

Delegated Report

Planning Ref: 23/00451/HOU

Applicant: Neil Emery

Ward: Newbold Verdon with Desford & Peckleton

Site: Dumble Dykes Station Road Desford Leicestershire



Hinckley & Bosworth
Borough Council

Proposal: Single storey and two-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 part two storey and part single storey rear extension and other alterations to a dwelling, Dumble Dykes, Station Road, Desford.

2.2. The proposal would extend to a depth of 3.6 metres from the existing rear elevation and across the full 13.1 metres width of the dwelling, 8.7 metres in width at two storey height and the remaining 4.4 metres in width at single storey height. The proposed two storey extension would have double apex twin gables to its rear elevation with matching 5.2 metres eaves height and 7.36 metres ridge height as the existing main roof and Juliette balconies to first floor sliding doors/windows with glazed balustrade screens. The proposed single storey extension would have a flat roof form with parapet wall to a height of 3.2 metres with a first floor balcony above enclosed by glazed balustrade screens. An additional glazed box bay window would extend at ground floor by a further 1.1 metres for a width of 2.5 metres.

2.3. Matching red facing bricks and roof tiles are proposed in the construction along with replacement black uPVC windows and black aluminium doors throughout to reflect the more contemporary design of the proposed extension. The proposals include the reconstruction of the existing front dormer window and the use of render to the central section of the front elevation to provide a visual break between the two existing noticeably different brick shades and the use of matching render to the reconstructed front dormer window. Alterations to fenestration to the side and rear elevations are also proposed.

2.4. An amended proposed elevations drawing has been submitted to extend the 1.7 metres height of the side balcony screen. No re-consultation has been undertaken given the nature of the amendment and lack of objections received.

2.5. An Arboricultural Survey and Impact Assessment and Design and Access Statement have been submitted to support the application.

3. Description of the site and surrounding area

3.1. The application dwelling is located in the countryside to the northeast of Desford. It is a two storey detached house with dual pitched gable sided main roof form. It has two storey bay windows to the front elevation, a central section with extensive glazing and a forward (garage) projection with catslide roof and a pitched roof dormer window. There is a conservatory with glazed pitched roof attached to the rear elevation. It is constructed predominantly of red facing bricks, other than brown bricks of the front extension, flat grey concrete roof tiles and white uPVC windows.

3.2. The site provides a minimum of four off-street parking spaces within the garage and on the tarmacadam surfaced forecourt within the site frontage and on the side driveway. There is a large rear garden to the rear providing substantial private amenity space. There are a number of mature trees and shrubs inside the adjacent garden to the southwest which provide screening.

3.3. The application dwelling lies within a ribbon development of large detached houses of varying design, style and appearance within spacious plots along the southeast side of Station Road.

4. Relevant planning history

97/00917/FUL

- Front extensions to dwelling
- Permitted
- 27.11.1997

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. No response has been received from Desford Parish Council.

6.2. No response has been received from the Borough Council's Arboricultural Officer.

7. Policy

7.1. Desford Neighbourhood Plan (DNP) 2018-2036 (2021)

- Policy H7: Housing 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 DM4: Safeguarding the Countryside and Settlement Separation
- Policy DM6: Enhancement of Biodiversity and Geological Interest
- 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. Notwithstanding the countryside location outside of any settlement boundary, extensions and alterations to existing domestic properties 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 and surrounding countryside
- Impact upon neighbouring residential amenity
- Impact upon parking provision
- Impact on trees

Design and impact upon the character of the area and surrounding countryside

- 8.2 Policy H7 of the 'made' DNP requires that the design principles of extensions seek to enhance the local distinctiveness and character of the area in which they are situated and not disrupt the visual amenities of the street scene or impact negatively on any significant wider landscape views.

- 8.3 Policy DM4 of the adopted SADMP states that to protect its intrinsic value, beauty, open character and landscape character, the countryside will first and foremost be safeguarded from unsustainable development. The policy goes on to list a number of categories of development that would be considered sustainable in the countryside. These include proposals for the extension and alteration of existing buildings which lead to an enhancement of the immediate setting and where, amongst other matters, the proposal does not have a significant adverse effect on the appearance and open character of the countryside.

- 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. The Council's adopted Good Design Guide provides further advice in respect of the siting and design of house extensions and in respect of rear extensions 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 two storey section of the proposed rear extension would have matching 5.2 metres eaves height and 7.36 metres ridge heights as the main roof and therefore would not be subordinate in terms of its height as suggested in the adopted good design guide. Notwithstanding this, by virtue of the clearly subordinate width of the two storey section together with the proposed double apex twin gabled roof design to its rear elevation and appropriate depth of 3.6 metres, it is considered that the proposal would not over-dominate the rear elevation and overall would still appear as a clearly subordinate addition to the existing dwelling. The remaining 4.4 metres width of the proposed rear extension would be at only single storey scale and with a clearly subordinate flat roof design with parapet wall to a height of 3.2 metres with balcony above enclosed by glazed balustrade screens. An additional glazed box bay window would extend at ground floor by a further 1.1 metres for a width of 2.5 metres. The proposal includes the formation of larger scale full height openings to the rear elevation with Juliette balconies to first floor sliding doors/windows with glazed balustrade screens to provide additional light to the new rooms and views over the surrounding open fields. The proposals would result in a contemporary but nevertheless acceptable design. The proposed use of matching red facing bricks and roof tiles as the existing dwelling in the construction along with replacement

black uPVC windows and black aluminium doors throughout to reflect the more contemporary design of the proposed extension would ensure a satisfactory and unified appearance.

- 8.6 Other proposed alterations include the reconstruction of the existing front dormer window in a similar form and proportion but with rendered cheeks and the use of render to the central section of the front elevation to provide a visual break between the two existing noticeably different brick shades on the front elevation. Alterations to fenestration to the side and rear elevations are also proposed and would be acceptable in design terms.
- 8.7 The proposed extension being located entirely to the rear would not be visually prominent within the street scene from the northwest, would be completely screened from the south by mature trees and landscaping and would be viewed against the existing dwelling from the wider countryside to the east. As a result, the proposal would have no significant adverse impacts on the rural appearance or open character of the surrounding countryside.
- 8.8 Notwithstanding that the proposed extension would match the height of the existing roof, by virtue of its siting, clearly subordinate overall scale, design and 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 would not result in any significant adverse visual impacts on the rural appearance or open character of the surrounding countryside. The proposals are therefore considered to be in accordance with Policies DM4 and DM10 of the adopted SADMP and acceptable in terms of the general principles of the adopted Good Design Guide in this case.

Impact upon neighbouring residential amenity

- 8.9 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.
- 8.10 The neighbouring dwelling to the northeast (Sandybrook) is a two storey detached house set within a substantial plot, approximately 2.5 metres inside the side boundary and on a lower ground level (approximately 2 metres) than the application dwelling. The application dwelling already extends further to the rear than Sandybrook but by virtue of the single storey scale of the proposed rear extension to the rear side, its modest 3.6 metres depth, screening by the existing 1.8 metres high boundary wall and separation distance of approximately 6.5 metres to the main side elevation of Sandybrook, it is considered that the proposal would not result in any significant adverse overbearing or overshadowing impacts on the neighbouring dwelling. The proposed first floor balcony would be formed on the nearside rear corner of the dwelling but by virtue of the proposed 1.7 metres high obscurely glazed side balustrade privacy screens which would prevent any direct overlooking to the more sensitive areas at the rear of Sandybrook and would be secured by condition, the proposals would not result in any significant loss of privacy to the neighbouring occupiers.
- 8.11 The neighbouring dwelling to the southwest (Rotherwood) is a two storey detached house set in a central position within an even more substantial plot and predominantly well screened from the application dwelling by mature trees and shrubs. By virtue of that screening and the substantial separation distance between the two dwellings, the proposals would not result in any adverse overbearing or overshadowing impacts on the neighbouring dwelling or result in any significant loss of privacy to the neighbouring occupiers from the outlook of any proposed balcony

windows on the rear elevation. The only new first floor rear side elevation window is to an en-suite and could be restricted to be fitted with obscure glazing and non-opening below a height of 1.7 metres above the floor level of the room to ensure no potential direct overlooking into the neighbouring garden.

- 8.12 By virtue of the siting relative to neighbouring dwellings, scale, design and separation distances and subject to the provision of appropriate privacy screens to the side elevation of the first floor balcony and the use of non-opening obscure glazing where necessary, it is considered that the proposed extensions and alterations would not result in any significant adverse overbearing or overshadowing impacts on any neighbouring properties or result in any significant adverse impacts from overlooking or loss of privacy to the occupiers of any neighbouring properties. The proposals are therefore considered to be in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide. No objections have been received from any neighbouring properties.

Impact upon parking provision

- 8.13 Policy H7 of the 'made DNP requires that adequate off-road parking should be provided as a minimum of two car parking spaces for dwellings of three bedrooms or less and three spaces for dwellings of four bedrooms or more. Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.14 The existing tarmac surfaced access drive and hard-standing to the site frontage and side driveway currently provides ample off-street parking and turning space for at least four vehicles. This provision would be unaffected by the proposals and retained and the level of existing provision would be adequate to serve the resulting up to five bedroomed dwelling in accordance with Policy H7 of the 'made' DNP, Policy DM18 of the adopted SADMP and adopted local highway authority design guidance standards. There are therefore no highway impacts resulting from the proposed development.

Impact on trees

- 8.15 Policy H7 of the DNP requires that development should be enhanced by fostering biodiversity and landscaping with existing trees and hedges being preserved whenever possible. Policy DM6 of the adopted SADMP seeks to preserve and enhance features of nature conservation. It requires that such features should be retained, buffered and managed favourably to maintain their ecological value.
- 8.16 There are a number of mature trees in and around the site, some of which are in close proximity to the proposed extension, therefore an Arboricultural Survey and Impact Assessment has been submitted to support the application. This concludes that by virtue of the only slight (2%) intrusion into the root protection area of the nearest and most important Oak tree, which is located within the neighbouring garden, together with the presence of the existing conservatory and boundary retaining wall which would already impact on any roots, that the impact would be within acceptable parameters. It further concludes that there is sufficient undeveloped space within the neighbouring garden in which it is located for the root system to compensate for the slight intrusion such that the proposal would not result in any significant adverse impacts on the long term viability of the adjacent trees or result in any potential loss of visual amenity or biodiversity value of the site.
- 8.17 The assessment does make recommendations in respect of best working practices in respect of the demolition of the existing conservatory and in respect of the delivery of building materials to the site and potential impacts on the lower boughs of a mature tree adjacent to the site access drive

- 8.18 Subject to the development being implemented in accordance with these recommendations which could be conditioned, this would ensure that the proposals would not result in any potential significant adverse impacts on the long term viability or biodiversity or visual amenity value of the trees in and around the site. The proposals would therefore be in accordance with Policy H7 of the 'made' DNP and Policy DM6 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 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. Notwithstanding the location of the dwelling outside of any settlement boundary and therefore within designated countryside, the proposals are for extensions and alterations to an existing dwelling within an established residential curtilage and therefore there is a general presumption in favour of sustainable development as set out in Policies DM1 and DM4 of the adopted SADMP and the overarching principles of the NPPF.
- 10.2. By virtue of the siting, clearly subordinate overall scale, design and 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 would not result in any significant adverse visual impacts on the rural appearance or open character of the surrounding countryside. By virtue of the siting scale, design, screening and separation distances and subject to the provision of appropriate balcony privacy screens and the use of non-opening obscure glazing where necessary, it is considered that the proposed extensions and alterations would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring dwellings. Adequate existing off-street parking and turning spaces for a minimum of four vehicles would be maintained within the site along with substantial private rear amenity space. Subject to the

development being carried out in full accordance with the submitted tree report recommendations the proposals would not result in any significant adverse impacts on the long term viability of any trees or their biodiversity or visual amenity value. The proposals are considered to be in accordance with Policy H7 of the 'made' DNP, Policies DM1, DM4, DM6, DM10 and DM18 of the adopted SADMP and the general principles of the 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: Site Location Plan Drawing No. A-EL-001, Proposed Site Plan Drawing No. A-PL-001, Proposed Ground Floor Plan Drawing No. A-PL-100, Proposed First Floor Plan Drawing No. A-PL-101, Proposed Roof Plan Drawing No. A-PL-102 received by the local planning authority on 10 May 2023 and Proposed Elevations Drawing No. A-PL-200 Rev A received by the local planning authority on 26 June 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 external materials details provided within the submitted Planning Application Form and on the approved Proposed Elevations Drawing No. A-PL-200 Rev A received by the local planning authority on 26 June 2023 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).

4. Prior to first use of the first floor balcony area hereby permitted, a privacy side screen of obscurely glazed solid panels to a minimum of level 3 of the Pilkington scale and minimum height of 1.7 metres above the upper surface of the balcony area shall be erected along the northeast side boundary in accordance with the details submitted on the approved Proposed Elevations Drawing No. A-PL-200 Rev A received by the local planning authority on 26 June 2023 and once so installed, the balcony privacy side screen shall be permanently maintained as such at all times thereafter.

Reason: To safeguard the privacy and amenity of neighbouring dwellings from potential overlooking in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. The proposed new first floor en-suite window in the southwest side elevation (facing Rotherwood, Station Road, Desford) shall be fitted with obscure glazing to a minimum of level 3 of the Pilkington scale and non-openable below a height of 1.7 metres above the finished floor level of the room that it serves. Once so provided the window shall be permanently maintained as such at all times thereafter.

Reason: To safeguard the privacy and amenity of neighbouring dwellings from potential overlooking in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

6. The development hereby permitted shall be carried out in accordance with the recommendations contained within paragraphs 5.3 and 5.4 of the submitted Arboricultural Survey and Impact Assessment carried out by Symbiosis Consulting dated/revised 27 April 2023 and received by the local planning authority on 10 May 2023.

Reason: To ensure that the trees on and adjacent to the site are to be retained and adequately protected during and after construction in the interests of the visual amenities of the area and biodiversity in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and paragraph 170 of the National Planning Policy Framework (2021).

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.