

Delegated Report

Planning Ref: 23/00222/HOU
Applicant: Mr & Mrs Scott Burns
Ward: Groby



Hinckley & Bosworth
Borough Council

Site: 121 Leicester Road Groby Leicestershire

Proposal: Single storey rear extension and erection of detached garden room and store at the rear of the garden

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 full planning permission for the construction of a single storey rear extension to a dwelling, 121 Leicester Road, Groby, and the erection of a detached garden room/store within its rear garden
- 2.2. The proposed single storey rear extension would extend 4 metres from the main rear elevation just inside the boundary with the adjoining dwelling and would extend 6.6 metres in width across the entire rear elevation and wrap around the side elevation. It would have a flat roof to a height of 3 metres and two raised glazed roof lights. A bay window is proposed to the rear elevation along with double glazed doors. Multi-pane cottage style windows are proposed to match those of the existing dwelling along with matching facing brickwork. The extension would replace an existing much smaller single storey rear/side extension.
- 2.3. The proposed detached garden room/store would be located towards the rear garden boundary and have a 'L' shaped footprint with a maximum width of 5.84 metres and a maximum depth of 5.61 metres. It would have a dual shallow pitched roof design with an eaves height of 2.1 metres and ridge height of 3 metres. It would have full height glazed bi-fold doors to its inside elevations. It would have a timber construction of insulated Spruce and an insulated felt roof.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located in a residential area within the settlement boundary of Groby. It is a two storey semi-detached house with hipped main roof form, a subordinate two storey front gable projection with ground floor bay window and glazed porch with lean-to roof. There is a small single storey hipped roof extension attached to the rear corner. It is constructed of red multi facing bricks, grey slate roof and white uPVC windows. The site frontage is mostly hard surfaced in loose stones and provides two off-street parking spaces. There is a long rear garden enclosed by 2 metres high close boarded timber fencing.
- 3.2. The application dwelling lies within a row of similarly scaled and designed two storey semi-detached dwellings set back from the highway. There is a more modern residential development of two storey dwellings to the rear.

4. Relevant planning history

None.

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.

5.2. No responses have been received as a result of public consultation.

6. Consultation

6.1. No objection has been received from Groby Parish Council.

7. Policy

7.1. Core Strategy (2009)

- No relevant policies

7.2. Site Allocations and Development Management Policies (SADMP) DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM10: Development and Design
- Policy DM18: Vehicle Parking Standards

7.3. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2021)
- Planning Practice Guidance (PPG)

7.4. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)
- Local Highway Authority Design Guide

8. Appraisal

8.1. Extensions and alterations to existing domestic properties 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 of the area
- Impact upon neighbouring residential amenity
- Impact upon parking provision

Design and impact upon the character of the area

8.2 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 and states:

'Rear extensions should be designed to be clearly subordinate to the main dwelling. They should be an appropriate height, width, depth and reflect or complement the detailing and materials of the original building.' and,

'Flat roofs on extensions will not normally be considered appropriate where they do not form part of the original design of the house, however in some circumstances where they are not visible from the public realm and the use of a flat roof may result in a reduced visual impact, they may be considered acceptable, particularly if designed with a contemporary aesthetic style.'

8.3 By virtue of its single storey scale, appropriate 4 metres depth and 3 metres maximum height, the rear extension would appear as a clearly subordinate addition to the existing dwelling. Notwithstanding its flat roof design, by virtue of its siting

entirely to the rear where it would be completely screened from any public views, the proposal would have no adverse visual impact on the application dwelling or any street scene. The proposed use of matching facing bricks and cottage style white uPVC windows in its construction together with appropriately proportioned fenestration would ensure a satisfactory and unified appearance.

- 8.4 By virtue of its siting, single storey scale and appropriate dual shallow pitched roof design, the proposed detached garden room/store would appear as a clearly subordinate ancillary structure to the main dwelling. The timber construction materials and dual shallow pitched roof design and appearance are considered to be appropriate to its location within a rear garden and by virtue of the existing 2 metres high close boarded timber fencing to all rear garden boundaries the proposal would be well screened from the surrounding area and would not be a prominent feature.

- 8.5 By virtue of their siting, single storey scale, design and proposed external materials, the proposed extensions would respect and complement the scale, residential character and appearance of the existing dwelling and would therefore be in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 8.6 Policy DM10 of the adopted SADMP and the adopted Good 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.

- 8.7 The adopted Good Design Guide (GDG) states:

'The 45 degree rule is applied for planning applications for new extensions to existing properties which could result in the outlook from or daylight to a principal window to a habitable room being impacted upon. On a plan of the proposal, a projecting line is to be drawn from the nearest principal window to a habitable room that may be affected by the planning application towards the proposed building at an angle of 45 degrees. Habitable rooms include living rooms, bedrooms and kitchens but do not include rooms such as bathrooms, utility rooms, halls, landings or garages. The extension should not cross the 45 degree line.'

- 8.8 The proposed single storey rear extension would extend 4 metres from the rear elevation of the application dwelling at a flat roof design height of 3 metres just inside the side boundary with the adjoining semi-detached dwelling to the west (No. 119). As a result, of the proximity of the nearest ground floor habitable room window of No. 119, which is relatively close to the boundary, the proposal would extend beyond a 45 degree line drawn from the centre of that window. Notwithstanding this conflict with the adopted GDG, a single storey extension of 3 metres depth and 3 metres height and a 2 metres high fence could be erected along the boundary under permitted development rights. Therefore, the additional impact of the proposal on No. 119 is limited to just a 1 metre square section of wall. No objection to the proposal has been received from the adjoining occupiers and it is considered that the proposal would not result in any significant adverse overbearing or overshadowing impacts on No. 119 and there are no side elevation windows proposed that would result in any loss of privacy to the neighbouring occupiers.

- 8.9 By virtue of the neighbouring dwelling to the east (No. 123) having been extended at single storey scale across its rear elevation the proposed single storey flat roof rear extension would extend only marginally beyond the rear elevation of No. 123 and at a separation distance of 3 metres between side elevations. The proposal would therefore have no adverse overbearing or overshadowing impacts upon the rear elevation habitable room windows of No. 123 and there are no side elevation

windows proposed that would result in any loss of privacy to the neighbouring occupiers.

8.10 By virtue of its siting towards the rear garden boundary, separation distances of approximately 17 and 20 metres to the rear elevations of the neighbouring dwellings either side and the screening provided by the existing 2 metres high close boarded boundary fencing enclosing the rear garden, the proposed garden room/store would not result in any significant adverse impacts upon the residential amenity of privacy of the occupiers of any neighbouring properties. There is an existing large timber shed/outbuilding adjacent to the east within the rearmost part of the garden of No. 123.

8.11 The proposals would not result in any significant adverse impacts on the privacy or amenity of any neighbouring properties and would therefore be in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide. No objections to the proposals have been received from the occupiers of any neighbouring properties.

Impact upon parking provision

8.12 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.

8.13 The proposal does not result in the creation of any additional bedrooms. The site frontage is hard surfaced in loose stones and provides two off-street parking spaces to serve the dwelling and this provision would be unaffected. This level of provision is considered to remain adequate to serve the resulting dwelling and the proposal would therefore be in accordance with Policy DM18 of the adopted SADMP and the local highway authority design guidance standards.

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 proposals are for extensions to an existing dwelling within the settlement boundary of Groby 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. By virtue of their siting to the rear, single storey scale, appropriate design, proposed use of matching and complementary external materials, separation distances and screening by existing fencing, it is considered that the proposed rear extension and detached garden room/store would respect and complement the scale, character and appearance of the existing dwelling and would have no adverse impacts on any street scene or the residential amenity or privacy of the occupiers of any neighbouring properties. Satisfactory off-street parking for two vehicles and private amenity space of approximately 130 square metres would be retained within the site. The proposals are considered to be in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP, the general principles of the adopted Good Design Guide and the local highway authority design guide standards and are 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: Location Plan and Proposed Block Plan Drawing No. 2023-06-01, Proposed Dwelling Ground Floor Plan and Elevations Drawing No. 2023-06-03 and Proposed Garden Room Floor Plan and Elevations Drawing No. 2023-06-04 received by the local planning authority on 9 March 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 shall be in accordance with the materials details submitted on the approved Proposed Dwelling Elevations Drawing No. 2023-06-03 and Proposed Garden Room Elevations Drawing No. 2023-06-04 and Planning Application form received by the local planning authority on 9 March 2023 and shall match the corresponding materials of the existing dwelling where stated.

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.