

Delegated Report

Planning Ref: 24/01115/HOU
Applicant: Mr Ashley Stewart
Ward: Ratby Bagworth and Thornton



Hinckley & Bosworth
Borough Council

Site: 18 Murphy Drive Bagworth Leicestershire

Proposal: Single storey rear extension including a link to the existing garage (following the demolition of the existing conservatory) and conversion of the existing garage to a playroom.

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 single storey rear extension linking to and conversion of the existing garage to a habitable room (playroom), following the demolition of the existing rear conservatory.
- 2.2. The proposed single storey rear extension would extend 3.2 metres in depth from the main rear elevation of the dwelling and extend 5.7 metres in width part-way across its rear elevation to adjoin the side elevation of the existing garage. It would have bi-fold glazed doors in its rear elevation and a flat roof form with decorative parapet wall design to a height of 3 metres and a central hipped raised roof lantern. The garage conversion includes the formation of a pair of glazed patio doors to the rear elevation and a side elevation window to replace the existing door, along with internal alterations to meet building regulations for a habitable room. A 1 metre deep store would be retained within the frontmost section of the garage and a replacement up-and over garage door is also proposed. An existing rear conservatory would be removed to enable the proposed development.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of Bagworth on the edge of a large residential estate and at the end of a short, shared access drive serving two other dwellings to the south. It is a 2½ storey detached house with gable sided roof form and accommodation within the roof space served by three dual pitched roof dormer windows in its front roof elevation and small side elevation windows and rear roof light. It has a plain fronted design other than a shallow depth flat roofed concrete porch canopy. It is constructed with red multi facing bricks, plain grey concrete roof tiles and white uPVC windows. It has decorative red brick corbelled eaves, red brick roof verge detailing, red brick soldier headers and sills to windows (stone sills to the front elevation) and white horizontal cladding to dormer cheeks. It has a detached double garage with dual pitched gable sided roof form set back to the side and rear of the dwelling and constructed with the same external materials and detailing as the dwelling, along with a white up-and-over door. The double width garage forecourt and turning head and driveway are hard surfaced in tarmac and provide space for a minimum of three further cars within the residential curtilage of the application dwelling. The rear garden occupies a slightly lower ground level and is enclosed by solid close boarded timber fencing of 2 metres in height.

- 3.2. The application dwelling faces towards informal open amenity green space to the west and there are large detached two storey dwellings either side to the north and south and to the rear (east) with associated adjoining rear gardens.

4. Relevant planning history

05/00415/FUL

- Erection of conservatory
- Permitted
- 26.05.2005

05/00416/FUL

- Extension and alteration to dwelling
- Permitted
- 13.06.2005

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site.
- 5.2. No responses have been received as a result of public consultation.

6. Consultation

- 6.1. No objection has been received from Leicestershire County Council (Highways)
- 6.2. No response has been received from Bagworth and Thornton 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 dwellings 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:

'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.' and,

'Flat roofs on extensions will not normally be considered appropriate where they do not form part of the original design of the house, however in some circumstances where they are not visible from the public realm and the use of a flat roof may result in a reduced visual impact, they may be considered acceptable, particularly if designed with a contemporary aesthetic style.'

- 8.3 The proposed single storey rear extension would extend for an appropriate depth of 3.2 metres from the main rear elevation of the dwelling and extend for an appropriate width of 5.7 metres part-way across its rear elevation to adjoin the side elevation of the existing garage. Notwithstanding its flat roof form, which is not reflective of the existing dwelling, by virtue of its position entirely to the rear elevation within a well enclosed rear garden and its more contemporary design with a decorative parapet wall to an appropriate height of only 3 metres, a central hipped raised roof lantern and glazed bi-fold doors in its rear elevation, it is considered that it would nevertheless appear as a clearly subordinate and appropriate addition to the existing dwelling. It is proposed to be constructed with matching corresponding external materials to ensure a satisfactory and unified appearance. An existing rear conservatory would be removed to enable the proposed development.
- 8.4 The partial conversion of the garage would have no adverse visual impacts on the street scene or surrounding area as it would retain a garage style door on the front elevation serving a 1 metre deep store area behind it. The garage conversion includes the formation of a pair of glazed patio doors to the rear elevation and a side elevation window to replace the existing door, both of which face into the applicant's rear garden, along with internal alterations to meet building regulations for a habitable room.
- 8.5 Notwithstanding its flat roof form, by virtue of its siting at the rear, single storey scale, contemporary design and subject to the proposed use of matching corresponding external materials to ensure a unified appearance, it is considered that the proposed extension and other alterations would nevertheless respect and complement the scale, character and appearance of the existing dwelling and would not be visually prominent or result in any significant adverse visual impacts on the surrounding area. The proposals are therefore considered to be acceptable in design terms in this case 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

- 8.6 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.

8.7 The proposed rear extension would be located between the applicant's garage and an existing single storey lean-to rear extension with separation distances of 12.5 metres from the east rear garden boundary and 5 metres from the south side boundary, both of which are defined by 2 metres high solid close boarded timber panel fencing that protects the privacy of the respective occupiers. By virtue of its siting, separation distances, single storey scale and flat roof design to a height of only 3 metres, the proposal would have no significant adverse overbearing or overshadowing impacts upon the residential amenity or privacy of the occupiers of any neighbouring dwellings. The proposed new glazed patio doors to the rear elevation of the garage would be close to the north side garden boundary and face onto an existing decking area within the applicant's garden and the blank rear elevation of a garage block beyond. No significant loss of privacy would occur to any neighbouring occupiers by virtue of the existing 2 metres high close boarded solid timber panel fencing which encloses the gardens.

8.8 By virtue of its siting, scale, design, existing screening and separation distances, it is considered that the proposals would not result in any significant adverse impacts on the privacy or residential amenity of any neighbouring properties and would therefore 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

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

8.10 The proposals would result in the loss of one full sized parking space within the garage. The local highway authority design guide seeks a minimum of three off-street parking spaces within the site to serve a dwelling with four bedrooms. The proposals would retain a minimum of three off-street car parking spaces on the tarmac surfaced garage forecourt and driveway within the site frontage. This level of provision would therefore remain adequate to serve the resulting dwelling. The proposals are therefore considered to be in accordance with Policy DM18 of the adopted SADMP and the local highway authority design guide standards.

Biodiversity

8.11 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 Bagworth 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. Notwithstanding its flat roof form, by virtue of its siting, scale, design and unified appearance, it is considered that the proposed extension and other alterations 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 surrounding area. By virtue of its siting, scale, design, existing screening and separation distances, it is considered that the proposals would not result in any significant adverse impacts on the privacy or residential amenity of any neighbouring properties. Notwithstanding the loss of the garage for parking, adequate off-street parking for a minimum of three vehicles would be retained within the site to serve the resulting dwelling in accordance with the local highway authority design guide standards, along with ample private amenity space to the rear of over 150 square metres. The proposals are considered to be in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP and the general design 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 and Proposed Block Plan Drawing No. Stewart-A-1a-06, Proposed Ground Floor Plans Drawing Nos. Stewart-A-1a-02 and Stewart-A-1a-03 and Proposed Elevations Drawing No. Stewart-A-1a-05 received by the local planning authority on 6 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 hereby permitted shall be in accordance with the materials details submitted on the approved Proposed Elevations Drawing No. Stewart-A-1a-05 received by the local planning authority on 6 December 2024 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).

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.