

Delegated Report

Planning Ref: 23/00628/HOU
Applicant: Mr David Jordan
Ward: Barwell



Hinckley & Bosworth
Borough Council

Site: 23 Kingsfield Road Barwell Leicestershire

Proposal: Conversion of garage to self-contained annexe with new dormer 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 conversion of an attached double garage to additional living accommodation including an extension and alterations to provide a self-contained ancillary residential annexe to a dwelling, 23 Kingsfield Road, Barwell.

2.2. The proposal includes a modest increase in the ridge height of the double garage, the construction of a flat roof box dormer extension to its rear roof elevation, replacement of the existing garage doors with two windows and rendered wall infill, additional ground floor windows to the rear and internal garden side elevations and two roof lights to the front roof elevation. Matching corresponding external materials are proposed in the construction.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the settlement boundary of Barwell within a row of residential properties of varying scales, individual designs and styles. It is a two storey detached house with gable sided main roof form and a hipped roof timber framed open canopy porch to the centre of its symmetrical front elevation. It has a double garage with gable sided roof form attached to its north east side elevation and set back from the main front elevation. There is a white uPVC conservatory with lean-to glazed roof attached to its rear elevation and a flat roof outbuilding at the rear. There is a brick chimney stack to its southwest side gable. It is constructed with white smooth rendered walls, slate roof with red ridge copings and dark grey (anthracite) uPVC windows and doors. The site frontage is surfaced entirely in concrete block paving and provides off-street parking for four cars in addition to the double garage. There is an extensive rear garden .

4. Relevant planning history

88/00817/4

- Extension with double garage
- Permitted
- 23.08.1988

87/00983/4

- Proposed dwelling house or bungalow outline
- Outline planning permission
- 24.11.1987

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. Leicestershire County Council (Highways) refer to standing advice in respect of off-street parking standards.
- 6.2. No response has been received from Barwell Parish Council.

7. Policy

- 7.1. Earl Shilton and Barwell Area Action Plan (ESBAAP) (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) (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. Extensions and alterations 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:

'Wherever possible, locate roof extensions to the rear of properties to minimise potential impact on the street scene. Dormer windows, which allow for additional headroom within roof spaces can be appropriate in certain situations, however

these will be considered in the context of impact upon the character of the building and on neighbours' amenity. Material selection, and scale of window opening and position within the roofscape is critical in the success of dormers.'

- 8.3 This is a householder application which cannot seek planning permission for a new dwelling or the sub-division of the existing planning unit. Instead, the application seeks the approval for a garage conversion with rear dormer extension and alterations to provide ancillary living accommodation to the existing main dwelling in the form of an attached annexe, albeit with all the facilities for a self-contained living unit.
- 8.4 The proposal includes a modest increase in the height of the roof ridge of the existing double garage to 5.2 metres from 4.9 metres (only 0.3 metres) with the eaves height remaining the same at 2.5 metres. As such the proposed annexe would remain clearly subordinate in height, width and depth to the main dwelling. The only other alterations proposed to the front elevation are the replacement of the existing double garage doors with two appropriately proportioned windows of the same size and style to those on the main dwelling along with matching white rendered wall infill to ensure a uniform appearance, and the insertion of two new roof lights to the annexe which would not result in any adverse visual impacts on the application dwelling or wider street scene.
- 8.5 Dormer windows are not an uncharacteristic feature of the area in which the dwelling is located and, notwithstanding that they do not generally result in attractive development, similarly designed flat roof box dormers are widespread through the Borough, particularly on rear roof elevations. In this case the flat roof box dormer would be constructed on the new rear roof elevation with a width of 6 metres, height of 2.1 metres and depth of 3.4 metres. It would be set in by approximately 0.5 metres from the rear elevation and from both side elevations of the double garage and set down from the new roof ridge by 0.3 metres. By virtue of its width, height and depth the proposed dormer would sit comfortably within the rear roof slope and being subordinate to the ridge and located to the rear where it would be well screened, it would not be visually prominent in, or result in any significant adverse impacts on the character or appearance of the wider street scene or surrounding area. The dormer window and additional ground floor windows to the rear and internal garden elevations are considered to be acceptable in terms of their positions and proportions. Matching white rendered walls, slate roof and dark grey (anthracite) uPVC windows and doors and dark grey (anthracite) composite horizontal boarding to the dormer walls are proposed in the construction of the proposed annexe to ensure a uniform appearance.
- 8.6 By virtue of the scale, design and proposed use of matching and complementary external materials, 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 impacts on the character or appearance of the street scene or surrounding area. The proposed ancillary residential annexe is therefore considered to be acceptable in terms of its use, design and appearance and in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.
- Impact upon neighbouring residential amenity
- 8.7 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.
- 8.8 The neighbouring dwelling to the north east (No. 25) is a two storey detached house with a similar main rear building line as that of the proposed annexe and a single

storey lean-to rear extension to its ground floor that extends approximately 3 metres further to the rear than the annexe. It is set off the side elevation of the proposed annexe by 2 metres, (1 metre either side of the boundary fencing) and the only window in its rear side elevation facing the proposal is a small and clearly secondary lounge window. By virtue of its siting entirely to the (almost) blank side elevation of No. 25, the proposed modest increase in roof height and box roof dormer would not result in any significant adverse overbearing or overshadowing impacts on the neighbouring occupiers. Notwithstanding that the proposed rear elevation window of the dormer would be closer to the boundary than other first floor windows, it would still be set off the side boundary by approximately 2.5 metres and would face towards the applicant's own garden rather than directly towards the neighbouring garden. In addition, the existing single storey extension to the rear of No. 25 extends further to the rear and provides additional screening of the garden.

8.9 By virtue of its siting and much greater separation distances, the proposals would not result in any adverse impacts on the residential amenity or privacy of any other neighbouring properties.

8.10 By virtue of its siting, scale, design and ancillary residential use, the proposed conversion, extension and alterations to form an ancillary residential annexe would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties and therefore the proposals would be in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide.

Impact upon parking provision

8.11 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.

8.12 The proposals would result in the loss of the existing double garage and two-off street parking spaces and result in the creation of a fifth bedroom within the site. Notwithstanding this, the site frontage is surfaced entirely in concrete block paving and provides off-street parking for four cars. This level of retained provision would remain adequate to serve the resulting four bedroomed dwelling and one bedroomed ancillary residential annexe particularly in this highly sustainable urban location with good access to a full range of services and facilities by alternative and more sustainable transport means. The proposals are therefore considered to be in accordance with Policy DM18 of the adopted SADMP and the local highway design guidance standards.

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 proposals relate to conversion, extension and alterations 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 the scale, design and proposed use of matching and complementary external materials, 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 impacts on the character or appearance of the street scene or surrounding area. By virtue of its siting, scale, design and proposed use, the proposed conversion, extension and alterations to form an ancillary residential annexe would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. Adequate off-street parking for four cars and private amenity space of over 550 square metres would be retained within the site to serve the resulting four bedroomed main dwelling and one bedroomed ancillary residential annexe. The proposals are considered to be in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP, the general principles of the adopted Good Design Guide and the local highway authority design guide standards 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 Drawing No. 001 and Proposed Block Plan, Proposed Floor Plans and Proposed Elevations Drawing Nos. 002 and 003 received by the local planning authority on 19 July 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 conversion, extension and alterations hereby permitted shall be in accordance with the external materials details submitted on the approved Proposed Elevations Drawing Nos. 002 and 003 received by the local planning authority on 19 July 2023 and with the submitted Planning Application Form and 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).

4. The residential annexe hereby permitted shall only be used as ancillary accommodation to the dwelling currently known as 23 Kingsfield Road, Barwell and shall not be occupied, sold or separately leased or let as an independent unit of residential accommodation at any time.

Reason: To ensure the residential annexe hereby permitted is not occupied as an independent unit of accommodation which may have additional impacts in accordance with Policies DM10, DM17 and DM18 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.