

Delegated Report

Planning Ref: 25/01132/HOU

Applicant: Mr and Mrs Stringer

Ward: Newbold Verdon With Desford & Peckleton

Site: 9 Green Lane, Stapleton



Hinckley & Bosworth
Borough Council

Proposal: Erection of side dormer above existing garage, front and rear dormers increased and associated works

1. Recommendations

1.1. Refuse planning permission subject to:

- Planning reasons detailed at the end of this report.

2. Planning application description

- 2.1. The application seeks householder planning permission for the erection of a side dormer above the existing garage, front and rear dormers and associated works. The site benefits from a previous planning permission 25/00385/HOU, which granted approval for a rear dormer – within the former application amended plans were received removing the front and side dormers which are presented as part of this application.

3. Description of the site and surrounding area

- 3.1. The application site relates to a two-storey detached residential dwelling situated within the settlement boundary of Stapleton. The application dwelling has a dual-pitched roof form with a forward facing gable to the projecting garage and a flat roof to the front/rear dormers and glazed porch. A mono-hipped element can also be observed to the side elevations. It is characterised by the use of facing red brick to the walls, brown interlocking tiles to the roof and white uPVC to the windows. The site is accessed to the north-west of Green Lane via a dropped kerb access to the north of the site leading onto a substantial block paved hardstanding bounded by grass and brick walls either side.
- 3.2. The street scene has a similar style along its street line with the majority of the dwellings being single storey with flat roof dormers, however despite this the application dwelling differs significantly from the other builds mainly due to the presence of the projecting forward fronting gabled garage. Various designs and styles can further be observed to the opposite street line.

4. Relevant planning history

78/00615/4M

Extension to house

Refused

24/05/1978

96/00218/FUL

Extension to dwelling

Planning Permission

01/05/1996

98/00676/FUL

Single storey side extension

Planning Permission

14/10/1998

99/00761/FUL

Replacement lean-to and new toilet
Planning Permission
14/10/1999

02/00691/FUL

Rear conservatory
Planning Permission
10/07/2002

25/00385/HOU

Extension of rear dormer
Planning Permission
18/07/2025

5. Publicity

- 5.1. Neighbours were notified of the application via letter, and a site notice was placed within the vicinity of the site.
- 5.2. No objections have been received.

6. Consultation

- 6.1. Kirkby Mallory, Peckleton and Stapleton Parish Council: No objection.

7. Policy

- 7.1. Site Allocations and Development Management Policies DPD (SADMP) (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) (2024)
 - Planning Practice Guidance (PPG)
- 7.3. Other relevant guidance
 - Hinckley and Bosworth Good Design Guide (GDG) (2019)
 - National Design Guide (2019)

8. Appraisal

- 8.1. The application site is within a sustainable location in the identified boundary of Stapleton. Therefore, the development of the single storey extensions is acceptable in principle, subject to the assessment of all other material considerations. The key issues in respect of this application therefore are:
 - 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 indicates that development will be permitted providing it meets good standards of design including that it would complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features and would not have a significant adverse effect on the privacy and amenity of nearby residents.
- 8.3. Chapter 12 of the NPPF confirms that good design is a key aspect of sustainable development, and the creation of high quality, beauty, and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 135 of the NPPF details the six national policy requirements of development to ensure the creation of well-designed and beautiful places.
- 8.4. Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.
- 8.5. The Good Design Guide confirms that dormer windows which allow for additional headroom within roof space can be appropriate in certain circumstances, however these would be considered in the context of impact upon the character of the building and on neighbouring amenity. The Guide also states that material selection and scale of window opening and position within the roofscape is critical, and dormers to the fronts of properties will only be acceptable where this is a prevailing feature of the surrounding context.
- 8.6. Dormers are observed within the local context, with No. 5 and 7 Green Lane having side dormers, and No.11 and 13 having front dormers. However, these dormers are present on the main built form of the dwellings and not on protruding front elements. No. 9 Green Lane differs from the neighbouring plots in its layout, with a pitched front garage structure protruding from the principal elevation of the existing dwelling. The design would include an extension of the front dormer at a matching height, and the introduction of a side dormer, dog legging off the proposed dormer, creating a blank façade and convoluted appearance.
- 8.7. It is considered that the introduction of a large front dormer and side dormers in this instance would not be of an appropriate scale, or design, and would create an incongruous and contrived roofscape of the dwelling. The presence of the dormer would reduce the subordinate appearance of the front protrusion and create an imbalanced appearance to the dwelling when viewed from Green Lane. Furthermore as a result of the dormer extensions little of the original roofscape of the dwelling would remain to be perceived, the proposal fails to respect the character of the dwelling in that regard.
- 8.8. It is acknowledged that the rear dormer element under this proposal remains unchanged from the previous approval and remains acceptable.
- 8.9. The proposal introduces an unacceptable form of development which is not of an appropriate design or scale and would cause detrimental impacts to the visual amenity and character of the area. As such, the proposed dormers are not considered to be in accordance with Policy DM10 of the adopted SADMP and the Good Design Guide.

Impact upon neighbouring residential amenity

- 8.10. Policy DM10 of the SADMP confirms the requirements of which permitted developments must achieve. DM10 (a) and (b) confirm that any development must not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting, air quality (including odour), noise, vibration and visual intrusion. In addition, it is confirmed that the amenity of occupiers of the proposed development would not be adversely affected by activities in the vicinity of the site.
- 8.11. Paragraph 135 of the NPPF requires that planning policies and decisions ensure that developments create places that are safe, inclusive, and accessible, which promote health and wellbeing, and a high standard of amenity for existing and future users.
- 8.12. The Good Design Guide confirms that dormer windows which allow for additional headroom within roof space can be appropriate in certain circumstances, however these would be considered in the context of impact upon the character of the building and on neighbouring amenity.
- 8.13. The proposal includes the erection of a side dormer atop of the existing garage structure. The windows of the dormer would face towards No. 11 Green Lane, which benefits from a large front dormer, with three windows facing onto Green Lane. It is considered that the provision of a side dormer in this location, and within such close proximity to the front windows of the neighbouring property would create an unacceptable degree of overlooking and loss of privacy from each property to the other.
- 8.14. By virtue of the location of the side dormer windows, they are considered to have a significant detrimental impact on the residential amenity of the occupiers of the neighbouring property, alongside detrimental impacts in terms of loss of privacy to the future occupiers of the dwelling. As such the proposed dormers are not considered to be in accordance with Policy DM10 of the adopted SADMP, the Good Design Guide or paragraph 135 of the NPPF.

Impact upon highway safety

- 8.15. Policy DM17 of the SADMP states that the development proposals need to demonstrate that there is not a significant adverse impact upon highway safety, and that the residual and cumulative impacts of the development on the transport network are not severe.
- 8.16. Policy DM18 of the SADMP requires developments to demonstrate an adequate level of off-street parking provision. Any reduction below minimum standards will require robust justification.
- 8.17. The site benefits from a sufficient degree of off-street parking provided to the front of the dwelling, and as a result of the proposed development there would be no detrimental impact on highway safety.
- 8.18. The proposal therefore complies with Policies DM17 and DM18 of the 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.

10. Conclusion

- 10.1 Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission is refused. This is based on the following reasons for refusal, which relate to the detrimental impact to the design and character of the area, alongside the detrimental impact to neighbouring residential amenity, confirming that the proposal is not in accordance with Policy DM10 of the SADMP, the Good Design Guide, and paragraphs 135, 139 and Chapter 12 of the NPPF.

11. Recommendation

- 11.1 **Refuse planning permission** subject to:

- Planning reasons outlined at the end of this report

11.2 Reasons

1. The proposal introduces an unacceptable form of development which is not of an appropriate design or scale and would cause detrimental impacts to the visual amenity and character of the dwelling and surrounding area. As such, the proposed dormers are not considered to be in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies DPD (2016), the Hinckley and Bosworth Good Design Guide (2019) and paragraph 135 of the National Planning Policy Framework (2024).
2. By virtue of the location of the side dormer windows, the proposal would result in adverse overlooking and a significant detrimental impact on the residential amenity of the occupiers of the neighbouring property alongside detrimental impacts to the future occupiers of the application dwelling. As such the proposed dormers are not considered to be in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies DPD (2016), the Hinckley and Bosworth Good Design Guide (2019) and paragraph 135 of the National Planning Policy Framework (2024).