

Delegated Report

Planning Ref: 23/00910/HOU
Applicant: Mr & Mrs Simon Blizzard
Ward: Twycross Sheepy & Witherley



Hinckley & Bosworth
Borough Council

Site: 8 Ratcliffe Lane Sheepy Magna Leicestershire

Proposal: Two storey rear extension and dormer window to front elevation

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 rear extension and dormer window to the front elevation of a dwelling, 8 Ratcliffe Lane, Sheepy Magna.
- 2.2. The proposed two storey rear extension would replace the existing sun lounge and would extend 4.5 metres in depth from the main rear elevation and for the full 11.5 metres width of the original dwelling to be flush with both main/original side elevations. It would have a double apex gabled roof form to the rear elevation with the same eaves and ridge heights as the main roof and a high level central valley gutter. It would have 6 metres wide bi-fold doors to the ground floor and two double doors with Juliette balconies to the first floor rear elevation. Two small roof lights in the side elevations would serve en-suites. Matching corresponding external materials are proposed in the construction.
- 2.3. The proposed front dormer window would be offset to the left side of the front roof slope and be of the same proportions as, and align with, the ground floor window below it. It would be set back from the front wall plate and have a width of 2 metres, a height of 2 metres and a maximum dual pitched gable fronted roof depth of 3 metres. Matching corresponding external materials are proposed in the construction.
- 2.4. A detached double garage and office building with dual pitched gable sided roof form was also proposed forward of the front elevation within the site frontage and close to the highway boundary. This has subsequently been removed from the scheme following concerns raised by the case officer and objection from Sheepy Parish Council.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of Sheepy Magna and forms part of a ribbon development of residential properties to the west side of Ratcliffe Lane. It is a detached bungalow with a dual pitched gable sided main roof form, a forward projection with a subordinate dual pitched gable fronted roof form and a room in the roof space by virtue of a dual pitched roof dormer window to the rear roof elevation. There is a flat roof garage and ancillary rooms attached to the north side elevation and a wide glazed sun lounge with white uPVC frames, a low level plinth wall clad in black stained timber and hipped polycarbonate sheet roof attached to the rear west elevation. The bungalow is constructed with light red/brown facing bricks, brown plain clay roof tiles and white uPVC windows and is set back approximately 20 metres from the Ratcliffe Lane highway. The site frontage includes a tarmac surfaced driveway and three additional

parking/turning spaces along with a grassed area. The site frontage is enclosed to all three sides by recently trimmed Beech hedgerows of between 2½ - 3 metres in height.

- 3.2. The application dwelling lies within a row of detached bungalows and dormer bungalows, many with dormer windows to their front and/or rear roof elevations and being set well back from the highway with deep frontages opposite an open field to the east side of Ratcliffe Lane and long rear gardens extending to open fields at the rear (west).

4. Relevant planning history

74/01000/4M

- Erection of a sun lounge
- Permitted
- 26.11.1974

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. Sheepy Parish Council object the proposed detached garage due to its siting forward of the building line and its resulting adverse impact on the street scene and character of the lane and potential impacts on neighbours amenities.

7. Policy

- 7.1. Sheepy Parish Neighbourhood Plan (SPNP) 2018-2036 (2022)

- Policy S8: 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 upon parking provision

Design and impact upon the character of the area

8.2 Policy S8 of the 'made' SPNP seeks to ensure that the design of development proposals respond positively to the character of the area in which they are located and the features of its setting, and work with the scale, form and character of the location and make a positive contribution.

8.3 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.

8.4 The Council's adopted Good Design Guide states that:

'Wherever possible, locate roof extensions to the rear of properties to minimise potential impact on the street scene. Dormer windows, which allow for additional headroom within roof spaces can be appropriate in certain situations, however these will be considered in the context of impact upon the character of the building and on neighbours' amenity and should reflect the window pattern of the dwelling. Material selection, and scale of window opening and position within the roofscape is critical in the success of dormers. Dormers to fronts of properties will only be acceptable where this is a prevailing feature of the surrounding context.' and,

'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. Where there are no public views into a site, a fully integrated two storey extension may be acceptable unless there is a detrimental impact on the adjacent properties as assessed by the 45 degree rule.'

8.5 By virtue of its 4.5 metres depth from the main rear elevation, its full 11.5 metres width to be flush with both main/original side elevations and its matching eaves and ridge height as the main roof, the proposal would result in a substantial extension to the dormer bungalow, particularly at first floor level. However, notwithstanding its scale and fully integrated double apex roof design it would be set well back from the public highway and to the rear of the dwelling where it would not be overly prominent or have any significant adverse visual impacts on the wider street scene and where, by virtue of its roof form it would only be glimpsed between the neighbouring dormer bungalows.

8.6 The footprint of the resulting dwelling would sit comfortably within, and be compatible with, the size of the substantial plot in which it is located and the scale of neighbouring dwellings. The proposed 6 metres wide bi-fold doors to the ground floor and two double doors with Juliette balconies to the first floor rear elevation would result in a more contemporary, but acceptable appearance to the rear elevation. The proposal is considered to be acceptable in terms of its height, width, depth and design in this particular case. The proposed use of matching corresponding external materials in its construction would ensure a satisfactory and unified appearance with the existing bungalow and surrounding area. Therefore, the proposed fully integrated rear extension is considered to be in general accordance

with the principles of the adopted Good Design Guide, subject to acceptability in terms of the 45 degree rule (which will be discussed in the following section on impact on neighbour amenity).

- 8.7 Dormer windows to the front of dwellings along Ratcliffe Lane are a common feature and have varying size and roof designs, therefore the proposed front dormer window is considered to be acceptable in principle. It would be offset to the left side of the front roof slope and be of the same proportions as, and align with, the ground floor window below it. It would be set back 0.8 metres from the front wall plate and have a width of 2 metres, a height of 2 metres and a maximum dual pitched gable fronted roof depth of 3 metres. The proposed dormer would therefore reflect the window scale and pattern of the application bungalow and would be a clearly subordinate addition to the front roof elevation. Matching corresponding external materials are proposed in the construction including matching hanging tiles to the gable and side cheeks to ensure a satisfactory and unified appearance. In addition, it would not be unlike the similarly positioned, scaled and designed dormer window on the front elevation of the adjacent dormer bungalow to the south (No. 10).
- 8.8 Sheepy Parish Council objected to the proposed detached garage due to its siting forward of the building line and adverse impact on the street scene and character of the lane but the garage has subsequently been removed from the application.
- 8.9 Overall, by virtue of their siting, scale, design and the proposed use of matching corresponding external materials to ensure a satisfactory and uniform appearance it is considered that the proposed extensions and alterations would respect and complement the scale, character and appearance of the existing dwelling and the varied character and appearance of neighbouring dormer bungalows within the wider street scene. The proposals are therefore considered to be in accordance with Policy S8 of the 'made' SPNP, Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 8.10 Policy S8 of the 'made' SPNP requires that development show appropriate regard for the amenities of neighbouring properties including daylight/sunlight, privacy, air quality, noise and light pollution. Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy and/or amenity of nearby residents and occupiers of adjacent buildings.
- 8.11 Sheepy Parish Council object to the proposals on the grounds of potential impacts on neighbours amenities but with no specific impacts identified.
- 8.12 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.'
- 8.13 The adjacent dwelling to the north (No. 6) is a detached dormer bungalow on a roughly similar building line to the application bungalow. The proposed rear extension would extend approximately 4.5 metres beyond the main rear elevation of No. 6 at a total separation from the main side elevation of 6 metres and with single storey outbuildings of similar depth between and either side of the boundary. As a result, notwithstanding its position to the south of No. 6, the proposal would not

extend beyond a 45 degree line or have any significant adverse overbearing or overshadowing impacts on the ground floor rear elevation habitable room windows of No. 6 or the rear dormer window of No. 6, the centre point of which is located 10 metres inside the side boundary. There is a first floor habitable room window in the side gable apex of No. 6 but this faces directly towards a similar window in the side gable apex of the application bungalow rather than directly towards the proposed extension. In addition to this offset, the roof of the extension would be at a separation distance of 6 metres from the window and would slope away from it. Therefore, it is considered that this window would not be affected by any significant adverse overbearing or overshadowing impacts. The only new opening in the north side elevation of the proposal would be a small roof light serving an en-suite which would face over the flat roof additions between the dwellings rather than to any more sensitive private areas and it is therefore considered that the proposal would not result in any significant loss of privacy to the occupiers of No. 6.

- 8.14 The neighbouring dwelling to the south (No. 10) is a detached dormer bungalow on a roughly similar front building line to the application bungalow but has been extended further to the rear and whose main side elevation is set in from the side boundary by approximately 4 metres with a flat roof garage between. By virtue of its proposed 4.5 metres depth, the proposed rear extension would extend to a similar depth as the conservatory attached to the rear of No. 10 and with a separation distance of approximately 5 metres between. By virtue of its depth, separation distance and design, with the roof sloping away from the boundary, the proposal would not extend beyond a 45 degree line or have any significant adverse overbearing or overshadowing impacts on the ground floor rear elevation habitable room windows of No. 10 or its rear elevation roof lights. There are no principal habitable room windows in the side elevation of No. 10 facing the site. The only new opening in the south side elevation of the proposal would be a small roof light serving an en-suite which would face over the flat roof of the neighbouring garage between the dwellings rather than to any more sensitive private areas and it is therefore considered that the proposal would not result in any significant loss of privacy to the occupiers of No. 10.

- 8.15 Notwithstanding the objection from Sheepy Parish Council in respect of potential impacts on neighbours amenity, by virtue of their siting, scale, design, screening and separation distances it is considered that the proposed extensions and alterations would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties and that they are therefore in accordance with Policy S8 of the 'made' SPNP, Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide. No objections to the proposals have been received from the occupiers of any neighbouring properties.

Impact upon parking provision

- 8.16 Policy S8 of the 'made' SPNP requires that development provides safe and suitable access with appropriate on-site parking provision. Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.17 The site currently provides ample off-street parking and turning space to serve the existing three bedroomed dwelling in the existing garage and on the extensive tarmac hardstanding and driveway within the 20 metres deep and 17 metres wide site frontage. The proposals would result in the provision of an additional fourth bedroom but the existing parking provision would be unaffected and retained and remain more than adequate to serve the resulting four bedroomed dwelling. The proposals are therefore considered to be in accordance with Policy S8 of the

'made' SPNP, 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 proposals relate to extensions and alterations to an existing dwelling within the settlement boundary of Sheepy Magna 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, scale, design and appearance the proposals would respect and complement the scale, character and appearance of the application dwelling and the surrounding area and would have no significant adverse visual impacts on the wider street scene or any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. More than adequate off-street parking and private amenity space would be retained within the site to serve the resulting four bedroomed dwelling. The proposals would be in accordance with Policy S8 of the 'made' SPNP, Policies DM1, DM10 and DM18 of the adopted SADMP and the general principles of the adopted Good Design Guide 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, Proposed Block Plan, Proposed Floor Plans and Proposed Sections Drawing No. 092301/2 Rev A and Proposed Elevations Drawing No. 092301/3 Rev A received by the local planning authority on 27 October 2023 and Proposed Front Elevation Drawing No. 092301/4 received by the local planning authority on 29 September 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 extensions and alterations hereby permitted shall be in accordance with the approved Proposed Elevations Drawing No. 092301/3 Rev A received by the local planning authority on 27 October 2023 and 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.