

**Planning Committee 10 April 2018**  
**Report of the Planning Manager, Development Management**

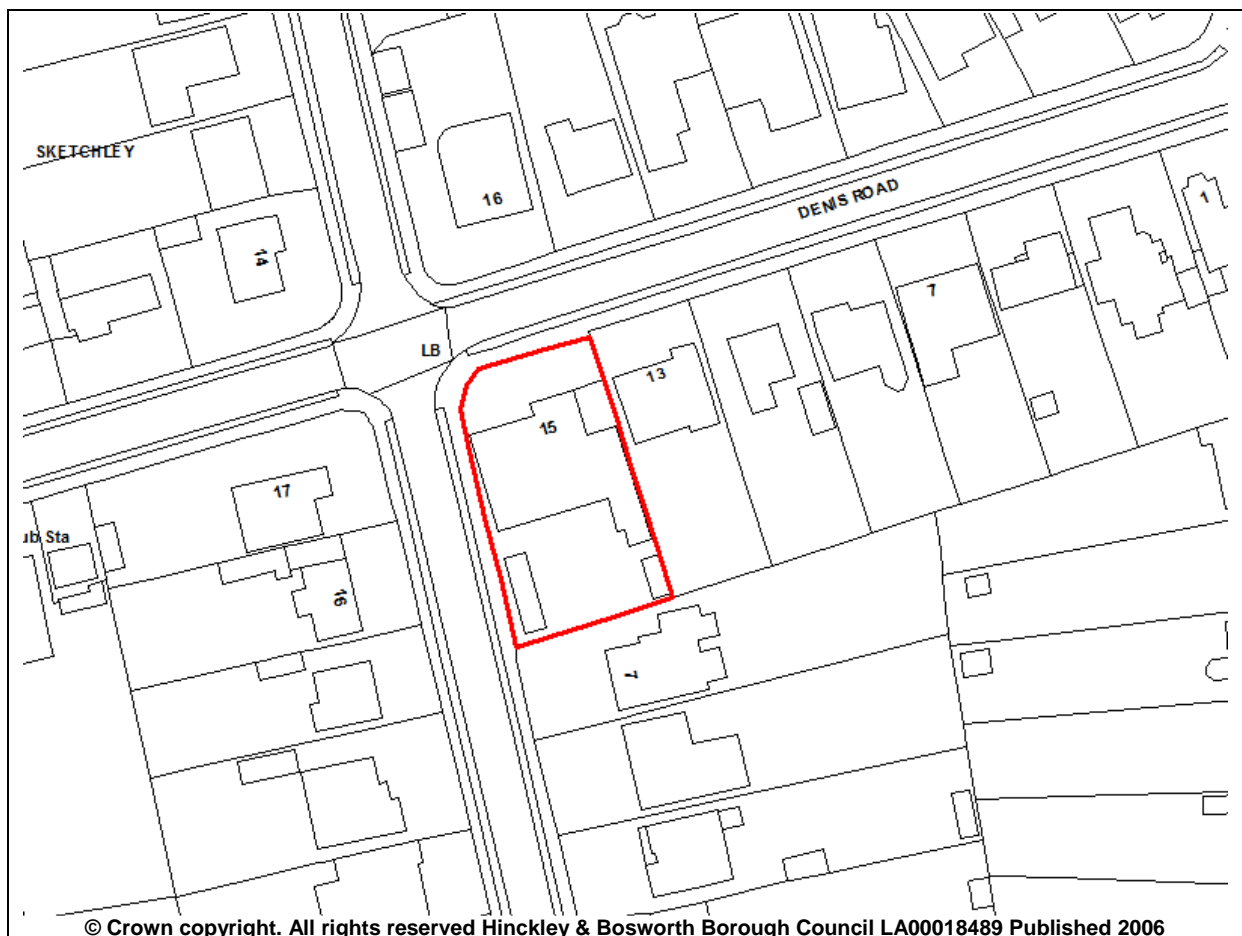


Hinckley & Bosworth  
Borough Council

**Planning Ref:** 18/00038/HOU  
**Applicant:** Mr & Mrs Smith  
**Ward:** Burbage Sketchley & Stretton

**Site:** 15 Denis Road Burbage

**Proposal:** First floor extension to bungalow to form two and a half storey dwelling with alterations to all elevations (resubmission of 17/00546/HOU)



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1. This application was taken to Planning Committee on the 6 March 2018. Notwithstanding the officer's recommendation that permission be granted, members felt that the proposed development was out of keeping with the character of the area and contrary to DM10. The resolution is that the committee be minded to refuse permission in accordance with paragraph 2.12 of the procedure rules.
2. No amendments to the scheme have been submitted since the application was considered at the 6 March 2018 Planning Committee.
3. Additional justification has been provided by the applicant to emphasise some of the key points from both the previous application's Delegated Officer Report and the Planning Manager's Report to the Committee. These are:

- a) It is clear from the officer's report of the previous application that there is an opportunity available to improve the character and quality of the area.
  - b) The existing Dormer Bungalow had already been extended to the boundary with Hall Road following permissions granted during the 1980s. These previous ad hoc extensions have resulted in a property that is lacking character and does not enhance the current street scene.
  - c) A series of varying roof pitches to the east of the property currently present a poor visual elevation to the neighbouring house.
  - d) A design that has the first floor extension significantly set back from the corner of Hall Road and Denis Road which greatly reduces any potential overbearing impact within the street scene.
  - e) Differing styles and types of individual and unique properties that are successfully mixed within the development that has houses and bungalows standing side by side.
  - f) The third floor is contained within the roof structure to minimise the scale and mass of the proposal which makes it a 2.5 storey property - this section of the proposal is set approximately 6.5 metres away from the boundary with Hall Road to maintain the open nature of the road junction.
4. The assessment and recommendations to planning committee for this scheme have not altered from the previous report to committee. The original report to committee attached as Appendix A.

## Appendix A

### Planning Committee 6 March 2018 Report of the Planning Manager, Development Management

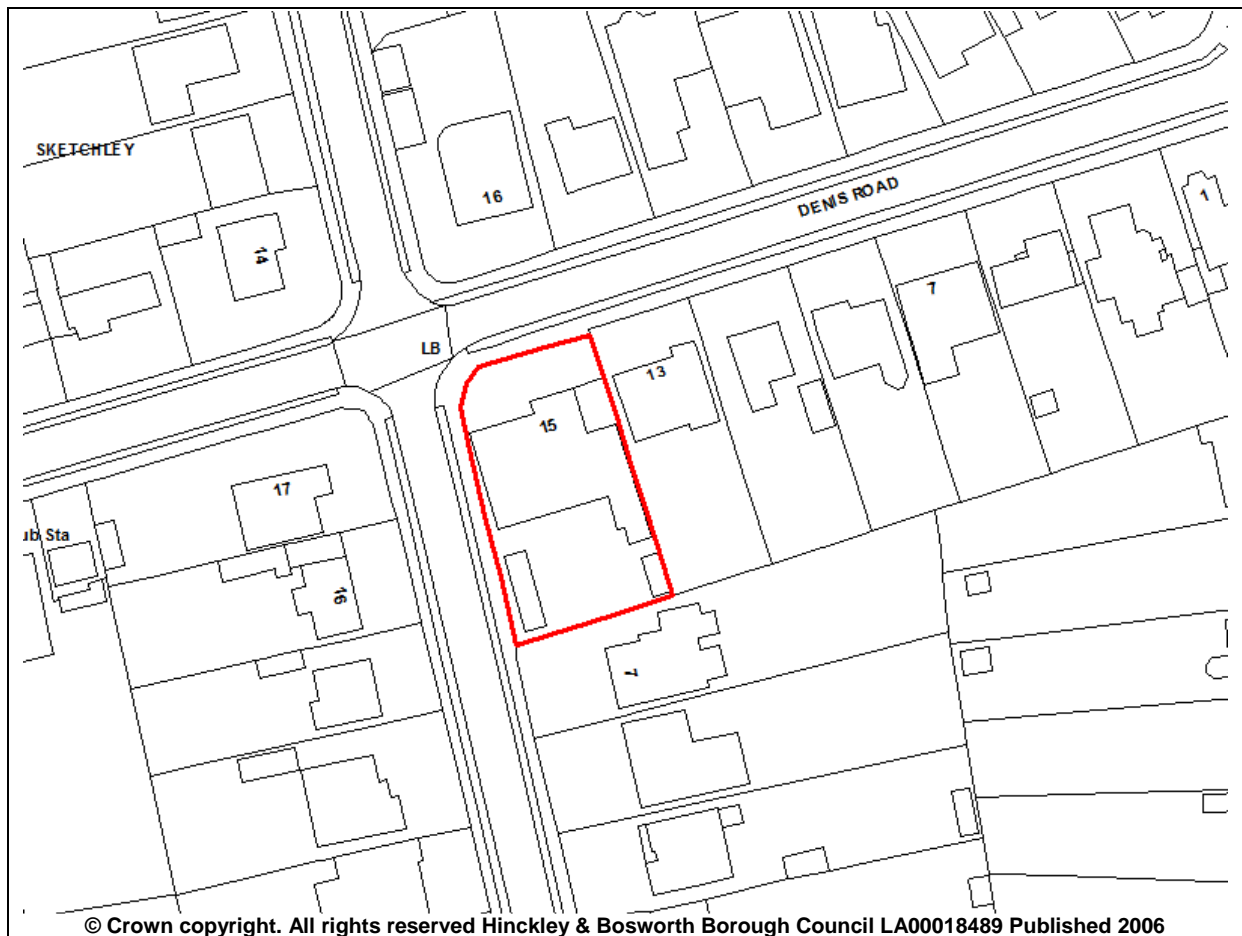


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#### 1. Recommendations

##### 1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report.

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

#### 2. Planning Application Description

##### 2.1. This application seeks planning permission for a first floor extension to bungalow to form two and a half storey dwelling with alterations to all elevation at 15 Denis Road, Burbage.

- 2.2. This proposal is a resubmission of a previously refused application (reference 17/00546/HOU). This application is significantly different to the previously refused application with a substantial reduction in mass, scale and size of the two storey element. The two storey part of the proposal is now only located within the centre of the plot, away from the boundaries of the site and the junction of Hall Road and Denis Road.
- 2.3. The application would see the ridge height of the dwelling increase to approximately 9 metres for the two storey element and a new pitched roof to the single storey elements to both sides of the property. It is proposed to carry this pitched roof round the front of the property. The design would see the introduction of one gable to the front elevation constructed of grey cladding and two dormers serving the loft space to the rear elevation.

### 3. **Description of the Site and Surrounding Area**

- 3.1. The application site is a detached dormer bungalow located to the southern side of Denis Road within the settlement boundary of Burbage.
- 3.2. Directly to the rear of the application dwelling are bungalow properties. The dwellings, which include the application property, that sit at the crossroads of Denis Road and Hall Road are all bungalows that are similar in form though do display subtle variations in regards to character. To the east of the application dwelling, along Denis Road, the area is characterised by dwellings which vary considerably in terms of character, design, scale and styles.

### 4. **Relevant Planning History**

17/00546/HOU	First floor extension to bungalow to form two storey dwelling with alterations to all elevations	Refused	28.07.2017
85/00476/4	Replacement of existing fence by boundary wall	Permission	20.06.1985
84/00577/4	Garage and lounge extensions to dwelling	Permission	15.08.1984
81/00340/4	Extensions to bungalow	Permission	29.04.1981

### 5. **Publicity**

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. Eleven letters of objections from eleven separate addresses have been received raising the following concerns:
- 1) Impact upon the character of the area
  - 2) Overbearing on both the area and the adjacent properties in respect of mass and scale
  - 3) Loss of light and privacy on adjacent properties
  - 4) Lack of off street parking
  - 5) Poor design
  - 6) No access to rear garden
  - 7) Previously refused scheme on the site
  - 8) Inaccuracy of the description

9) Impact during construction

## **6. Consultation**

6.1. Burbage Parish Council object for the following reason:

- 1) Detrimental to the character of the wider area due to its design, scale and mass

## **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
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.2. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2012)
- Planning Practice Guidance (PPG)

## **8. Appraisal**

8.1. Key Issues

- Assessment against strategic planning policies
- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact upon highway safety
- Other issues

### Assessment against strategic planning policies

8.2. Paragraphs 11-13 of the National Planning Policy Framework (NPPF) state that the development plan is the starting point for decision making and that the NPPF is a material consideration in determining applications. The development plan in this instance consists of the Site Allocations and Development Management Policies DPD 2016 (SADMP) and the Core Strategy (2009).

8.3. Policy DM1 of the SADMP provides a presumption in favour of sustainable development. The policy sets out that those development proposals that accord with the development plan should be approved without delay unless material considerations indicate otherwise.

8.4. The proposal is located within the settlement boundary for Burbage, which is identified as a key rural centre where the principle of a householder extension is considered acceptable, subject to all other material planning considerations being acceptable.

### Design and impact upon the character of the area

8.5. Policy DM10 of the SADMP seeks to ensure that new development should complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features. This is supported by paragraph 17 of the NPPF which seeks to ensure a high quality of design. Paragraph 56 of the NPPF states that good design is a key aspect of sustainable development. Paragraph 58 seeks to ensure that development responds to local character and reflects the identity of local surroundings.

8.6. No. 15 Denis Road occupies a corner plot where Denis Road and Hall Road intersect. The application dwelling and the neighbouring properties which form the other corner plots and border the crossroads are detached bungalows with hipped

roofs. The scale and style of these properties do display a degree of variation, however, their single storey character ensures no undue level of prominence within the streetscene of any individual property, a feature which is reinforced by the setback nature of the dwellings which helps retain the openness that is characteristic of the intersection of Denis Road and Hall Road.

- 8.7. The previous application (ref. 17/00546/HOU) was refused for the following reason:
- “The erection of a first floor extension at 15 Denis Road would be contrary to Policies DM1 and DM10 of the Site Allocations Development Management Policy document (SADMP) and the National Planning Policy Framework (NPPF) in that the extension by virtue of its size, massing and design would appear as an incongruous and visually over dominant feature in relation to the streetscene, resulting in significant harm to the visual amenities of the locality and would therefore constitute poor design that fails to take the opportunities available for improving the character and quality of the area.”*
- 8.8. This application has been significantly altered and reduced in size, scale and mass from the previously refused application. The previous application had a two storey element that extended nearly the entire footprint of the property with four large gables to the frontage that fundamentally altered the character of the property in terms of scale, mass and design. In addition the proposed first floor element would've been built up to within 0.9 metres of the boundary to Hall Road.
- 8.9. It is clear from the officer's report of the previous application that there is an opportunity available to improve the character and quality of the area with an extension that has the potential to improve the visual attractiveness of the application property.
- 8.10. This application seeks to contain the two storey element entirely within the centre of the plot, which would be very modest in width and size which would also replicate the size and scale of the adjacent two storey properties along Denis Road. The proposed two storey element would be set away from the boundary of the site by approximately 4.5 metres to the east and approximately 6.5 metres to the boundary with Hall Road. Therefore the reduced two storey element would respect and complement the character of the surrounding area. The separation distances to the boundary of the site would help retain the openness that is characteristic of the intersection of Denis Road and Hall Road.
- 8.11. Although additional space has been created within the roof space of the proposal, the proposed ridge height would only be approximately 0.6 metres higher than the ridge height of the adjacent property to the east, no. 13. Therefore it is considered that the proposed amended and reduced scale and massing of the proposal, compared to the previously refused scheme, would not disrupt the balanced character of the area or result in an over prominence within the streetscene.
- 8.12. The proposed single storey additions and pitched roof, due to the minor nature and single storey height would improve the visual amenity of the host dwelling.
- 8.13. The proposed materials are to be constructed of render finish and grey cladding to provide a unique and modern design. However as a result of the varying materials within the surrounding area, the proposed materials would not significantly impact upon the character of the area.
- 8.14. Overall the narrowing of the first floor extension, from the previously refused scheme, would ensure the side elevation of the first floor extension would be significantly setback from the corner of Hall Road and Denis Road thus reducing any potential overbearing impact within the street scene. The conversion of the existing garage and retention of its single storey nature and single storey wrap

around design would reduce the massing of the proposal, compared to the previously refused scheme, resulting in a development more in keeping with the character of the area.

- 8.15. By virtue of its scale, design and appearance of the proposal, it is considered that the revised scheme would complement the scale, character and appearance of the wider area and be in accordance with Policy DM10 of the adopted SADMP.

Impact upon neighbouring residential amenity

- 8.16. Policy DM10 of the SADMP state that proposals should not adversely affect the occupiers of neighbouring properties.
- 8.17. The proposed two storey element would not project past the front elevation of no. 13 Denis Road to the east. Although the two storey element would project past the rear elevation of no. 13, due to the separation distance of approximately 5 metres between the proposed first floor side elevations of the application property and no. 13, it is considered there would be no adverse impact on the amenity of no. 13 in terms of loss of light or overbearing.
- 8.18. There would also be no adverse overlooking impact upon the occupiers of no. 13 as the side elevation of the proposal would have four high level rooflights and one high level window facing the blank elevation of no. 13. The proposed first floor windows to the rear would only provide an oblique viewing angle to the rear of the neighbouring property similar to what already exists from the current rear dormer windows.
- 8.19. There would be no adverse impact in terms of residential amenity upon no. 7 Hall Road to the south as the separation distance between the two properties would remain the same, moreover, any potential overlooking would be mitigated by the screening provided by high level hedgerow that is set along the common boundary.
- 8.20. There would be no adverse impact in terms of residential amenity upon no. 16 Denis Road to the north due to the separation distance of approximately 25 metres. This distance will remain significant due to the presence of the highway which intersects the two properties.
- 8.21. Two windows are proposed to the side elevation of the property facing towards no. 16 Hall Road and no. 17 Denis Road to the west. Given the large separation distance and the separation of the properties by Denis Road, it is not considered that these windows would result in any adverse overlooking impacts upon the properties to the west.
- 8.22. All other aspects of the proposal are single storey in nature, located on the existing footprint and result in roofs pitching away from the boundary of the site. As such, the proposed alterations at ground floor level are considered acceptable so as not to result in any adverse impacts upon residential amenity.
- 8.23. It is considered that no properties would be adversely impacted upon from the proposed alterations and extensions and therefore the proposal is considered to comply with Policy DM10 of the SADMP.

Impact upon highway safety

- 8.24. Policy DM17 and DM18 of the SADMP states that proposals should ensure that there is adequate provision for on and off street parking for residents and visitors and there is no impact upon highway safety.
- 8.25. The proposal will see the creation of an additional one bedroom, resulting in a four bedroomed property. Given the extensive provision of off-street parking to the front of the site and the retention of the existing garage space to the east of the site,

parking provision would be sufficient in line with LCC Highways 6C's guidance at three spaces for four bedrooms.

- 8.26. The proposals would not have an adverse impact upon highway safety and would therefore be in accordance with Policy DM17 and DM18 of the SADMP.

#### Other issues

- 8.27. Concerns have arisen regarding the lack of access to the rear of the garden. This is not a planning matter that would alter the determination of the application. Nevertheless this is an existing issue as no access is currently available to the rear of the site.
- 8.28. Concerns have arisen regarding the accuracy of the description of works proposed. Given the nature of the second floor being located within the roof space and the provision of dormers to accommodate the habitable space, it is considered that the proposal would result in a two and a half storey property.
- 8.29. Concerns have arisen regarding potential impact during construction. As the proposal is for an extension to a house and there is room within the site to accommodate vehicles, it is not considered that the proposal would result in significant impacts upon adjoining properties during construction.

### **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.

### **10. Conclusion**

- 10.1. The proposal is located within the settlement boundary for Burbage and 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. The proposal, due to its design, scale, massing and siting would not have a detrimental impact upon the character of the existing dwelling, area and street scene; neighbouring amenity or highway safety. Therefore the proposed development is considered to be in accordance with Policies DM1, DM10, DM17 and DM18 of the Site Allocations and Development Management Policies Development Plan Document and the aims of the National Planning Policy Framework and is 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, Development Management 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 51 of 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: Revised Scheme 1 drg. no. 16/109 10D (scale 1:1250, 1:500 and 1:100) received by the Local Planning Authority on 8 February 2018.

**Reason:** To ensure a satisfactory impact of the development to accord with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document.

3. The materials to be used on the external elevations of the proposal shall accord with the approved Revised Scheme 1 drg. no. 16/109 10D (scale 1:1250, 1:500 and 1:100) received by the Local Planning Authority on 8 February 2018 and materials as detailed within the submitted Application Form received by the Local Planning Authority on 15 January 2018.

**Reason:** To ensure that the development has a satisfactory external appearance to accord with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document.

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