

Delegated Report

Planning Ref: 23/01185/HOU

Applicant: Mr M Alder

Ward: Newbold Verdon with Desford & Peckleton

Site: 9 Norfolk Road Desford Leicestershire



Hinckley & Bosworth
Borough Council

Proposal: Single storey extension to replace existing conservatory

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 rear extension to replace an existing conservatory to a dwelling, 9 Norfolk Road, Desford.

2.2. The proposed single storey rear extension would extend 2.75 metres from the rear elevation and for a width of 4 metres. It would have a hipped pitched roof with an eaves height of 2.45 metres and a ridge height of 3.7 metres. The use of matching corresponding external materials is proposed in its construction. It would be in the same position and only marginally larger than the conservatory that it would replace.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the settlement boundary of Desford on a residential estate. It is a detached two storey dwelling with hipped pitched main roof, a two storey projection with rear gable and hipped roof conservatory attached to its rear elevation. It has a single storey projection with gable fronted dual pitched roof extending from the front elevation. It is constructed with a mix of smooth white rendered walls and light brown facing bricks, grey interlocking concrete roof tiles, dark grey uPVC windows and a white uPVC conservatory that is to be replaced.

3.2. The wider street scene has a varied character and appearance with a mix of detached and semi-detached dwellings, single storey and two storey dwellings and a mix of designs, roof styles and external materials including the use of both facing bricks, white rendering to walls and white horizontal cladding. There are open fields to the rear.

4. Relevant planning history

22/00127/HOU

- Two storey side extension, new hipped roof and other external and internal alterations and render to external walls
- Permitted
- 12.04.2022

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.

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

6. Consultation

6.1. No response has been received from Desford Parish Council.

7. Policy

7.1. Desford Neighbourhood Plan (DNP) 2018-2036 (2021)

- Policy H7: Housing Design

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) (2023)
- 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 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 on parking provision

Design and impact upon the character of the area

8.2. Policy H7 of the 'made' DNP requires that the design principles of extensions seek to enhance the local distinctiveness and character of the area in which they are situated and not disrupt the visual amenities of the street scene. 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 single storey rear extension would be located in the same position and only marginally larger than the conservatory that it would replace. It would extend for an appropriate depth of only 2.75 metres from the rear elevation and for

an appropriate width of only 4 metres. It would have a hipped pitched roof that respects the form of the main roof and have a clearly subordinate eaves height of 2.45 metres and ridge height of 3.7 metres. The use of matching corresponding external materials is proposed in its construction to ensure a satisfactory and unified appearance. By virtue of its single storey scale and siting entirely to the rear, the proposal would have no adverse impacts on the street scene or surrounding area.

- 8.4 By virtue of its siting, scale, design and subject to the proposed use of matching external materials in its construction, it is considered that the proposal would be a clearly subordinate addition to the existing dwelling that would respect and complement the scale, character and appearance of the existing dwelling and would have no adverse visual impacts on the character or appearance of the street scene or surrounding area. The proposal would therefore be in accordance with Policy H7 of the 'made' DNP, 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 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. The adopted Good Design Guide 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.'

- 8.6 The neighbouring dwelling to the northwest (No. 11) is a detached two storey house set in from the side boundary by approximately 1 metre. The application dwelling is also set in a similar distance from the side boundary and extends approximately 4.5 metres further to the rear than the nearest part of No. 11 at two storey height. The proposed single storey rear extension would replace a conservatory of similar depth and width. It would extend 2.75 metres from the rear elevation but would also be set in further from the side boundary (2 metres). By virtue of being set further in, it would be predominantly screened from the outlook of the nearest ground floor habitable room door/window in the rear elevation of No. 11 by the existing two storey rear projection of the application dwelling. Notwithstanding that the proposal would extend marginally further than a 45 degree line drawn from the centre point of the nearest ground floor rear elevation door/window of No. 11, by virtue of the 4.5 metres off set from the centre point of the window, the single storey scale and hipped roof design of the proposal that would minimise any visual impacts, it is considered that the proposal would not result in any significant adverse overbearing or overshadowing impacts on the neighbouring door/window in this case. The existing conservatory has clear glazing to the side elevation facing the rear garden boundary fencing with No. 11. The proposed extension would have only a high level window in this near side elevation and therefore would improve the privacy situation for both respective occupiers over the current position.
- 8.7 The proposed single storey rear extension would be set in from the side boundary with the neighbouring bungalow to the southeast (No. 7) by 11 metres and therefore would not result in any significant adverse overbearing or overshadowing impacts on the neighbouring occupiers. Whilst there is a full size window proposed in the side elevation facing towards No 7, this would be at ground floor height at a

separation distance of 11 metres and would replace the existing clear glazed conservatory windows. Therefore, it is considered that the proposal would not result in any significant adverse impacts on the privacy or amenity of the occupiers of No. 7 from direct overlooking.

- 8.8 By virtue of its siting, single storey scale, hipped roof design and separation distances to neighbouring windows, it is considered that the proposal would not result in any significant adverse overbearing or overshadowing impacts on the residential amenity of the occupiers of either neighbouring dwelling or result in any significant additional adverse impacts on the privacy of the occupiers of either neighbouring dwelling from direct overlooking. The proposal is therefore considered to 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 H7 of the 'made' DNP seeks that adequate off-road parking should be provided as a minimum of two car parking spaces for dwellings of three bedrooms or less and three spaces for dwellings of four bedrooms or more. Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.10 The proposal does not result in the creation of any additional bedrooms. Three off-street parking spaces of appropriate dimensions are available to serve the existing/resulting four bedroomed dwelling on the double width tarmac surfaced driveway and this provision would be unaffected. This level of provision would remain adequate to serve the existing/resulting dwelling and the proposal would therefore be in accordance with Policy H7 of the 'made' DNP, 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 proposal is for an extension and alteration to an existing dwelling located within the settlement boundary of Desford 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, it is considered that the proposal would respect and complement the scale, character and appearance of the existing dwelling and would not result in any significant adverse impacts on the street scene or surrounding area or the residential amenity or privacy of the occupiers of any neighbouring properties. Adequate off-street parking for three cars and adequate private amenity space of approximately 175 square metres would be retained within the site. The proposal is considered to be in accordance with Policy H7 of the 'made' DNP, Policies DM1, DM10 and DM18 of the adopted SADMP, the adopted Good Design Guide and the local highway authority design guide 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 at scale 1:1250 and Proposed Floor Plan, Proposed Roof Plan and Proposed Elevations Drawing No. 21620b-02 received by the local planning authority on 6 December 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 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 building.control@blaby.gov.uk or call 0116 272 7533.