

Delegated Report

Planning Ref: 25/00349/HOU

Applicant: Mrs Garner

Ward: Groby



Hinckley & Bosworth
Borough Council

Site: 32 Lawnwood Road Groby Leicester

Proposal: Single storey rear extension

1. Recommendations

- 1.1. **Grant planning permission** subject to conditions outlined at the end of this report.

2. Planning application description

- 2.1. The applicant seeks full planning permission for a single storey extension to provide an additional (third) bedroom. The proposed extension would align with the existing single storey extension at a depth of 3.67m, and 4.05m in width, with a maximum flat roof height of 2.53m.
- 2.2. The proposed materials would match the existing, with cream render and a brick plinth, with white uPVC windows.

3. Description of the site and surrounding area

- 3.1. The site contains a bungalow surrounded by a mix of styles of other residential properties within the settlement boundary of Groby. The property is located on a plot of 280m² (approx.) and is broadly triangular in shape. The width varies from 21m on the front boundary to 6m on the rear boundary and is setback from Lawnwood Road by 4.5m.

4. Relevant planning history

- N/A

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. No comments have been received as a result of the publicity

6. Consultation

- 6.1. Groby Parish Council was consulted and has no objections to the proposal.

7. Policy

- 7.1. Core Strategy (2009)
- None relevant
- 7.2. Site Allocations and Development Management Policies DPD (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)

8. Appraisal

8.1. Key Issues

- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact upon highway safety and parking

Design and impact upon the character of the area

8.2 Policy DM10 of the SADMP requires new development to complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.

8.3 The Good Design Guide SPD outlines that extensions should be subordinate to the main dwelling and be an appropriate height, width, depth, and complement the details and existing materials of the existing dwelling.

8.4 The property is set well back from Lawnwood Road, and the proposed extension would not be visible from the public realm and would therefore have no impact on the street scene.

8.5 The use of matching render and brickwork will be consistent with the existing dwelling and residential character of the area.

8.6 The proposal will have no visual impact on the character and appearance of the existing dwelling and the street scene in accord with policy DM10 of the SADMP and the Good Design Guide SPD.

Impact upon neighbouring residential amenity

8.7 Policy DM10 of the SADMP seeks to ensure that the development proposals do not harm the amenity of neighbouring residential properties and that the amenity of occupiers of the proposed development would not be adversely affected by the activities in the vicinity of the site.

8.8 The Good Design Guide SPD outlines that development may be acceptable unless there is a detrimental impact on the adjacent properties as assessed by the 45-degree rule.

8.9 The proposed extension would not breach the 45-degree rule for both neighbouring dwellings (30 & 34 Lawnwood Road), and no windows are proposed that would result in a loss of privacy.

8.10 The proposed extension would result in a loss of usable garden area amounting to approximately 15m², leaving a resultant garden area of approximately 60m². Whilst this falls slightly below the recommended garden size of 80m² for a 3-bedroom dwelling as outlined in the Good Design Guide, it is considered acceptable in this case. In order to prevent any additional loss of garden space, permitted development rights for additional extensions is removed via condition.

8.11 Taking all the above into consideration, the proposal will result in a minimal impact on residential amenity in accord with policy DM10 of the SADMP and the Good Design Guide SPD

Impact upon highway safety and parking

- 8.12 Policy DM18 of the SADMP seeks to ensure parking provision appropriate to the type and location of the development
- 8.13 The property has a front drive with capacity for two parked cars, which remains acceptable for a three-bedroom dwelling.
- 8.14 The proposal would therefore result in a minimal impact on parking in compliance 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 proposed development is for a property located within the settlement boundary of Groby. As such, there is a presumption in favour of sustainable development under Policy DM1 of the SADMP.
- 10.2. The proposal would not have a negative impact on the character and appearance of the existing dwelling and the street scene. The proposal would not have a significant impact on residential amenity or parking/highway safety. The proposal is therefore considered to be in accord with policies DM10 and DM18 of the SADMP, and the Good Design Guide SPD.

11. Recommendation

- 11.1 **Grant planning permission** subject to:

- Planning conditions outlined at the end of this report

11.2 Conditions and Reasons / 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 and Block Plan - Drg. No. 210-03

Proposed Layouts and Elevations - Drg. No. 210-02

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 development shall accord with the approved materials detailed within the application form and approved drawings above.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 Classes A and E; of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no enlargement, improvement or other alteration to the dwelling or outbuildings incidental to its enjoyment shall be carried out unless planning permission for such development has been granted by the Local Planning Authority.

Reason: To safeguard the amenities of occupiers and neighbouring properties in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11.3 Notes to applicant

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