

Delegated Report

Planning Ref: 24/00728/HOU

Applicant: Mr Anthony Ajanaku

Ward: Barwell

Site: 7 Saffron Close, Barwell

Proposal: Single storey rear extension, front porch, garage conversion, alterations to dwelling including the addition of rooflights and new windows to the front side and rear elevations and an outbuilding to the rear (revised scheme of 24/00316/HOU)



Hinckley & Bosworth
Borough Council

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 is a revised application from the previously refused 24/00316/HOU. The application is for a single storey rear extension, a front porch, the conversion of the existing garage to a habitable rooms, and additional alterations to the dwelling including windows and skylights. The application is also for an outbuilding to the rear of the dwelling.

2.2. The application has been amended from the previously refused scheme including to the internal layout, amendments to the rooflights and to the windows in the south side elevation. This now includes two high level windows, with the lowest above 1.7m from floor level.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the settlement boundary of Barwell. It is a two storey detached dwelling with gable sided roof, white uPVC windows and located on a cul-de-sac. The dwelling is set back from the public highway, has an attached garage, a front paving driveway and trees to the north of the site. The surrounding estate comprises predominantly two storey detached dwellings of similar design and appearance.

4. Relevant planning history

24/00316/HOU

Single storey rear extension to replace existing conservatory, garage conversion and alterations to dwelling

Refused

13.06.2024

5. Publicity

5.1. The application has been publicised by sending letters to neighbours.

5.2. No comments have been received.

6. Consultation

6.1. Barwell Parish Council: No objections.

7. Policy

7.1. Site Allocations and Development Management Policies DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development

- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.2. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2023)
- Planning Practice Guidance (PPG)

7.3. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)

8. Appraisal

8.1. Key Issues

- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact upon highway safety

Design and impact upon the character of the area

- 8.2. 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.
- 8.3. The proposal is for a number of extensions and alterations to the property. The property is located within a cul-de-sac and is a two storey detached dwelling. Initially the rear extension and outbuilding located in the rear garden of the development are not considered to cause any detrimental impacts to the character of the area, given their limited visibility from public vantage points. The rear extension is of an appropriate design alongside that of the outbuilding.
- 8.4. The proposed front porch is also considered acceptable in terms of its design and limited impacts on the character of the area. A number of porches on neighbouring properties can be seen, it is therefore considered that there is no overall prevailing character defining frontages within this area, and as such the proposal would not cause detrimental impacts.
- 8.5. The other minor alterations include various windows, namely the side elevation windows and rooflights. These are not considered to be out of character with the area and as such would be considered acceptable in design terms.
- 8.6. As such it is considered that the proposal is in accordance with Policy DM10 of the adopted SADMP.

Impact upon neighbouring residential amenity

- 8.7. Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy and/or amenity of nearby residents and occupiers of adjacent buildings.
- 8.8. The proposed single storey rear extension is not considered to cause detrimental impacts to neighbouring amenity due to the single storey nature. The property benefits from existing boundary treatments, and an existing single storey rear extension which is located towards the boundary with No. 9 Saffron Close. The

proposed rear extension is the full width of the rear elevation, but is not considered to cause any detrimental impacts.

- 8.9. The proposed outbuilding, which is considered to meet the measurements outlined within the General Permitted Development Order 2015, Schedule 2, Part 1, Class E, is also not considered to cause detrimental impacts to the neighbouring amenity. The outbuilding is located to the rear of the property, and the land levels are raised, however, it is not considered that the outbuilding proposed under this application, which could be erected without the requirement for planning permission, would have any significant detrimental impacts on neighbouring amenity.
- 8.10. The porch structure and proposed garage conversion are not considered to cause any impact on neighbouring amenity by way of the nature and scale of the proposed works.
- 8.11. The proposed alterations including the proposed roof lights are not considered to cause detrimental impact on neighbouring amenity, and will be confirmed to be non-opening.
- 8.12. The site was subject to a refusal of planning permission under application reference 24/00316/HOU, for the reasons of the side elevation window creating detrimental overlooking and loss of privacy impacts on neighbours. Alongside the room not having sufficient amenity for occupiers, linked to natural light and outlook.
- 8.13. The proposal under this present application has amended to proposal from 24/00316/HOU, including a slightly larger window, a secondary window which is triangular and also light funnelling down from the roof light. The applicant made contact with a number of professionals and have submitted written confirmation that the room would not require a sunlight/daylight assessment as it would have sufficient light. This has been taken into consideration, and it is considered that this would be overcome.
- 8.14. The windows now serve an office/study space as opposed to the previously refused application for which it was proposed to serve a bedroom, the use of the rooms as an office would also reduce the harmful impact of such a small space on future occupiers. Although it is noted that the use of the room cannot be guaranteed in perpetuity.
- 8.15. With that in mind, the two side elevation windows located on side elevation (8) would have significant overlooking issues, both from the proposed bedroom and potentially from the loft space which proposed a 1m balustrade, allowing for visibility into the room and potentially out of the windows into the neighbouring properties garden amenity space, from the loft. A condition is therefore necessary to ensure that the loft space is not used for habitable accommodation. In addition these windows are therefore proposed to be obscure glazed, and secured by condition as such to ensure limited detrimental impacts to neighbouring amenity in terms of overlooking or loss of privacy. Obscure glazing is not ideal in terms of outlook
- 8.16. As such the proposal is considering in general accordance with Policy DM10 of the SADMP.

Impact upon highway safety

- 8.17. Policy DM17 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety. Policy DM18 of the SADMP requires

new development to provide an appropriate/justified level of parking provision.

8.18. The proposal is not considered to cause any detrimental impacts to highway safety. The proposal does include the conversion of an existing garage, however, sufficient off-street parking is afforded to the front of the dwelling, and as such there would not be detrimental impact to the parking provision on the site.

8.19. As such the proposal is considered to be in accordance with Policies DM17 and DM18 of the SADMP.

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 seeks permission for a single storey rear extension, front porch, garage conversion, alterations to dwelling including the addition of rooflights and new windows to the front side and rear elevations and an outbuilding to the rear. The proposal is considered to be acceptable in terms of its impact on the character of the area and overall design, its limited impacts on neighbouring amenity and highway safety/vehicular parking.

10.2. It is therefore considered that the proposed development would be in accordance with Policies DM10, DM17 and DM18 of the adopted SADMP.

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:

Outbuildings Plans Drg No. EL-04
Proposed Site and Block Plan Drg No. PL-02
Site Location Plan Drg No PL-01
Proposed Ground Floor Plan Drg No. PL-05 Rev C
Proposed First Floor and Loft Plan Drg No. PL-06 Rev F
Proposed Roof Plan Drg No. PL-07 Rev E
Proposed Elevations Drg No. EL-02 Rev C
Proposed Elevations Drg No. EL-03 Rev E

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 proposed elevations of the extensions shall accord with the approved materials detailed within the application form.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. The hereby approved side elevation windows serving the loft space and the study, seen on elevation 8 of 'Proposed Elevations Drg No. EL-03 Rev F', shall be glazed with obscure glass to a minimum of level 3 and shall thereafter remain in perpetuity.

Reason: To safeguard the amenity of neighbouring residents from overlooking and loss of privacy impacts in accordance with Policies DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

6. The hereby approved loft space shall not be occupied as habitable accommodation and shall only be used for storage.

Reason: To safeguard the amenity of neighbouring residents from overlooking and loss of privacy impacts in accordance with Policies 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.

