

Delegated Report

Planning Ref: 23/01026/HOU

Applicant: Mr Tom Hutton

Ward: Newbold Verdon with Desford & Peckleton

Site: 9 Goulton Crescent Desford Leicestershire



Hinckley & Bosworth
Borough Council

Proposal: Part two storey part single storey rear extension and alterations to dwelling

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 part two storey and part single storey rear extension to a dwelling, 9 Goulton Crescent, Desford.
- 2.2. The proposed rear extension would extend across the full 10.1 metres width of the rear elevation. The proposed two storey section would extend the existing 5.2 metres wide two storey rear projecting gable by an additional depth of 2.5 metres and with the same dual pitched roof with 5.2 metres eaves height and 7.4 metres ridge height. It would have bi-fold glazed doors at ground floor and double glazed doors at first floor and Juliette balcony. To the side of this the proposed single storey extension would extend up to 6.3 metres in depth from the original rear elevation to the same depth as the two storey section for 3.2 metres in width and step back to 3.5 metres depth for the remaining 1.7 metres width. It would have a rear door and rear and side elevation windows and a flat/parapet roof design to a height of 3.4 metres along with a hipped glazed roof lantern. Additional windows are proposed in both side elevations of the dwelling and a level patio area is to be formed within the rear garden with steps to the wider garden area. Matching corresponding external materials are proposed in the construction including matching soldier and cill courses to new windows.
- 2.3. An Assessment of Existing Trees with protection measures has been submitted to support the application.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located on the northern edge of, but within, the settlement boundary of Desford on a small residential estate and at the end of a short shared private driveway. It is a two storey detached house with dual pitched gable sided main roof form. It has twin ground floor bay windows with hipped pitched roof form and central hipped roof open porch to the front elevation. It has an 'L' shaped footprint by virtue of a two storey projection at the rear with a subordinate dual pitched roof forming a rear gable. It is constructed with plain red facing bricks, large flat grey concrete roof tiles and white uPVC windows with stone cills to the front elevation and blue brick soldier headers and cills to the rear elevation.
- 3.2. To the site frontage there is a double garage with dual pitched gable sided roof form and tarmac surfaced garage forecourt and driveway providing additional off-street parking for at least three additional cars. The rear garden is enclosed by close boarded timber fencing of a variety of heights and a 1.2 metres high timber post and rail fence to the rear garden boundary with the open fields to the northwest. Ground levels fall generally from the rear elevation to the northwest.

There are a number of trees in and adjacent to the site, some of which are included in a Tree Protection Order (ref: 08/00004/TPORD).

- 3.3. The other neighbouring dwellings on the estate are of similar scale, designs and styles. There are also dwellings of a different design and appearance to the northeast of the site.

4. Relevant planning history

08/00306/FUL

- Demolition of no's 33 and 35 and erection of 19 no. Dwellings with associated parking and access
- Permitted
- 01.07.2008

13/00867/TPO

- Works to Ash tree and felling of two sycamores
- TPO Permit
- 20.11.2013

13/01061/TPO

- Removal of two Sycamore trees.
- TPO Split Decision
- 27.01.2014

23/00496/TPO

- (T1) - Ash - Remove outgrown epicormic stem to clear boundary. (T2) - Oak - Fell
- TPO Permit
- 12.07.2023

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 comment has been received from Leicestershire County Council (Tree Officer)
- 6.2. 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 DM6: Enhancement of Biodiversity and Geological Interest
- 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 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 on trees
- Impact upon neighbouring residential amenity
- Impact upon 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 or impact negatively on any significant wider landscape views.

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. The Council's adopted Good Design Guide provides further advice in respect of the siting and design of house extensions and in respect of rear extensions 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.'

8.4 Notwithstanding that the proposed rear extension would extend across the full 10.1 metres width of the rear elevation, the proposed two storey section would extend across only half the width from the existing 5.2 metres wide two storey rear projecting gable and by an appropriate additional depth of only 2.5 metres. It would have the same dual pitched roof form with 5.2 metres eaves height and subordinate 7.4 metres ridge height and would therefore appear as a clearly subordinate addition in terms of both its footprint and height to the existing dwelling. To the side of this the proposed single storey extension would extend across the remainder of

the rear elevation and for 6.3 metres in depth from the original rear elevation to the same depth as the two storey section for 3.2 metres in width and then step back to 3.5 metres depth for the remaining 1.7 metres width. It would have a clearly subordinate flat/parapet roof design to a height of 3.4 metres along with a hipped glazed roof lantern. Notwithstanding that the existing dwelling has no flat roof elements, by virtue of its siting to infill the rear corner, its single storey scale and the more contemporary design of the proposed rear extension including bi-fold glazed doors at ground floor and double glazed doors at first floor with Juliette balcony, overall, the proposal would not be overly prominent and would not result in any significant adverse visual impacts on the application dwelling or the surrounding area. Matching corresponding external materials are proposed in the construction along with matching contrasting brick soldier and cill courses to the new windows to ensure a unified appearance. Adequate private amenity space of over 300 square metres would be retained on the proposed patio area and remaining garden.

- 8.5 By virtue of the siting, scale, design and the proposed use of matching corresponding materials and window detailing in the construction, the proposal would respect and complement the scale, character and appearance of the existing dwelling and would not result in any significant adverse visual impacts on the surrounding area. The proposal is therefore considered to be in accordance with Policy H7 of the 'made' DNP, Policy DM10 of the adopted SADMP the principles of the adopted Good Design Guide.

Impact on trees

- 8.6 Policy H7(d) of the 'made' DNP states that *'Development should be enhanced by fostering biodiversity and landscaping with existing trees and hedges preserved whenever possible.'* Policy DM6 of the adopted SADMP seeks to preserve and enhance features of nature conservation. It requires that such features should be retained, buffered and managed favourably to maintain their ecological value.
- 8.7 There are a number of mature trees in and around the site some of which are subject to a Tree Preservation Order (Ref: 08/00004/TPORD). An Assessment of Existing Trees with proposed protection measures has been submitted to support the application. This plots the trees and their root protection areas (rpa), particularly of the mature moderate quality Ash tree (T1) located to the northeast of the rear garden. It suggests that the proposed extension would encroach into only 4% of the estimated 453 square metres rpa of the Ash. The proposals are therefore considered to have a relatively minor impact on the total radial root protection area and therefore not to result in any significant impact to the long-term retention of this tree. The assessment includes the proposed provision of temporary protective tree barrier fencing to BS 5837 (2012) standard to protect the trees and rpa's from damage during the construction phase.
- 8.8 Subject to the development being implemented in accordance with the tree protection measures proposed, which would minimise any potential significant adverse impacts on the long term viability and biodiversity and visual amenity value of the protected tree(s), it is considered that the proposal would be in accordance with Policy H7 of the 'made' DNP and Policy DM6 of the adopted SADMP.

Impact upon neighbouring residential amenity

- 8.9 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.
- 8.10 The neighbouring dwelling to the southwest (No. 10) is a similar two storey detached house with gable sided roof form and blank near side gable. It extends to the same depth as the existing two storey section of the application dwelling at first

floor and has been extended 4 metres further in depth at ground floor across its entire rear elevation by a single storey extension with a lean-to roof. The proposal would extend the existing two storey rear gable by a modest 2.5 metres further to the rear but to less depth than the neighbouring ground floor extension and would be set inside the boundary by 1.5 metres such that it would not extend beyond a 45 degree line drawn from the nearest first floor window in the rear elevation of No. 10. Notwithstanding its two storey scale, by virtue of the proposed depth and separation distance the proposal would not result in any significant adverse overbearing or over shadowing impacts on the rear windows or garden of the neighbouring dwelling. New side elevation windows/door are proposed in the side elevation facing No. 10 at both ground and first floor but these would face towards the existing blank side gable rather than any sensitive private areas and therefore the proposal would not result in any significant loss of privacy to the occupiers of No. 10 from direct overlooking. The extension to and slight increase and levelling off of ground levels to form the proposed patio area is unlikely to result in any significant loss of privacy to the neighbouring occupiers by virtue of the existing close boarded timber boundary fencing.

- 8.11 The proposal would extend at only single storey height at 1 metre inside the northeast boundary of the site with the Valley View development and with a flat/parapet roof to a height of only 3.4 metres. Therefore, the proposal would not result in any significant adverse overbearing or over shadowing impacts on these neighbouring dwellings. Notwithstanding that new northeast side elevation windows are proposed, these are at only ground floor height and would not result in any significant loss of privacy from direct overlooking to the neighbouring occupiers, being set inside the side boundary which is defined by close boarded timber panel fencing that protects respective privacy.
- 8.12 By virtue of the siting, scale, design and separation distances together with existing screening provided by close boarded boundary fencing, it is considered that the proposed scheme would not result in any significant adverse overbearing or overshadowing impacts on any neighbouring properties or result in any significant adverse impacts from overlooking or loss of privacy to the occupiers of any neighbouring properties. 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 parking provision

- 8.13 Policy H7 of the 'made DNP requires 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.
- 8.14 The site frontage currently provides off-street car parking for up to five cars in the detached double garage and tarmac surfaced garage forecourt and driveway to the front of the dwelling. The proposal would result in a larger fourth bedroom rather than an additional bedroom and therefore the existing level of provision which would be unaffected and retained would remain adequate to serve the resulting four bed roomed dwelling in accordance with Policy H7 of the 'made' DNP, Policy DM18 of the adopted SADMP and adopted 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 an extension and alterations 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 the siting to the rear, subordinate scale, sympathetic design and the proposed use of matching corresponding materials and window detailing in the construction to ensure a satisfactory and unified appearance, the proposal would respect and complement the scale, character and appearance of the existing dwelling and would not result in any significant adverse visual impacts on the surrounding area. By virtue of the siting, scale, design and separation distances together with existing screening provided by close boarded boundary fencing, it is considered that the proposal would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. Tree protection measures are proposed which can be secured by condition to safeguard the protected trees in and around the site and ensure that the construction would not result in any significant adverse impacts on the long term viability of any trees or their biodiversity or visual amenity value. Adequate off-street parking for five cars and private amenity space of over 300 square metres would be retained to serve the resulting four bedroom dwelling. The proposal is considered to be in accordance with Policy H7 of the 'made' DNP, Policies DM1, DM6, DM10 and DM18 of the adopted SADMP and the principles of the adopted Good 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 Drawing No. PL-01, Proposed Site Plan Drawing No. PL-04A, Proposed Site/Ground Floor Plan Drawing No. PL-05A, Proposed Floor Plans Drawing No. PL-06A and Proposed Elevations Drawing No. PL-07A received by the local planning authority on 24 October 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).

4. Before any development commences on the site, including site works of any description, the proposed Tree Protection Barrier as shown in Fig. 2 of the submitted Tree Assessment Drawing No. 1 shall have been erected in the position shown on the site plan on the submitted Tree Assessment Drawing No. 1 to form a secure construction exclusion zone and root protection area in accordance with British Standard 5837:2012 Trees in relation to design. If any trenches for services are required within the fenced-off areas, they shall be excavated and back-filled by hand and any tree roots or clumps of roots encountered with a diameter of 25cm or more shall be left un-severed. Once erected, the proposed Tree Protection Barrier shall remain in place for the duration and until completion of the development.

Reason: To ensure that the trees on and adjacent to the site are to be retained and adequately protected during and after construction in the interests of the visual amenities of the area and biodiversity in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2023).

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.