

Delegated Report

Planning Ref: 24/00771/HOU

Applicant: Mrs E Clark

Ward: Newbold Verdon With Desford & Peckleton



Hinckley & Bosworth
Borough Council

Site: The Upside 27 Lindridge Lane Desford

Proposal: Demolition of existing garage and erection two storey rear/side 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. The application seeks full planning consent for the demolition of the existing garage and construction of a two storey rear and side extension at The Upside, 27 Lindridge Lane, Desford.
- 2.2. The proposed two-storey side extension would project outwards from the existing side elevation by 4.49 metres and would host a width of 10.08 metres. It would feature a gabled roof which would measure 3.55 metres to the eaves and 6.45 metres to the ridge.
- 2.3. The proposed single storey rear extension would project outwards from the existing rear elevation by 1.61 to 4.46 metres and would have a width of 1.26 to 3.25 metres, hosting an "L" shaped design. It would feature a mono-pitched roof which measure 2.44 metres to the eaves and 3.91 metres to the ridge, adjoining onto the gabled roof of the proposed side extension.
- 2.4. The proposed external materials would match those of the existing dwelling, with the exception of uPVC being used in place of the existing timber windows and doors.

3. Description of the site and surrounding area

- 3.1. The application site relates to a two storey detached dwelling situated within, but to the edge of the settlement boundary of Desford. The application dwelling comprises an 'L' shaped footprint, with the use Oakthorpe red multi blend brick to the walls, Spanish slate to the roof and timber to the windows.
- 3.2. The site can be accessed to the west of Lindridge Lane via an existing driveway situated between 25 and 34 Lindridge Lane. The access hosts the application dwelling along with 29 and 33 Lindridge Lane.
- 3.3. The construction of the dwelling was permitted in 2018 under application 18/00195/FUL along with the erection of three carports to serve the application dwelling, 29 and 33 Lindridge Lane.
- 3.4. Surrounding properties are detached, and occupy substantial plots and vary in style, design and age. The site is surrounded by a vast amount of open countryside to the rear. To the south-east of the site sits public footpath (R75 - From the Merrylees - Newbold Heath Road (opposite Heath Road)).

4. Relevant planning history

17/00576/OUT

- Erection of 1 dwelling and 3 carport structures (Outline - access, layout and scale only)
- OUT
- 03.11.2017

18/00195/FUL

- Erection of new dwelling and three carport structures and associated landscaping
- PER
- 18.04.2018

19/00296/DISCON

- Application to discharge conditions 3, 4 and 7 attached to planning permission 18/00195/FUL
- DISCHA
- 14.05.2019

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 objection has been received which is summarised below;
- Overlooking concerns due to adjacent property being single storey;
 - The bulk of the side extension - roof space could be significantly reduced if altered from a pitched to a hipped design;
 - The adjacent hedgerow is not forever - two of the trees forming the hedgerow are dead at present.

6. Consultation

6.1. Desford Parish Council;

- No comments have been received.

7. Policy

7.1. Desford Neighbourhood Plan 2018-2036

- Policy H1: Settlement Boundary
- Policy H7: Housing Design

7.2. Core Strategy (2009)

- Policy 7: Key Rural Centres
- Policy 8: Key Rural Centres Relating to Leicester

- 7.3. Site Allocations and Development Management Policies DPD (2016)
 - Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM4: Safeguarding the Countryside and Settlement Separation
 - 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 (2020)
 - National Design Guide (2019)

8. Appraisal

- 8.1. Key Issues
 - Assessment against strategic planning policies
 - Design and impact upon the character of the area
 - Impact upon neighbouring residential amenity
 - Impact upon parking provision

Assessment against strategic planning policies

- 8.2 Notwithstanding that a section of the application site is located in the countryside; the NPPF and Policy DM1 of the Site Allocations and Development Management Policies (SADMP) provide a presumption in favour of sustainable development.
- 8.3 Policy DM4 of the SADMP sets out the circumstances in which development would be considered sustainable within the countryside, such as a householder application which leads to the enhancement of the immediate setting and does not impact upon the intrinsic value of the open character of the countryside.
- 2.5. This application proposes the demolition of the existing garage and construction of a two storey rear and side extension and therefore is a sustainable development within the countryside and acceptable in principle. Compliance with the relevant sections of Policy DM4 of the SADMP will be assessed further in the following section.

Design and impact upon the character of the area

- 8.4 Policy DM10 of the SADMP seeks to ensure that new development should complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.5 Policy H1 of the Desford Neighbourhood Plan seeks to ensure that development proposals within the Settlement Boundary are supported where they respect the character of Desford.
- 8.6 Policy H7 of the Desford Neighbourhood Plan seeks to ensure that all new development proposals enhance and reinforce the local distinctiveness of the character of the area in which it is situated. Care should be taken to ensure that development does not disrupt the visual amenities of the street scene and impact negatively on significant wider landscape views.

- 8.7 The application seeks full planning consent for the demolition of the existing garage and construction of a two storey rear and side extension at The Upside, 27 Lindridge Lane, Desford.
- 8.8 The Council's Good Design Guide seeks to ensure that two storey side extensions appear smaller in massing in order to be subordinate to the main building. 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 (the minimum distance for this should be 0.5 metres in both directions).
- 8.9 The proposed two storey side extension would be situated to the south-east elevation of the dwelling. It would project outwards from the existing south-east side elevation by 4.49 metres and would host a width of 10.08 metres. The design would incorporate a gabled roof which would replicate the ridge and eaves height of the existing gable to the rear, sitting below the overall ridge height of the dwelling. In addition the extension would also be set back from the principle elevation of the dwelling by 3.92 metres, not appearing over dominant in relations to the existing dwelling. By virtue of the above, the proposed two storey side extension would accord with the Council's Good Design Guide.
- 8.10 A glazed Juliet balcony hosting a set of French doors with sidelights and windows to the pitched of the gable are proposed to the rear first floor of the side extension. A matching design is already present to the rear elevation of the dwelling and therefore this aspect is considered to be in keeping with the existing design. A set of bi-fold doors are also proposed to the ground floor of the rear elevation, a single door is proposed to the ground floor of the side elevation, three roof lights are proposed to the south-east of the roof pitch and four roof lights are proposed to the north-west of the roof pitch.
- 8.11 The existing roller shutter door, is to be retained from the detached garage (to be demolished), and is proposed to be incorporated to the ground floor of the front extension and a single pane window is proposed to the first floor of the front extension.
- 8.12 The Council's Good Design Guide seeks to ensure that rear extensions should be designed to be clearly subordinate to the main dwelling. They should also be an appropriate height, width, depth and reflect or complement the detailing and materials of the original building.
- 8.13 The proposed "L" shaped single storey rear extension would project outwards from the existing rear elevation by 1.61 to 4.46 metres and would have a width of 1.26 to 3.25 metres. It would feature a mono-pitched roof which would adjoin onto the existing pitch of the main dwelling and proposed side extension. The eaves would replicate those of the existing rear lobby.
- 8.14 The entire front elevation of the proposed single storey rear extension would be accompanied by full length windows, and three roof lights would be proposed to the roof.
- 8.15 The proposed two storey side extension is to host a garage and multipurpose room to the ground floor, and two bedrooms and a bathroom to the first floor. The single storey rear extension is to host a garden room.
- 8.16 The proposed external materials would match those of the existing dwelling, with the exception of uPVC being used in place of the existing timber windows and doors.
- 8.17 Overall it is considered that the proposal would adhere to Policy DM10 of the adopted SADMP and Policies H1 and H7 of the Desford Neighborhood Plan in this aspect.

Impact upon neighbouring residential amenity

- 8.18 Policy DM10 of the SADMP states that proposals should not adversely affect the occupiers of the neighboring properties.
- 8.19 To the south-east of the application site sits, 25 Lindridge Lane, the nearest dwelling to the proposed development. It is noted that no.25 is a single storey dwelling which hosts three principle windows to the immediate side elevation, therefore particular consideration needs to be given to the impact of the overbearing nature of the proposal.
- 8.20 A timber fence along with a large evergreen hedge which is in excess of 2.50 metres in height sits to the immediate residential curtilage of 25 Lindridge Lane, acting as a partial barrier to the scheme. It is noted that the hedgerow is by no means a permanent screening measure, nevertheless as it is under the ownership of no.27, the applicants do not hold authority to remove the hedgerow and should maintenance or replacement planting need to occur it can be done so at the occupier's accord.
- 8.21 Good practice requires habitable windows to be separated by at least 14.00 metres from a two storey elevation to avoid overbearing impact on the occupiers, the side elevation of the proposed dwelling would be approximately 9.22 metres from the rear facing elevation of No.25 at a minimum, not meeting the standard guidance. The proposed pitched roof would, however slope to the south-east, allowing a degree of light flow to the neighbouring dwellings principle window. By virtue of the above, it is noted that the proposal would have a degree of an overbearing impact upon no.25, nevertheless due to the extensions position and the existing boundary treatments in place the local planning authority do not deem refusal on these grounds to be sufficient. No additional windows are proposed to this elevation.
- 8.22 Suggestion has arisen to alter the design of the pitched roof to a hipped roof to reduce the overall bulk of the extension, whilst this suggestion has been taken into consideration, the proposed design of the roof at present would complement the design of the existing dwelling which a hipped design would fail to accomplish.
- 8.23 Privacy concerns have also been raised, nevertheless the points raised do not relate to the objectives of the current application.
- 8.24 Residential dwelling 29 and 33 are situated to the north of the application site and are the existing host properties. The distance between the existing and the proposed dwellings is to remain as existing and due to the orientation of the proposals the development is not considered to cause any adverse impacts.
- 8.25 To the rear of the site sits open countryside owned by the applicant which incorporates public footpath (R75), to the south-west of the adjacent field. The public footpath is heavily lined by mature vegetation and so are the north-west and south boundaries, therefore public viewpoints of the proposal would be limited.
- 8.26 By virtue of the above, the proposal is therefore considered to be in accordance with Policy DM10 of the adopted SADMP.

Impact upon parking provision

- 8.27 Policy DM18 seeks to ensure that development would provide an appropriate level of parking provision, and that there would not be a significant adverse impact upon highway safety
- 8.28 Policy H7 of the Desford Neighbourhood Plan seeks to ensure that adequate off-road parking is provided.

- 8.29 Section 115 of the National Planning Policy Framework (NPPF) (2023) states that *“development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”*
- 8.30 Part 4 of the Leicestershire Highways Design Guide seeks to ensure that dwellings with four or more bedrooms host a minimum of three off-street parking spaces.
- 8.31 The proposed extensions would include the addition of a bedroom, increasing the dwelling from a four to a five bedroom. To the front of the site sits a generous area of gravelled hardstanding. The existing single car garage is to be demolished, nevertheless the proposed side extension would incorporate a new integrated garage suitable for one car, leaving a suitable parking provision.
- 8.32 Part 3, Section 3.200 of the Leicestershire Highways Design Guide seeks to ensure that garages host the following minimum internal measurements 6.00 metres x 3.00 metres, with minimum door width of 2.30 metres.
- 8.33 The proposed garage would host the following internal measurements, 5.50 metres x 3.00 metres, with a door width of 2.70 metres, complying with the guidance par the depth which would be 0.10 metres below the recommended measurements, nevertheless, the proposed garage is still considered to be sufficient to host a standard car.
- 8.34 By virtue of the above the proposal would therefore have no adverse impacts upon highway safety and would therefore be in accordance with Policy DM18 of the adopted SADMP, Policy H7 of the Desford Neighbourhood Plan, Section 115 of the National Planning Policy Framework (NPPF) (2023) and the Leicestershire Highways Design Guide standards.

Other matters

- 8.35 During the site visit it became apparent that there appears to have been a rear garden extensions beyond that permitted under application 18/00195/FUL. An application has been invited and planning enforcement investigations would be undertaken if that is not forthcoming. The proposal does not seek to change the use of land within its description and as such this has not been assessed as part of this householder application.

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.

10. Conclusion

10.1. The proposal is located within, but to the edge of the settlement boundary of Desford and is for the demolition of the existing garage and construction of a two storey rear and side extension at The Upside, 27 Lindridge Lane, Desford, therefore there is a presumption in favour of sustainable development as set out in Policy DM1 and the wider policies of the NPPF.

10.2. For the reasons given in the report above, it is considered that the proposed scheme of extensions and alterations would respect the overall scale, character and appearance of the existing dwelling and street scene. The proposals would not result in any significant adverse overbearing or overshadowing effects or result in any loss of privacy to the occupiers of any neighbouring properties and would neither impact the parking provision. The proposal is considered to be in accordance with Policies DM1, DM4, DM10 and DM18 of the adopted SADMP, Policies H1 and H7 of the Desford Neighborhood Plan, the adopted Good Design Guide, Section 115 of the National Planning Policy Framework (NPPF) (2023) and the Leicestershire Highways Design Guide standards 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 materials to be used externally shall accord with the approved application form, as received by the Local Planning Authority on the 8th August 2024.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM1, DM4, DM10 and DM18 of the adopted SADMP, Policies H1 and H7 of the Desford Neighborhood Plan, the adopted Good Design Guide, Section 115 of the National Planning Policy Framework (NPPF) (2023) and the Leicestershire Highways Design Guide standards.

3. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

- Proposed Block Plan, Site and Roof Plan, Drg No. 24_4412_10 A
 - Proposed Elevations, Drg No. 24_4412_11 A
 - Proposed Floor Plans, Drg No. 24_4412_12 A
- all as received by the Local Planning Authority on the 8th August 2024.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1, DM4, DM10 and DM18 of the adopted SADMP, Policies H1 and H7 of the Desford Neighborhood Plan, the adopted Good Design Guide, Section 115 of the National Planning Policy Framework (NPPF) (2023) and the Leicestershire Highways Design Guide standards.

11.3 **Notes to applicant**

- a) 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.
- b) This proposal does not grant consent for the change of use of any land to residential garden, such proposals will need full planning permission.