

Delegated Report

Planning Ref: 23/00523/HOU
Applicant: Mr & Mrs Bannister
Ward: Ambien



Hinckley & Bosworth
Borough Council

Site: Elm House 5 Laburnum Close Stoke Golding Leicestershire

Proposal: Single storey front extension and garage conversion

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 planning permission for the construction of a single storey front extension and the conversion of the existing integral garage to additional living accommodation (study/store) to a dwelling, Elm House, 5 Laburnum Close, Stoke Golding. The proposed extension would extend 1.5 metres forward of the main front elevation for a total width of 6.2 metres including the replacement open canopy roof porch and would have an eaves height of 2.25 metres and a maximum roof height of 3.4 metres. It is proposed to be constructed in matching corresponding external materials to those used in the construction of the existing dwelling. The existing garage doors would be retained/relocated to the new front elevation. An additional ground floor window is proposed in the existing side elevation of the garage to serve the proposed study.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of Stoke Golding and within Stoke Golding Conservation Area. It is a relatively recently constructed two storey detached house with gable sided roof form, integral garage and open timber framed porch with tiled lean-to canopy roof. It is constructed of red weathered rustic facing bricks, slate grey plain clay roof tiles and green timber casement windows, front door and garage door. It has a chimney, blue brick roof verge detailing, exposed rafters, arched blue brick headers and blue brick canted cills. In addition to the integral garage the site frontage is block paved and provides off-street parking for up to three (or four smaller) cars.
- 3.2. The dwelling is one of five detached dwellings constructed as a small modern development of similarly scaled, styled and constructed houses and laid out in an 'L' shape with shared surface courtyard type access.

4. Relevant planning history

None.

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 and a notice was displayed in the local press.
- 5.2. As a result of public consultation, responses from four separate addresses have been received objecting to the proposal on the following grounds:
- 1) Visually intrusive and inconsistent with and detrimental to the design and visual appearance/ aesthetics of the development

- 2) Loss of light to and views from neighbouring properties
- 3) Health and safety issues – block views of children playing on the green area and traffic entering the close
- 4) Security issues - loss of inter-visibility and potential increase in crime
- 5) Loss of/lack of parking – potential additional parking on the close and further restricting visibility detrimental to highway/pedestrian safety
- 6) Potential impact on shared drainage system requiring its relocation
- 7) Additional/replacement parking would result in loss of green space and additional hardstanding detrimental to visual appearance of the development
- 8) Reference to title deeds/conveyance documents

6. Consultation

- 6.1. No response has been received from Stoke Golding Parish Council.

7. Policy

- 7.1. Stoke Golding Neighbourhood Plan (SGNP) 2020-2039 (2022)
- Policy SG15: Design
- 7.2. Core Strategy (2009)
- Policy 11: Key Rural Centres Stand Alone
- 7.3. Site Allocations and Development Management Policies (SADMP) DPD (2016)
- Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM10: Development and Design
 - Policy DM11: Protecting and Enhancing the Historic Environment
 - Policy DM12: Heritage Assets
 - Policy DM18: Vehicle Parking Standards
- 7.4. National Planning Policies and Guidance
- Planning (Listed Buildings and Conservation Areas) Act 1990
 - National Planning Policy Framework (NPPF) (2021)
 - Planning Practice Guidance (PPG)
- 7.5. Other relevant guidance
- Stoke Golding Conservation Area (SGCA) Appraisal and Map (2013)
 - Good Design Guide (2020)
 - National Design Guide (2019)
 - Local Highway Authority Design Guide

8. Appraisal

- 8.1. Extensions to existing dwellings 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 and appearance of the dwelling and Stoke Golding Conservation Area
 - Impact upon neighbouring residential amenity
 - Impact upon parking provision/highway
 - Other issues

Design and impact upon the character and appearance of the dwelling and Stoke Golding Conservation Area

- 8.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 8.3 Section 16 of the National Planning Policy Framework (NPPF) provides the national policy on conserving and enhancing the historic environment. Paragraphs 199-202 of the NPPF require great weight to be given to the conservation of designated heritage assets when considering the impact of a proposed development on its significance, for any harm to the significance of a designated heritage asset to have clear and convincing justification, and for that harm to be weighed against the public benefits of a proposal.
- 8.4 Policies DM11 and DM12 of the SADMP seek to protect and enhance the historic environment and heritage assets. All development proposals will need to accord with Policy DM10 of the adopted SADMP.
- 8.5 Policy SG15 of the 'made' SGNP requires development to be in keeping with the scale, form and character of its surroundings. 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.
- 8.6 Objections to the proposal have been received on the grounds that the proposed extension would be visually intrusive and inconsistent with and detrimental to the design and visual appearance/aesthetics of the overall development and that the removal of any green landscaping and replacement with additional hardstanding for additional parking would be detrimental to the appearance of the development.
- 8.7 The application dwelling is a two storey detached dwelling and is one of five recently constructed similar dwellings on a small scale new housing scheme (Laburnum Close) located within the historic core of Stoke Golding and the Stoke Golding Conservation Area. Due to the carefully designed form, appearance and layout of the dwellings they preserve the special character and appearance of the conservation area. The five dwellings have a cottage style appearance with simple frontages where the front building line is only broken by a canopy over the front door, or in the case of the corner plot (No. 3) a small lean-to pitched roof over the front ground floor rooms. Due to its perpendicular orientation and positioning adjacent to the small area of communal green space fronting the development the application dwelling is a prominent dwelling within the conservation area street scene viewed from High Street.
- 8.8 The current front elevation at ground floor consists of a central front door with an open brick base, timber framed porch with clay tiled lean-to canopy roof flanked on either side by plank style garage doors and a cottage style window. The proposed extension would extend only 1.5 metres forward of the main front elevation for a total width of 6.2 metres. The open brick base, timber framed canopy arrangement over the front door would be replicated as part of the extension but at a slightly greater depth than currently and with a lean-to roof with an eaves height of 2.25 metres and a similar maximum roof height of only 3.4 metres. By virtue of its modest footprint and single storey scale the proposal would be a clearly subordinate addition to the existing dwelling. The extension is proposed to be constructed in matching corresponding external materials of red brick and slate grey clay tiled roof to those used in the construction of the existing dwelling to ensure a

unified and consistent appearance. The existing garage doors would be retained/relocated to the new front elevation of the proposed extension.

- 8.9 The proposed conversion of the existing integral garage would include the insertion of an additional ground floor window in the existing side elevation of the garage to serve the proposed study. By virtue of its discreet siting this would result in a negligible visual change and would not result in any adverse impact upon the character or appearance of the dwelling or wider street scene. No additional hardstanding or loss of soft landscaping is being proposed as part of the scheme.
- 8.10 Notwithstanding the objections received, by virtue of its siting, modest scale, sympathetic design and proposed use of matching corresponding external materials it is considered that the proposed extension would respect and complement the scale, design quality and appearance of the existing dwelling and the wider development, with it having a similar form to the front elevation arrangement at No. 3. By virtue of its modest scale and projection the proposal would not prevent or impede views further into the wider development or have any adverse visual impacts upon the character or appearance of the wider Stoke Golding Conservation Area street scene. Overall, it is considered that the proposal would result in a neutral impact on the character and appearance of the Stoke Golding Conservation Area, thus preserving its significance. The proposal is therefore considered to be in accordance with Policy SG15 of the 'made' SGNP, Policies DM10, DM11 and DM12 of the adopted SADMP, the Council's adopted Good Design Guide, section 16 of the NPPF (2021) and the statutory duty of section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

Impact upon neighbouring residential amenity

- 8.11 Policy SG15 of the 'made' SGNP requires development not to adversely affect the amenities of local residents. 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.
- 8.12 Objections to the proposal have been received on the grounds that it would result in loss of light to and views from neighbouring dwellings.
- 8.13 The proposal would extend just 1.5 metres forward of the front elevation of the dwelling and would be single storey in height and with a lean-to roof with an eaves height of just 2.25 metres and maximum height of 3.4 metres. The nearest neighbouring structure to it would be a garage. The nearest window facing directly towards the side of the proposal would be to the south and at a separation distance of approximately 15 metres. By virtue of its very modest projection, single storey scale, separation distances and position to the north, the proposal would not result in any significant adverse overbearing or overshadowing impacts on the residential amenity of any neighbouring properties. The additional side elevation window would be only at ground floor and would face the blank side elevation of a garage rather than towards any sensitive private amenity areas and therefore would not have any adverse impact on the privacy of the neighbouring occupier. Therefore, notwithstanding the objections received, by virtue of its siting, small scale and separation distances the proposal is considered to be in accordance Policy SG15 of the 'made' SGNP, Policy DM10 of the adopted SADMP and the adopted Good Design Guide.

Impact upon parking provision/highway

- 8.14 Policy SG15 of the 'made' SGNP requires development to have safe and suitable access. Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design. The adopted Good Design Guide states

that: *'Front extensions should not result in the loss of existing parking spaces where it would impact on the street scene and car parking provision.'* The local highway authority design guide suggests that a four bedroomed dwelling should be served by three off-street parking spaces of 5.5 metres in length and 2.4 metres in width and that the space in front of an up-and-over garage door should be 6.1 metres to enable a vehicle to pull clear of the public highway whilst the door is opened/closed.

- 8.15 Objections to the proposal have been received on the grounds that the proposal would result in the loss of existing off-street parking which is insufficient to serve the resulting dwelling resulting in additional on-street parking on the shared (private) driveway and further restricting visibility to the detriment of highway/pedestrian safety.
- 8.16 The proposal would result in the loss of the integral garage through its conversion to additional living accommodation of study/store and the reduction of the depth of the site frontage block paved hardstanding from 6.6 metres to 5.1 metres. Three parking spaces on the existing 8 metres wide block paved site frontage would still be able to be provided to serve the resulting dwelling but two of these would have a marginally shorter (0.4 metres) length than the current local highway authority design guide suggests. In addition, space to the fore of the garage doors would be insufficient for them to open with a car parked in front of them.
- 8.17 Notwithstanding this, the dwelling is located in a small development of only four other dwellings and is served by a private block paved shared surface access rather than any public highway. The shortfall in length of two of the three spaces is only marginal and they would still be of sufficient length to enable all but the longest of vehicles to pull clear of the shared surface. It is therefore considered that the proposal would not result in a significant loss of off-street parking to serve the dwelling or result in any significant adverse impacts on the safety of the public highway or pedestrian safety in this particular case that would warrant refusal of the application on such grounds.
- 8.18 The level of retained off-street parking provision is considered to be satisfactory to serve the existing/resulting four bedroomed dwelling in the particular circumstances of this case and therefore not to be in any significant conflict with Policy SG15 of the 'made' SGNP or Policy DM18 of the adopted SADMP.

Other issues

- 8.19 Objections to the proposal have been received on the grounds that it would block/restrict views from neighbouring dwellings of the green area and traffic accessing the close resulting in health and safety issues for playing children, reduce the inter-visibility between dwellings and the site encouraging crime. Notwithstanding these objections, by virtue of its siting, small scale and separation distances from any neighbouring windows it is considered that the proposal would not result in any significant restriction of such views which would remain available or any significant health and safety or security issues.
- 8.20 Objections to the proposal have been received on the grounds that it may be necessary to alter the existing shared drainage system and with reference to title deeds and/or conveyance documents. Such matters are non-material to the assessment of the planning merits or otherwise of the case. Drainage would be addressed through a separate building regulations application. Legal matters are between the respective landowners.

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 Stoke Golding 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. Notwithstanding the objections received, by virtue of its siting, modest scale, sympathetic design and proposed use of matching corresponding external materials it is considered that the proposed extension would respect and complement the scale, design quality and appearance of the existing dwelling and wider development and would have a neutral impact on the character and appearance of the Stoke Golding Conservation Area, thus preserving its significance. Notwithstanding the objections received, by virtue of its siting, small scale and separation distances the proposal would not result in any adverse impacts on the residential amenity or privacy of any neighbouring occupiers. Satisfactory off-street parking and private rear amenity space of approximately 96 square metres would be retained to serve the existing/resulting four bedroomed dwelling. The proposal is therefore considered to be in accordance with Policy and SG15 of the 'made' SGNP, Policies DM10, DM11, DM12 and DM18 of the adopted SADMP, the Council's adopted Good Design Guide, section 16 of the NPPF (2021) and the statutory duty of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 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 development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows: Site Location Plan Drawing No. 1611/SL, Proposed Block Plan Drawing No. 16115/BP and Proposed Floor Plans and Elevations Drawing No. 1611 received by the local planning authority on 26 May 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).

3. The materials to be used on the external elevations of the proposed extension and alteration hereby permitted 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).

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.