

## Item No. 4

**Application No:** P/09/2484/2

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<b>Application Type:</b>	Full	<b>Date Valid:</b>	22nd December 2009
<b>Applicant:</b>	Mr and Mr Seroff		
<b>Proposal:</b>	Single storey rear extension to form granny annex.		
<b>Location:</b>	96 Herrick Road, Loughborough, LE11 2BT		
<b>Parish:</b>	Loughborough	<b>Ward:</b>	Loughborough Southfields Ward
<b>Case Officer:</b>	Miss C Stapley	<b>Tel No:</b>	01509 634988

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This application is brought to the Plans Committee at the request of Ward Councillor Jill Vincent following a recent ward referral report.

### Description of the Application

This is a traditional Victorian semi-detached house. There is an existing outbuilding to the rear, 3.1m high, which would be demolished, and the proposal would be a single storey extension to the rear, 4.3m high, for a granny annex. The annex would comprise of a hall, bedroom, bathroom and lounge and would measure 11.345m in length. There is a long garden to the rear, 33m in length, with a two storey outbuilding at the end of the garden. The neighbouring property at No 94 which shares the adjoining boundary also has a two storey outbuilding at the end of their garden. To the other side of their garden and to the rear of No 92 there is a detached bungalow which runs 22.8m along the boundary, 4.9m high to the pitch.

### Development Plan Policies and other material considerations

#### • Development Plan Policies

Policy EV/1 – Design – seeks to ensure a high standard of design for developments which respect the character of the area, nearby occupiers and is compatible in mass, scale, layout, whilst using landforms and other natural features. It should meet the needs of all groups and create safe places for people.

Policy H/17 – Extensions to dwellings – seeks to ensure that the development meets the following criteria:-

- It remains compatible in scale, mass, design and use of materials with the original dwelling;
- It would not appear as an intrusive or incongruous feature in the street scene to the detriment of visual amenities.

- It would not prove detrimental to the amenities of occupiers of nearby properties by reason of overshadowing, dominance, or substantial loss of privacy or light;
- It would not involve the removal of areas of existing landscaping important to the character of the location.

Supplementary Planning Guidance on House Extensions – sets out guidance on the design and appearance of extensions and their impact on the enjoyment of neighbouring properties.

### **Relevant Planning History**

There is no relevant planning history.

### **Responses of Statutory Consultees**

Leicestershire County Council (Highways)- have commented that the granny annex should remain ancillary to the main building.

### **Other Comments Received**

The neighbour at No 94 and No 98 have raised the following concerns:-

1. The proposal may lead to an over-development of the site and be too large and too high as there is already a two storey coach house at the bottom of the garden and a bungalow to the rear of the flats at 92 Herrick Road.
2. The extension may not be used as a granny annex but used to accommodate students.
3. The proposal may lead to loss of daylight and sunlight.

A request to ensure that the materials to be used would be sympathetic to the existing building has been made.

### **Consideration of the Planning Issues**

#### Over-development of the site

It is recognised that the proposal would be a large extension which runs close to the boundary of No 94. It would be 12.5m long, 4.5m wide and 4.3m to the pitch. However there is an existing outbuilding to the rear which is to be demolished which measures 4.7m in length and a shared boundary wall measuring 3.1m in length. This would be replaced by the granny annex with an additional 4.5m which would be stepped in from the shared boundary by 1m. The height of the proposed annex would be higher than the existing outbuilding and wall, the outbuilding is 3.1m and the annex would be 4.3m to the pitch, however the eaves height would be 2.5m and the eaves are stepped away from the boundary by 1m as the hallway running along the boundary would be a flat roof extension.

The two storey coach house at the bottom of the garden which the neighbours refer to is an outbuilding. It is not considered that the proposal would result in an over-development of the site as the rear garden is large, 25m in length and 9.5m wide and the coach house would be positioned 10m away from the rear of the proposed granny annex. It is recognised that the neighbour at No 94 already has a bungalow running along the length of their other side boundary of their garden which is 4.3m high. However it is not considered that their garden or patio area would be significantly affected due to the length of their garden and the fact that the bungalow is set in from the boundary by 1.6m and the additional lounge area of the granny annex would be set in from the other boundary by 1.0m. It is considered therefore that the proposal would adhere to policies EV/1, H/17 and the Council's Supplementary Planning Guidance on House Extensions.

### The Student Housing Provision in Loughborough Supplementary Planning Document

This document sets out guidance for the control of student occupation in new developments in areas where the level of student occupation exceeds 20%. When originally adopted, the document covered all types of new development, including extensions to dwellings. However, the provisions of the document relating to control over house extensions were severely wounded following an appeal decision on a property on Ashby Road. In considering the appeal, the inspector concluded that no weight should attach to these provisions because the policies that the document seeks to illuminate do not contain any provisions for the refusal of permission for extensions specifically to student properties. In that sense, the document was making policy, not merely explaining policy or providing guidance as to policy implementation. In that case he granted permission because he found that the extension was acceptable in all the respects covered by the relevant policies. Consequently, there would be considerable danger if the Council sought to apply the provisions of the document to house extensions, and a refusal of planning permission on these grounds would be difficult to sustain.

A condition is recommended below to ensure that the use of the granny annex would be ancillary to the residential use of the existing dwelling.

### Loss of Light

The height of the granny annex is 4.3m, however to the eaves it is 2.5m and the eaves would be set in from the boundary by 1.0m. Taking this into consideration, the proposed granny annex would meet with the guidance written into the Council's SPG on House Extensions with regard to loss of light and therefore it is considered that there would be no significant impact to the neighbours at No 94 and 98. The proposal would adhere to policies EV/1, H/17 and the Council's Supplementary Planning Guidance on House Extensions.

### Design and Use of Materials

It is considered that the design of the granny annex would be acceptable and in keeping with the existing dwelling. The materials would match the existing and would be of red facing bricks and a slate roof. The proposal would therefore adhere

to policies EV/1, H/17 and the Council's Supplementary Planning Guidance on House Extensions.

Taking account of the above, it is recommended that planning permission be granted for the development, subject to conditions.

## **RECOMMENDATION**

Grant Conditionally - Recommendation - subject to the following conditions:

1 - The development, hereby permitted, shall be begun not later than 3 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 Section 51 of the Planning and Compulsory Purchase Act 2004.

2 - The extension hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 96 Herrick Road, Loughborough. It shall not be occupied as a separate dwelling.

REASON: The siting and design of the extension is unsuitable for separate occupation in terms of the amenities of the occupiers of the existing nearby dwellings and those in the extension, and in terms of the limited availability of car parking for residents in the area.

3 - The two lounge windows in the west elevation shall be glazed with obscure glass which shall thereafter be retained at all times. Details of the glazing specification shall first be submitted for the approval in writing of the local planning authority. No changes shall be made to these windows nor shall any additional windows be inserted in this elevation thereafter.

REASON: To minimise the effect of the development on the privacy and amenities of nearby residents.

### **Informatives**

1

Planning permission has been granted for this development because the Council has determined that it is generally in accord with the terms of the above-mentioned policies and the Council's adopted Supplementary Planning Guidance on House Extensions.

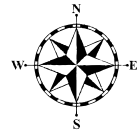
2

DEVELOPMENT PLAN POLICIES RELEVANT TO THIS DECISION - Policies EV/1 and H/17 of the Borough of Charnwood Local Plan (adopted 12th January 2004) have been considered in reaching a decision on this application. The proposed development complies with the requirements of these saved Local Plan policies and there are no other material considerations which are of significant weight in reaching a decision on this application.



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**Location:** 96 Herrick Road, Loughborough, LE11 2BT  
**Scale:** 1:500

