

Delegated Report

Planning Ref: 24/01068/HOU
Applicant: Mr Stephen Sandon
Ward: Burbage St Catherines & Lash Hill



Hinckley & Bosworth
Borough Council

Site: 2 Horsepool Burbage Hinckley

Proposal: Single storey rear and side extension and new gates to boundary wall.

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

- 2.1. The application seeks full planning consent for the construction of a single storey rear and side extension and the construction of new gates to the boundary wall at 2 Horsepool, Burbage.

Proposed rear and side extension:

- 2.2. The proposed rear and side extensions would connect to form a wraparound extension, to replace the existing conservatory at the site.
- 2.3. The proposed rear extension aspect would project outwards from the existing rear elevation by 3.59 metres and would host a width of 3.62 metres and the proposed side extension aspect would project outwards from the existing side elevation by 2.03 metres and would host a width of 4.99 metres.
- 2.4. The extension would host a shallow pitched roof form which would measure 2.52 metres to the eaves and 3.47 metres to the ridge.
- 2.5. Additional alterations include the addition of four singular rectangle windows with a triangular glazed window above to the proposed rear elevation and a set of French doors to the proposed gable elevation.
- 2.6. The proposed external materials of the extension host red facing brick to the walls, brown interlocking clay tiles to the roof and brown uPVC to the windows to match those of the existing dwelling.

Proposed gates to boundary wall:

- 2.7. The proposed double gates to the front elevation of the existing boundary wall would measure a maximum of 1.85 metres in height and 1.90 metres in width and the proposed singular gate to the gable elevation of the existing boundary wall would measure a maximum of 1.55 metres in height and 0.96 metres in width.
- 2.8. The proposed gates would host black wrought iron finish will ball top finials.

3. Description of the site and surrounding area

- 3.1. The application site comprises a late 19th century two-storey detached residential dwelling situated within the settlement boundary and Conservation Area of Burbage. The site although situated within Burbage Conservation Area is identified within the Burbage Conservation Area Appraisal (2011) as being a weak area in the Conservation Area, due to its construction materials and appearance not following the historic and traditional characteristics of the wider area.

- 3.2. The application dwelling comprises red facing brick to the walls, brown interlocking clay tiles to the main dwelling roof and plastic sheets to the existing conservatory. Brown uPVC is present to the windows. The dwelling is characterised by a 1.00 – 1.80 metre brick wall to the sites frontage which encloses grey slate gravel and a slabbed set of steps which leads to the gable porch hosting the main dwellings entrance.
- 3.3. The immediate area surrounding the site is predominantly residential, however Burbage Congregational Church and Burbage Library/Police Office can be observed to the south-east of the site and Burbage Church of England Infant School and Burbage Methodist Church can be observed to the north-west of the site.

4. Relevant planning history

78/01785/4M

- Reception of bungalow and garage with access
- Planning Permission
- 28.11.1978

08/00791/FUL

- Extensions and alterations to dwelling
- Planning Permission
- 29.09.2008

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 and a notice was displayed in the local press.
- 5.2. No comments have been received.

6. Consultation

6.1. Burbage Parish Council:

“Burbage Parish Council has no objections to this application”

6.2. HBBC Conservation Area:

“The proposal seeks to remove an existing conservatory located to the rear and side of the dwelling and replace it with a single storey extension of brick walls, roof tiles, and part new/part re-used windows, all to match the construction materials of the existing dwelling. The replacement extension has largely the same footprint as the conservatory and continues to have a shallow dual-pitched roof form. The proposed extension does not provide any particular opportunity to address the reasons as to why this dwelling is identified as a weak area in the conservation area and provide any enhancement to its significance, but due to its siting and design the extension would have no adverse impact upon the street scene and the character of the area.

To the front and side boundary of the dwelling, bounding the pavement to The Horsepool, is a brick wall of varying heights including two openings flanked by tall

piers. The brick used in the construction of the wall matches that of the house. It is proposed to erect black wrought iron gates within the existing openings. The gates would have an appropriate appearance, closely matching the style and form of the front boundary railings to the Burbage Congregational Church which is located immediately to the south of the dwelling and resulting in a greater continuity of front boundary treatments within this small section of the conservation area. Consequently, this aspect of the proposal would result in a minor enhancement to its significance.

Overall, the rear extension is considered to have a neutral impact upon the character and appearance of 2 The Horsepool, and the erection of the gates within the front boundary wall would result in a minor improvement to the character and appearance of area. Consequently, the proposal would preserve and enhance the significance of the Burbage Conservation Area, and thus comply with Policies DM11 and DM12 of the SADMP, section 16 of the NPPF and the statutory duty of section 72 of the Planning (Listed Building and Conservation Areas) Act 1990."

6.3. LCC Ecology:

"The proposed development site is located in a residential area and consists of demolishing the existing conservatory for a single storey extension, alongside alterations to the property gates.

The works tie into a small section of the dwelling and do not impact the existing roofline or soffits.

The proposed development is likely to have minimal impact upon ecology and no ecological surveys are required. Therefore, I have no objection."

7. Policy

7.1. Burbage Neighbourhood Plan 2015-2026

- Policy 1: Settlement Boundary
- Policy 2: Design and Layout

7.2. Core Strategy (2009)

- Policy 4: Development in Burbage

7.3. Site Allocations and Development Management Policies DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM10: Development and Design
- Policy DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets

7.4. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2024)
- Planning Practice Guidance (PPG)

7.5. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)

8. Appraisal

8.1. Key Issues

- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity

Design and impact upon the character of the area

- 8.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 8.3 Section 16 of the National Planning Policy Framework (NPPF) provides the national policy on conserving and enhancing the historic environment. Paragraphs 212-215 of the NPPF require great weight to be given to the conservation of designated heritage assets when considering the impact of a proposed development on its significance, for any harm to the significance of a designated heritage asset to have clear and convincing justification, and for that harm to be weighed against the public benefits of a proposal.
- 8.4 The Planning Practice Guide (PPG) and Historic England Advice Note 2 (HEAN2) Making Changes to Heritage Assets sets out how the policies of the NPPF are expected to be applied and includes guidance on the conservation of and making changes to the historic environment.
- 8.5 Policy DM10 of the Site Allocations and Development Management Policies DPD 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.
- 8.6 Policies DM11 and DM12 of the Site Allocations and Development Management Policies DPD seek to protect and enhance the historic environment and heritage assets. Policy DM12 states that development proposals should ensure the significance of a conservation area is preserved and enhanced and proposals which seek to improve neutral and negative areas inside conservation areas, which also lead to the overall enhancement of the conservation area, will be supported.
- 8.7 Policy 1 of the Burbage Neighbourhood Plan seeks to ensure that any future residential development within or adjacent to the settlement boundary is supported subject to complying with the other development plan policies.
- 8.8 Policy 2 of the Burbage Neighbourhood Plan seeks to ensure any future residential development respects its surroundings, follows the existing pattern of development and retains existing important natural features on the site.
- 8.9 The application seeks full planning consent for the construction of a single storey rear and side extension and the construction of new gates to the boundary wall at 2 Horsepool, Burbage.
- 8.10 The Councils Good Design Guide states that *“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.”*
- 8.11 The Councils Good Design Guide states that *“side extensions should appear smaller in scale and massing in order to be subordinate to the main building.”*
- 8.12 The proposed extension would be constructed on the existing conservatory’s footprint (which is to be demolished) and would feature an approximate 1.75 square metre increase in mass. It would host a shallow dual-pitched roof form, similar to

that of the existing conservatory, which would retain the ridge height, however would see an increase to the eaves. The proposed eaves height would, however, mirror those of the existing kitchen extension, appearing subordinate to the existing dwelling. The submission fails to address the reasons as to why this dwelling is identified as a weak area in the conservation area and provide any enhancement to its significance by way of the demolition of the existing conservatory and replacement with a brick built extension, however due to its siting and design the extension would have no adverse impact upon the street scene and the character of the area.

- 8.13 The Councils Good Design Guide states that *“Reflecting local boundary treatments, such as brick or stone walls, hedgerows, railings or soft landscape features can provide a beneficial means of integrating new development into the existing environment and can be critical in the overall creation of character within a scheme.”*
- 8.14 To the front and side boundary of the dwelling, bounding the pavement to The Horsepool, is a brick wall of varying heights including two openings flanked by tall piers. The brick used in the construction of the wall matches that of the house. It is proposed to erect black wrought iron gates within the existing openings. The gates would have an appropriate appearance, closely matching the style and form of the front boundary railings to the Burbage Congregational Church which is located immediately to the south of the dwelling and resulting in a greater continuity of front boundary treatments within this small section of the conservation area. Consequently, this aspect of the proposal would result in a minor enhancement to its significance.
- 8.15 Overall, the rear extension is considered to have a neutral impact upon the character and appearance of 2 The Horsepool, and the erection of the gates within the front boundary wall would result in a minor improvement to the character and appearance of area. Consequently, the proposal would preserve and enhance the significance of the Burbage Conservation Area, and thus comply with Policies DM10, DM11 and DM12 of the SADMP, section 16 of the NPPF and the statutory duty of section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, Policies 1 and 2 of the Burbage Neighbourhood Plan and the Councils Good Design Guide.

Impact upon neighbouring residential amenity

- 8.16 Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy or amenity of nearby residents and occupiers of adjacent buildings and the amenity of occupiers of the proposed development would not be adversely affected by activities within the vicinity of the site.
- 8.17 As the proposed extension would be situated approximately 17.35 metres from neighbouring dwelling to the north-east (30 Horsepool) and approximately 22.41 metres from neighbouring dwelling to the north-west (18 Horsepool), whilst also being of a similar scale to the existing structure and hosting no openings to either immediate elevation, the extension is not considered to have any additional adverse impacts upon neighbouring dwellings 30 or 18 Horsepool than the existing conservatory poses at present.
- 8.18 The separation distance between the extension and the neighbouring dwelling to the south-west (3 Horsepool) would remain unchanged. The proposed extension would also host a similar scale to that of the existing conservatory with the reduction in the number of openings to the immediate adjacent elevation. By virtue of this,

there is not considered to be any additional impacts upon neighbouring dwelling, 3 Horsepool than the existing conservatory poses at present.

- 8.19 The proposed extension would not have any additional impacts upon the site to the south-east (Burbage Congregational Church) than the existing conservatory poses at present, due to its scale, the existing boundary treatments in situ and the significant sloping land levels to the south-east.
- 8.20 Due to the minor nature of the proposed gates, the appropriate use of material and scale there would not be any adverse impacts upon the surrounding neighbouring residential amenity.
- 8.21 It is therefore considered that the proposal would not have an adverse impact upon the residential amenity of this neighbouring dwelling in terms of loss of light, overlooking or overbearing nature, complying with Policy DM10 of the SADMP.

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.

10. Conclusion

- 10.1. The proposed development is for a property located within the settlement boundary of Burbage. As such, there is a presumption in favour of sustainable development under Policy DM1 of the SADMP, as long as the proposal is in accordance with the relevant policies of the SADMP.
- 10.2. The proposed development would complement the character and appearance of the host dwelling, and would not cause any adverse impacts upon the visual amenity of the surrounding area or the neighbouring amenity of occupants surrounding the application site. On this basis, the proposal is therefore considered to be in accordance with Policies DM10, DM11 and DM12 of the SADMP, section 16 of the NPPF and the statutory duty of section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, Policies 1 and 2 of the Burbage Neighbourhood Plan and the Councils Good Design Guide. The proposal and is 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 materials to be used externally shall accord with the approved application form, as received by the Local Planning Authority on the 25th November 2024.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM10, DM11 and DM12 of the SADMP, section 16 of the NPPF and the statutory duty of section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, Policies 1 and 2 of the Burbage Neighbourhood Plan and the Councils Good Design Guide.

3. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

- Site Location Plan, Block Plan & Gates, Drg No. 2024-27-01
- Proposed Plans and Elevations, Drg No. 2024-27-03
- Parking Provision, Drg No. 2024-27-04
- Design and Access Statement
- Heritage Statement
- Biodiversity Report as received by the Local Planning Authority on the 25th November 2024.

Reason: To ensure a satisfactory form of development in accordance with Policies DM10, DM11 and DM12 of the SADMP, section 16 of the NPPF and the statutory duty of section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, Policies 1 and 2 of the Burbage Neighbourhood Plan and the Councils Good Design Guide.

11.3 Notes to applicant

- 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.