

Planning Committee 29 June 2021  
Report of the Planning Manager

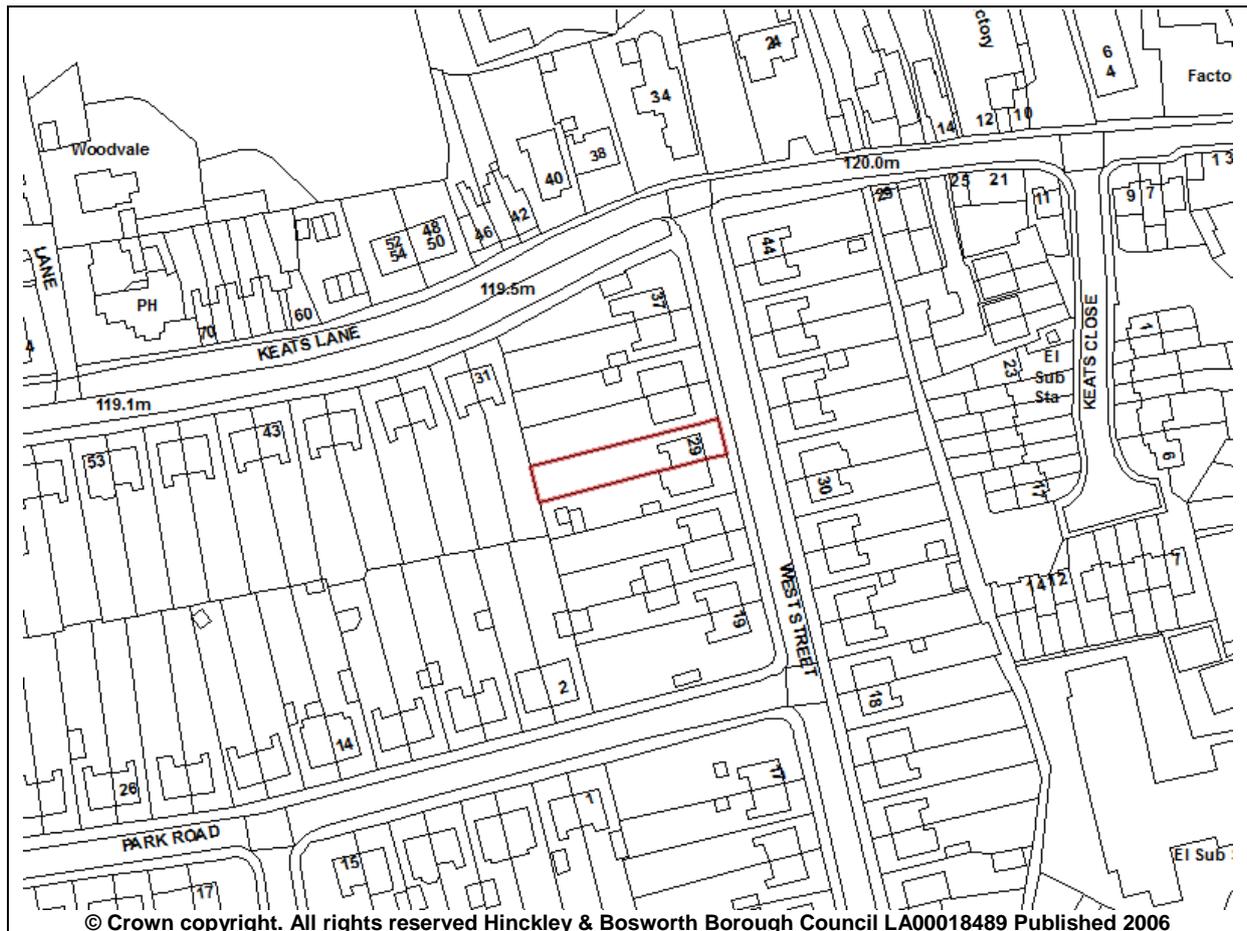
Planning Ref: 21/00227/HOU  
Applicant: Gary Upton  
Ward: Earl Shilton



Hinckley & Bosworth  
Borough Council

Site: 29 West Street Earl Shilton Leicester

Proposal: Single storey extension at rear of house



**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.** The application seeks full planning permission for a single storey extension at the rear of the house measuring 6.5 metres in depth, 4.9 metres in width and 3.4 metres in height to the ridge. The materials proposed comprise brick and concrete interlocking 'slate effect' roof tiles. The proposal involves the removal of the store room and shed at the rear of the house.

2.2. The proposal also comprises an access ramp at the rear of the house, however as this is only 0.185 metres above ground floor level it does not require planning permission.

### **3. Description of the site and surrounding area**

3.1. The site relates to a part brick and part rendered semi detached house. It is surrounded by other residential properties and is within the settlement boundary for Earl Shilton. The properties in the area are characterised as having relatively long rear gardens.

### **4. Relevant planning history**

None

### **5. Publicity**

5.1. The application has been publicised by sending out letters to local residents. No comments have been received as a result of the publicity.

### **6. Consultation**

6.1. No response has been received from Earl Shilton Town Council.

### **7. Policy**

7.1. Earl Shilton and Barwell Area Action Plan (ESBAAP) 2014

- Policy 22: Development and Design

7.2. Core Strategy (2009)

- Policy 2: Development in Earl Shilton

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) (2019)
- Planning Practice Guidance (PPG)

7.5. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)

### **8. Appraisal**

8.1. Key Issues

- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact upon highway safety and parking

Design and impact upon the character of the area

8.2. Policy DM10 of the SADMP and policy 22 of the ESBAAP 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 and the use and application of building materials respects the materials of existing, adjoining/neighbouring buildings and the area generally.

- 8.3 The Good Design Guide SPD outlines that extensions should be subordinate to the main dwelling and be an appropriate height, width, depth, and complement the detailing and materials of the existing building. It also outlines that development may be acceptable unless there is a detrimental impact on the adjacent properties as assessed by the 45 degree rule.
- 8.4 Located to the rear the proposal is largely screened from the main street scene by the main house. However it does extend wider than the main house so part of it would be visible from West Street. The pitch of the roof is in keeping with the main house and it is well set back from the road so its visual impact upon the street scene on West Street would be minimal. Whilst the extension is relatively large its overall size and scale would not over dominate the existing house. The materials comprise brick which matches part of the main house and is a common material in the area. The roof tiles comprise concrete interlocking roof tiles in 'slate effect', which whilst they will not completely match the existing slate roof, they have been designed to match as closely as possible.
- 8.5 Overall the proposal would have a minimal visual impact on the character and appearance of the existing house and the main street scene in compliance with policy DM10 of the SADMP, policy 22 of the ESBAAP and the Good Design Guide SPD.

#### Impact upon neighbouring residential amenity

- 8.6 Policy DM10 of the 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 The Good Design Guide SPD outlines that development will need to demonstrate that it will not result in loss of amenity to neighbouring properties by way of overlooking, overshadowing or noise.
- 8.8 The adjoining neighbour at number 27 West Street has a single storey rear extension close to the common boundary. The proposal is deeper than this neighbour's extension however it is set 2.5 metres away from the boundary with this neighbour. The proposal will avoid intersecting a 45 degree line from the centre of the principal rear window to this neighbour.
- 8.9 The neighbouring property at number 31 West Street also has a single storey rear extension however it is set away from the boundary. The proposal is deeper than this neighbour's extension however it will be set in from the boundary by 0.8 metres at the shortest point. The proposal will avoid intersecting a 45 degree line from the centre of the principal rear window to this neighbour.
- 8.10 The proposal is a relatively large extension however the property has a long rear garden space of approximately 31 metres in length. The property will retain above the minimum recommended amount of 80sq metres of amenity space as set out in the Good Design Guide SPD, which is acceptable.
- 8.11 Overall the proposal will result in a minimal impact on residential amenity in accordance with policy DM10 of the SADMP and the Good Design Guide SPD.

#### Impact upon highway safety and parking

- 8.12 Policy DM18 of the SADMP seeks to ensure parking provision appropriate to the type and location of the development.
- 8.13 The proposal will result in one additional bedroom being created to the property. The property provides one off street parking space. Whilst not ideal this is a similar arrangement with the neighbouring properties and on street parking is available along West Street. The site is also within a sustainable location within the

settlement boundary of Earl Shilton with access to shops and other services. It is not expected that the proposal will result in a significant increased demand for parking.

- 8.14 The proposal will therefore have a minimal impact on parking in compliance with policy DM10 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 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 Earl Shilton and there is a presumption in favour of sustainable development as set out in Policy DM1 and the wider policies of the NPPF.

- 10.2. The proposal would not have a significant impact on residential amenity. The revised proposal would not have a significant impact on the character and appearance of the existing house or the wider street scene. The proposal would not have a significant impact upon parking standards. The proposal would therefore be in accordance with policies DM10 and DM18 of the SADMP, policy 22 of the ESBAAP and the Good Design Guide SPD.

## **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:  
Site location plan 19/313 WESTPL01 received 18th February 2021  
Proposed plans and elevations 19/313 WEST01 Revision C received 9th March 2021

**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 shall accord with the approved plans.

**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](mailto:buildingcontrol@hinckley-bosworth.gov.uk) or call 01455 238141.