

Delegated Report

Planning Ref: 24/00666/HOU
Applicant: Mrs Katie Laverick
Ward: Burbage St Catherines & Lash Hill



Hinckley & Bosworth
Borough Council

Site: 44 East Close Burbage Leicestershire

Proposal: First floor side 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 planning permission for a first floor side extension above an existing single storey side extension to a dwelling, 44 East Close, Burbage.
- 2.2. The amended proposed first floor side extension would be 4.5 metres in width, set back 1 metre from the front elevation with a depth of 5.9 metres to be flush with the existing main rear elevation. It would have matching eaves height of approximately 5.2 metres as the main roof of the dwelling, matching roof pitch and side gable roof form and a subordinate ridge height of approximately 7.5 metres, approximately 0.4 metres lower than the main roof ridge. The use of matching corresponding external materials is proposed in the construction.
- 2.3. Amended plans have been submitted providing a set back at first floor, lower ridge height and amending window alignments. By virtue of the reduced nature of the amendment and lack of any objections to the originally submitted scheme no re-consultations are considered to be necessary or have been undertaken in this case.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of Burbage on a prominent corner plot within a small residential cul-de-sac. It is a two storey semi-detached house with side gable main roof form, a single storey side extension with similar roof form and a rear conservatory with glazed pyramidal roof form. It is constructed predominantly with red multi facing bricks other than a cream rendered panel to part of the first floor front elevation, red/brown concrete interlocking roof tiles and white uPVC windows. It has a brick chimney stack to the middle roof ridge, a raised shallow depth flat roof bay window, a cream painted flat roof concrete porch canopy and door surround, red brick soldier sills and red brick quoins to the front elevation. The site frontage is fully hard surfaced and provides a minimum of three off-street parking spaces. The enclosed rear garden provides over 180 square metres of private amenity space.
- 3.2. The cul-de-sac is characterised by two storey semi-detached and terraced dwellings of the same age, design style and appearance. To the south (rear) of the application site there is a communal garage site and to the southwest a large area of public open space. The site lies on a main public thoroughfare to Hinckley train station which lies approximately 70 metres to the north.

4. Relevant planning history

02/00302/FUL

- Two storey side extension, two storey and single storey rear extensions and front porch
- Refused
- 22.05.2002

02/01223/FUL

- Extension to dwelling
- Permitted
- 17.01.2003

04/00962/FUL

- Erection of conservatory and alterations to dwelling
- Permitted
- 28.09.2004

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 Burbage Parish Council.

7. Policy

7.1. Burbage Neighbourhood Development Plan (BNDP) 2015-2026 (2021)

- No relevant policies

7.2. Core Strategy (2009)

- No relevant policies

7.3. 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

7.4. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2023)
- Planning Practice Guidance (PPG)

7.5. 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 urban 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. Burbage Neighbourhood Development Plan (BNDP) contains no relevant policies for domestic extensions but refers to the materials, design and scale of extensions and alterations being compatible with the original building (Para. 15.3).

- 8.3 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.'

'Corner plots play an important role within the street scene and it is important to recognise that overdevelopment of these plots can create an oppressive quality which can lead to a significant change in the prevailing character of a place.'

- 8.4 By virtue of its 4.5 metres width, the proposed first floor side extension would extend for over half the 6.2 metres width of the existing dwelling and therefore have the potential to unbalance the pair of semi-detached dwellings on this prominent corner plot. It would however be constructed above an existing single storey side extension in this case. Notwithstanding its width, by virtue of the amended proposal being set back at first floor by 1 metre from the main front elevation, together with the corresponding subordinate ridge height of approximately 7.5 metres (approximately 0.4 metres lower than the existing main roof ridge), it is considered that it would nevertheless appear as a clearly subordinate addition to the existing dwelling and would not overdevelop the corner plot that it occupies to an unacceptable degree. The amended proposal would have an appropriate depth of 5.9 metres to be flush with the existing main rear elevation and have appropriate matching eaves height of approximately 5.2 metres as the main roof of the dwelling and matching roof pitch and side gable roof form. The amended plans also propose appropriately proportioned and aligned fenestration to the front and rear elevations. The proposed use of matching corresponding external materials in its construction would ensure a satisfactory and uniform appearance within the street scene. The rear of the plot provides over 180 square metres of private amenity space and more than adequate to serve the resulting four bedroomed dwelling, particularly given the close proximity of the large public open space immediately to the southwest.

- 8.5 By virtue of the siting, scale, amended design and proposed use of matching corresponding external materials, the proposal would respect and complement the scale, character and appearance of the existing dwelling and the corner plot that it

occupies and therefore would not result in any significant adverse visual impacts on the character or appearance of the wider street scene. The proposal would therefore be in accordance with Policy DM10 of the adopted SADMP, the principles of the BNDP and the 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 neighbouring dwelling to the west (1 West Close) is a two storey end of terrace house set part further forward than the application dwelling with a 10 metres separation distance between the relative plot side boundaries and a public highway between. It has a blank side elevation facing the site. By virtue of its siting, scale, relative position and separation distance, the proposal would not result in any adverse overbearing or overshadowing impacts on No. 1 and there are no first floor side elevation windows proposed that would result in any potential loss of privacy to the neighbouring occupiers from any direct overlooking.
- 8.8 By virtue of its siting, scale and position entirely to the far side elevation of the application dwelling, the proposal would have no adverse impacts upon the residential amenity of privacy of the adjoining neighbouring occupiers of 43 East Close to the east of the site.
- 8.9 The proposal would therefore be in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide. No objections to the proposal have been received from the occupiers of any neighbouring properties.

Impact upon parking provision

- 8.10 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.11 The proposal would result in the creation of two additional bedrooms (third and fourth) but would maintain a minimum of three off-street parking spaces within the fully hard surfaced site frontage. This level of existing/retained provision would be in accordance with the local highway authority design guide which requires three spaces for dwellings of three or more bedrooms. The dwelling is also located in a sustainable urban location with easy access to a full range of services and facilities by alternative more sustainable transport means. The proposal is therefore considered to be in accordance with Policy DM18 of the adopted SADMP and 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 alterations to an existing dwelling within the urban settlement boundary of Burbage 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. By virtue of the siting, scale, amended design and proposed use of matching corresponding external materials, the proposal would respect and complement the scale, character and appearance of the existing dwelling and the corner plot that it occupies and therefore would not result in any significant adverse visual impacts on the character or appearance of the wider street scene. By virtue of its siting, scale, design and separation distances it is considered that the proposal would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring dwellings. Adequate off-street parking for three vehicles and private rear amenity space of over 180 square metres would be retained within the site to serve the resulting four bedroomed dwelling. The proposal is considered to be in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP, the principles of the Burbage Neighbourhood Development Plan and the 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 received by the local planning authority on 5 July 2024 and amended Proposed Floor Plans and amended Proposed Elevations Drawing No. 000_GA_layout_44_LE102TU Revision 00 V2 received by the local planning authority on 23 August 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.