

Delegated Report

Planning Ref: 23/00307/HOU
Applicant: Eleanor Bradley
Ward: Burbage Sketchley & Stretton



Hinckley & Bosworth
Borough Council

Site: 4 Manor Way Burbage Leicestershire

Proposal: Two storey side and single storey front and rear extensions

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 two storey side and single storey front and rear extensions. The proposed two storey side extension would replace an existing flat roof garage and extend 2 metres forward of the main front elevation with a width of 3.2 metres and to a depth of 7.7 metres to be flush with the main rear elevation. The proposed single storey front extension would extend 2 metres forward of the main front elevation at a width of 5.7 metres. The proposed single storey rear extension would extend to a depth of 3.6 metres from the main rear elevation with a width of 11 metres across almost the full width of the resulting dwelling.

2.2. The proposed two storey side extension would have matching eaves and ridge heights and side gable roof form as the existing dwelling and a forward projecting dual pitched roof with matching eaves and subordinate ridge forming a front gable. The proposed single storey front extension would have a flat roof design of 3.1 metres in height that would also extend across the ground floor of the proposed side extension. The proposed single storey rear extension would also have a flat roof design to a height of 3 metres. The application proposes the use of matching corresponding external materials to those of the existing dwelling including red facing bricks and vertical timber cladding to walls together with the introduction of white render to the walls of the contemporary styled single storey front and rear extensions, matching roof tiles and grey uPVC/aluminium windows/doors throughout.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the settlement boundary of Burbage on a residential estate and within a staggered row of similarly styled and designed dwellings. It is a detached two storey house with gable sided main roof form, a flat roof garage attached to its left side elevation and a linked flat roof open porch that wrap around the front elevation. The dwelling is constructed with red multi rough faced bricks, horizontal timber clad panel to part of the front elevation, flat grey concrete roof tiles and white uPVC windows. In addition to the garage, the 8 metres long double width tarmac driveway provides two additional off-street parking spaces. The rear garden is enclosed by 2 metres high close boarded timber fencing.

4. Relevant planning history

None.

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. One response has been received as a result of public consultation that supports the good design which is in line with other extensions in the area.

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) (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. 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).
- 8.3. In respect of side/front extensions the Council's adopted Good Design Guide states:
'Two storey side extensions should appear smaller in scale and massing in order to be subordinate to the main dwelling. Any proposal for a two storey side extension

should be set down from the ridge of the existing house and set back from the front elevation.' and,

'Two-storey extensions to the front of properties should take the form of the existing building, mirroring the roof pitch, replicate or have lower eaves height and the ridge should be below the existing ridge height. In addition, the proposal should not normally extend beyond the front elevation by more than 2 metres and not cover more than 50% of the front elevation.'

- 8.4 The proposed two storey side extension would not be set back from the front elevation or be subordinate in height but would have the same 5 metres eaves height and 6.8 metres ridge height as the existing dwelling and therefore would conflict with the adopted design guide. However, a set-back/subordinate height is not considered to be critical in this particular case as, by virtue of the staggered relative building lines of the dwellings, the proposals would have no potential terracing effect and the detached character of the dwellings would be maintained. Instead, the proposed side extension would extend forward of the main front elevation, but only by 2 metres, and with a matching eaves height and a subordinate front gable and a clearly subordinate width of just 3.2 metres to the existing 11.5 metres wide existing dwelling. This would not be unacceptable in respect of the adopted design guide for front extensions and forward projecting gables are a common feature within the wider street scene.
- 8.5 The proposed single storey front extension would also extend just 2 metres forward of the main front elevation in line with the adopted design guide. The 3.1 metres high flat roof design of the single storey front extension would not be uncharacteristic of the existing dwelling or wider street scene where flat roof elements are a common feature. Together, the side and front extensions would extend 8.6 metres in total width, over half that of the existing dwelling. Notwithstanding this, by virtue of the relative scales, part flat roof contemporary design and the proposed use of both matching and complementary external materials including red multi rough faced bricks, white render and vertical timber cladding and new and replacement grey uPVC/aluminium windows/doors throughout, it is considered that the proposals would be well integrated with the existing dwelling, would enhance its overall design, character and appearance by providing additional interest to the design and would result in a better overall balance to the front elevation.
- 8.6 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.' and also that,
'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.'
- 8.7 By virtue of its single storey scale, appropriate subordinate depth of 3.6 metres and its flat roof height of 3 metres, notwithstanding its almost full 11 metres width, the proposed rear extension would appear as a clearly subordinate addition to the existing dwelling. Notwithstanding its flat roof design, this is a feature of the existing dwelling and surrounding area and in any case, by virtue of its siting entirely to the rear where it would be screened from any public views, its more contemporary design would not be unacceptable or have any significant adverse visual impact on the application dwelling or any street scene in this urban setting. The proposed use

of complementary white render, matching vertical timber cladding and new grey uPVC/aluminium windows/doors in its construction together with appropriately proportioned fenestration would ensure a satisfactory and integrated design and appearance.

- 8.8 Notwithstanding the degree of conflict identified with the adopted Good Design Guide, by virtue of their siting, scale, design and proposed use of matching corresponding and complementary external materials in their construction to ensure a satisfactory and unified appearance, it is considered that the proposals would nevertheless respect, enhance and complement the scale, detached character and appearance of the existing dwelling and the wider street scene in this case and whilst extensive would not be out of scale with the substantial plot. The proposals are therefore considered to be in accordance with Policy DM10 of the adopted SADMP and the general overall principles of the adopted Good Design Guide. A letter of support for the design has also been received as a result of public consultation.

Impact upon neighbouring residential amenity

- 8.9 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.

- 8.10 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.'

- 8.11 The adjacent dwelling to the northwest (No. 6) is a similarly designed and styled two storey detached house that is set almost completely forward of the application dwelling and on a slightly lower ground level. It has a blank near side elevation facing the application site. It has a single storey conservatory with lean-to roof and approximately 2 metres depth across a majority of its rear elevation. The proposed two storey side extension would extend 3 metres in width to within 1 metre of the side boundary and 2 metres from the side elevation of No. 6. It would extend approximately 5 metres beyond the first floor rear elevation of No. 6 but at a separation distance of approximately 4.5 metres to the centre of the nearest bedroom window and therefore would extend approximately 0.5 metres at two storey height beyond a 45 degree line drawn from that window. It would also extend 3.6 metres further to the rear at single storey height, but by virtue of the existing lean-to conservatory attached to the rear of No. 6, the proposal would not extend to any significant degree beyond a 45 degree line drawn from the centre point of the glazed rear elevation of the conservatory. In addition, the single storey section would have a flat roof to a height of only 3 metres which would reduce any potential overbearing or overshadowing impacts. Whilst marginally exceeding a 45 degree line from the first floor bedroom window at two storey height, this would be at an offset of 4.5 metres from the window and therefore it is considered that the proposal would not result in any unacceptable loss of outlook or adverse overbearing impact over and above the existing situation created by the relative building lines of the respective dwellings. No objection to the proposal has been received from the neighbouring occupiers. There are no side elevation windows proposed that would

result in any significant loss of privacy to the neighbouring occupiers from potential overlooking.

- 8.12 The adjacent dwelling to the southeast (No. 2) is a similarly designed and styled two storey house that is set almost completely behind the application dwelling and on a slightly higher ground level. It has a blank near side elevation facing the application site other than an obscurely glazed door in the side elevation of the attached flat roof garage between. The proposed single storey rear extension would project no further to the rear than the neighbouring flat roof garage and therefore would not result in any adverse overbearing or overshadowing impacts or loss of privacy to the neighbouring occupiers of No. 2. There are no side elevation windows proposed that would result in any loss of privacy to the neighbouring occupiers from potential overlooking.
- 8.13 On balance, by virtue of the siting, scale, design and separation distances, it is considered that the proposed extensions and alterations would not result in any significant or unacceptable adverse overbearing or overshadowing impacts or loss of privacy to the occupiers of any neighbouring properties and would therefore be in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide. No objections to the proposals have been received from the occupiers of any neighbouring properties.

Impact upon parking provision

- 8.14 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.15 The site currently provides up to three off-street parking spaces to serve the existing three bedroomed dwelling in the (slightly undersized) garage and on the 8 metres long double width tarmac driveway.
- 8.16 The proposals would result in an additional fourth bedroom and the existing undersized garage being replaced by a new garage with an increased 7 metres length and the same 2.5 metres width. The proposed side/front extension would extend only very marginally further forward than the existing garage/canopy porch structure and therefore the additional two adequately sized off-street parking spaces on the tarmac driveway would also be retained.
- 8.17 The retained provision of three spaces would meet the local highway authority design guidance and is considered to be satisfactory to serve the resulting four bedroomed dwelling which is located in a highly sustainable urban location 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 their siting, scale, design and subject to the proposed use of matching corresponding and complementary external materials to ensure a satisfactory and unified appearance, it is considered that the proposals would respect and complement the scale, character and appearance of the existing dwelling and wider street scene. By virtue of their siting, scale, design and separation distances the proposals would not result in any significant adverse impacts upon the privacy or residential amenity of any neighbouring properties. The proposals would retain adequate private rear amenity space of 180 square metres and satisfactory off-street parking provision of three spaces to serve the resulting four bedroom dwelling in this sustainable urban setting. 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 and Proposed Block Plan Drawing No. 600-003 Rev A and Proposed Floor Plans and Elevations Drawing No. 600-002 Rev D received by the local planning authority on 3 April 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 materials details provided within the submitted Planning Application Form and as illustrated on the approved Proposed Elevations Drawing No. 600-002 Rev D received by the local planning authority on 3 April 2023 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 buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.