

Delegated Report

Planning Ref: 23/00489/HOU

Applicant: Mr and Mrs Dunn

Ward: Ratby, Bagworth and Thornton

Site: 9 Middlebrook Close, Ratby, Leicester

Proposal: Proposed single storey front extension



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 proposed a single storey front extension, with a pitched roof the match the existing garage.

3. Description of the site and surrounding area

- 3.1. The application is a two-storey detached dwelling, located on Middlebrook Close, Ratby. The Close is made up of two storey detached and semi-detached dwellings, with a mix of designs and materials used.

4. Relevant planning history

23/00318/CLP

Lawful Development Certificate for single storey rear extension

Certificate granted

17/05/2023

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. Ratby Parish Council: No comments received.

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) (2019)
- 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. 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.
- 8.3. The proposal for a single storey front extension is considered to be in keeping with the area. The property already benefits from a sizeable single storey front extension which is used as a garage. The proposed extension includes a pitched roof, similar to the existing garage and will therefore having limited impact upon the character of the area, in terms of design, scale and layout.
- 8.4. It is considered that the proposed extension would not cause significant detrimental impacts upon the character of the area and is of satisfactory design. Therefore considered that the proposal is in accordance with Policy DM10 of the SADMP.

Impact upon neighbouring residential amenity

- 8.5. Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings.
- 8.6. The proposed single storey front extension is considered to not cause any impact upon the amenity of neighbouring residential properties. This is by way of the location and layout of the proposed extension, the relationship between the development site and neighbouring properties (neighbouring property has no ground floor windows on the side elevation) and by way of the scale of a single storey extension. It is considered to cause no overbearing, loss of light or loss of privacy issues and is therefore considered to be in accordance with Policy DM10 of the SADMP.

Impact upon highway safety

- 8.7. 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.
- 8.8. The proposed application for a single storey front extension, does not increase the number of bedrooms at the property, nor does it reduce the number of available parking spaces. Whilst the front extension does extend into the existing off-street car parking area, sufficient space is still afforded for off-street car parking to the front of the site.
- 8.9. Overall the proposal would not result in adverse impacts upon highways safety and would be in accordance with Policies DM17 and DM18 of the adopted 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 to erect a single storey front extension. The proposal is deemed acceptable due to the limited adverse impacts upon the character of the area, neighbouring residential amenity and highway safety.
 - 10.2. It is 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:

Site Location Plan and Block Plan Drg No. 5476/ACD/17
Proposed Floor Plans and Elevations Drg No. 5476/ACD/16

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 extension/garage 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).

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.