

Delegated Report

Planning Ref: 24/00013/HOU
Applicant: Mrs Helen West
Ward: Barwell



Hinckley & Bosworth
Borough Council

Site: 22 Peckleton Green Barwell Leicester Leicestershire LE9 8LD

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 full planning permission for a single storey rear extension, following the demolition of existing rear conservatory to a dwelling, 22 Peckleton Green, Barwell.

2.2. The proposed extension extends 3.37 metres in depth from the rear elevation with a width of 4.7 metres. It has a mono pitched roof with rooflights. The eaves height is 2.5 metres and a ridge height of 3.7 metres. The extension creates a new dining/kitchen area. Matching corresponding external materials as existing are proposed in its construction.

3. Description of the site and surrounding area

3.1. The application dwelling is a two storey detached property located in a residential urban settlement of Barwell, adjacent to similarly designed two storey detached properties. It is brick built, attached two storey side extension, front canopy, front driveway, dual pitched roof and white uPVC windows.

3.2. The surrounding properties are of similar scale and design. The dwelling is not listed and not within a conservation area.

4. Relevant planning history

17/01287/HOU – Two storey side extension – Planning Permission – 05.02.2018.

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. Barwell Parish Council has no objection to the application.

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 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 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. The Council's adopted Good Design Guide provides further advice in respect of the siting and design of house extensions and states that:

'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.'

8.3. The proposal measures 3.37 metres in depth from the rear elevation with a width of 4.7 metres. It has a mono pitched roof with rooflights. The eaves height is 2.5 metres with a maximum height of 3.7 metres. The proposed rear extension is higher than the existing conservatory. The extension is clearly subordinate to the existing dwelling. The extension creates a new dining/kitchen area and uses matching corresponding external materials in its construction.

8.4. By virtue of its position to the rear and single storey scale, and use of matching materials, the proposal does not result in any significant adverse visual impacts on the existing dwelling or wider street scene. The proposal is considered to be acceptable in design terms and respect the scale, character of the existing dwelling and surrounding area and is therefore in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.

Impact upon neighbouring residential amenity

8.5. Policy DM10 of the adopted SADMP and the adopted Good 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 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.'

- 8.6 The proposed extension replaces an existing conservatory of similar scale. The extension is just set in from the south boundary of the site. It is approximately 1.5 metres from 20 Peckleton Green. The eaves height of the conservatory is retained, the maximum height is increased, and this does not significantly impact on the main dwelling or on the surrounding properties. As a result of the separation distance and appropriate dimensions of the extension, there is no overbearing impact on the adjoining property. There are no side elevation windows proposed that cause any loss of privacy to the neighbouring occupiers. The boundary fence separates the gardens of the neighbouring properties.
- 8.7 By virtue of appropriate width, depth and height, siting, single storey scale, design, separation distances, it is considered that the proposal does not result in any significant adverse impacts on the residential amenity or privacy of any neighbouring properties and that it is therefore be in accordance with Policy DM10 of the adopted SADMP. No objections have been received from any neighbouring properties.

Impact upon highway safety

- 8.8 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.9 The dwelling currently has a car port and a front driveway. The proposal has no impact on existing parking spaces and does not increase the number of bedrooms. The application dwelling 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 existing provision would be unaffected and therefore would remain in accordance with Policy DM18 of the adopted 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 The equality implications arising from this application relate to the protected characteristics of a family member of the applicant who has health impairment, and the accommodation needs of the occupiers have been taken into consideration in

the assessment of this application in relation to Policy DM10 of the adopted SADMP and the design guidance within the National Planning Policy Framework (2021).

- 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 for an extension and alteration to an existing dwelling within the urban settlement boundary of Barwell 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 appropriate width, depth and height, siting, single storey scale, design, separation distances, and subject to the proposed use of matching external materials, the proposal is considered to respect and complement the scale, character and appearance of the existing dwelling and does not result in any significant adverse visual impacts on the dwelling or wider street scene or the residential amenity or privacy of any neighbouring properties. Adequate private amenity space and off-street parking spaces is retained to serve the dwelling. The proposal is considered to be in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP and the general principles of the adopted Good Design Guide 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 Plan, Block Plan, Proposed Floor Plan and Elevations Drawing Ref: Planning, received by the local planning authority on 05 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).

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 buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.