

Delegated Report

Planning Ref: 24/00470/HOU
Applicant: Mrs Harriet Cookson
Ward: Groby



Hinckley & Bosworth
Borough Council

Site: 27 Anstey Lane Groby Leicestershire

Proposal: Single storey rear 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 full planning permission for a single storey rear extension to a dwelling, 27 Anstey Lane, Groby

2.2. The proposed single storey rear extension would extend for a depth of 4 metres from the main rear elevation along the common side boundary and for the full 5.45 metres width of the rear elevation. It would have a flat roof form with a flat glazed rooflight set behind a parapet wall to a height of 3.2 metres. Matching corresponding external materials are proposed in its construction. The proposal includes the demolition of an existing single storey flat roof structure attached to part of the rear elevation to enable the development. A minor amendment to the Ground Floor Plan has been submitted to respect the common boundary line.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the settlement boundary of Groby on a residential estate. It is a semi-detached two storey house with a hipped roof form and central brick chimney stack. It has traditional styling with a ground floor bay window with hipped roof over and hipped canopy porch roof to the front elevation. It has a small brick flat roofed structure (utility and toilet) attached to part of the rear elevation and a detached contemporary flat roofed garden room located across the rear garden boundary. The application dwelling is constructed of plain red facing bricks, small grey slates and red ridge tiles to the main roof and small red plain clay tiles to the front hipped roofs and white uPVC windows. There are three off-street spaces on the 10 metres long and 8 metres wide loose stone surfaced site frontage. The rear garden is enclosed by 2 metres high close boarded timber fencing.

3.2. There is a similar two storey hipped roof semi attached to the northeast that has been extended to the front (single storey), side (two storey flat roof) and rear (single storey rear range) and a detached hipped roof bungalow to the southwest.

4. Relevant planning history

None.

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 objection has been received from Groby 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) (2023)
- 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

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:

'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 up to an appropriate depth of 4 metres from the main rear elevation and to an appropriate width of 5.45 metres to be flush with both side elevations. Notwithstanding its contemporary flat/parapet roof design and large scale windows, by virtue of its position to the rear within a well enclosed rear garden, its footprint and clearly subordinate single storey scale to a height of only 3.2 metres, the proposal would appear as a clearly subordinate addition to the existing dwelling and would not be visually prominent in any street

scene or the surrounding area. The proposal is considered to be acceptable in design terms and, subject to the proposed use of appropriate matching external materials in its construction to ensure a satisfactory and unified appearance, it would respect and complement the scale, character and appearance of the existing dwelling and surrounding area and therefore 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

- 8.4 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. The Council's adopted Good Design Guide states:

'The 45 degree rule is applied for planning applications for new extensions to existing properties which could result in the outlook from or daylight to a principal window to a habitable room being impacted upon. On a plan of the proposal, a projecting line is to be drawn from the nearest principal window to a habitable room that may be affected by the planning application towards the proposed building at an angle of 45 degrees. Habitable rooms include living rooms, bedrooms and kitchens but do not include rooms such as bathrooms, utility rooms, halls, landings or garages. The extension should not cross the 45 degree line.'

- 8.5 The adjoining semi-detached two storey house (No. 29) to the northeast has a combined door and two pane window at ground floor in the rear elevation the centre-point of which is approximately 2 metres from the common boundary. By virtue of its 4 metres depth along the common boundary the proposed rear extension would therefore extend 2 metres beyond a 45 degree line drawn from the window. Notwithstanding this, and its position to the southwest, the proposal would be only single storey with a flat roof design to a height of only 3.2 metres. The additional impact of the proposal over and above permitted development criteria for such an extension and a 2 metres high boundary fence would be limited to an additional 1 metre squared. As a result, it is considered that the impact of the proposal on the level of light to, and outlook from, the combined ground floor door/windows and the neighbouring rear garden would not be adversely affected to a significant or unacceptable degree and no objection to the proposals has been received from the adjoining neighbouring occupiers. The side elevation facing No. 29 would be blank and therefore would not result in any loss of privacy to the neighbouring occupiers from potential overlooking.
- 8.6 The neighbouring dwelling to the southwest (No. 25) is a detached hipped roof bungalow set off the side boundary with the application site by approximately 1.5 metres. It has a single storey range extending further to the rear along the side boundary. As a result, notwithstanding its 4 metres depth, the proposed rear extension would not extend beyond a 45 degree line drawn from any principal habitable room windows in the rear elevation of No. 25. By virtue of its siting, single storey scale and flat roof design to a height of only 3.2 metres, the proposal would not result in any significant adverse overbearing or overshadowing impacts on the amenity of the occupiers of No. 25. The rear side elevation window in the proposed rear extension would face towards No. 25 but would be offset from an existing side elevation window of No. 25 and at a separation distance of approximately 3.5 metres and with a 1.8 metres high close boarded timber fence between which would protect the privacy and amenity of the respective occupiers.
- 8.7 Notwithstanding the small degree of conflict identified in respect of the depth of the proposed rear extension, by virtue of its siting, scale, design, screening and separation distances, it is considered that the proposal would not result in any significant or unacceptable adverse impacts on the residential amenity or privacy of

any neighbouring properties. The proposal is therefore considered to be in accordance with Policy DM10 of the adopted SADMP and the overall general principles of the adopted Good Design Guide. No objections have been received from any neighbouring properties.

Impact upon parking provision

- 8.8 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.9 The proposed rear extension would not result in any addition bedroom space. The site currently provides three off-street parking spaces on the 10 metres deep and 8 metres wide loose stone surfaced site frontage. This existing provision would be unaffected by the proposal and would be more than adequate to serve the existing/resulting dwelling. The proposal would therefore be in accordance with Policy DM18 of the adopted SADMP and the local highway authority 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 proposal is for an extension and alteration to an existing dwelling within the settlement boundary of Groby 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. Notwithstanding its flat roof design, by virtue of the siting to the rear, single storey scale and subject to the proposed use of appropriate matching external materials to ensure a satisfactory and unified appearance, it is considered that the proposed extension would respect and complement the scale, character and appearance of the existing dwelling and the surrounding area. Notwithstanding the small degree of conflict identified with the adopted Good Design Guide, by virtue of the siting, scale,

design, screening and separation distances, it is considered that the proposal would not result in any significant or unacceptable adverse impacts on the residential amenity or privacy of any neighbouring properties. Adequate private amenity space of approximately 130 square metres and three off-street parking spaces would be retained within the site to serve the existing/resulting dwelling. The proposal is considered to be in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP and the overall general principles of the adopted Good Design Guide and is 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 and Proposed Block Plan at scale 1:500 received by the local planning authority on 14 May 2024 and Proposed Floor Plan, Roof Plan and Proposed Elevations Drawing received by the local planning authority on 25 June 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 alteration hereby permitted 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.