

Delegated Report

Planning Ref: 24/01052/HOU
Applicant: Ms Samea Khatun
Ward: Barwell



Hinckley & Bosworth
Borough Council

Site: 192 Kirkby Road Barwell Leicestershire

Proposal: Two storey side and single storey side/rear extension (Retrospective revised scheme of 23/01131/HOU)

1. Recommendations

1.1. Grant retrospective planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

2.1. This householder application seeks retrospective planning permission for a two storey side and single storey side/rear extension to a dwelling, 192 Kirkby Road, Barwell.

2.2. The proposed/as-built two storey side extension extends 3.8 metres in width from the side elevation and for 8.15 metres in depth, flush with the main front and rear elevations. It has a fully integrated hipped roof form with the same 5.2 metres eaves height and 8 metres ridge height as the original main roof. The windows are proposed to have the same proportions and style as the existing windows. The proposed/as-built single storey side/rear extension extends the existing single storey rear extension by a further 3.8 metres in width across the rear of the two storey side extension at the same 3 metres depth to infill the rear corner. A new lean-to pitched roof is proposed across both the proposed/as-built single storey side/rear extension and the existing flat roof single storey rear extension with an eaves height of 2.7 metres and maximum height of 3.6 metres and three roof lights. Three bi-fold fully glazed doors are proposed in its rear elevation. A dual pitched open canopy porch roof with support brackets is also proposed which would extend 1 metre forward of the front elevation for a width of 2.5 metres and with an eaves height of 2.3 metres and a ridge height of 3.3 metres. The extensions have been constructed with similar corresponding external facing bricks and roof tiles. The existing architectural detailing to the front porch and the feature brick chimney stacks to the northeast side elevation is proposed to be retained.

2.3. This retrospectively proposed/as-built scheme is a reduction relative to the scheme previously approved under planning permission 23/01131/HOU in that there is no two storey rear extension extending across the full width of the rear elevation and no additional single storey rear extension extending across the full width of the rear elevation. This has enabled a simplified hipped main roof form to be constructed.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the urban settlement boundary of Barwell in a residential area. It is a two storey detached house with hipped roof form and two brick chimney stacks to its northeast side elevation. It has a traditional design with a ground floor front bay with a flat roof and brick detailing around its front porch. The application dwelling is constructed with dark red multi facing bricks, small red plain roof tiles and dark brown timber windows. At the time of the site visit, the external walls to the proposed two storey side extension and its roof had already been constructed and the external walls had already been constructed to

the single storey side/rear extension but with no roof. Before construction commenced there were two off-street car parking spaces available on the block paved 6 metres deep and double width driveway within the site frontage. The rear garden provides in excess of 550 square metres of private amenity space and is enclosed by 1.8 metres high solid timber panel fencing and similar height hedgerow.

- 3.2. The application dwelling occupies a substantial plot and is set well back from the highway behind a wide grassed highway verge. It lies within a row of traditionally styled two storey detached dwellings of varying design and appearance but all with hipped main roof form. They also occupy similarly sized, substantial plots and many have already been extended to the side and/or rear with two storey and/or single storey additions.

4. Relevant planning history

23/01131/HOU

- Erection of two storey side and rear extension and single storey rear extension
- Permitted
- 14.02.2024

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 objection has been received from Barwell Parish 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 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) (2024)
 - 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 urban 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
- Biodiversity

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:

'Two storey side extensions should appear smaller in scale and massing in order to be subordinate to the main dwelling. Any proposal for a two storey side extension should be set down from the ridge of the existing house and set back from the front elevation (the minimum distance for this should be 0.5 metres in both directions) unless in design terms this in itself would create an imbalance in the overall design of the property.' 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.'

- 8.3 The proposed/as-built two storey side extension extends for an appropriate width of 3.8 metres from the main side elevation and retains an appropriate gap of 0.9 metres to the side boundary. It has been constructed flush with the main front and rear elevations and with a fully integrated hipped roof form with the same 5.2 metres eaves height and 8 metres ridge height as the original main roof. As a result, the extension conflicts with the adopted GDG which suggests that a two storey side extension should be set back from the front elevation and have a lower roof to appear subordinate in scale and massing. Notwithstanding this, the proposed/as-built extension results in a dwelling of similar scale, mass and overall integrated hipped roof design as No. 190 to the southwest and No. 196 to the northeast of the site which have been subject to similar two storey side extensions with fully integrated hipped roof form and single storey flat or lean-to roof extensions to the rear. Therefore, it is considered that the as-built proposals would not be uncharacteristic of, or out of proportion to, neighbouring development within the immediate street scene and are considered to be acceptable in design terms in this particular case. The proposed windows are to be of similar proportions and style and with soldier brick header detailing to the first floor as with the existing windows and this would provide a balanced design to the front elevation. Although not a perfect match, the extension has been constructed with reasonably similar red facing bricks as the existing dwelling and the main roof completed with matching roof tiles which results in a satisfactory and unified overall appearance. The detached character of the respective dwellings is maintained by the appropriate 1 metre gap either side of the side boundary, their hipped roof form and contrasting appearance with one constructed of red facing bricks and one with off-white rendered walls. Therefore, notwithstanding the conflict identified with the adopted

GDG, it is considered that the as-built proposal would have no significant adverse visual impacts on character or appearance of the surrounding area.

- 8.4 The proposed/as-built single storey side/rear extension extends the existing single storey rear extension by a further appropriate 3.8 metres in width across the rear of the two storey side extension and at the same appropriate 3 metres depth to infill the rear corner. A new appropriate lean-to pitched roof is proposed across both the proposed and existing flat roof single storey rear extension with an eaves height of 2.7 metres and maximum height of 3.6 metres and with three roof lights. Three bi-fold fully glazed doors are proposed in its rear elevation to provide appropriate access to the rear garden. By virtue of the single storey scale the proposal would be clearly subordinate to the existing dwelling and by virtue of its siting entirely to the rear it would not have any visual prominence within any street scene or have any significant adverse visual impacts on the surrounding area. It is therefore considered that the proposed/as-built single storey rear extension would have an appropriate height, width, depth and design in this case.
- 8.5 The previously approved dual pitched open canopy porch roof with support brackets is included within this resubmitted scheme but construction has not yet been commenced. This would extend only 1 metre forward of the front elevation and for a width of only 2.5 metres and with an eaves height of 2.3 metres and a ridge height of 3.3 metres. It would be of appropriate proportion to the front elevation and would retain the existing architectural detailing to the existing front porch.
- 8.6 The application dwelling occupies an extensive plot and can comfortably accommodate the proposed/as-built extensions whilst retaining over 570 square metres of private amenity space at the rear and three off-street parking spaces at the front to serve the resulting four bedroomed dwelling.
- 8.7 Notwithstanding the conflict identified with the adopted GDG, by virtue of their siting, scale, fully integrated hipped main roof design and the use of appropriate corresponding external materials and architectural detailing in their construction to ensure a satisfactory and unified appearance, it is considered that the resulting dwelling would be compatible with the size of the plot and that the proposed extensions and alterations would respect and complement the scale, character and appearance of the existing dwelling and neighbouring development and would have no significant adverse visual impacts on the street scene or surrounding area. The proposed/as-built extensions and alterations are therefore considered to be in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide in this particular case.

Impact upon neighbouring residential amenity

- 8.8 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.
- 8.9 The neighbouring dwelling to the southwest (No. 190) is a detached two storey house constructed on a similar front and rear building line as the application dwelling. Both have been extended to the rear with single storey flat roof extensions to a similar depth. It has a side door and a small first floor window but no principal habitable room windows in its rear side elevation facing the site. The proposed/as-built two storey side extension extends up to 0.9 metres of the side boundary with No. 190 and adjacent to its side elevation which is also set in from the side boundary by a similar distance. The proposed/as-built two storey side extension does not extend to any significant degree beyond the main two storey rear elevation of No. 190 and the proposed/as-built single storey side/rear extension does not extend to any significant degree beyond the existing single storey rear extension of

No. 190. Therefore, it is considered that the proposed/as-built extensions and alterations would not/do not result in any significant adverse overbearing or overshadowing impacts on the rear elevation principal habitable room windows or rear garden of No. 190. The proposals include only a door and toilet window in the near side elevation facing No. 190 and these are at ground floor level with screening provided by the existing intervening 2 metres high close boarded timber panel boundary fencing which protects the privacy of both respective occupiers.

- 8.10 The neighbouring dwelling to the northeast (No. 194) is a detached two storey house constructed on a similar front and rear building line as the application dwelling. Both have been extended to the rear with single storey flat roof extensions to a similar depth. The nearest side elevation of No. 194 is set in from the near side boundary of the site by approximately 2 metres and appears to have a garage or store at ground floor nearest to the boundary with an obscurely glazed near side elevation window and a side entrance door to the dwelling and a toilet further to the rear. By virtue of its siting and small scale with an eaves height of only 2.7 metres and maximum height of only 3.6 metres together with the separation distance, the proposed new lean-to roof over the existing single storey rear extension would have no significant adverse overbearing or overshadowing impacts upon No. 194 and there are no new windows proposed in its near side elevation that would adversely affect the privacy of the neighbouring occupiers of No. 194.

- 8.11 By virtue of their siting, scale, design and separation distances, it is considered that the proposed/as-built extensions and alterations would not and do not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. The proposals are therefore considered to be in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide. No objections have been received from public consultations.

Impact upon parking provision

- 8.12 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.

- 8.13 The proposals would result in a four bedroomed dwelling for which the local highway authority design guide would require the provision of three off-street parking spaces to serve a dwelling of this size. The site frontage is of sufficient depth of over 6 metres and width of approximately 12 metres within which it would be possible to comfortably provide the required three parking spaces on extended hard standing. The spaces and their permeable hard surfacing could be secured and retained through the imposition of an appropriately worded condition. This would be characteristic of the existing similar frontage parking serving a number of neighbouring dwellings in the vicinity of the site. Subject to the condition, the site would provide and retain adequate off-street parking provision to serve the resulting four bedroomed dwelling in this highly sustainable urban setting with easy access to a full range of services and facilities by alternative and more sustainable transport means and be in accordance with Policy DM18 of the adopted SADMP and the local highway authority design guide.

Biodiversity

- 8.14 The proposal would be exempt from the biodiversity gain condition by virtue of being a householder application development within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order (2015).

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 located within the urban settlement boundary of Barwell 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 (2024).

10.2. Notwithstanding the conflict identified with the adopted GDG, by virtue of their siting, scale, fully integrated hipped main roof design and the use of appropriate corresponding external materials and architectural detailing in their construction to ensure a satisfactory and unified appearance, it is considered that the resulting dwelling would be compatible with the size of the plot and that the proposed extensions and alterations would respect and complement the scale, character and appearance of the existing dwelling and neighbouring development and would have no significant adverse visual impacts on the street scene or surrounding area. By virtue of their siting, scale, design and separation distances, it is considered that the proposed/as-built extensions and alterations would not and do not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. Adequate off-street parking for at least three vehicles could be provided and retained along with more than adequate private amenity space of approximately 570 square metres to serve the resulting four bedroomed dwelling. The proposed/as-built extensions and alterations are considered to be in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP and the general principles of the adopted Good Design Guide and are therefore recommended for retrospective approval subject to conditions.

11. Recommendation

11.1 **Grant retrospective planning permission** subject to:

- Planning conditions outlined at the end of this report

11.2 Conditions and Reasons

1. 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/As-Built Site Plan Drawing No. AMA 783-001, Proposed/As-Built Floor Plans Drawing No. AMA 783-003, Proposed/As-Built Elevations Drawing No. AMA 783-005 and Proposed/As-Built Roof Plan Drawing No. AMA 783-006 received by the local planning authority on 18 November 2024.

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).

2. The materials to be used on the external elevations of the proposed extensions 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).

3. The extensions hereby permitted shall not be occupied until such time as a minimum of three off-street car parking spaces have been provided and hard surfaced in permeable materials within the site frontage. Thereafter the onsite parking provision shall be permanently so maintained at all times thereafter.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally in the interests of highway safety and in accordance with Policy DM18 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.