

Delegated Report

Planning Ref: 23/00430/HOU

Applicant: Mr Rick Morris

Ward: Newbold Verdon with Desford & Peckleton

Site: 20 Ashby Road Stapleton Leicestershire



Hinckley & Bosworth
Borough Council

Proposal: First floor side extension, part two storey and part single storey rear extension and other alterations

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 planning application seeks planning permission for a first floor side extension, part two storey and part single storey rear extension and other alterations to a dwelling, 20 Ashby Road, Stapleton.
- 2.2. The proposed first floor side extension would be 5 metres in width and constructed above an existing garage, store and utility area and together with the proposed two storey rear extension would extend for a total depth of 12.3 metres. The side extension would have the same dual pitched gable sided roof form, eaves and ridge height as the existing main roof. To its front elevation would be a steeper pitched gable with lower eaves height but same ridge height and a timber clad projecting window seat with timber bracket supports forming a smaller gable with glazed infill.
- 2.3. The proposed two storey rear extension would adjoin part of an existing two storey rear extension which together would extend for 9 metres in width across the rear elevation and form a wide gable with lower eaves height and same ridge height as the existing main roof. This would have full height folding glazed doors at ground floor and five narrow contiguous windows of increasing stepped height at first floor framed by vertical timber cladding. The proposed single storey extension would extend for the remaining 4.5 metres width of the rear elevation with a lean-to roof and full height folding glazed doors. The proposals include the alteration and replacement of an existing two storey rear extension and conservatory.
- 2.4. The proposals include additional alterations to the dwelling to achieve a more contemporary design, style and appearance including the removal of two existing brick chimney stacks from each side elevation, removal of the existing mock Tudor timbers from the first floor, alterations to fenestration, re-rendering of the first floor with Monocouche white through render, the introduction of feature vertical Oak clad panels and replacement anthracite uPVC windows throughout.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of Stapleton on its eastern edge. It is a two storey detached house with dual pitched gable sided main roof form. It has a subordinate two storey dual pitched forward projecting gable, a lean-to canopy roof extending across a front ground floor square bay window and open porch area and a wide garage with dual pitched gable side roof form attached to its south side elevation. It has a two storey multi sided/pitched roof extension to the rear elevation and also a multi sided/pitched roof rear conservatory. There are two feature brick chimney stacks, one to each side elevation, two feature oriel windows to the north side elevation. The application dwelling is constructed of red/brown facing bricks to the ground floor, off white

render to the first floor with mock Tudor timbers, red/brown small plain roof tiles and dark brown uPVC windows. There are at least three off-street parking spaces and turning within the site frontage on loose stone hard-standing and within the garage.

- 3.2. The application dwelling is located at the northern end of a row of predominantly detached two storey houses of varying scale, design, style and appearance. It currently occupies a substantial plot which includes a grassed paddock with extant outline planning permission for four detached dwellings and is currently subject to a reserved matters application which proposes a similar style and appearance as that proposed for the application dwelling. There are three trees within site frontage, one of which has branches overhanging the front roof slope of the dwelling.

4. Relevant planning history

23/00510/REM

- Approved of reserved matters (appearance, landscaping, scale) to outline planning permission 21/01069/OUT
- Pending consideration

21/01069/OUT

- Residential development of 4 dwellings (outline - access and layout only)
- Permitted
- 28.10.2022

83/01014/4

- Erection of one dwelling
- Outline permitted
- 28.02.1984

83/00770/4

- Erection of one dwelling outline
- Refused
- 25.10.1983

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 Kirkby Mallory, Peckleton and Stapleton Parish Council.

7. Policy

- 7.1. Core Strategy (2009)
- No relevant policies
- 7.2. 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

7.3. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2021)
- Planning Practice Guidance (PPG)

7.4. 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
- Other issues

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:

'Two storey side extensions should appear smaller in scale and massing in order to be subordinate to the main dwelling. Any proposal for a two storey side extension should be set down from the ridge of the existing house and set back from the front elevation (the minimum distance for this should be 0.5 metres in both directions) unless in design terms this in itself would create an imbalance in the overall design of the property.' and,

'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 existing garage to the side elevation already extends forward of the main front elevation of the dwelling by 1 metre. As a result, the proposed first floor side extension above it would not be set back or, by virtue of its matching ridge height as the main roof, be subordinate in height and therefore would have a degree of conflict with the adopted design guide in this respect. Instead, the proposed side extension would extend 1 metre forward of the main front elevation but with a subordinate width of 5 metres to the existing 9 metres wide main dwelling. By virtue of its position well within the boundaries of the substantial plot that it occupies together with the significant separation distance between the application dwelling and the nearest neighbouring dwelling, it is considered that a set-back and subordinate ridge line is not critical in design terms in this particular case and that the proposal would maintain its detached character.

8.4 The forward projection of the proposed first floor side extension would have lower eaves and a steeper dual pitched gable fronted design with a timber clad projecting

window seat with timber bracket supports forming a smaller gable with glazed infill. It is proposed to be constructed with facing bricks at ground floor to match those of the existing dwelling, new Monocouche white through render to the first floor and matching roof tiles and replacement anthracite uPVC windows. By virtue of its forward projection, steeper pitch and feature window, the extension would compete visually with the existing two storey front gable. Notwithstanding this, it is considered that the proposed design of the front elevation together with the removal of the mock Tudor timbers and comprehensive contemporary makeover of the dwelling would add visual interest and result in an overall enhancement in this case and would add to the varied character and appearance of the wider street scene.

- 8.5 There is an existing unsympathetic and incongruous multi-sided two storey rear extension constructed in noticeably different facing bricks to those of the original dwelling. The proposed two storey rear extension would adjoin and incorporate part of this but remove the incongruous multi-sided section. This would result in a 9 metres wide flat gable across the rear elevation with lower eaves to match those of the proposed forward projection and matching ridge height as the main roof. This would have appropriately proportioned full height folding glazed doors at ground floor and five narrow contiguous windows of increasing stepped height at first floor framed by feature vertical timber cladding. This contemporary design and style would be enhanced by the proposed use of new Monocouche white through render, matching roof tiles and new anthracite uPVC windows throughout. The rear gable would not be subordinate and would dominate the rear elevation, however, by virtue of its design and appearance and the removal of existing incongruous structures, the proposal is nevertheless considered to enhance the overall character and appearance of the dwelling and being to the rear, would have no visual prominence in the street scene.
- 8.6 The proposed single storey extension would replace an existing multi-sided conservatory constructed with dark brown uPVC windows/doors and would extend for the remaining 4.5 metres width of the rear elevation with a clearly subordinate width and lean-to roof and appropriately proportioned full height anthracite uPVC folding glazed doors. It would have an appropriate width, depth and height and would also be acceptable in design terms.
- 8.7 The proposals include additional alterations to the dwelling including the removal of two existing oversized brick chimney stacks from each side elevation, removal of the existing mock Tudor timbers from the first floor and alterations to fenestration. It is considered that these alterations are necessary to achieve a more contemporary design, style and appearance and would result in an enhancement over the current dated style and appearance of the dwelling and that they are also therefore acceptable in design terms.
- 8.8 On balance, it is considered that the resulting dwelling would not be out of scale with the substantial plot that it occupies or be out of scale with neighbouring dwellings. Notwithstanding the degree of conflict identified with the adopted Good Design Guide in respect of the side extension, by virtue of the siting, scale, contemporary design and proposed use of matching corresponding and complementary external materials in the construction to ensure a satisfactory integrated and unified appearance, it is considered that the proposals would nevertheless respect and complement the scale and detached character of the existing dwelling, would enhance its appearance and would not result in any significant or adverse visual impacts on the varied character and appearance of the wider street scene in this case. The proposals are therefore considered to be in accordance with Policy DM10 of the adopted SADMP and general accordance with the overall 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 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 proposed first floor side/two storey rear extension would extend 5 metres in width from the existing first floor side elevation and extend for a total depth of 12.3 metres. Its south side elevation would have the same or lower eaves height and the same ridge height as the existing main roof. Notwithstanding the additional width at first floor, the proposal would still be 7 metres inside the side boundary, would have similar front and rear building lines as the neighbouring dwelling to the south (No. 18) and would be approximately 17.5 metres from the near north side elevation of No. 18 which has only four small windows facing the site. By virtue of the siting, scale and design of the proposal together with the separation distances it is considered that the proposal would not result in any adverse overbearing or overshadowing impacts on No. 18 or any other neighbouring dwelling. The only new first floor side elevation window proposed facing towards No. 18 would serve an en-suite and would be conditioned to be obscurely glazed and non-openable below a height of 1.7 metres above the floor of the room that it serves to ensure no loss of privacy to the neighbouring occupiers from potential overlooking.
- 8.11 Subject to the condition, the proposals would have no significant adverse impacts on the residential amenity or privacy of any existing neighbouring dwellings. By virtue of their siting, scale, design and separation distances the proposals would have no significant adverse potential impacts on the residential amenity or privacy of the dwellings being proposed on the site to the north and east of the application dwelling. The proposals would therefore be in accordance with Policy DM10 of the adopted SADMP and the adopted Design Guide.

Impact upon parking provision

- 8.12 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.13 The existing three bedroomed dwelling is currently served by at least three off-street parking spaces (along with turning space) within the garage and on the double width loose stone surfaced hard-standing to the side of the garage. These spaces would be unaffected by the proposed extensions and would be retained as part of the proposals. There is also additional parking space on the loose stone surfaced hard-standing across the front of the dwelling within the site frontage should it be required. However, the local highway authority design guide requires three off-street parking spaces for dwellings of four or more bedrooms and therefore the existing/retained provision would be adequate to serve the resulting six bedroomed dwelling and in accordance with Policy DM18 of the adopted SADMP and the local highway authority design guide.

Other issues

- 8.14 There are three trees within the site frontage that the Tree Survey/Assessment submitted to support the adjacent new residential development categorises as B2, being of moderate quality. All three are indicated to be retained on the submitted landscaping plan for the adjacent new residential development, albeit they are outside its boundaries. One of the trees (T3) identified as a Deodar (Himalayan Cedar) is approximately 13 metres in height with a stem only approximately 5 metres from the front elevation of the dwelling and with a canopy spread of 5.7 metres such that it overhangs the front elevation of the dwelling and is well within the recommended 12 metres distance for the planting a tree of this type. The proposed extensions and alterations would not impact the tree as they do not

extend the dwelling towards it. Notwithstanding this, by virtue of its close proximity and existing height and spread (which will only increase in the future), it is considered that it is likely that future occupiers would seek its removal on grounds of amenity and potential damage to the dwelling and that it may therefore no longer be compatible with the occupation of the dwelling or viable to be retained. This tree is substantially screened by the other two trees when approaching the site along Ashby Road from both the north and south and therefore it is considered that its future loss would not be significant in terms of the visual amenities of the site or surrounding area or therefore unacceptable.

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 extensions and alterations to an existing dwelling located within the settlement boundary of Stapleton 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. The resulting dwelling would not be out of scale with the substantial plot that it occupies or be out of scale with neighbouring dwellings. Notwithstanding the degree of conflict identified with the adopted Good Design Guide, by virtue of the siting, scale, contemporary design and proposed use of appropriate and sympathetic external materials to ensure a satisfactory integrated appearance, it is considered that the proposals would nevertheless respect and complement the scale and detached character of the existing dwelling, would enhance its overall design and appearance and would not result in any significant or adverse visual impacts on the varied character or appearance of the wider street scene. By virtue of the siting, scale, design and separation distances the proposals would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring dwellings. Satisfactory off-street parking and turning provision

would be retained to serve the resulting six bedroomed dwelling along with the retention of over 300 square metres of private amenity space to the rear of the dwelling. The proposals are considered to be in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP and in general accordance with the overall 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: Site Location Plan 23 08 - PL 01, Proposed Site Plan Drawing No. 23 08 - PL 05, Proposed Floor Plans, Roof Plan and Elevations Drawing No. 23 08 - PL 04 Rev B received by the local planning authority on 12 May 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 approved Proposed Elevations Drawing No. 23 08 - PL 04 Rev B received by the local planning authority on 12 May 2023 and as follows:

- Red/brown facing bricks to external walls to match those of the existing dwelling
- Monocouche white through rendered external walls
- Roof tiles to match those of the existing dwelling
- Oak vertical timber cladding
- Anthracite uPVC windows

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. Notwithstanding the approved plans, the first floor en-suite window in the southwest side elevation (facing 18 Ashby Road, Stapleton) 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 floor level of the room that it serves. Once so provided the window shall be permanently so 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).

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.