

Delegated Report

Planning Ref: 24/01097/HOU

Applicant: Mr Daniel Swift

Ward: Twycross Sheepy & Witherley



Hinckley & Bosworth
Borough Council

Site: 9 Home Farm Close Witherley Leicestershire

Proposal: Two storey side extension, including the demolition of existing single storey double garage.

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 a two storey side extension to a dwelling, 9 Home Farm Close, Witherley.

2.2. The proposed two storey side extension would extend 5.3 metres in width from the main side elevation of the dwelling (replacing a double garage) and for a depth of 8.5 metres at ground floor and 6.6 metres at first floor. It would be constructed flush with the front (porch) and rear elevations at ground floor but set back by 0.6 metres from the main first floor front elevation and by 0.75 metres from the main first floor rear elevation. It would have a dual pitched gable sided roof form with matching eaves height as the main roof but a subordinate ridge height of 7.5 metres (0.45 metres lower than the main ridge). It would have lean-to roofs between the ground and first floor to both the front and rear elevations. It is proposed that the extension would be constructed with contrasting off-white rendered external walls, matching interlocking grey concrete roof tiles and replacement grey UPVC windows throughout. The proposal includes a single integral garage.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the settlement boundary of Witherley in a residential area and at the end of a small residential cul-de-sac. It is a detached two storey house with dual pitched gable sided main roof form, a double garage with similar roof form attached to the left side elevation and a front porch/w.c. with lean-to roof attached to the front elevation. It is constructed of red, rough surfaced facing bricks, grey concrete interlocking roof tiles and dark brown stained timber window frames in need of maintenance. In addition to the double garage there are two additional off-street parking spaces on the double width tarmac surfaced garage forecourt. The front garden is open plan (overgrown), the rear garden (overgrown) is enclosed by a mix of 2 metres high close boarded timber fencing and over-tall conifers (which it is intended to remove).

3.2. Neighbouring dwellings within the cul-de-sac are also two storey detached houses of similar design and style, some of which have been extended and altered since their original construction.

4. Relevant planning history

None.

5. Publicity

5.1. The application has been publicised by sending out letters to local residents.

- 5.2. One response has been received as a result of public consultation which seeks assurances that the front of the site would remain open plan, that there would be no bright lights or extractor fans on the side elevation of the extension and suggests that the side gate to the rear garden should remain close to the side elevation wall where the existing path is laid.

6. Consultation

- 6.1. No response has been received from Witherley 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) (2024)
- 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 provision
- Biodiversity

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 various forms 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.'

- 8.3 The proposed two storey side extension would be constructed flush with the front (porch) and rear elevations at ground floor but set back by an appropriate 0.6 metres from the main first floor front elevation and by 0.75 metres from the main first floor rear elevation. It would have an appropriate dual pitched gable sided roof form with matching pitch and eaves height as the main roof but with a clearly subordinate ridge height of 7.5 metres (0.45 metres lower than the main ridge). It would have lean-to roofs between the ground and first floor to both the front and rear elevations that would provide an appropriate design solution to the varying depths of 8.5 metres at ground floor and 6.6 metres at first floor. The proposal would extend 5.3 metres in width from the main side elevation of the dwelling (replacing a double garage) which would almost double the 6.5 metres width of the main body of the existing dwelling. However, this would not be uncharacteristic of the existing two storey flush side extension that has been constructed on the neighbouring dwelling to the northeast (No. 8) and with a poor match of facing bricks. Notwithstanding its width, it is considered that the proposal would nevertheless appear as an appropriately proportioned addition that would not overwhelm the existing dwelling or appear as an overly prominent feature within the wider street scene. The proposal would have appropriately proportioned and aligned fenestration that would result in a satisfactory and unified design.
- 8.4 The proposed use of contrasting off-white render to the external walls of the proposed extension would result in it being clearly distinct from the main body of the existing dwelling. Whilst render is not a prevalent material within the cul-de-sac, it has already been used on the front elevation of a two storey side extension on a neighbouring dwelling to the north (No. 5) which was originally constructed in facing bricks but subsequently rendered to hide the poor match of the bricks. It is considered that the use of off-white render would result in an acceptable appearance in this case.
- 8.5 By virtue of the siting, scale, design and proposed use of off-white rendered walls, matching roof tiles and replacement grey uPVC windows throughout, it is considered that the proposal would respect and complement the scale, character and appearance of the existing dwelling and would have no significant adverse visual impacts on the wider street scene or surrounding area. The proposal is therefore considered to be in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 8.6 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.
- 8.7 One response has been received as a result of public consultation commenting upon the open plan nature of the front gardens within the close, position of any lights and extractor fans and the position of the side gate/path.
- 8.8 The neighbouring dwelling to the southwest (No. 10) is a two storey detached house with gable sided roof form that is set back slightly from the application dwelling and constructed at an angle. It has a small single storey extension attached to its near side elevation which is set further back from the main front elevation. Due to this set back and the angled orientation of the dwelling the front window in this extension faces partly towards the side gable elevation of the application dwelling garage which would sit well within a 45 degree line from the window and in close proximity. As a result, the proposed addition of a first floor in this position would have a degree of added impact upon the outlook from and light to this window which serves a habitable room. However, the neighbouring extension is only approximately 6 metres in depth and there is another window serving the

same room on its rear elevation that by virtue of its position on the southwest facing garden elevation would be likely to provide the principal source of light and amenity to the room. Notwithstanding the conflict identified in respect of the 45 degree line to the front elevation window, in this particular case for the reasons given it is considered that the proposal would not result in any significant adverse impacts upon the privacy or residential amenity of the neighbouring occupiers of No. 10. No objection to the siting or scale of the proposed extension has been received from the neighbouring occupiers.

- 8.9 In response to the comments received, the applicant confirms that it is intended to remove the over-large conifer from the front garden but there is no intention to enclose it with any structures, that the cooker flue can be routed to the rear rather than side elevation and that the boundary fence/gate will be positioned in an appropriate position within his legal ownership.
- 8.10 By virtue of the siting of the proposal to the far southwest side elevation, it would have no adverse impacts on the privacy or residential amenities of the occupiers of the neighbouring dwelling to the northeast (No. 8). By virtue of separation distances to all other neighbouring dwellings to the north and south, the proposal would have no adverse impacts on the privacy or residential amenities of any other neighbouring occupiers.
- 8.11 For the reasons given above and by virtue of the siting, scale, design and separation distances, it is considered that the proposal would not result in any significant adverse impacts upon the privacy or residential amenities of the occupiers of any neighbouring dwellings that would warrant the application to be refused on such grounds. The proposal is considered to be in general accordance with Policy DM10 of the adopted SADMP and the overall general principals of the adopted Good 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 site currently provides four off-street parking spaces within the existing double garage (albeit with under sized length of 5.5 metres) and on the double width tarmac surfaced garage forecourt within the site frontage. The proposal would result in the provision of an additional (fourth) bedroom and the loss of one of the existing garage spaces. However, at least three off-street parking spaces would be retained within the site in the proposed integral garage (albeit marginally under length at 5.5 metres) and on the double width forecourt that would be retained within the site frontage. This level of provision would be adequate to serve the resulting four bedroomed dwelling and in accordance with Policy DM18 of the adopted SADMP and in general accordance with the local highway authority design guide standards.

Biodiversity

- 8.14 The proposal would be exempt from the biodiversity gain condition by virtue of being a householder application development within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order (2015).

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 proposal relates to an extension and alterations to an existing dwelling located within the settlement boundary of Witherley 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 (2024).
- 10.2. By virtue of the siting, scale, design and subject to the proposed use of complimentary and matching external materials, it is considered that the proposal would respect and complement the scale, character and appearance of the existing dwelling and would have no significant adverse visual impacts on the wider street scene or surrounding area. For the reasons given within the report and by virtue of the siting, scale, design and separation distances, it is considered that the proposal would not result in any significant adverse impacts upon the privacy or residential amenities of the occupiers of any neighbouring dwellings. Adequate off-street parking of a minimum of three spaces and private rear amenity space of over 130 square metres would be retained to serve the resulting four bedroomed dwelling. The proposed extension and alterations are 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 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 at scale 1:1250, Proposed Block Plan at scale 1:500 and Proposed Floor Plans and Proposed Elevations Drawing No. 963-01 received by the local planning authority on 2 December 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 alterations shall be off-white rendered external walls and matching grey concrete roof tiles as the existing dwelling in accordance with the details provided within the submitted Planning Application Form and on the approved Proposed Elevations Drawing No. 963-01 received by the local planning authority on 2 December 2024 and replacement grey UPVC windows throughout.

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 building.control@blaby.gov.uk or call 0116 272 7533.