

Delegated Report

Planning Ref: 24/00983/HOU

Applicant: Mr Matthew White

Ward: Newbold Verdon with Desford & Peckleton



Hinckley & Bosworth
Borough Council

Site: 31 Peters Avenue Newbold Verdon Leicestershire

Proposal: Two storey front, side and rear extensions and single storey rear extension with balcony above.

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 the remodelling of a dwelling including two storey front, side and rear extensions and single storey rear extension with balcony above at 31 Peters Avenue, Newbold Verdon.
- 2.2. The proposed two storey side/front extension would extend 3 metres in width from the main side elevation retaining over 1 metre to the side boundary. It would extend 1.5 metres forward of the main front elevation at a width of 3.3 metres and extend 8.6 metres in depth to be flush with the main rear elevation. It would have a dual pitched gable sided roof form with matching 4.9 metres eaves height and 7.9 metres ridge height as the main roof and a dual pitched roof forming a front gable with matching 4.9 metres eaves height and subordinate 6.9 metres ridge height. The proposal includes a second two storey front extension of the same 1.5 metres forward projection, 3.3 metres width and gable fronted roof form, eaves and subordinate ridge height on the other side of the existing front entrance hallway which would be retained with a lean-to roof between the two proposed twin front extensions.
- 2.3. The proposed two storey rear extension would extend 6 metres in depth from the main rear elevation flush with the side elevation and for a width of 4.14 metres across part of the rear elevation. It would have a dual pitched roof forming a rear gable with a matching 4.9 metres eaves height as the main roof and a subordinate ridge height of 7.1 metres. The proposed single storey rear extension would extend to the same 6 metres depth and for the remaining 5.65 metres width across the rear elevation and proposed side extension. It would have a contemporary flat roof design to a height of 2.7 metres and three glazed walk-on roof lights. A first floor balcony is proposed across part of the flat roof enclosed by a glazed balustrade to the rear elevation and a solid 1.7 metres high privacy side screen enclosing the side of the balcony set in 2.5 metres from the side elevation.
- 2.4. The proposed remodelling includes the use of a mix of K Rend Silicone render in White and horizontal Neo Timber Deluxe composite cladding in Antique to all external walls, matching concrete roof tiles and replacement contemporary style sage green uPVC or aluminium windows/doors throughout.
- 2.5. Amended plans have been submitted to reduce the width of the rear balcony and increase the height of the side balustrade/screen to address potential overlooking issues. No re-consultation has been undertaken in this case given the minor nature of the amendments.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of Newbold Verdon on the outside edge of a residential estate and within a no-through road. It is a detached two storey house with a dual pitched gable sided roof form. It has a garage attached to its side elevation which extends forward of the main front elevation and has a hipped lean-to roof form that extends part way across the front elevation above an entrance hall. It is constructed of light red/brown multi facing bricks, painted timber cladding to the first floor front elevation, weathered concrete interlocking roof tiles and white uPVC windows. In addition to the garage, the 6.4 metres deep site frontage provides two more off-street parking spaces on a concrete paved driveway and loose stone surfaced hardstanding together extending 6 metres in width. The substantial rear garden is enclosed by a mix of 1.8 metres high close boarded timber panel fencing and hedgerows.
- 3.2. The street scene comprises predominantly two storey detached and semi-detached houses with either gable sided or gable fronted roof forms, ground floor lean-to roofs across the front elevation and either coloured render or cladding at first floor. There are open fields to the rear.

4. Relevant planning history

None.

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. One response has been received as a result of public consultation that objects to the proposal on the grounds that its scale will result in an imposing structure, with resulting loss of light (during the winter months) and open aspect to a neighbouring dwelling.

6. Consultation

- 6.1. No response has been received from Newbold Verdon 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 (GDG) (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 (GDG) provides further advice in respect of the siting and design of a various forms of house extensions.

- 8.3 In respect of two storey side and front extensions the adopted GDG 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.' and,

"..... an adequate distance of 1m between the property and its boundary (giving a total distance of at least 2m between properties) should be encouraged. In assessing the merit of the planning application, consideration will be given to the impact on local character created by reducing the space between buildings.'

'Two-storey extensions to the front of properties should take the form of the existing building, mirroring the roof pitch, replicate or have lower eaves height and the ridge should be below the existing ridge height. In addition, the proposal should not normally extend beyond the front elevation by more than 2 metres and not cover more than 50% of the front elevation.'

- 8.4 The proposed two storey side extension would replace an existing garage attached to the side elevation that together with an entrance hallway projects forward of the main front elevation. The proposed two storey side extension would have an appropriate and clearly subordinate width of 3 metres, less than half the 7 metres width of the main body of the existing dwelling and would also retain an appropriate distance of over 1 metre to the side boundary and therefore respect the detached character of the respective dwellings. The proposal would however conflict with the adopted Good Design Guide (GDG) in respect of side extensions in that it would not be set down from the main ridge but would instead have the same 4.9 metres eaves height and 7.9 metres ridge height and dual pitched gable sided roof form as the existing dwelling. In addition, in this case, the proposal would not be set back from the main front elevation as sought by the adopted GDG but would instead extend forward. It would extend for only 1.5 metres forward of the main front elevation and at a clearly subordinate width of 3.3 metres. It would also have the same 4.9 metres eaves height as the main roof but a clearly subordinate 6.9 metres ridge height to the dual pitched gable fronted roof form and therefore this component of the proposal would be in accordance with the adopted GDG for front extensions. A second two storey front extension of the same heights, depth, width and design would be constructed to the other side of the front elevation of the dwelling and in itself would also be in accordance with the adopted GDG for front extensions. The

front entrance hallway would be retained with a lean-to roof between the two proposed twin front extensions. The design includes replacement windows and doors of a style and proportion that together with the proposed use of render and horizontal timber cladding to external walls would complement the contemporary remodelling scheme. Notwithstanding the small degree of conflict identified with the adopted GDG, in this case it is considered that the remodelling of the front elevation would result in a well-balanced design of appropriate scale and appearance within the varied street scene and that the twin front gables would provide visual interest and enhance the character of the existing plain fronted dwelling.

- 8.5 In respect of rear extensions, the adopted GDG 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.'

- 8.6 The proposed two storey rear extension would extend for a considerable depth of 6 metres from the main rear elevation flush with the side elevation but would not be a visually prominent structure within the street scene by virtue of there being only a relatively narrow view available between the dwellings. It would have an appropriate and clearly subordinate width of 4.14 metres across part of the rear elevation and a dual pitched roof forming a rear gable with a matching 4.9 metres eaves height as the main roof and a clearly subordinate ridge height of 7.1 metres. The proposed single storey rear extension would extend to the same 6 metres depth and for the remaining 5.65 metres width across the rear elevation and proposed side extension. It would have a contemporary flat roof design to a height of 2.7 metres with a first floor balcony above part of it set in by 2.5 metres from the side elevation and enclosed by a glazed balustrade to the rear elevation and a solid 1.7 metres high privacy screen enclosing the side of the balcony. As with the front elevation, the design includes full height windows, glazed rear gable infill and glazed sliding doors of a style and proportion that together with the proposed use of render and horizontal timber cladding to external walls would complement the contemporary remodelling scheme. It is considered that the remodelling of the rear elevation would result in a well-balanced design of appropriate scale and appearance.
- 8.7 The proposed extensions and alterations would result in a substantial increase to the overall footprint of the existing dwelling at both ground and first floor but a majority of this would be to the rear where it would have no significant adverse visual impact in the street scene or surrounding area. In addition, the proposals would not overdevelop the extensive plot that the dwelling occupies with 800 square metres of private rear amenity space being retained within the site and adequate separation distances of over 2 metres to each neighbouring property being retained to maintain the detached character of the dwelling. The two detached two storey dwellings to the southwest have also been subject to substantial extensions at both two storey and single storey scale to the side and rear.
- 8.8 Notwithstanding the small degree of conflict identified with the adopted Good Design Guide, by virtue of their siting, scale, design and proposed use of appropriate external materials in the construction to ensure a satisfactory and unified contemporary appearance, it is considered that the proposed remodelling and extensions and alterations would be compatible with the size of the plot and would respect and complement the scale, character and appearance of the existing

dwelling and neighbouring development within the street scene and therefore would be compatible in design terms with the surrounding area. The proposals are 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

- 8.9 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.
- 8.10 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.'*
- 8.11 An objection has been received on the grounds that its scale would result in an imposing structure, with resulting loss of light (during the winter months) and open aspect to a neighbouring dwelling.
- 8.12 The neighbouring dwelling to the north (No. 30) is a semi-detached two storey house set off the side boundary by 2 metres at the front corner and increasing to 3 metres at the original two storey corner by virtue of the shape of the outside corner plot that it occupies. It also currently extends further to the rear than the application dwelling by virtue of a single storey rear extension and a detached garage, the latter of which is set back to the side and rear and constructed along the side boundary. It has only an obscure glazed first floor window and obscure glazed window and door at ground floor in its near side elevation rather than any principal habitable room windows.
- 8.13 The proposed two storey rear extension would extend approximately 6 metres in depth beyond the first floor rear elevation of No. 30 and approximately 3 metres beyond the ground floor rear elevation. Notwithstanding this additional depth, by virtue of the different orientation of the respective dwellings within widening outside corner plots this would be at a minimum separation distance of 5 metres between the respective side elevations increasing to 7 metres at the rear corner and with the neighbours garage between. As a result, the proposal would not extend beyond a 45 degree line drawn from the nearest ground or first floor windows in the rear elevation of No. 30 and therefore is not considered to have any significant adverse impacts on their outlook in this case. By virtue of its position to the south of No. 30 the proposal may result in some additional overshadowing, however, this is likely to be limited to the side driveway and garage roof rather than resulting in any significant overshadowing of any private amenity areas of No. 30. By virtue of its forward projection of only 1.5 metres and separation distance of 3 metres, the proposed two storey front extension would not extend to any significant degree forward of No. 30 or beyond any 45 degree line drawn from the nearest front elevation windows and therefore would not result in any significant adverse impacts on the residential amenity of the neighbouring occupiers. There is only a ground floor door proposed in the near side elevation facing the side driveway of No. 30 and therefore it is considered that the proposal would not result in any significant adverse impacts on the neighbouring occupiers privacy.

- 8.14 The neighbouring dwelling to the southwest (No. 32) is a detached two storey house set off the side boundary by 1 metre by virtue of a two storey side extension and extending further to the rear of the application dwelling by virtue of a two storey rear extension (far side) and a rear conservatory (near side). It also extends approximately 1 metre further forward of the application dwelling at ground floor. It has obscurely glazed ground floor windows and a door in its near side elevation and a row of near side elevation windows in its rear conservatory facing the application site.
- 8.15 The proposed two storey side/front extension would extend 3 metres in width from the main side elevation replacing the existing garage but would retain an acceptable separation distance of over 1 metre to the side boundary with No. 32 and over 2 metres to its main near side elevation. It would extend only 1.5 metres forward of the main front elevation of No. 32 at a separation distance of 2 metres from the side elevation and therefore, would not extend beyond any 45 degree line drawn from the nearest front elevation bedroom window or result in any significant adverse impacts on its outlook. The proposal would extend 8.6 metres in depth at two storey height flush with the existing two storey rear elevation but only to a similar depth as the main two storey rear elevation of No. 32. The proposed single storey side/rear extension would extend for a further depth of 6 metres but only to a similar depth as the existing neighbouring conservatory extension of No. 32 and with a flat roof design to a height of only 2.7 metres. The proposed two storey rear extension would be set inside the boundary with No. 32 by 5.65 metres. By virtue of their respective siting, scales, similar depths and separation distances, it is considered that the proposals would not result in any significant adverse overbearing or overshadowing impacts upon No. 32. Two new windows and a door are proposed in the side elevation but these would be at ground floor level and face towards similar obscurely glazed windows/door and side wall of No. 32 rather than to any sensitive private areas and therefore would not result in any significant loss of privacy to the neighbouring occupiers.
- 8.16 A first floor balcony is proposed across part of the flat roof of the proposed single storey rear extension with access from side facing full height glazed sliding doors. Notwithstanding that these would face towards the rear conservatory of No. 32, by virtue of them being set in from the southwest side boundary by 6.65 metres and the amended plans setting the proposed balcony in from the southwest side elevation by 2.5 metres together with the inclusion of a solid 1.7 metres high privacy side screen to enclose the balcony with a glazed balustrade to only the rear elevation, it is considered that the amended proposal would not result in any significant loss of privacy to the neighbouring occupiers of No. 32 from direct overlooking.
- 8.17 Notwithstanding the objection received, by virtue of their siting, scale, amended design, separation distances and subject to a condition to secure appropriate screening, it is considered that the proposed extensions and alterations would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. The proposals are therefore considered to be in accordance with Policy DM10 of the adopted SADMP and the general principles adopted Good Design Guide.

Impact upon parking provision

- 8.18 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.19 The proposals would result in the loss of the existing garage and the provision of an additional (fourth) bedroom. However, three off-street parking spaces are proposed to serve the resulting dwelling within the 6.4 metres deep and 11 meters wide site

frontage and these can be secured by a condition along with appropriate hard surfacing. This level of provision would be adequate to serve the resulting four bedroomed dwelling and in accordance with Policy DM 18 of the adopted SADMP and the local highway authority design guide standards.

Biodiversity

- 8.20 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 extensions and alterations to an existing dwelling located within the settlement boundary of Newbold Verdon 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 the small degree of conflict identified with the adopted Good Design Guide, by virtue of their siting, scale, design and proposed use of appropriate external materials to ensure a satisfactory and unified appearance, it is considered that the proposed remodelling and extensions and alterations would be compatible with the size of the plot and would respect and complement the scale, character and appearance of the existing dwelling and neighbouring development within the street scene and surrounding area. Notwithstanding the objection received, by virtue of their siting, scale, amended design, separation distances and appropriate screening, it is considered that the proposed extensions and alterations would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. Adequate off-street parking of three spaces and private amenity space of 800 square metres would be retained within the site to serve the

resulting four bedroomed dwelling. The proposals 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 and Proposed Block Plan Drawing No. 163-03 Rev 0 received by the local planning authority on 24 October 2024 and Proposed Floor Plans and Proposed Elevations Drawing No. 163-02 Rev D received by the local planning authority on 29 November 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 extensions and alterations and existing dwelling shall be a mix of K Rend Silicone render (White) and horizontal Neo Timber Deluxe composite cladding (Antique) to all external walls, matching concrete roof tiles and replacement uPVC or aluminium windows/doors (Sage Green) throughout in accordance with the approved Proposed Elevations Drawing No. 166-02 Rev D and email received by the local planning authority on 29 November 2024.

Reason: To ensure that the development has a satisfactory appearance in the interests of visual amenity in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. Prior to first use of the first floor balcony area hereby permitted, a solid privacy side screen of a minimum height of 1.7 metres above the upper surface of the balcony area shall be erected along the southwest side of the approved balcony area as defined on the approved Proposed First Floor Plan on Drawing No. 163-02 Rev D received by the local planning authority on 29 November 2024 and once so installed, the balcony privacy side screen shall be permanently maintained as such at all times thereafter.

Reason: To safeguard the privacy and amenity of neighbouring dwellings from direct overlooking in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. The use of the flat roof of the rear extension hereby permitted as a balcony shall be limited to the area shown on the approved Proposed First Floor Plan on Drawing No. 163-02 Rev D received by the local planning authority on 29 November 2024. The remainder of the flat roof shall not at any time be used as a balcony or sitting out area and neither shall any balustrade, railings, wall or other means of enclosure be erected on that part of the flat roof.

Reason: To protect the residential amenity and privacy of neighbouring properties in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

6. Within one month of the first occupation of the proposed extensions hereby permitted, three off-street parking spaces, each of minimum dimensions of 5.5 metres in length and 2.4 metres in width, shall have been provided within the site frontage and surfaced in permeable hardbound materials (not loose aggregates etc.) in accordance with the approved Proposed Block Plan Drawing No. 163-03 Rev 0 received by the local planning authority on 24 October 2024. Once so provided the on-site parking provision shall be permanently maintained as such at all times thereafter.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally in the interests of highway safety and in accordance with Policy DM18 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.