

**Planning Committee 7 January 2020
Report of the Planning Manager**

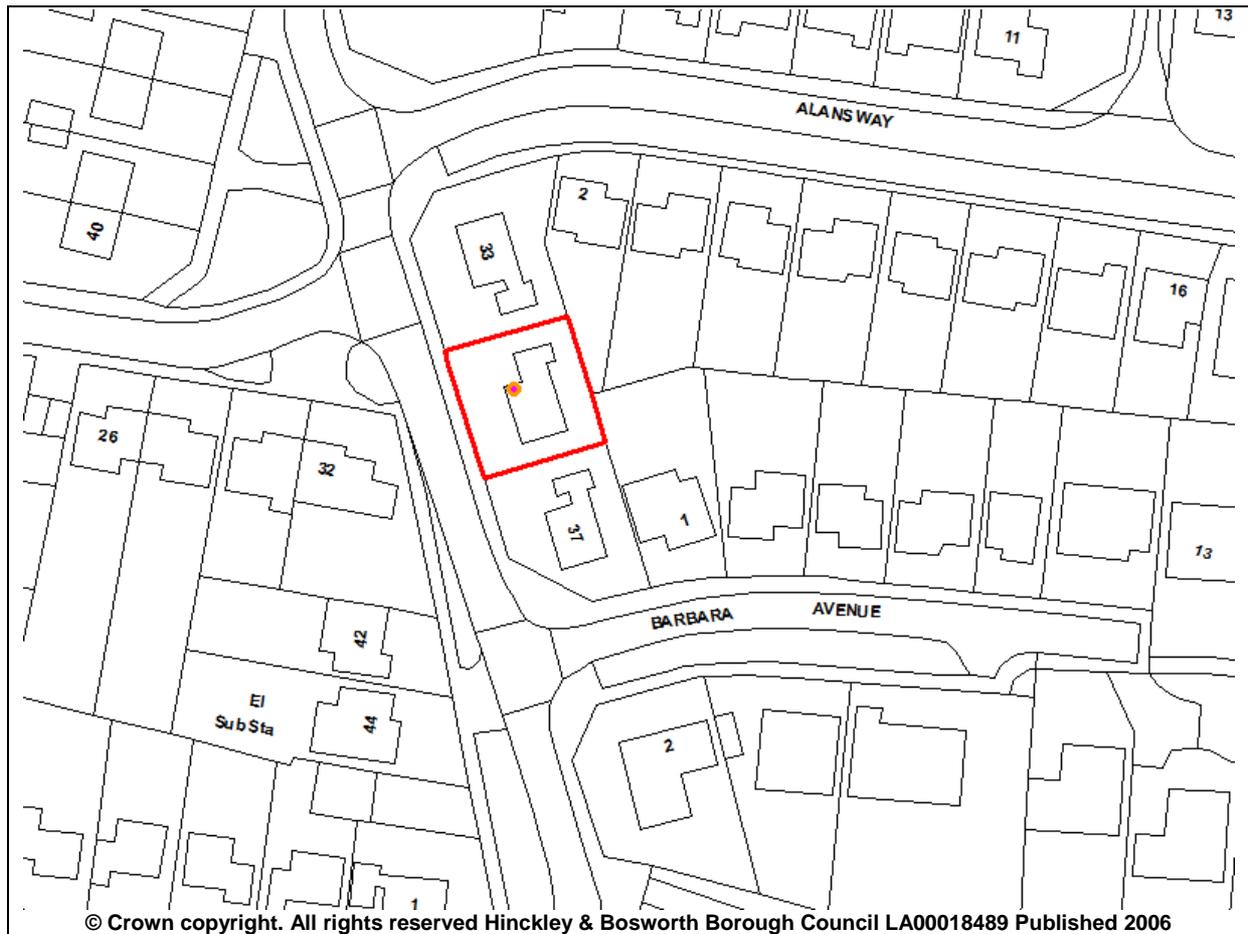


Hinckley & Bosworth
Borough Council

Planning Ref: 19/01111/HOU
Applicant: Mr & Mrs T Jarvis
Ward: Newbold Verdon With Desford & Peckleton

Site: 35 Arnolds Crescent Newbold Verdon

Proposal: Two storey side and front extension with single storey side extension



1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report.

1.2. That the Planning Manager be given powers to determine the final detail of planning conditions.

2. Planning Application Description

2.1. This application seeks planning permission for a two storey side and front extension with a smaller single storey side extension to 35 Arnolds Crescent in Newbold Verdon.

2.2. The two storey side extension is such that it extends upon an existing flat roofed garage adjoined to the main dwelling, creating a new feature gable to the principal

elevation. Initially, the proposed extension measured approximately 5.8m in width from the existing side elevation, and included three new rear facing windows. During the course of the application, amendments were sought to reduce any overlooking or overbearing impact, and to reduce the size of the extension in order to improve the proportions with the original dwelling.

- 2.3. The proposed two storey front and side extensions would measure approximately 4.5m in width, and have a depth of approximately 7.4m. This would come forward approximately 0.9m from the existing principal elevation. The eaves would match the height of those found on the existing dwelling at approximately 5.0m, and the proposed ridge height would match that of the existing roof height at approximately 7.4m.
- 2.4. The single storey side extension would have a width of approximately 2.4m, and a depth of approximately 3.4m, bringing the existing side extension in line with the principal elevation. This would have a mono-pitched roof with an eaves height of approximately 2.5m, and a ridge height of approximately 3.6m, which would match the existing side extension.
- 2.5. The proposed materials and fenestration details would be as follows: Dark brown concrete tiles to match the existing roof tiles. Grey uPVC windows would replace the existing white uPVC. The red facing brickwork and stone cladding would be replaced with an off white smooth render to the whole of the property, except the front of the original first floor, which would be cedar vertical cladding.

3. Description of the Site and Surrounding Area

- 3.1. The application site is a two storey detached dwelling within the settlement boundary of Newbold Verdon.
- 3.2. The majority of properties in the area are similar two storey detached 1970s constructed dwellings. There are some two storey semi-detached dwellings in the surrounding area. Many of the properties in the vicinity have been subject to alterations and extensions since they were originally built, resulting in varying designs and configurations of the surrounding dwellings.
- 3.3. There is a broad palette of materials used in the area, which includes white/cream render, painted wood cladding, stone cladding, and red brick.

4. Relevant Planning History

| | | | |
|--------------|-----------------------|------------|------------|
| 94/00670/FUL | Extension To Dwelling | Permission | 29.09.1994 |
|--------------|-----------------------|------------|------------|

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. A site notice was also posted within the vicinity of the site.
- 5.3. Seven letters of objection were received from six separate addresses which raised the following issues:
 - 1) Loss of privacy;
 - 2) Loss of light;
 - 3) Design;
 - 4) Overbearing impact;
 - 5) Impact upon the character of the area;
 - 6) Overdevelopment on the site;

6. Consultation

- 6.1. Newbold Verdon Parish Council: No comments were received.

7. Policy

7.1. Site Allocations and Development Management Policies DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM10: Development and Design

7.2. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2019)
- Planning Practice Guidance (PPG)
- National Design Guide

8. Appraisal

8.1. Key Issues

- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity
- Other issues

Design and impact upon the character of the area

8.2. Policy DM10 of the adopted SADMP seeks to ensure that development complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.

8.3. The proposed two storey front and side extension would form a new principal elevation to the property with a feature gable end. This would be in contrast with both neighbouring dwellings along Arnolds Close, which have the gables to the side. However, many properties in the area have a stepped forward gable end, such as no.41 Arnolds Close, and 31 Gilbert's Drive among others.

8.4. The proposed extension would closely replicate an earlier extension at no.41 Arnolds Close, which saw a similar first floor extension built above the extended garage in 1984 (Reference No. 84/0993).

8.5. The proposed extension is considered to be a harmonious addition to the area by virtue of its proportionate scale, design, and materials which are considered to complement the character of the original dwelling as well bringing a more contemporary look to the surrounding area. Therefore the proposed extensions are considered to be in accordance with DM10 in terms of design and impact upon the character of the area.

Impact upon neighbouring residential amenity

8.6. Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings.

8.7. As a result of the layout of this part of this 1970s housing development, there is an existing overlooking impact for both the application site and adjacent properties along Alans Way and Barbara Avenue. The proposal has been designed to minimise any further overlooking impact by incorporating roof lights and obscured glass windows to elevations facing towards neighbouring private amenity space.

8.8. The potential loss of privacy had been raised as an issue by neighbours. The original design included new rear facing windows, which would have caused a significant overlooking impact on the neighbours. The amended scheme omits these windows, and now includes Velux windows on the rear roof slope, which are considered not to cause a significant amount of overlooking due to their positioning.

- 8.9. The proposed Velux windows would be positioned approximately 2.6m above first floor level; high level lights admit significantly more daylight than low level. Each of the three Velux windows would be approximately 0.55m by 0.98m, each with an effective daylight area of 0.29m². Combined with an opening obscure glass side elevation window measuring approximately 0.6m by 0.9m, with borrowed light coming from the proposed 1.2m by 1.0m obscure glazed window in the ensuite. The three Velux windows are considered to facilitate good access to daylight in this room, as well as good levels of morning sunlight.
- 8.10. The additional windows on the first floor side and rear elevations are considered not to result in a significant overlooking impact on neighbours through the use of obscured glass or roof lights to allow light into the dwelling without overlooking neighbours.
- 8.11. Loss of light has been raised as a concern for neighbours to the application site regarding the proposed extension. A sun study was conducted by the applicant and submitted as part of the application, showing the shadow that would be cast from the proposed extension. This study showed minor resultant overshadowing for neighbouring dwellings, with specific regard to no.33 Arnolds Crescent which is to the north of the application site. Given this study was carried out for the initially submitted and larger dimensions of the proposed extension, which have now been reduced through amendments. The minor resultant overshadowing effect is not considered to be significant enough to warrant refusal. Consequently, the proposal is considered to be in compliance with Policy DM10 of the SADMP in terms of access to light for nearby residents.

Highways

- 8.12. One concern raised by a neighbour was the overdevelopment of the site, this raised concern over the loss of parking and garden space at the application site as a result of the proposed development. The proposed development would increase the existing footprint of built development on site by approximately 15 meters squared in total. The parking plan supplied Drawing No: 6. Rev: B, shows adequate parking space for 3 cars at the application site, as required for a four bedroom dwelling in a suburban or rural area. This is considered not to exacerbate any on road parking issues as recommended by the standing advice in Part 3 of the Local Highway Authority Design Guide.
- 8.13. Regarding the private amenity space at the application site, this private amenity space to the rear would be approximately 60m² with a net gain in space of approximately 3m². The original layout of the housing development, notably at nos.33, 35, & 37 Arnolds Crescent results in very shallow garden depths of approximately 4 metres, which leads to overlooking. The proposed increase in parking spaces from two to three would result in the loss of some front garden space being replaced by parking space. However, many properties along Arnolds Crescent and the wider area have replaced the entirety or part of the original front garden space with gravel or hardstanding surfaces to provide space for parking.

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 in the consideration of this application. The Committee must also ensure the same when determining this planning 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 located within the settlement boundary for Newbold Verdon and therefore there is a presumption in favour of sustainable development as set out in Policy DM1 of the SADMP and the wider policies of the NPPF.

10.2. It is considered that the siting, design, mass and layout of the proposed scheme would complement and respect the host dwelling and surrounding area. It is considered that the proposed extensions would not result in a significant adverse impact upon the residential amenity of neighbouring occupants. The development is therefore in accordance with Policies DM1 and DM10 of the SADMP.

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:

Householder Application Form

Received by the Local Planning Authority on 1 October 2019

Site Location Plan Drg No: 4 Rev: A (1:1250 scale)

Block Plan Drg No: 5 Rev: A (1:500 scale)

Sections Drg No: 3 Rev: A (1:25 scale)

Roof Plan Drg No: 2 Rev: A (1:50/1:75 scale)

Parking Plan Drg No: 6 Rev: B (1:500 scale)

Floor Plans and Elevations Drg No: 1 Rev: B (1:50/1:100 scale)

All received by the Local Planning Authority on 31 October 2019

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the 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 accord with the approved Householder Application Form received by the Local Planning Authority on 1 October 2019, and Floor Plans and Elevations Drg No: 1 Rev: B (1:50/1:100 scale) received by the Local Planning Authority on 31 October 2019

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM10, DM11 and DM12 of the Site Allocations and Development Management Policies Development Plan Document (2016).

4. The window(s) on the first floor side and rear elevations shall be fitted with obscure glazing to a minimum of level 3 of the Pilkington scale and non-openable. Once so provided the window(s) shall be permanently maintained as such at all times thereafter.

Reason: To safeguard the privacy and amenity of neighbouring dwellings from potential overlooking in accordance with Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

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.