

Delegated Report

Planning Ref: 23/00506/HOU
Applicant: Mr Matt Richardson
Ward: Earl Shilton



Hinckley & Bosworth
Borough Council

Site: Sidneydene 29 Thurlaston Lane Earl Shilton Leicestershire

Proposal: Two storey and single storey rear extension (following demolition of existing conservatory, store and outbuilding)

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 a two storey and single storey rear extension to a dwelling, Sidneydene 29 Thurlaston Lane, Earl Shilton.
- 2.2. The proposed rear extension would extend to a total depth of 3.7 metres from the existing/original main rear elevation, 2.1 metres at two storey height and an additional 1.6 metres at single storey height and for 5.7 metres in width, almost the full width of the dwelling. It would have a dual pitched roof forming a rear gable with an eaves height of 5 metres to match that of the existing dwelling and a marginally subordinate ridge height of 7.5 metres. The single storey section would have a lean-to roof with an eaves height of 2.4 metres and a maximum height of 3.4 metres. The proposal includes the insertion of an additional first floor window in the side elevation to serve an en-suite shower room/toilet.
- 2.3. The existing single storey flat roof rear store/outbuilding, lean-to rear conservatory and detached flat roof shed would all be demolished to enable the scheme.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of Earl Shilton in a residential area on the south side of Thurlaston Lane. It is a two storey semi-detached traditionally styled house with asymmetric gable sided roof form and a dominant two storey front projecting gable with cat-slide roof to the side. It has a single storey flat roof store/outbuilding and a lean-to conservatory attached to its rear elevation along with a detached flat roof shed to the side/rear of the dwelling. The dwelling is constructed of plain red facing bricks to the ground floor front elevation and cream roughcast render to the first floor front and other elevations, brindle plain clay roof tiles and dark brown uPVC windows. The site frontage provides off-street parking for a minimum of three cars on the 18 metres long tarmacadam surfaced driveway. The elongated rear garden is enclosed by a mix of 1.8 metres high solid timber panel fencing and hedgerow.
- 3.2. The dwelling occupies an elongated plot and is set well back from the highway and within a row of similarly scaled and traditionally styled two storey semi-detached and detached dwellings facing open fields to the north.

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 response has been received from Earl Shilton Town Council.

7. Policy

7.1. Earl Shilton and Barwell Area Action Plan (ESBAAP) 2006-2026 (2014)

- No relevant policies

7.2. Core Strategy (2009)

- No relevant policies

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 DM18: Vehicle Parking Standards

7.4. National Planning Policies and Guidance

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

7.5. 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 located within urban settlement boundaries are generally considered to be sustainable development in principle. The key issues in respect of this application are therefore:

8.2.

- 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.'

8.3 The proposed rear extension would extend 2.1 metres at two storey height from the existing/original main rear elevation and an additional 1.6 metres at single storey height to an appropriate total depth of 3.7 metres, only half the depth of the existing dwelling. The proposal would extend for 5.7 metres in width, almost the full width of the existing dwelling and would have a dual pitched roof forming a rear gable with an eaves height of 5 metres to match that of the existing dwelling and only a

marginally subordinate ridge height of 7.5 metres. The single storey section would have a lean-to roof with an eaves height of 2.4 metres and a maximum and clearly subordinate height of 3.4 metres. Notwithstanding its width and height, the proposal would still appear as a subordinate addition to the existing dwelling and would be located entirely to the rear where its width and height would not be inappropriate in design terms and where it would not be prominent or have any significant adverse visual impacts in the street scene. The proposed rear gable would complement the form of the existing main roof and the design includes two well-proportioned windows at first floor and acceptable full height bi-fold doors to the ground floor. The proposal includes the insertion of an additional first floor window in the side elevation of the same size, proportion and style as an existing window and this would therefore be acceptable in design terms. Matching external materials are proposed in its construction to ensure a unified appearance.

- 8.4 By virtue of its siting to the rear, split scale, sympathetic design and subject to the proposed use of matching external materials in its construction to ensure a unified appearance, the proposed rear extension would respect and complement the scale, character and appearance of the existing dwelling and would not result in any significant adverse visual impacts upon the character or appearance of the wider street scene. The proposal is therefore considered to be in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 8.5 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.
- 8.6 The adjoining semi-detached two storey dwelling to the west (No. 31) has a small single storey flat roof extension projecting 0.7 metres from its main rear elevation and with a combination four pane wide full height window with double patio doors whose centre point would be approximately 2 metres from the side boundary. The proposed extension would be set in slightly from the side boundary and would only extend 3 metres further to the rear. By virtue of its depth and separation distance, the proposal would extend marginally beyond a 45 degree line from the centre point of the neighbouring ground floor window (approximately 0.8 metres) but this would be at only single storey height and predominantly screened by the existing 1.8 metres high solid timber panel fencing. As a result, it is considered that the proposal would not result in any significant adverse overbearing or overshadowing impacts on the residential amenity of the adjoining occupiers and there are no side elevation windows proposed that would result in any loss of their privacy.
- 8.7 The neighbouring semi-detached two storey dwelling to the east (No. 27) has a similar rear elevation building line as the application dwelling and is set off the side boundary by approximately 2.5 metres with a flat roof garage extending to the side/rear of the dwelling and along the side boundary. By virtue of the 3.7 metres total depth of the proposal and only 2.1 metres at two storey height, together with the total separation distance of 5 metres, the proposal would have no significant adverse overbearing or overshadowing impacts on the residential amenity of the neighbouring occupiers. The proposed new first floor en-suite window in the east side elevation would face directly towards similar non-habitable room windows in the side elevation of No. 27 rather than to any sensitive private amenity areas and therefore would not result in any significant adverse impacts from potential loss of privacy to the neighbouring occupiers.
- 8.8 By virtue of the siting, split scale and design of the proposed extension and alterations together with their relationship to both neighbouring properties, it is

considered that they would not result in any significant adverse overbearing or overshadowing impacts or result in any significant loss of privacy to the occupiers of any neighbouring properties. The proposal would therefore be in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide. No objections to the proposal have been received from the occupiers of any neighbouring properties.

Impact upon parking provision

- 8.9 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.10 The site frontage currently provides off-street parking for a minimum of three cars on the 18 metres long tarmac surfaced driveway. This provision would remain unaffected by the proposal. This existing provision would be adequate to serve the existing/resulting three bedroomed dwelling in this highly sustainable urban location with access to a full range of services and facilities by alternative and more sustainable transport means. The proposal would therefore be in accordance with Policy DM18 of the adopted SADMP and the local highway authority design guide 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 proposal relates to an extension and alterations to an existing dwelling within the urban settlement boundary of Earl Shilton 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 its siting, scale, design and subject to the proposed use of matching external materials in its construction to ensure a unified appearance, the proposal would respect and complement the scale, character and appearance of the existing

dwelling and would have no significant adverse visual impacts upon the street scene or the residential amenity or privacy of the occupiers of any neighbouring properties. Adequate off-street parking of three spaces and adequate private rear amenity space of over 200 square metres would be retained within the site. The proposal is therefore 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 guidance standards 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: Location Plan and Proposed Block Plan Drawing No. 350 and Proposed Floor Plans, Roof Plan and Elevations Drawing No. 110 Rev B received by the local planning authority on 23 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 alterations 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.