

Delegated Report

Planning Ref: 24/00765/HOU

Applicant: Mr Richard Liddington

Ward: Barlestone Nailstone and Osbaston



Hinckley & Bosworth
Borough Council

Site: 27A Barton Road Barlestone Leicestershire

Proposal: Erection of side attached garage (following the demolition of existing timber framed garage)

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 side attached garage to a dwelling, 27A Barton Road, Barlestone.

2.2. The proposed replacement garage would be set back from the front elevation by 7 metres and would extend 4.1 metres in width (including an internal passageway) from the side elevation and for a depth of 5.2 metres to be flush with the rear elevation of the dwelling. It would have a flat roof form to a height of 3.2 metres. It is proposed to be constructed with red facing bricks to match the existing dwelling.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the settlement boundary of Barlestone to the south of Barton Road in a residential area. It is a detached bungalow with pyramidal/hipped main roof form and traditional styling with front elevation bay windows either side of the central entrance door and also a rear bay window. It has single storey projections to both the front and rear elevations that have subordinate gable ended roof form. It is constructed of red multi facing bricks, plain red/brown concrete roof tiles and white uPVC windows. There is an existing detached garage set back to the side that would be removed to enable the scheme. It has a block paved driveway and loose stone surfaced frontage providing ample off-street parking. To the rear there is a large garden providing ample private amenity space.

3.2. It is set back from the highway between two storey houses of varying design, style and appearance and behind a mature front boundary hedgerow.

4. Relevant planning history

23/00797/HOU

- Single storey side extension and other alterations
- Permitted
- 05.10.2023

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 Barlestone 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) (2021)
- 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

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:

'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 replacement garage would extend for an appropriate width of 4.1 metres from the side elevation, less than half the width of the existing dwelling, and for an appropriate depth of 5.2 metres to be flush with the rear elevation of the dwelling. An internal covered passage would maintain access to the rear garden. It would extend just inside the existing brick boundary retaining wall to the east between it and the neighbouring dwelling which occupies a 0.5 metre higher ground level. The proposed flat roof design is not characteristic of the existing hipped roof bungalow, however, the proposal would have a clearly subordinate height of only 3.2 metres, would be set back by 7 metres from the front elevation and 19 metres from the highway boundary where it would be well screened by the dwellings either side such that it would only be publicly visible from directly in front of the dwelling.

Notwithstanding its flat roof form, by virtue of its height, set back and screening it is considered that the proposal would not be visually prominent or have any significant adverse visual impacts on the dwelling or wider street scene. It is proposed to be constructed with red facing bricks to match the existing dwelling to ensure a unified appearance. There is an extant planning permission for much deeper flat roof side extension that extends further forward and to the rear (23/00797/HOU).

- 8.4 On balance, the proposal is considered to be in general accordance with Policy DM10 of the adopted SADMP and, other than the roof form, the general principles of the adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 8.5 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.

- 8.6 The neighbouring dwelling to the east (No. 27) is a part two storey/part dormer house set forward of the application dwelling and on a 0.5 metres higher ground level. It is set off the side boundary by 1 metre and has no principal habitable room windows in its near side elevation facing the site. The proposed replacement garage would extend 4.1 metres in width from the side elevation to just within the side boundary and for a depth of 5.2 metres beyond the rear elevation of No. 27. Whilst extending almost to the side boundary, by virtue of the 0.5 metres lower ground level on which it would be constructed and its flat roof design to a height of only 3.2 metres, the proposal would be only marginally higher than the existing brick retaining wall that defines the side boundary and therefore would not result in any significant adverse overbearing or overshadowing impacts on No. 27 or loss of privacy from any direct overlooking to the occupiers. By virtue of its siting, scale and separation distances no other neighbouring property would be affected.

- 8.7 By virtue of the siting, scale, design, screening by existing structures and separation distances, the proposed replacement garage would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers 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

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

- 8.9 The proposal would result in the loss of the existing garage and the replacement garage would not have sufficient internal width or length to be classified as a viable parking space by the local highway authority design guide standards. Notwithstanding this, more than adequate off-street parking would be available to serve the existing/resulting two bedroomed dwelling on the 19 metres long driveway and 10 metres wide and 12 metres deep hard-surfaced site frontage. This level of provision would therefore be acceptable and in accordance with Policy DM18 of the adopted SADMP and the local highway authority design guide.

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 alteration to an existing dwelling located within the settlement boundary of Barlestone 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 flat roof design, by virtue of the siting, single storey scale and screening together with the proposed use of matching corresponding external materials to ensure a unified appearance, the proposed garage is considered to respect the scale and appearance of the existing dwelling and not to detract significantly from its character. By virtue of the siting, scale, design, screening by existing structures and separation distances, the proposed replacement garage would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. Adequate private amenity space of approximately 300 square metres would be retained within the site to serve the existing/resulting two bedroomed dwelling along with ample off-street parking space to the driveway and site frontage. The proposal is considered to be in general accordance with Policies DM1, DM10 and DM18 of the adopted SADMP and most of 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 and Proposed Site Plan Drawing No. 2406-147-A-SL01 and Proposed Garage Floor Plan Drawing No. 2406-147-A-P01 received by the local planning authority on 7 August 2024 and Proposed Elevations Drawing No. 2406-147-A-P02 Rev A received by the local planning authority on 21 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 attached garage 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 buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.