

Delegated Report

Planning Ref: 24/00539/HOU
Applicant: Susan Turner
Ward: Ambien



Hinckley & Bosworth
Borough Council

Site: 10 Greenwood Road Stoke Golding Leicestershire

Proposal: Single storey extensions to the rear and front elevations, relocation of front door to side and part demolition/part conversion of garage to utility room/outbuilding

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 single storey rear and front extensions to a bungalow, the re-location of the front door to the side and the part demolition/part conversion of the garage into a utility room/outbuilding at 10 Greenwood Road, Stoke Golding.
- 2.2. The amended proposed single storey rear extension would extend for a depth of 4 metres from the main rear elevation just inside the common side boundary and for the full 7.3 metres width of the rear elevation. It would have a pitched roof forming twin gables to the rear elevation with a central valley gutter and with matching eaves height as the main roof and subordinate ridge heights of 3.64 metres. It would replace an existing shallow depth flat roofed white uPVC conservatory. The amended proposed front extension would extend 1.4 metres forward and for a width of approximately 3.7 metres. It would have a hipped pitched roof with matching eaves height as the main roof and subordinate ridge height of approximately 3.7 metres. The proposals include the re-location of the front door to the side elevation along with associated internal layout reconfiguration. The existing garage would be part demolished to retain external pedestrian access to the rear garden and the remainder converted to a utility room/outbuilding. The use of off-white/light grey render is proposed to the external walls along with matching red/brown concrete interlocking roof tiles and uPVC windows.
- 2.3. Amended plans have been submitted during the course of the application to remove the originally proposed side extension from the scheme and to reduce the depth of the proposed rear extension. Re-consultation on the amended plans has been undertaken with both immediate neighbours.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of Stoke Golding on a residential estate. It is a semi-detached bungalow with a hipped roof form, front bay window and central (shared) brick chimney stack. It has a shallow depth flat roof white uPVC conservatory attached to its rear elevation and a detached brick and tile garage with dual pitched gable fronted roof form set back to the side and rear of the dwelling. The bungalow and garage are constructed of dark red/brown facing bricks, red/brown concrete interlocking roof tiles and white uPVC windows. In addition to the garage and side driveway the 12 metres deep site frontage which has a concrete block paved driveway and loose stone hard surfacing provides a further four off-street parking spaces. The rear garden is enclosed by 2 metres high close boarded timber fencing.

- 3.2. The application dwelling lies within a row of six similarly designed semi-detached hipped roof bungalows of varying red brick and render appearance. One of which (No. 4) has a similar hipped roof front extension to that being proposed and most have some form of extension to their rear elevations.

4. Relevant planning history

None.

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. One neighbour response has been received as a result of public consultation objecting to the original proposals on the following grounds:
- 1) Increase in footprint seems disproportionate/not subordinate to scale/character of the original dwelling and neighbouring property impacting on amenity
 - 2) Overbearing impact on outlook from windows (contravenes 45 degree rule) and rear garden due to depth and proximity to boundary of the rear extension
 - 3) Reduction in respect of access for building works/maintenance
 - 4) Potential encroachment and or damage to neighbouring property due to proximity to boundary.

6. Consultation

- 6.1. No response has been received from Stoke Golding Parish Council.

7. Policy

- 7.1. Stoke Golding Neighbourhood Plan (SGNP) 2020-2039 (review 2024)
- Policy SG15: Design
- 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) (2023)
 - 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 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 SG15 of the 'made' SGNP requires development to be in keeping with the scale, form and character of its surroundings. 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.
- 8.3 One response has been received as a result of public consultation objecting to the proposals on the grounds that the increase in footprint seems disproportionate/not subordinate to the scale and character of the original dwelling.
- 8.4 The Council's adopted Good Design Guide provides advice in respect of the siting and design 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.'*
- 8.5 The amended proposal has significantly reduced the overall footprint of the originally proposed extensions. The amended proposed single storey rear extension would extend for an appropriate depth of 4 metres from the main rear elevation just inside the common side boundary and for the full 7.3 metres width of the rear elevation to be flush with the side elevation. It would have an appropriate pitched roof forming twin gables to the rear elevation with vaulted ceiling and a central valley gutter and with matching eaves height as the main roof and clearly subordinate ridge heights of 3.64 metres. By virtue of its siting to the rear within a well enclosed rear garden, single storey scale, footprint and appropriate roof design, the proposal would appear as a clearly subordinate addition to the existing dwelling and would not be visually prominent within any street scene or the surrounding area.
- 8.6 The amended proposed front extension would extend only 1.4 metres forward in depth and for a width of only 3.7 metres with a hipped pitched roof with matching eaves height as the main roof and a clearly subordinate ridge height of approximately 3.7 metres. By virtue of its relatively small scale and subordinate height the proposed front extension would appear as a clearly subordinate addition to the existing dwelling and as a similar design feature as the existing hipped roof front extension to a nearby bungalow (No. 4). The proposed internal layout alterations and re-location of the front door to the side elevation would also be characteristic of external alterations already undertaken to both the neighbouring bungalow (No. 12) and also the nearby bungalow (No. 4). By virtue of its position set back to the side and rear of the dwelling and within a well enclosed rear garden, the proposed part demolition/part conversion of the garage to a utility room/outbuilding would have no adverse impacts on the existing dwelling or surrounding area.
- 8.7 Notwithstanding the objection received, by virtue of their siting, scale, design and subject to the proposed use of complementary render to external walls and matching roof and window materials to ensure a satisfactory appearance, the reduced amended proposals are considered to respect and complement the scale, character and appearance of the existing dwelling and surrounding area and therefore be in accordance with Policy SG15 of the 'made' SGNP, Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 8.8 Policy SG15 of the 'made' SGNP requires development not to adversely affect the amenities of local residents, including loss of daylight/sunlight, privacy, air quality, noise and light pollution. 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. 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.'*
- 8.9 One response has been received as a result of public consultation objecting to the original proposals on the grounds that by virtue of the depth and proximity to the boundary of the proposed rear extension it would exceed the 45 degree rule and result in an overbearing impact on outlook from the neighbouring windows and rear garden.
- 8.10 The adjoining semi-detached hipped roof bungalow (No. 8) to the south has the same original rear elevation building line as the application dwelling. It has a glazed white uPVC conservatory that extends across a majority of its rear elevation at a depth of approximately 2.5 metres and it is set within the common side boundary with the application bungalow by approximately 0.5 metre. The amended proposed rear extension would extend for 4 metres in depth just inside the common side boundary. Notwithstanding the objection received, by virtue the centre-point of the fully glazed rear elevation of the neighbouring conservatory being set well in from the side boundary, the proposal would not extend beyond a 45 degree line drawn from that point and the proposal is only single storey in scale and to the north of the conservatory. By virtue of its relative siting, scale and design it is considered that the proposal would not result in any significant adverse overbearing or overshadowing impacts on the residential amenity of the occupiers of No. 8 and there are no south side elevation windows proposed that would result in any loss of privacy from direct overlooking to No. 8, the only opening being a high level rooflight.
- 8.11 The neighbouring dwelling to the north (No. 12) is a semi-detached hipped roof bungalow set off the near side boundary by approximately 2 metres similar to the application dwelling and there are two driveways running between. It has a white uPVC conservatory attached to its rear elevation and a side main entrance door and three windows, one small and one high level, within its near side elevation facing the application dwelling. By virtue of the modest depths, clearly subordinate single storey scale and heights of the proposed extensions together with the 4 metres separation distance to the side elevation of No. 12 it is considered that the proposed extensions would not result in any significant adverse overbearing or overshadowing impacts on the near side elevation windows or the residential amenity of the occupiers of No. 12. The only openings facing No. 12 would be the re-located front door which would face that of No. 12, an obscure glazed bathroom window and two high level roof lights, an existing side bedroom window is proposed to be bricked up. In any case, these would be only at ground floor level and separated by a solid 1.8 metres high close boarded timber fence that extends along the side boundary between the dwellings and protects the privacy and amenity of

the respective occupiers from any potential significant loss of privacy from direct overlooking.

- 8.12 One response has been received as a result of public consultation objecting to the proposals on the grounds that by virtue of its proximity to the boundary the proposed rear extension would reduce space for access for building works/maintenance and result in potential encroachment and/or damage to neighbouring property for foundations construction. Notwithstanding this objection, it is not unusual for construction works to be undertaken on or close to legal boundaries and these are civil matters between the respective landowners rather than material planning considerations as to the acceptability of the proposals in planning terms. Legislation exists in the form of the Party Wall etc. Act 1996 to address issues of access to carry out building and maintenance works. The grant of planning permission would not override legal ownership of any neighbouring land. In this case the extension has been set in from the boundary by 0.1 metre to allow for guttering with no overhang and foundation options include those that can be designed/constructed without encroachment.
- 8.13 Notwithstanding the objection received, by virtue of the siting, scale, design, screening and separation distances, it is considered that the amended proposals would not result in any significant adverse impacts on the residential amenity or privacy of any neighbouring properties. The amended proposals are therefore considered to be in accordance with Policy SG15 of the 'made' SGNP, Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.

Impact upon parking provision

- 8.14 Policy SG15 of the 'made' SGNP seeks to ensure that development is in keeping with the character of its surroundings and ensure parking is integrated so that it does not dominate the street. Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design. The Council's adopted Good Design Guide states:
- 'Front extensions should not result in the loss of existing parking spaces where it would impact on the street scene and car parking provision.'*
- 8.15 The proposal would not result in the creation of any additional bedrooms but would result in the loss of the existing garage. Notwithstanding that the proposed front extension would also reduce part of the depth of the frontage by 1.4 metres, sufficient space would remain for the provision of at least three off-street parking spaces of 2.5 metres width x 5.5 metres length. This level of provision would remain adequate to serve the existing/resulting two bedroomed bungalow. Notwithstanding that Policy SG15 of the 'made' SGNP seeks to avoid the domination of cars within the street scene and the adopted Good Design Guide states that *'Where hardstanding is proposed at the front of a property, this should not constitute more than 50% of the total area.'* the wide area of hard standing for parking within the frontage is an existing situation and approximately 1/3 of the frontage would remain with soft landscaping and therefore the proposal is not considered to be unacceptable on such grounds and would not be significantly out of character with neighbouring development. It is therefore considered that the proposals would be in general accordance with Policy SG15 of the 'made' SGNP, Policy DM18 of the adopted SADMP, the Council's adopted Good Design Guide and the local highway authority design guidance standards for a two bedroomed dwelling.

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 extensions and alterations to an existing dwelling within the settlement boundary of Stoke Golding 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 the objection received, by virtue of their siting, scale, design, appearance, screening and separation distances, it is considered that the amended proposals would respect and complement the scale, character and appearance of the existing dwelling and the surrounding area and would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. Adequate existing off-street parking spaces for three vehicles and private rear amenity space of over 80 square metres would be retained to serve the resulting two bedroomed bungalow. The proposals are therefore considered to be in accordance with Policy SG15 of the 'made' SGNP, Policies DM1, DM10 and DM18 of the adopted SADMP and the general principles of the Council's adopted Good 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 No. TQRQM24149084431069 received by the local planning authority on 28 May 2024, amended Proposed Block Plan No. TQRQM24149083421409 received by the local planning authority on 12 July 2024 and amended Proposed Floor Plan, Roof Plan and Elevations Drawing Sheet 1 of 1 Revision 02 received by the local planning authority on 23 July 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).

3. The materials to be used on the external elevations of the proposed extensions and alterations shall be in accordance with the external materials details provided within the submitted Planning Application Form and shall match the corresponding materials of the existing dwelling where stated.

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.