

Planning Committee 27th August 2024
Report of the Head of Planning

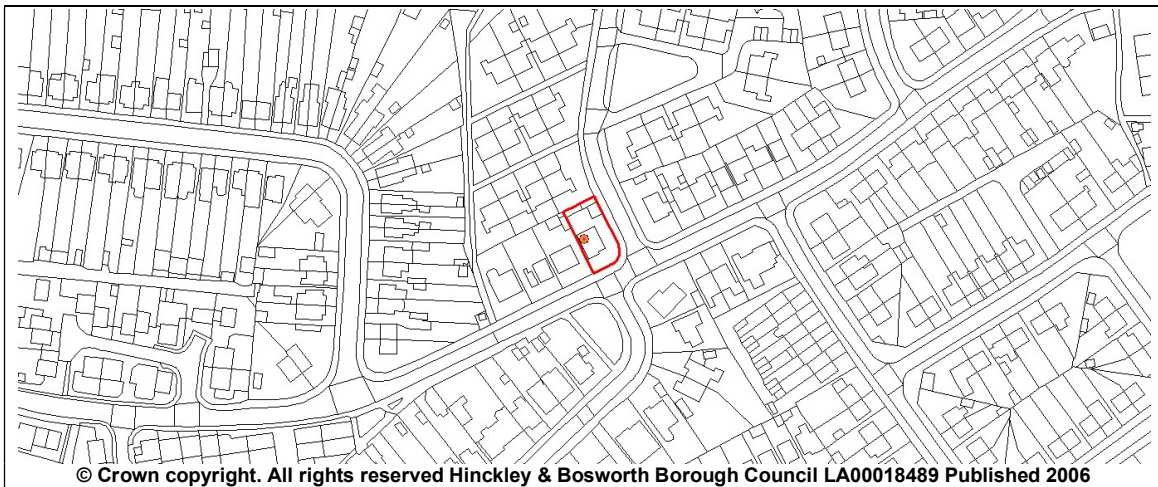
Planning Ref: 24/00609/HOU
Applicant: Mr Craig Blain
Ward: Barwell



Hinckley & Bosworth
Borough Council

Site: 11 Queensway Barwell Leicestershire

Proposal: Single storey side/front extension, new roof extension to provide loft space accommodation with front dormer windows and front and rear roof lights, front canopy porch and new dual pitched roof to existing garage and car port.



This planning application falls outside of the Council's scheme of delegation to the Head of Planning as a joint owner of the application dwelling is an employee of Hinckley and Bosworth Borough Council and therefore determination of the application by the Planning Committee is required in this case.

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 householder application seeks planning permission for the remodelling and extension of a detached bungalow of gable fronted design, 9 Queensway Barwell and the detached garage and car port. The proposed scheme includes a side extension, new roof extension with side gable design to provide loft space accommodation served by front dormer windows and front and rear roof lights, a front canopy porch and a new dual pitched roof to the existing detached garage and car port.

2.2. The amended proposed side/front extension would be 2.8 metres in width from the main side elevation, extend 1.2 metres forward of the existing lounge and have a total depth of 11.2 metres to be flush with the existing kitchen/porch and main rear elevation of the bungalow. The proposed roof extension would remodel the

bungalow to a gable sided roof form with the same existing eaves height of 2.7 metres and a ridge height of 7.66 metres, an increase of just over 1.6 metres in height to the existing ridge. The resulting roof space accommodation would be served by two dual pitched roof, gable fronted, dormer windows and a roof light to the front roof elevation and three roof lights to the rear roof elevation. A dual pitched canopy porch roof is also proposed to the front elevation that would extend 0.8 metres forward of the front elevation with an eaves height of 2.3 metres and ridge height of 3.8 metres.

- 2.3. At the rear, a new dual pitched hipped roof is proposed over the existing flat roofed garage and car port with an eaves height of 2.6 metres and ridge height of 3.6 metres. The proposals include a 1 metre high brick wall around the front garden, a new 1.8 metres high brick wall around the side and rear garden along the Newlands Road highway frontage with a 1 metre visibility splay to the existing car port/garage access. A new vehicle cross over is proposed to the Queensway highway frontage (subject to separate highway authority consent) to enable additional off-street parking within the proposed permeable block paved and loose gravel surfaced site frontage.
- 2.4. The external materials proposed include lightly textured cream render above a brick plinth, plain flat grey roof tiles, cream uPVC windows with blue brick sills and grey aluminium roof lights to match the roof tiles.
- 2.5. Amended plans have been submitted to address issues raised by officers during the course of the application process. By virtue of the reducing nature of the amendments, lack of any objections received and lack of any resulting adverse impacts on any neighbouring occupiers, no re-consultations are considered to have been necessary or have been undertaken in this particular case.

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 and occupies a prominent corner plot. It is a detached bungalow with a dual pitched gable fronted roof form and is set back from both the Queensway and Newlands Road highway frontages. It has a flat roofed section across part of the front elevation and a glazed lean-to attached to the southwest side elevation. It has a central brick chimney stack and brick soldier headers to windows. There is a detached flat roofed garage and car port that extends along the rear garden boundary with vehicular access off Newlands Road along with two additional open off street parking spaces on loose stone surfacing adjacent to the car port access. The application dwelling is constructed of light brown multi facing bricks, concrete interlocking roof tiles and white uPVC windows. The site currently has a 1 metre high concrete block wall around both highway boundaries and a 2 metres high hedgerow inside it to the side/rear garden boundary.
- 3.2. There is a detached bungalow with gable sided roof form to the southwest of the site and a detached gable fronted bungalow to the northeast of the site on the opposite corner plot. To the rear there are two storey flats. The wider street scene comprises dwellings of varying scales, designs, styles and appearance with no uniformity of design being present.

4. Relevant planning history

None.

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.

- 5.2. One neutral response has been received as a result of public consultation seeking assurances that an existing side boundary fence providing security will be maintained during and after construction and that a dropped kerb access will be required/provided to the site frontage.

6. Consultation

- 6.1. Leicestershire County Council (Highways) refer to current standing advice in respect of parking provision standard dimensions and orientation and the need for the applicant to obtain a separate works permit for works in the highway in respect of the proposed dropped kerb access prior to any such works being commenced.
- 6.2. 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 (SADMP) DPD (2016)
- Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM10: Development and Design
 - Policy DM17: Highways and Transportation
 - 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 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 highway safety and parking provision

Design and impact upon the character of the dwelling and surrounding 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 various types of house extensions.

- 8.3 The adopted Good Design Guide generally seeks for house extensions to appear subordinate to the existing dwelling but in this particular case, the proposals seek to remodel the existing bungalow to provide roof space accommodation and therefore are clearly unable to be subordinate in terms of height. However, by virtue of the amended 2.8 metres width, the proposed side/front extension would be less than half that of the existing 8.2 metres wide dwelling and therefore it would not appear out of scale. It would extend only 1.2 metres forward for a width of less than half that of the existing dwelling and have a total depth of 11.2 metres to be fully flush with the existing front kitchen/porch and main rear elevation of the bungalow. As a result, the extension would respect both the width and footprint of the existing dwelling and would still be set inside the proposed side boundary wall with Newlands Road by 2 metres and therefore would not over dominate this corner plot.
- 8.4 The proposed roof extension would remodel the bungalow to a gable sided roof form with the same existing eaves height of 2.7 metres and a ridge height of 7.66 metres, an increase of just over 1.6 metres in height to the existing ridge. Whilst this would clearly change the design and character of the existing gable fronted bungalow it would nevertheless respect and complement the scale and character of the varied wider street scene including other gable sided dwellings within the vicinity, including the adjacent bungalow at No. 11 and the dormer bungalow opposite at No. 2. The resulting roof space accommodation would be served by two appropriately proportioned dual pitched roof gable fronted dormer windows which would align with the window pattern below and sit comfortably within the new roof supplemented by appropriately proportioned roof lights to the front and rear roof elevations. Dormer windows are not an uncharacteristic design feature within the street scene, being evident on a number of other dwellings. The proposed new dual pitched canopy porch roof would also be of appropriate proportions and sit centrally within the front elevation adding visual interest to the overall design.
- 8.5 At the rear, the proposed dual pitched hipped roof over the garage and car port would have an appropriate eaves height of 2.6 metres and ridge height of 3.6 metres and together with new doors would enhance the character and appearance of these existing structures within the street scene.
- 8.6 The site currently has a concrete block wall extending around the front and side highway boundaries along with a hedgerow inside the side boundary. The proposals include a replacement 1 metre high brick wall around the front garden and a new 1.8 metres high brick wall around the side/rear garden along the Newlands Road highway frontage. It is considered that the replacement of the concrete walls would also result in a visual enhancement to the site.
- 8.7 The external materials proposed include the use of lightly textured cream render above a brick plinth, plain flat grey roof tiles, cream uPVC windows with blue brick sills and grey aluminium roof lights to match the roof tiles. The wider street scene includes dwellings of both light brown and red facing bricks and also part and fully rendered dwellings and therefore the proposals would have an appropriate external appearance for the locality. As no specific materials have been submitted and the applicant wishes to retain flexibility at this time, a condition to require the submission of additional materials details for prior approval would be reasonable and necessary in this case to ensure satisfactory development.
- 8.8 The proposed remodelling and extensions and alterations would clearly change the character and appearance of this detached gable fronted bungalow. Notwithstanding this, by virtue of their scale and design and subject to the proposed use of appropriate external construction materials, it is considered that the proposals would nevertheless result in a dwelling that would not overdevelop or over dominate this corner plot and would respect and complement the scale,

character and appearance of neighbouring dwellings within the varied wider street scene. The remodelling/restyling scheme is therefore considered to be acceptable in design terms in this case and to be in accordance with Policy DM10 of the adopted SADMP and the overall general principles of the adopted Good Design Guide.

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. 11) is a detached bungalow which has two ground floor windows and a door in its near side gable elevation facing the application dwelling. The proposals would result in an increase in the height of the near southwest side elevation of the application dwelling to form a new side gable and a modest increase in its ridge height. However, by virtue of the gable sided design the proposed height increase would diminish in width with height. It is considered that by virtue of the side gable design, together with the separation distance of 4 metres between it and the neighbouring windows, that the proposals would not result in any significant adverse overbearing or overshadowing impacts on the neighbouring bungalow. No additional side facing windows are proposed that would result in any significant loss of privacy to the neighbouring occupiers of No. 11 from any direct overlooking.
- 8.11 By virtue of the separation distance of 16.5 metres to the rear garden boundary and the modest increase of only 1.6 metres in the existing dwelling ridge height and the increase of only 1.2 metres in the roof height of the detached garage and car port along the rear garden boundary, it is considered that the proposals would not result in any significant adverse overbearing or overshadowing impacts on the residential amenities of the neighbouring occupiers of the flats to the northwest. Notwithstanding that three roof lights are proposed in the rear roof elevation facing northwest, these would be at a separation distance of 13 metres from the rear garden boundary and approximately 20 metres to the rear elevation windows of the neighbouring flats. They would also serve two en-suite rooms and a dressing area rather than principal habitable rooms and the latter would also be offset from the neighbouring windows. Therefore, by virtue of their nature and separation distance it is considered that the proposed roof lights would not result in any significant loss of privacy to the neighbouring occupiers of the flats.
- 8.12 By virtue of separation distances the proposals would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any other neighbouring properties. The only comments received from neighbour consultation relate to the desired retention of a 1.8 metres high close boarded boundary fence to ensure security of the neighbouring garden during and after the construction phase. The existing boundary fencing is shown as being retained on the submitted plans. If required to be temporarily removed during the construction phase for operational reasons this would be a civil matter between the respective occupiers. The other comment received regarding the need for a vehicle cross-over is addressed within the application and would also be subject to separate highway authority consent.
- 8.13 By virtue of the siting, scale, design and separation distances, it is considered that the proposed remodelling and extensions and alterations would not result in any significant adverse impacts on the privacy or residential amenity of any neighbouring properties and would therefore be in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.

Impact upon highway safety and parking provision

- 8.14 Policy DM17 of the adopted SADMP supports development where there would be no significant adverse impact on highway safety. Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.15 Leicestershire County Council (Highways) refer to current standing advice in respect of parking provision standard dimensions and orientation and the need for the applicant to obtain a separate works permit for works in the highway in respect of the proposed new dropped kerb access prior to any such works being commenced.
- 8.16 The proposals would result in a three bedroomed dwelling for which the local highway authority design guide would require the provision of two off-street parking spaces. The proposals include the retention of the existing garage and car port to the rear with existing dropped kerb access off Newlands Road. The two adjacent spaces would be removed with the area being incorporated into the rear garden by the construction of a new 1.8 metres high brick boundary wall. An amended plan has been submitted to include the provision of a 1 metre by 1 metre pedestrian visibility splay on the new wall in the interests of pedestrian and highway safety.
- 8.17 It is proposed that the two lost spaces would be replaced by two replacement additional off-street parking spaces of appropriate standard dimensions and alignment on new hard surfacing within the site frontage served by a new dropped kerb access from Queensway. Whilst the new access would be subject to separate consent for works within the public highway by the local highway authority and this is not guaranteed, the consultation response from Leicestershire County Council (Highways) raises no objections to the proposals and there is nothing to suggest that such works would be unacceptable in terms of highway safety in this case. The provision of two replacement spaces in addition to the existing garage and car port would be more than adequate to serve the resulting three bedroomed dwelling which is located within a highly sustainable urban location with easy access to a full range of services and facilities by alternative more sustainable transport means. The proposals are therefore considered to be in accordance with Policies DM17 and DM18 of the adopted SADMP and the local highway authority design guide.

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 proposals relate to a remodelling and extensions and alterations to an existing bungalow 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.
- 10.2. Notwithstanding that the proposed remodelling and extensions and alterations would clearly change the scale, character and appearance of the existing bungalow, by virtue of their appropriate scale and design and subject to the proposed use of appropriate external construction materials, it is considered that the proposals would nevertheless result in a dwelling that would not overdevelop or over dominate this corner plot and would respect and complement the scale, character and appearance of neighbouring dwellings within the varied wider street scene. By virtue of the siting, scale, design and separation distances, it is considered that the proposals would not result in any significant adverse impacts on the privacy or residential amenity of the occupiers of any neighbouring properties. Adequate off-street parking would be retained within the site along with more than adequate private amenity space of approximately 105 square metres to the rear. The proposals are considered to be in accordance with Policies DM1, DM10, DM17 and DM18 of the adopted SADMP and the overall 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 That the Planning Manager be given powers to determine the final detail of planning conditions.

11.3 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 and Proposed Block Plan Drawing No. 2024-01-0100 Rev PL02, Proposed Site Plan, Floor Plans and Roof Plan Drawing No. 2024-01-0102 Rev PL02 and Proposed Elevations Drawing No. 2024-01-0104 Rev PL02 received by the local planning authority on 30 July 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).

3. No development above foundation level shall commence on site until representative samples of the types and colours of the materials to be used on the external elevations of the dwelling, garage, carport and boundary walls have been deposited with and approved in writing by the local planning authority, and the scheme shall be implemented in accordance with those approved materials. These shall be in accordance with the general external materials details provided within the submitted Planning Application form and the external materials schedule provided on the approved Proposed Elevations Drawing No. 2024-01-0104 Rev PL02 received by the local planning authority on 30 July 2024.

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. A 1 metre x 1 metre pedestrian visibility splay shall be provided on the southeast side of the existing garage/car port access highway boundary with Newlands Road as submitted on the approved Proposed Site Plan and Proposed Ground Floor Plan Drawing No. 2024-01-0102 Rev PL02 received by the local planning authority on 30 July 2024 with nothing within that splay higher than 0.6 metres above the level of the adjacent highway footway and once so provided the visibility shall be permanently maintained as such at all times thereafter.

Reason: In the interests of pedestrian safety and to accord with Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. Prior to the first use of the proposed car parking spaces hereby permitted within the site frontage, they shall have been surfaced with a permeable hard bound material (not loose aggregate) as submitted on the approved Proposed Site Plan and Proposed Ground Floor Plan Drawing No. 2024-01-0102 Rev PL02 received by the local planning authority on 30 July 2024 and once so provided, shall be permanently so maintained at all times thereafter.

Reason: To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) in the interests of highway safety and in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11.4 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.
2. The applicant is advised that, notwithstanding this planning permission, to facilitate the proposed new access from Queensway, a separate application must also be made, prior to any works within the public highway commencing, to the Local Highway Authority (Leicestershire County Council) for a vehicle

crossover (dropped kerb) permit. Further details of the requirements can be found at: <https://www.leicestershire.gov.uk/roads-and-travel/cars-and-parking/vehicle-accessdropped-kerbs>. The applicant should also note that the approval of this planning permission does not guarantee permission for the required highway works permit.