

Delegated Report

Planning Ref: 24/00096/HOU
Applicant: Mr & Mrs Brunson
Ward: Burbage Sketchley & Stretton



Hinckley & Bosworth
Borough Council

Site: 20 Briarmead Burbage Leicestershire LE10 2PB

Proposal: Single storey side and 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 a single storey side and rear extension to a dwelling, 20 Briarmead, Burbage.
- 2.2. The proposed extension wraps around the rear and the side elevation of the dwelling. On the east side of the extension, it measures 3 metres in depth, covers the full width (10.1 metres) of the main dwelling and has a depth of 6.8 metres on the west side of the extension. The side extension has a width of 1.58 metres. The flat roof section of the rear extension has an overall height of 2.7 metres. The other side of the extension wrapping around the side elevation of the dwelling has a dual pitched roof form, four rooflights, ridge height of 3.7 metres and eaves height of 2.34 metres.
- 2.3. External materials for the extension include matching brickwork for the wall, living roof for the flat roof section, matching roof tile for the dual pitched form, and uPVC windows and doors.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of Burbage in a residential area and at the end of Briarmead. The north of the dwelling faces Briarmead and west elevation faces Wolvey Road. It is a two storey detached house with an integrated garage. It is brick built with white uPVC windows and doors. The dwelling frontage has a paving driveway and trees.
- 3.2. The immediate surrounding dwellings along Briarmead are of similar design, scale and all faced in brick. The site is not within a conservation and the dwelling is not listed.

4. Relevant planning history

None related.

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. Burbage Parish Council has no objection to the application.

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 (GDG) (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 rear and side extension has a single storey scale with flat and pitched roof forms. The flat roof of the rear extension has an overall height of 2.7 metres and the dual pitched roof has a ridge height of 3.7 metres and eaves height of 2.34 metres. The extension projects 1.5 metre to the west side of the main dwelling and joins the rear extension to an overall depth of 6.8 metres. The rear, side extension and roof forms are clearly subordinate to the main dwelling. They have appropriate dimensions that do not significantly impact the visual character of the dwelling. The rear extension is not viewable from Briarmead, however, has a limited view from Wolvey Road. The side projection has appropriate height and width. The depth of the side extension does not cover more than 50% of the depth of the main dwelling. It is screened by the existing 2 metres high fence on the west boundary. The roof form of the side extension complies with the predominant roof character along the street. Notwithstanding the limited view of the extension from Wolvey Road, there is no significant adverse visual impacts on the surrounding area and therefore it is considered to be acceptable in design terms. Matching materials are proposed for

the extension and it has suitably proportioned windows and doors that reflect the size and style of the existing dwelling.

- 8.4 By virtue of the above, the proposed extension respects and complements the scale, character and appearance of the existing dwelling and has no significant adverse visual impacts on the wider street scene. The proposal is therefore considered to be in accordance with Policy DM10 of the adopted SADMP, the general principles of the adopted Good Design Guide and the principles of the Burbage Neighbourhood Development Plan.

Impact upon neighbouring residential amenity

- 8.5 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.

- 8.6 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.'

- 8.7 The proposed extension is strategically located to the rear, does not result in overdevelopment on the garden land and is separated by approximately 1 metre and 0.3 metre from the east and west boundary fences respectively. The adjoining dwelling to the east (No. 19) is a similarly scaled and styled detached two storey house that has a single storey conservatory to the rear. The existing 2 metres high fence separates the gardens of 19 & 20 Briarmead. The extension has no adverse overbearing or overshadowing impacts on 19 Briarmead as a result of the separation distance, the single storey scale and orientation of both properties set away from the boundary fence. There is no significant impact on loss of privacy, loss of light and breach of the 45 degree rule. The extension faces Wolvey Road to the west and has no side facing windows. The rooflights facing the road do not result in overlooking, as Wolvey Road is a public space. The proposal does not result in any significant or unacceptable adverse overbearing or overshadowing impacts on the adjoining properties. No objection to the proposal has been received from the adjoining occupiers.

- 8.8 By virtue of the above, it is considered that the proposal does not result in any significant or unacceptable adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. The proposal is therefore in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide. No objections to the proposals have been received from the occupiers of any neighbouring properties.

Impact upon parking provision

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

- 8.10 The site currently has an integrated garage and a front paved driveway which has the capacity to hold two off street cars. The existing parking arrangements are retained. There is no increase in the number of bedrooms in the dwellinghouse.

- 8.11 This level of retained existing provision is adequate to serve the dwelling in this highly sustainable urban setting with easy access to a full range of services and facilities by alternative and more sustainable transport means. The proposal is therefore considered to be 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 proposals relate to extensions and alterations to an existing dwelling located 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, design, separation distance, appropriate dimensions and the proposed use of matching corresponding external materials to ensure a unified appearance, it is considered that the proposed extension and alteration respect and complement the scale, character and appearance of the existing dwelling and have no significant adverse visual impacts on the wider street scene. The proposal has no significant or unacceptable adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. Adequate off-street parking and private amenity space are retained. The proposal is considered to be in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP, the general principles of the adopted Good Design Guide and the principles of the Burbage Neighbourhood Development Plan 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 License No. 100047474, Block Plan, Proposed Floor Plan and Elevation Drawing Number 23051-04 received by the local planning authority on 29 January 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 shall match the corresponding materials of the approved plans and elevation.

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.
2. The applicant is advised to ensure that, when being constructed, no part of the development hereby permitted exceeds the extent of their land ownership, for example through any overhanging rainwater goods etc., in order to avoid any potential legal disputes with the adjoining neighbouring land owner(s).