

Delegated Report

Planning Ref: 23/00580/HOU
Applicant: Mrs Jaya Odedra
Ward: Groby



Hinckley & Bosworth
Borough Council

Site: 10 Forest Rise Groby Leicestershire

Proposal: Front porch and canopy roof (retrospective)

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 retrospective planning permission for a front porch and canopy roof to a semi-detached dwelling, 10 Forest Rise, Groby.

2.2. The lean-to canopy roof projects 1.5 metres forward of the main front elevation and extends across the full 8.7 metres width of the plot with an eaves height of 2.3 metres and up to a maximum height of 3.5 metres where it wraps around the side elevation. It extends across a ground floor bay window and two proposed porch areas having a total width of 4.7 metres and would be supported by a red brick side wall and red brick pillars. The canopy roof, brick pillars and first porch have been constructed, the second porch is awaiting enclosure with the same dark grey windows/doors and a red brick side wall. It is currently covered by grey plain concrete roof tiles however, an amended plan has been submitted to propose that these are changed to a red concrete roof tile to match the colour of the main/original roof tiles and to remove the previously proposed grey render to the entire front elevation of the dwelling and the side elevation walls of the porch from the scheme. Re-consultation has been undertaken.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the settlement boundary of Groby on a residential estate and within a row of similarly scaled and designed two storey semi-detached dwellings with hipped roof form, ground floor bay windows and small open dual pitched roof porch canopies and brick outbuildings set back to the side between. The front porch and canopy roof that is the subject of this retrospective application has already been substantially constructed. The dwelling is constructed of plain red facing bricks, small red roof tiles and a mix of white and dark grey UPVC windows.

3.2. There is a single storey front extension/lean-to canopy roof with red brick walls and red concrete roof tiles attached to the front elevation of a similar dwelling in the vicinity (No. 3).

4. Relevant planning history

21/01015/HHGDO

- Single storey rear extension measuring 5.00 metres in depth; 4.00 metres in height to the ridge; and 3.00 metres to the eaves
- GRPA
- 01.10.2021

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. Groby Parish Council comment that it improves the street scene compared to what was previously there and therefore enhances the property.

7. Policy

- 7.1. Core Strategy (2009)
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- 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 domestic properties located 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.
- 8.3. The lean-to canopy roof projects only 1.5 metres forward of the main front elevation and extends across the full 8.7 metres width of the plot but with an eaves height of 2.3 metres and up to a maximum and clearly subordinate height of 3.5 metres where it wraps around the side elevation. It extends across a ground floor bay window and would have two porch areas having a total width of 4.7 metres. It would be supported by a red brick side wall and a red brick pillars. The porches have/would be constructed with dark grey uPVC windows/doors. The roof is currently covered by grey plain concrete roof tiles however, an amended plan has been submitted to propose that these are changed to a red concrete roof tile to

match the colour of the main/original roof tiles to seek to achieve a more unified appearance which would better respect and complement the scale, character and appearance of the existing dwelling. The previously proposed application of a grey render to the entire front elevation of the dwelling and the side elevation walls of the porch would have been incongruous with the red brick appearance of the application dwelling and entire row in which it is located and has been removed from the scheme.

- 8.4 As a result of this, and subject to the existing grey concrete roof tiles being changed to roof tiles that match the red colour of the main/original roof of the dwelling, it is considered that, on balance, the structure would then be considered to better respect and complement the scale, character and appearance of the existing dwelling and be acceptable in terms of Policy DM10 of the adopted SADMP and 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 By virtue of its siting, single storey scale, modest 1.5 metres depth, lean-to roof design and window positions, the structure would not result in any significant adverse impacts on the residential amenity or privacy of any neighbouring occupiers and would therefore be in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.

Impact upon parking provision

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

- 8.8 The proposal does not result in the provision of any additional bedroom space. The existing three bedroomed dwelling appears to have previously benefitted from one off-street car parking space on a driveway which has now been reduced in depth to only 5 metres, 0.5 metres less than the local highway authority dimension for a parking space. By virtue of its 8.7 metres width, the site frontage would enable the provision of a replacement off-street space of 5.5 metres in length and 2.4 metres in width at an angle across the frontage. A condition could be imposed to secure such provision such that the structure would have a neutral impact on parking provision in this case and not be unacceptable in terms of Policy DM18 of the adopted SADMP. The shortfall of one space to serve a three bedroomed dwelling is unlikely to result in any significant adverse impacts on highway safety in this location on a no-through estate road and is not considered to be critical in this case. On-street parking immediately to the front of the dwelling is unrestricted.

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 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. subject to the existing grey concrete roof tiles being changed to roof tiles that match the red colour of the main/original roof of the dwelling, it is considered that, on balance, the structure would then be considered to better respect and complement the scale, character and appearance of the existing dwelling and be acceptable in terms of Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.
- 10.3. By virtue of its siting, scale, design and subject to the existing grey concrete roof tiles being changed to roof tiles that match the red colour of the main/original roof of the dwelling to better respect and complement the scale, character and appearance of the existing dwelling, it is considered that the structure would not be unacceptable in terms of its design or appearance and would then have no significant adverse visual impacts upon the application dwelling or wider street scene. By virtue of its siting, scale, design and separation distances, the structure would not have any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. A condition could be imposed to secure a suitably sized replacement off-street parking space within the site. On balance, the structure is considered to be acceptable in terms of Policies DM1, DM10 and DM18 of the adopted SADMP and the general principles of the adopted Good Design Guide and is therefore recommended for retrospective 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 not be carried out otherwise than in complete accordance with the submitted application details, as follows: Location Plan Drawing No. Me10323-01 and Block Plan Drawing No. ME10323-02 received by the local planning authority on 12 June 2023 and Proposed Floor Plans Drawing No. Me10323-03 Rev A and Proposed Elevations Drawing No. Me10323-04 Rev A received by the local planning authority on 3 August 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).

2. The materials to be used on the external elevations of the extension and alteration hereby permitted shall be in accordance with the details submitted on the approved amended Proposed Floor Plans Drawing No. Me10323-03 Rev A and Proposed Elevations Drawing No. Me10323-04 Rev A received by the local planning authority on 3 August 2023 and shall match the corresponding materials of the original 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).

3. The existing grey concrete roof tiles on the front porch/canopy roof shall be removed and replaced with red concrete roof tiles to match the colour of the roof tiles covering the main roof of the original dwelling within 6 months of the date of this Decision Notice. Once changed the roof tiles shall be permanently so maintained thereafter.

Reason: To ensure that the development has a satisfactory external 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. Notwithstanding the submitted details, within 6 months of the date of this Decision Notice, a minimum of one off-street parking space of a minimum of 5.5 metres in length and 2.4 metres in width shall have been provided within the site and shall have been surfaced with permeable hard-bound materials (not loose aggregates). Once so provided, the on-site parking space shall be permanently so maintained and retained for such use at all times thereafter.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the development leading to on-street parking problems locally and to prevent deleterious materials (loose stones etc.) from being deposited in the highway in the interests of highway safety and in accordance with Policies DM17 and DM18 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).