

Delegated Report

Planning Ref: 24/00047/HOU
Applicant: Mr & Mrs Luckman
Ward: Twycross Sheepy & Witherley



Hinckley & Bosworth
Borough Council

Site: 66 Main Road Sheepy Magna

Proposal: Single storey 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 application seeks planning permission for a single storey side extension at 66 Main Road, Sheepy Magna.
- 2.2. The proposal is such that the extension would project from the side (south) elevation of the dwelling by approximately 7.8 metres and be approximately 15.5 metres in length, projecting past the rear extension by approximately 3.7 metres. The proposal would have a pitched roof and be approximately 2.4 metres in height (eaves) and 4.8m at the ridge.
- 2.3. The proposal also includes the infilling of the existing undercroft parking area to create an internal garage. The existing internal garage will be turned into a gym, with the installation of windows and cladding.
- 2.4. The proposed materials would be black aluminium windows and doors, dark grey roof tiles, and a brickwork/stone/timber cladding and smooth white render external finish.

3. Description of the site and surrounding area

- 3.1. The application dwelling is a detached bungalow within the settlement boundary of Sheepy Magna. The dwelling is a mixture of brick and render finish with white uPVC windows and doors. There are mature trees to the front of the site, and the dwelling is set back by approximately 50m from Main Road.
- 3.2. Within the street scene there is a mixture of detached two storey dwellings and bungalows. Most of the dwellings are set back from the highway. Due to the varying styles and designs of the dwellings within the street scene there is no clearly defined character within the area. To the rear (west) of the dwelling is open countryside.

4. Relevant planning history

02/00593/FUL

- Erection of conservatory
- Permission
- 04.07.2002

86/00090/4

- Erection of one bungalow
- Permission

- 27.03.1986

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. No comments received.

6. Consultation

- 6.1. No Objections received from:
 - Sheepy Parish Council – Neutral:

Sheepy Parish Council has reviewed the above application-24/00047/HOU (66 Main Road Sheepy Magna - Single storey side extension), and it appears to be in line with the policies, which should be considered collectively, in the Sheepy Parish Neighbourhood Plan made May 2022.

However, Sheepy Parish Council notes that there appears to be a significant increase in footprint over the original dwelling and therefore requests that HBBC use its wider planning regulation knowledge, not necessarily known by Sheepy Parish Council when determining this application.

Furthermore, due to the close proximity of the proposed extension to the neighbouring property, 66a Main Road, Sheepy Parish Council request that Hinckley & Bosworth Borough Council gives consideration to ensure the application complies with the Neighbourhood Plan made May 2022, Policy S8 Design regarding any impact on neighbouring properties (S8-F) together with the design guidance in the Design Guide (Appendix 5). Also, we request that both HBBC and LCC Highways are satisfied with the potential reduction in parking area for three cars.

- LCC Highways

7. Policy

- 7.1. Sheepy Parish Neighbourhood Plan 2018-2036
 - Policy S8: Design
- 7.2. Site Allocations and Development Management Policies DPD (2016)
 - Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM10: Development and Design
- 7.3. National Planning Policies and Guidance
 - National Planning Policy Framework (NPPF) (2023)
 - Planning Practice Guidance (PPG)
- 7.4. Other relevant guidance
 - Good Design Guide (2020)

8. Appraisal

- 8.1. Key Issues
 - Design and impact upon the character of the area
 - Impact upon neighbouring residential amenity

- Highway impact
- Drainage

Design and impact upon the character of the area

- 8.2 Policy DM10 of the adopted SADMP seeks to ensure that development complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.3 Policy S8 of the SNP seeks to ensure that proposals demonstrably respond to the features of their setting, work with the scale, form and character of the location and make a positive contribution to the street scene.
- 8.4 The proposal would be set back from the highway by approximately 50 metres and there are intervening mature trees, a mature hedgerow, and neighbouring dwellings which screen views to the site from Main Road.
- 8.5 The proposed extension is subordinate to the main dwelling in terms of height and width, and there is adequate space within the plot to accommodate the extension without it appearing cramped and contrived. The pitched roof design follows the general form and character of the existing dwelling and is considered acceptable.
- 8.6 The proposed materials would provide a high quality and contemporary finish to the dwelling, making a positive contribution to the street scene.
- 8.7 Accordingly, the proposals are considered to be in keeping with the existing character of the dwelling and surroundings in accordance with Policy DM10 of the adopted SADMP and Policy S8 of the SNP.

Impact upon neighbouring residential amenity

- 8.8 Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings.
- 8.9 Policy S8 of the SNP states that development proposals should show appropriate regard for the amenities of neighbouring properties.
- 8.10 The neighbouring dwelling to the south, no. 66a Main Road, is set back from the dwelling by approximately 11 metres, and this would be reduced to approximately 3.3m including the proposed extension.
- 8.11 The proposed extension passes the 45-degree rule, and the only proposed window facing south is a letterbox which is conditioned to be obscurely glazed.
- 8.12 Due to the remaining separation distance, the single storey nature of the proposal, and its siting, it is considered that there would be no adverse impact on the residential amenities of the occupiers of the neighbouring dwelling in terms of loss of light, overlooking or overbearing nature.
- 8.13 Therefore, the proposals would have minimal impact on the amenity of the occupiers of the adjacent dwellings in accordance with Policy DM10 of the SADMP.

Highway Impact

- 8.14 Policy DM17 of the SADMP seeks to ensure new development would not have an adverse impact upon highway safety. All proposals for new development and changes of use should reflect the highway design standards that are set out in the most up to date guidance adopted by the relevant highway authority (currently this is the Leicestershire Highway Design Guide (LHDG)).

- 8.15 Policy DM18 of the SADMP seeks to ensure parking provision is appropriate to the type and location of the development. Developments within the town centre should demonstrate that they would not exacerbate existing problems in the vicinity with increased on-street parking. Policy DM10(g) states that where parking is to be provided, charging points for electric or low emission vehicles should be included, where feasible.
- 8.16 Whilst some of the proposed development footprint includes available hardstanding parking areas within the site, there is adequate resultant space for the minimum required off-street parking (3 spaces). The existing access arrangement is retained and is considered acceptable.
- 8.17 The proposal is therefore considered to be in accordance with Policy DM17 and DM18 of the SADMP.

Drainage

- 8.18 Policy DM7 of the SADMP seeks to prevent adverse flooding impacts.
- 8.19 Policy S6 of the SNP states that development should take full account of flood risk especially from rivers, groundwater and overland flow.
- 8.20 The site is within Flood Zone 1 and therefore is at a low risk of flooding. The application is for a minor development on a similar footprint to the existing dwelling. Therefore, this complies with the standing advice and therefore is in line with Policy DM7 of the SADMP.

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 located within the settlement boundary of Sheepy Magna and therefore there is a presumption in favour of sustainable development as set out in Policy DM1 and the wider policies of the NPPF.
- 10.2. The proposal would respect the scale and character of the existing dwelling and street scene, retain adequate private amenity within the curtilage, would not adversely affect the amenities of the occupiers of neighbouring properties and would not have an adverse impact in terms of flooding. The application is considered to be in accordance with Policies DM1, DM7 and DM10 of the SADMP and Policies D6 and S8 of the SNP 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 and Block Plan - Job No. 23/73, Drawing No. 06
received by the Local Planning Authority on 16th January 2024.

- Proposed Plans and Elevations – Job No. 23/73, Drawing No. 04D
received by the Local Planning Authority on 16th January 2024.

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) and Policy S8 of the Sheepy Parish Neighbourhood Plan.

3. The materials to be used on the external elevations of the proposed extension and alterations shall accord with the approved application form received by the Local Planning Authority on 16th January 2024.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and Policy S8 of the Sheepy Parish Neighbourhood Plan.

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.