

**Planning Committee 24th September 2024
Report of the Head of Planning**

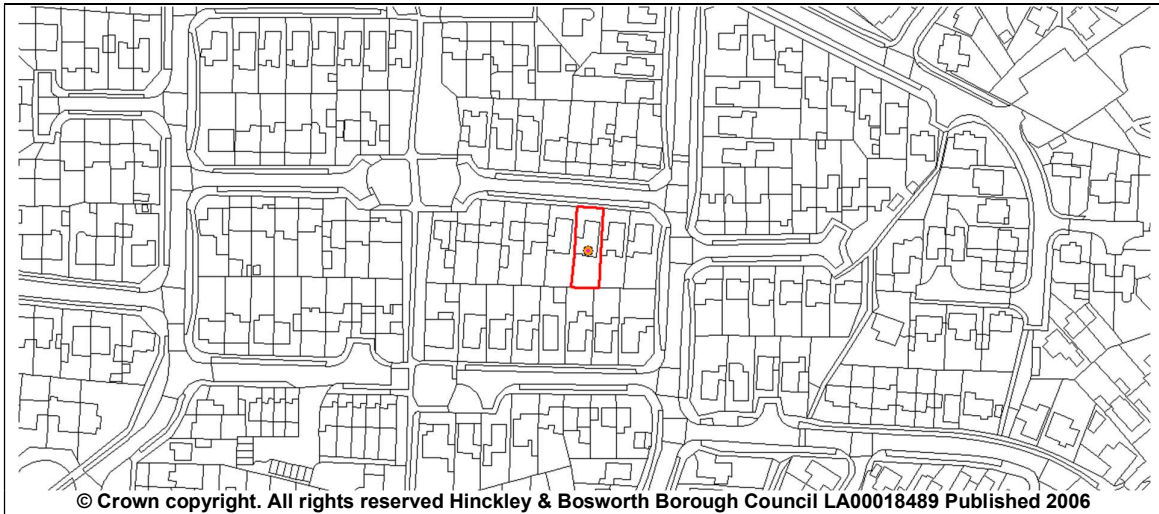
**Planning Ref: 24/00753/HOU
Applicant: Councillor Ozzy Oshea
Ward: Ratby, Bagworth & Thornton**



**Hinckley & Bosworth
Borough Council**

Site: 5 Lee Rise, Ratby

Proposal: Demolition of conservatory, erection of single storey rear extension and associated works.



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 approval for the demolition of the existing conservatory and the erection of a single storey rear extension, measuring 5m in depth, 6.5m in width and 4.583m in height to the pitch, with materials proposed to match the existing dwelling and associated works.

2.2. The associated works include the removal of the existing chimney stack and doors installed to the rear of the existing garage. The application has been put forward to the Planning Committee as the applicant is a locally elected member.

2.3. The following documents were submitted in support of this application;

- Application Form
- Existing and Proposed Elevations and Floor Plans Drg No. 7993 / 01 Rev A

3. Description of the site and surrounding area

- 3.1. The application site is located on Lee Rise, Ratby. The site consists of a single storey dwelling with an attached garage. The section of the road on which the dwelling is located is within a cluster of bungalows of a similar design and appearance from the street scene. The wider area includes a mix of dwelling types including detached and semi-detached two storey dwellings.

4. Relevant planning history

None

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
5.2. No comments were received.

6. Consultation

- 6.1. Ratby Parish Council: No comments received.

7. Policy

- 7.1. Core Strategy (2009)
- 7.2. Site Allocations and Development Management Policies 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
- 7.3. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2023)
 - Planning Practice Guidance (PPG)
- 7.4. 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

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 and that the use and application of building materials respects the materials of existing adjoining/neighbouring buildings and the local area generally.

- 8.3 The proposal includes the demolition of the existing conservatory to the rear, and the proposed single storey rear extension as a replacement. The rear extension would protrude a total of 5m in depth from the original rear wall of the dwelling, and is single storey in nature with a pitched roof resulting in a gable end to the rear, following the form of the existing dwelling. The scale is subordinate to the original dwelling and the form of the extension is in keeping with the property and surrounding street scene.
- 8.4 The proposal also includes minor alterations including the removal of the existing chimney stack and the inclusion of doors to the rear of the existing garage structure. The rear garage doors and the rear extension would not be highly visible from public vantage points. The chimney stack removal would be visible, and would differ from the row of bungalows on Lee Rise, but would not cause significant detrimental impacts to the design and character of the area, and as such the proposal is considered acceptable.
- 8.5 Overall, it is considered that the proposed alterations comply with Policy DM10 of the SADMP.

Impact upon neighbouring residential amenity

- 8.6 Policy DM10 of the adopted SADMP and the adopted Good Design Guide require that development would not have a significant adverse effect of the privacy and/or amenity of nearby residents and occupiers of adjacent buildings.
- 8.7 The proposed single storey rear extension and associated alterations are not considered to cause detrimental impacts to neighbouring residential amenity in terms of loss of light, loss of privacy, overbearing or overshadowing impacts. This is owing to the rear extension's single storey nature, and the design of the rear extension to include the roof pitch, sloping away from the neighbouring properties. Alongside the existing rear boundary treatments, the amenity of neighbouring residents will remain at sufficient level. The proposed alterations including the rear doors to the garage are not considered to impact residential amenity, due to their ground floor level.
- 8.8 As such the proposal is considered to be in accordance with Policy DM10 of the SADMP.

Impact upon highway safety

- 8.9 Policies DM17 and DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design and that there is no detrimental impact upon highway safety.
- 8.10 The proposal for the rear extension is not considered to impact the highway network or highway safety, not giving any rise to increased traffic to and from the site. In addition, the off-street car parking afforded to the dwelling nor the bedroom numbers at the property will be impacted by the development and as such it is considered that the proposal would be in general accordance with Policies DM17 and DM18 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 would not cause detrimental impacts to the design and character of the area, neighbouring residential amenity or highway safety/vehicle parking, and as such it is considered in general accordance with Policies DM10, DM17 and DM18 of the adopted SADMP (2016).

11. Recommendation

- 12.1. **Grant planning permission** subject to:

- Planning conditions outlined at the end of this report.

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

12.4. 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:

- Existing and Proposed Elevations and Floor Plans, Drg No. 7993 / 01 Rev A

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 proposed elevations of the extensions shall accord with the approved materials detailed within the application form.

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

12.5. **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.