

Delegated Report

Planning Ref: 24/01051/HOU

Applicant: Mr Simon Orton

Ward: Burbage Sketchley & Stretton



Hinckley & Bosworth
Borough Council

Site: 11 Saddlers Close Burbage Hinckley

Proposal: Two storey side extension and single 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 application seeks full permission to extend No.11 Saddlers Close, Burbage, consisting of both a two storey side extension and a single storey side extension. The submitted plans also show the demolition of an existing garage unit (sited within the rear amenity space, and within its footprint a smaller garden shed (timber built, under a duo pitch roof) is proposed to be erected – these works are permitted development so no not form part of the application.
- 2.2. The side extension will be under a two storey duo-pitch roof and will span the width of the host dwelling's side elevation and infill an existing gap created between the side elevation and the common boundary treatment shared with the adjoining neighbour. The proposed single storey rear extension under a mono-pitch roof, with two roof lights inserted. The extension will span the width the existing rear elevation and also adjoin the rear of the proposed two storey side extension. Its rear elevation will contain a bi-fold door opening (constructed from aluminium frame).

3. Description of the site and surrounding area

- 3.1. 11 Saddlers Close, is a brick built, two storey, detached dwelling, under a duo-pitched (concrete tiled roof).
- 3.2. The property was built late 20th Century (1970s) and is a typical suburban type design for the period. The property is sited within a cul-de sac type development, which is surrounded by similar dwellings is located within a wider housing estate – built in the same period.

4. Relevant planning history

- 4.1. None

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents
- 5.2. No comments received

6. Consultation

- 6.1. Burbage Parish Council
- 6.2. No objection

7. Policy

- 7.1. Burbage Neighbourhood Plan (2021) Policy 2 (Design and Layout)
- 7.2. Site Allocations and Development Management Policies DPD (2016)
 - Policy DM10: Development and Design
 - Policy DM17: Highways and Transportation
 - Policy DM18: Vehicle Parking Standards
- 7.3. National Planning Policies and Guidance
 - National Planning Policy Framework (NPPF) (2023)
 - Planning Practice Guidance (PPG)
- 7.4. Other relevant guidance
 - Good Design Guide (2020)
 - National Design Guide (2019)
 - Leicestershire Highway Design Guide (2024)

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 Policy DM10 of the SADMP indicates that development will be permitted providing it meets good standards of design including that it would complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features and would not have a significant adverse effect on the privacy and amenity of nearby residents.
- 8.3 The single storey rear extension element of this proposal will not be able to be viewed from the nearby highway and therefore, given its siting, scale and design will not introduce an incongruous or harmful feature within the surrounding streetscene.
- 8.4 The proposed two storey extension elevation will be sited upon the common side boundary, which is shared with the adjoining neighbour located to the south (No.8 Abbotts Green). However, the extension's front elevation is proposed to be set back from the host dwelling's principal elevation by 600mm and in turn its ridge will be set below the host dwellings main roof ridge by 50mm. Furthermore, the (duo pitch) roof above the proposed side extension will adjoin perpendicular to the main roof, whereby a two storey side protruding gable feature will be introduced. Therefore, given both the proposed roof slope orientation (which falls away from the front

elevation) and the proposed setback of the extension's front elevation, the proposal will appear suitably subservient to the scale of the host dwelling.

- 8.5 Given its siting, design and scale the extensions will sit comfortably within proposal site. Moreover, given their footprint, the area of amenity space to be retained for the enjoyment of the dwelling's occupants accords with the minimum requirements as set out in the Good Design Guide.
- 8.6 Despite the area of amenity space proposed to be retained, given the footprints of both the proposed side and rear extensions will take up a relatively large proportion of the host dwelling's existing curtilage and rear garden space; and furthermore, considering the proposed side extension will infill a gap which is currently retained between the host dwelling and its (common) side boundary treatment, to ensure future development is of an appropriate scale (in relation to the surround plot), a condition should be attached to the approval of this application that removes permitted development rights for the further extension of the dwelling and/or the erection of further outbuilding's – to be used ancillary to the enjoyment of the dwellinghouse.
- 8.7 Overall, given its siting, scale and design the proposed extension is sympathetic to the design and scale of the host dwelling, neighbouring dwellings and will not introduce a harmful feature within the surrounding streetscene. Therefore, the proposal accords with Policies DM10 of the SADMP and the recommendation's made in the Good Design Guide SPD and the Policy 2 (Design and Layout) which is mirrored in the Burbage Neighbourhood Plan.

Impact upon neighbouring residential amenity

- 8.8 Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy or amenity of nearby residents and occupiers of adjacent buildings and the amenity of occupiers of the proposed development would not be adversely affected by activities within the vicinity of the site.
- 8.9 Given its siting and depth (3 metres from the existing rear elevation) the proposed single storey extension's depth will not intersect a 45 degree splayline drawn from the centre of the nearest living space windows belonging to the neighbouring dwellings.
- 8.10 The proposed two storey side extension's side (south gable) elevation will be built upon the common boundary shared with the neighbouring dwelling (No.8 Abbotts Green), and a distance of 16.25 metres will be retained between the proposed blank gable and the neighbour's rear elevation (north) and the living space windows contained within it. This distance, however, accords with the advice provided within the Good Design Guide, whereby, it states that a distance of at least 14 metres should be retained between a proposed blank wall and windows that serve habitable rooms.
- 8.11 The proposed extension will introduce a relatively large (two storey) mass, which will be sited upon the rear boundary of the adjoining neighbour. However, when viewed from either the rear amenity space or the rear elevation windows (serving habitable rooms) belonging to the adjoining neighbour, the proposal would not differ significantly from the scale and design that can already be viewed. Moreover, due to its proposed siting and design i.e. ridge height and the angle of its roof slopes,

the proposal would appear visually subservient to the scale and height of the existing dwelling.

- 8.12 Furthermore, given the orientation of the proposed side extension (upon the host dwellings south side elevation) the adjoining neighbour's rear amenity space would not experience any undue overshadowing. Therefore, the proposed side extension would not introduce significant visual intrusion or a significantly overbearing feature to what is already viewed/experienced by the adjoining neighbour.
- 8.13 The proposed side extension does not contain window openings, therefore, given that the existing side (south) elevation contains an upper floor window (serving the host dwelling's landing space) , as consequence to the approval of this application , the current degree overlooking/perception of overlooking upon the amenity rear amenity space and living space upon the adjoining neighbour would be removed . However, to ensure the future protection of the privacy afforded to the neighbouring dwelling (No.8 Abbotts Green) a condition should be attached to the approval of this application that removes permitted development rights for the insertion of new window openings to be inserted within the proposed side (south) elevation without approval from the local planning authority.
- 8.14 Otherwise, given its siting, height and scale the proposed extensions to the host dwelling will not introduce any direct overlooking or overbearing/overshadowing features to the living space windows belonging to neighbouring dwellings and upon rear amenity spaces most enjoyed by their occupants.
- 8.15 Therefore , in view of the above considerations , the proposed extension accords with SADMP Policy DM10, the Good Design Guide and Burbage Neighbourhood Plan Policy 2 (Design & Layout)

Impact upon highway safety

- 8.16 Policy DM18 of the SADMP requires new development to provide an appropriate level of parking provision to serve the development proposed. This is further supported by the relevant recommendations set out in Leicestershire County Council's Highway Design Guide and is also mirrored by Burbage Neighbourhood Plan Policy 2 (Design and Layout).
- 8.17 The host dwelling currently provides three bedroom spaces, and two further bedroom spaces are proposed as part of this application.
- 8.18 The proposed development, however, will not result in the loss of existing off-street parking provision and moreover space for at least three off-street parking spaces will be retained as part of this application. Therefore, the proposal will not impact current on-street parking provision, and moreover, the proposal the safety of the users of the adjoining highway will not be compromised. Therefore the application complies with Policies DM17 and DM18 of the SADMP and the Leicestershire Highway Design Guide and the guidance mirrored in The Burbage Neighbourhood Plan Policy " (Design & Layout)

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 application is in keeping with the existing dwelling and would not have an adverse visual impact on the area. It complies with Policy DM10 of the SADMP and advice within the Good Design SPD. There would be no significant loss of residential amenity to any neighbouring properties or adverse implications on highway safety. The proposal is therefore in accordance with Policy DM10, DM17 and DM18 of the SADMP, the relevant provisions of the Leicestershire Highway Design Guide and Policy 2 (Design and Layout) contained in the Burbage Neighbourhood Plan, therefore, in this regard the proposed development can be supported.

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/Block Plan (1:1250) - Received by the Local Planning Authority 18th November 2024

- REV 03: Sheet 1 of 2 - Proposed (amended) Elevation, Floor Plans and Roof plan. Sheet 2 of 2 Proposed site plan and proposed garden shed elevations. Received by the LPA 3rd February 2025.

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 existing 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).

4. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) no window other than those approved under this permission shall be inserted into the side (south) elevation of the proposed extension unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 Classes A, B, and E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no enlargement, improvement or other alteration to the dwelling shall be carried out unless planning permission for such development has been granted by the Local Planning Authority.

Reason: To safeguard the amenities of neighbouring properties 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 building.control@blaby.gov.uk or call 0116 272 7533.