

Delegated Report

Planning Ref: 23/00720/HOU
Applicant: Mr Darren Jelley
Ward: Groby



Hinckley & Bosworth
Borough Council

Site: 56 Fern Crescent Groby Leicestershire

Proposal: Erection of front porch and two 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 planning permission for the construction of a front porch and a two storey rear extension to a dwelling, 56 Fern Crescent, Groby.
- 2.2. The proposed two storey rear extension would extend to a depth of 3.6 metres from the existing main rear elevation and across the full 10.35 metres width of the dwelling. It would have twin 5.2 metres wide gables to its rear elevation with central valley gutter with matching eaves height as the main roof but lower ridge heights. One would have a 2.7 metres wide full height feature glazed window at first floor, both would have full height glazing to the ground floor. The application proposes that all existing and proposed external walls would be finished in smooth painted render to match the existing rendered panel to the front elevation along with matching roof tiles and grey uPVC windows to the proposed rear elevation.
- 2.3. The proposed front porch would extend 1.2 metres in depth from the front elevation and for a width of 2.2 metres. It would have full height glazing to all three sides and a dual pitched gable fronted roof design with an eaves height of 2.1 metres and a ridge height of 3.2 metres.

3. Description of the site and surrounding area

- 3.1. The application dwelling lies within the settlement boundary of Groby within a residential estate on its northern edge and with an open field to the north. It is a two storey detached house with hipped main roof form, a two storey gable sided extension to its northeast side elevation that is set back from its front elevation, and a single storey rear extension with a flat roof. The original dwelling is constructed with white painted render to its front elevation with stone quoins and horizontal dark stained timber boarding between ground and first floor windows. The remainder of the dwelling is constructed with red facing bricks, brown concrete interlocking roof tiles and white uPVC windows. There is a red brick chimney stack to its southwest side elevation. The site provides three off-street parking spaces on the tarmac surfaced driveway within the site frontage. There is a large garden to the rear providing more than adequate private amenity space and a separate additional paddock beyond.
- 3.2. There is a two storey detached house with a two storey front extension and single storey flat roofed extensions to its rear side elevation to the southwest of the site and set forward of the application dwelling. There is a detached gable fronted dormer bungalow to the north east and set back from the application dwelling. The majority of the dwellings on Fern Crescent are either bungalows or gable fronted dormer bungalows.

4. Relevant planning history

83/00928/4

- Cloakroom and rear extension
- Permitted
- 16.11.1983

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 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) (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 in respect of rear extensions 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. Where there are no public views into a site, a fully integrated two storey rear extension may be acceptable unless there is a detrimental impact on the adjacent properties as assessed by the 45 degree rule.'

- 8.3 The proposed two storey rear extension would extend to an appropriate depth of 3.6 metres from the existing main rear elevation, less than half its existing depth, and across the full 10.35 metres width of the dwelling to be flush with both side elevations. It would have twin 5.2 metres wide gables to its rear elevation with central valley gutter with matching eaves height as the main roof but subordinate ridge heights such that the existing main roof would remain dominant overall. The definition of the northeast side elevation gable on the main roof would be maintained through the retention of the roof verge ensuring that the extension would appear visually distinct from the existing dwelling and thereby providing a visual break in the elevation when viewed along Fern Crescent. The proposal would be fully flush with the southwest side elevation and its hipped roof but by virtue of the two storey front extension to the neighbouring dwelling would not be visually prominent within the street scene and therefore the need for a visual break is not considered to be critical. Reference to the 45 degree rule is covered in the following section of the report on neighbours amenities.
- 8.4 The proposal includes a more contemporary design to the rear elevation including a 2.7 metres wide full height feature glazed window at first floor and extensive full height glazing to the ground floor. Notwithstanding the contrasting window proportions to those of the existing dwelling, the larger windows would be to the rear elevation only and would overlook an open field to the north where there would be no significant adverse visual impacts on the character or appearance of any street scene or the surrounding area and therefore the proposal is considered to be acceptable in design terms. The application proposes that all existing and proposed external walls would be finished in smooth painted render to match the existing rendered panel to the front elevation along with matching roof tiles and grey uPVC windows to the proposed rear elevation to reflect its more contemporary design. It is considered that this would ensure a satisfactory and unified appearance to the resulting dwelling and wider street scene where there are other rendered dwellings in the vicinity.
- 8.5 The proposed front porch would extend only 1.2 metres in depth from the front elevation and for a width of only 2.2 metres. It would have full height glazing to all three sides and a clearly subordinate dual pitched gable fronted roof design with an eaves height of 2.1 metres and a ridge height of 3.2 metres. By virtue of its clearly subordinate depth, width and height the proposal would be a well-proportioned addition that would sit comfortably within the front elevation of the dwelling.
- 8.6 By virtue of the siting, scale, design and the proposed use of matching and complementary external materials to create a unified overall appearance, the proposed extensions and alterations would respect and complement the scale, character and appearance of the existing dwelling and would not result in any significant adverse visual impacts on the character or appearance of the wider street scene or 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

- 8.7 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 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.'

- 8.8 The adjacent gable fronted dormer bungalow to the northeast (No. 54) extends approximately 6 metres further to the rear than the main rear elevation of the application dwelling and therefore at only 3.6 metres in depth the proposed rear extension would not extend beyond the rear elevation of No. 54 or result in any adverse overbearing or overshadowing impacts on any principal habitable room windows in its rear elevation. Whilst the two storey proposal would extend across the small obscurely glazed window in its near side elevation and at least partially across the near side elevation door of No. 54 at a separation distance of only 1 metre, these are not principal habitable room windows and therefore it is considered that the proposal would not result in any significant adverse impacts on the residential amenity of the neighbouring occupiers. There are no side elevation windows proposed facing No. 54 that would result in any loss of privacy to the neighbouring occupiers.
- 8.9 The application dwelling already extends approximately 4 metres further to the rear than the neighbouring two storey dwelling to the southwest (No. 58). However, the main side elevations of the respective dwellings are approximately 6 metres apart and the orientation of the rear elevation of No. 58 is such that it spays away from the application dwelling. As a result, notwithstanding the additional depth of the proposed two storey rear extension, it would not extend beyond a 45 degree line drawn from any principal habitable room windows in the rear elevation of No. 58 or result in any significant adverse overbearing or overshadowing impacts on the neighbouring dwelling. There are no side elevation windows proposed facing No. 58 that would result in any loss of privacy to the neighbouring occupiers.
- 8.10 By virtue of the siting relative to the neighbouring dwellings, the scale, design and separation distances, the proposals would have no significant adverse impacts on the residential amenity or privacy of any neighbouring properties. The proposals would therefore be in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide. No objections have been received from any neighbouring properties.

Impact upon parking provision

- 8.11 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.12 The existing garage space has been compromised by an internal extension of the kitchen and therefore no longer provides a space of adequate standard dimensions to be classed as a viable parking space. Notwithstanding this, the site provides three off-street parking spaces on the tarmacadam surfaced driveway within the site frontage and these would be unaffected by the proposed front porch of only 1.2 metres depth. The proposal would result in the extension of two existing bedrooms rather than any additional bedrooms and therefore the application dwelling would remain a four bedroomed house. The local highway design guide requires that four bedroom dwellings be provided with three off-street parking spaces and therefore

the existing level of provision would remain adequate to serve the resulting four bedroomed dwelling and be in accordance with Policy DM18 of the adopted SADMP and the local highway authority design guide 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 proposals relate to extensions and alterations to an existing dwelling located 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. By virtue of the siting, scale, design and the proposed use of matching and complementary external materials to create a satisfactory and unified overall appearance, the proposed extensions and alterations would respect and complement the scale, character and appearance of the existing dwelling and would not result in any significant adverse visual impacts on the character or appearance of the wider street scene or surrounding area. By virtue of the siting relative to the neighbouring dwellings, the scale, design and separation distances, the proposals would have no significant adverse impacts on the residential amenity or privacy of any neighbouring properties. The proposals would retain more than adequate private rear amenity space of over 280 square metres and adequate off-street parking provision of three spaces 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: Site Location Plan, Proposed Site Plan and Proposed Floor Plans and Elevations Drawing No. 2023/9313/01 Rev B received by the local planning authority on 21 July 2023.

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 hereby permitted shall match the corresponding materials of the existing dwelling and be in accordance with the materials details submitted within the Planning Application Form and on the approved Proposed Elevations Drawing No. 2023/9313/01 Rev B received by the local planning authority on 21 July 2023.

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.