

Delegated Report

Planning Ref: 25/00295/HOU

Applicant: Mr Burns

Ward: Groby



Hinckley & Bosworth
Borough Council

Site: 121 Leicester Road, Groby

Proposal: Single storey 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 the construction of a single storey extension to the rear of the existing dwelling at 121 Leicester Road, Groby.
- 2.2. The proposal involves the demolition of most of the existing single storey rear addition but will retain its existing eastern wall. The proposed rear extension involves the extension and increase in height to that remaining wall.
- 2.3. The proposed single storey rear extension would extend 4 metres from the original rear elevation of the dwelling for a width of 6 metres. The proposal is 1.3 metres deeper and 2.8 metres wider than the current rear extension which it will replace.
- 2.4. The proposed rear extension would have a flat roof form with a projecting roof lantern. The height to the flat roof would be 3.31 metres and to the ridge of the roof lantern would be 3.6 metres.
- 2.5. The proposed rear extension would be set in from the western side wall of the original dwelling, and therefore to the shared boundary with 119 Leicester Road, by 0.65 metres.
- 2.6. The proposed extensions are to be constructed in red brick with white uPVC windows and doors, to match the existing.

3. Description of the site and surrounding area

- 3.1. The application site is located in a residential area within the settlement boundary of Groby. The site contains a dwelling with parking at the front and a detached garden room to the rear.
- 3.2. The application dwelling is a two storey detached dwelling with a single storey rear addition. The dwelling has a hipped main roof form and a two-storey front gable projection alongside a single storey glazed front lean-to entrance. It is constructed of red brick with a grey slate roof and white uPVC windows and doors.
- 3.3. The application site is accessed from Leicester Road which is an adopted and classified C-road with a speed limit of 30mph. There is a hard surfaced area to the front of the dwelling used for car parking.
- 3.4. The surrounding area predominantly comprises two storey semi-detached dwellings of similar scale and comparable design to the application site, excluding an area of more recent development comprising two storey semi-detached and terraced dwellings to the north.

4. Relevant planning history

- **23/00222/HOU**
- Single storey rear extension and erection of detached garden room and store at the rear of the garden
- Planning Permission
- 02.05.2023

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. No responses have been received.

6. Consultation

- 6.1. Groby Parish Council have no objections.

7. Policy

- 7.1. Core Strategy (2009)
 - No relevant policies
- 7.2. Site Allocations and Development Management Policies (SADMP) (2016)
 - Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM10: Development and Design
 - Policy DM18: Vehicle Parking Standards
- 7.3. National Planning Policies and Guidance
 - National Planning Policy Framework (NPPF) (2024)
 - Planning Practice Guidance (PPG)
- 7.4. Other relevant guidance
 - Good Design Guide (2020)
 - National Design Guide (2019)
 - Leicestershire Highway Design Guide (LHDG) (2024)

8. Appraisal

- 8.1. Extensions and alterations to existing dwellings within 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. Section 12 of the NPPF confirms that good design is a key aspect of sustainable development, and the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 135 of the NPPF details the six national policy requirements of development to ensure the creation of well-designed and beautiful places.
- 8.3. Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and

government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

- 8.4 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.
- 8.5 The Council's adopted Good Design Guide provides further advice on the siting and design of dwelling extensions. The Good Design Guide states that rear extensions should be designed so as to appear subordinate to the main dwelling. Furthermore, it seeks that rear extensions be of appropriate height, width, depth and detailing to complement the original dwelling.
- 8.6 The proposed single storey rear extension would extend 4 metres from the rear elevation of the original dwelling and would have a width of 6 metres. It would be set in 0.65 metres from the western side boundary shared with 119 Leicester Road. It would have a flat roof form with a central roof lantern.
- 8.7 The rear extension would retain the existing eastern wall of the current rear extension and therefore maintain the same eastern projection. It would be constructed in red brick to match the brickwork of the existing dwelling and have white uPVC windows and doors to match the existing.
- 8.8 By virtue of its siting and retention of the existing eastern wall, the proposed rear extension would not be readily visible from public views. The proposed single storey scale appears evidently subordinate to the original dwelling and its presentation would be consistent with the original dwelling by way of the matching materials proposed.
- 8.9 The size, scale and volume of the proposed extensions are considered appropriate and are evidently subordinate to the original dwelling. The scheme utilises materials and details matching or complementary to the existing dwelling. The proposal therefore is considered to reflect the character of the existing dwelling and the surrounding area in accordance with the Good Design Guide and Policy DM10 of the SADMP.

Impact upon neighbouring residential amenity

- 8.10 Policy DM10 of the adopted SADMP states that development will be permitted provided that it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting and noise and that the amenity of occupiers would not be adversely affected by activities within the vicinity of the site.
- 8.11 The Council's Good Design Guide requires the way buildings relate to each other, and their orientation and separation distances, to provide and protect acceptable levels of amenity.
- 8.12 The Good Design Guide recommends that the separation distance between two principal windows to habitable rooms should be a minimum of 21 metres. The exception to this is where amenity and overlooking are dealt with by good design. Notwithstanding this, every application is to be assessed on its own merits depending on the individual characteristics of the site such as orientation, ground levels, window positions, garden size, and shape.
- 8.13 The proposed rear extension has windows on the rear elevation only. The rear elevation windows are separated from windows on dwellings along Highway Close to the north by over 21 metres.

- 8.14 The Good Design Guide applies a 45-degree rule to new extensions to existing properties which could result in the outlook from or daylight to a principal window of a habitable room being impacted upon. The 45-degree line is measured from the nearest principal window to a habitable room on a neighbouring dwelling that may be impacted by the proposal. The Good Design Guide states that an extension should not cross the 45-degree line.
- 8.15 The nearest habitable room window on the dwelling at 119 Leicester Road is relatively close to the shared boundary, given the layout of the dwellings, and therefore the proposed rear extension would cross the resulting 45-degree line. Notwithstanding this, the encroachment is limited to 0.8 metres in visible wall length.
- 8.16 The potential impact of the encroachment has been considered against potential development that could be undertaken along this boundary under Permitted Development rights. At the time of writing, a 2 metre fence and 3 metre deep and 3 metre high rear extension could be constructed directly on the shared boundary. Compared to this, the proposed rear extension is sited 0.65 metres from the shared boundary and represents only 0.31 square metres more wall area.
- 8.17 It is noted that under previous planning permission 23/00222/HOU on this site, the level of encroachment within the 45-degree line was greater as the proposal extended to the boundary. That permission was assessed under the same iteration of the Good Design Guide, and it was determined by the Planning Officer not to have a significant adverse or overbearing impact upon 119 Leicester Road. No objection has been received from 119 Leicester Road to either proposal.
- 8.18 It is therefore considered that despite the minor encroachment into the 45-degree line, the proposal would not have an unreasonable impact upon the outlook from or daylight to the principal window to the habitable room of the neighbouring dwelling when considered in context.
- 8.19 The Good Design Guide seeks that dwellings of three or more bedrooms provide a minimum of 80 square metres of outdoor amenity space with a minimum length of 7 metres.
- 8.20 The proposed extensions would not reduce the outdoor amenity space located to the rear of the existing dwelling below the area and dimensions required by the Good Design Guide.
- 8.21 By virtue of these factors the proposal is not considered to result in any significant harm to the residential amenity of neighbours in accordance with the Good Design Guide and Policy DM10 of the SADMP.

Impact upon parking provision

- 8.22 Policy DM18 of the adopted SADMP requires that developments demonstrate an adequate level of off-street parking. The relevant parking provision standards are set by the Leicestershire Highways Design Guide (LHDG) (2024) which bases car parking requirements on the number of bedrooms associated with a proposal.
- 8.23 The proposal does not result in the creation of any additional bedrooms. The existing provision of two off-street car parking spaces forward of the dwelling would be unimpacted by the proposed rear extension.
- 8.24 The proposal is therefore considered to be in accordance with Policy DM18 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 considered to be acceptable when assessed against the overarching principles of the NPPF, policies DM1, DM10 and DM18 of the SADMP, and the guidance of the Good Design Guide. It is therefore recommended that planning permission be granted, subject to the imposition of appropriate 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 Proposed Block Plan 2501-04-001 A
 - Proposed Ground Floor Plan 2501-04-004
 - Proposed Elevations 2501-04-005All submitted 30 March 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 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.