part of the extension is below the first floor windowsill and similar in height to the extension at 23 Bardon Road, Barwell. There is no window to the side facing elevation. A 2 metre high fence separate the gardens of 23 and 25 Bardon Road. The extension is 0.42 metres to the south west boundary and the existing extension at 23 Bardon Road is also set away from the boundary fence, reducing any detrimental effect at the rear of the property. The properties have long gardens to the rear and there is no impact on existing amenity space or any overdevelopment. The proposed extension is longer than the existing extension at 23 Bardon Road, however due to their single storey scale and separation distance from the boundary, there is no breach of 45 degree rule.
- 8.7 By virtue of its single storey scale, siting to the rear with considerable space from the extension to the side boundary, appropriate height, the proposed extension does not result in any adverse impacts on the residential amenity or privacy of the neighbouring occupiers. It is therefore considered that the proposal does not result in a significant adverse impact on the residential amenity or privacy of the neighbouring occupiers and therefore in accordance with Policy DM10 of the adopted SADMP. No objections to the proposals have been received from any neighbouring properties.

Impact upon parking provision

- 8.8 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.9 The proposal does not result in the provision of additional bedroom. The existing parking arrangements are not affected and therefore the proposal is in accordance with Policy DM18 of the adopted SADMP and the local highway authority design guidance 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 proposal is an extension and alteration to an existing dwelling within a residential curtilage and therefore there is a general presumption in favour of sustainable development as set out in Policies 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 corresponding and sympathetic external materials to ensure a unified and appropriate appearance, it is considered that the proposal respects and complements the scale, character and appearance of the existing dwellinghouse and does not result in any significant adverse visual impacts on the appearance and character of the surrounding area. There is no significant impact on residential amenity or privacy of the occupiers of any neighbouring dwellings. Adequate levels of parking are provided to serve the dwelling. The proposal is therefore in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP, the general principles of the adopted Good Design Guide and the local highway authority 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 (Drawing Number:0289-A-GA-001) and Block Plan (Drawing Number: 0289-A-GA-003-A) received on 14/05/2023, Proposed Plan (Drawing Number: 0289-A-GA-006) and Proposed Elevation (Drawing Number: 0289-L-GA-007) received by the local planning authority on 10/08/2023.

Reason: To ensure a satisfactory form of development in accordance with Policies DM4 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 on the approved plans and elevation.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM4 and 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.