

## Item No. 8

### Application Reference Number P/11/2643/2

<b>Application Type:</b>	Householder	Date Valid:	25/11/2011
<b>Applicant:</b>	Mr Kalpesh Bohara		
<b>Proposal:</b>	Erection of a conservatory to rear of dwelling		
<b>Location:</b>	54 Outwoods Road, Loughborough, Leicestershire		
<b>Parish:</b>	Loughborough	Ward:	Loughborough Outwoods
<b>Case Officer:</b>	Laura Berg	Tel No:	01509 634742

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This application is presented to the Committee at the request of Councillor Jukes following consideration of a ward referral report.

### Description of the Application

The property is a detached two storey dwelling within a residential street. The surrounding properties are predominantly two storey detached. 52 and 54 Outwoods Road are both large detached properties on spacious plots. The side elevations of the two properties are not parallel, as 54 is angled towards 52 towards the rear. The gap between the properties narrows from approximately 1.5 metres at the front to 1 metre at the rear. No. 52 is also approximately 0.4 metres higher than the application site.

A 2 metre fence divides the gardens between 52 and 54, but there is a line of concrete posts running alongside this fence on the side of no. 54 which may delineate the common boundary.

Number 52 have a window to a garden room, which is set 0.25 metres from the side of the fence and is 1.75 metres wide.

The application concerns a conservatory to the rear of the property. The proposed conservatory would be attached to a previous two storey extension approved in 2003 (P/03/3569/2). The conservatory would project a further 4 metres from the rear of the property next to the shared boundary with no. 52 Outwoods Road. It would be 4.5 metres in width with a ridge height of 3.2 metres and eaves height of approximately 2.3 metres.

### Development Plan Policies and other material considerations

Borough of Charnwood Local Plan (adopted 12 January 2004)

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.

## **Other Policies**

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**

P/03/3569/2 – Two storey extension to the side and rear. Approved 2003.

## **Responses of Statutory Consultees**

Leicestershire County Council (Highways) – no objection.

## **Other Comments Received**

An agent acting on behalf of the occupiers of no. 52 Outwoods Road raises the following areas of concern:

- The proposal would have an adverse impact on no. 52 due to over-dominance.
- The proposal would result in a loss of light to the rear garden room window and patio area.

## **Consideration of the Planning Issues**

### Loss of Light

It is not considered that the proposal would result in a detrimental loss of light to any of the neighbouring properties. The proposed conservatory extension complies with the Council's guidance in terms of the 45 degree rule and therefore it is not considered that it would result in a significant loss of light on the neighbouring properties, in particular the rear window of no. 52. Although the conservatory would breach a line of 45 degrees take from the rear projection, it would not breach the second line of 45 degrees taken from the eaves of the proposed conservatory. In order to be deemed to have a detrimental impact in terms of a loss of light the Supplementary Planning Guidance on House Extensions both of these lines would need to be breached.

It is therefore considered that the proposed extension would not result in loss of light and would adhere to the guidance written into the Council's Supplementary Planning Guidance on House Extensions and policies EV/1, H/17 of the Borough of Charnwood Local Plan.

## Over Bearing Impact

It is not considered that the proposal would have an over-bearing impact on no. 52 Outwoods Road. Although the proposed extension is next to the shared boundary with no. 52 it is a single storey extension. The eaves would be to a height of 2.3 metres nearest the boundary with the hipped roof sloping away from the existing 2 metre high boundary fence. Taking into account the height of the proposed conservatory (3.2 metre ridge height) and the design of the roof sloping away from the shared boundary the proposal is not considered that it would result in an overly dominant feature for the neighbouring property.

It should also be noted that under permitted development rights a large detached outbuilding could be erected in more or less the same position to a height of 2.5 metres next to the boundary without planning consent. The proposed conservatory is unlikely to have any significant further impact than this "fall-back" position.

Taking account of the above, it is recommended that planning permission be granted, subject to conditions:-

## **RECOMMENDATION:-**

### Grant Conditionally

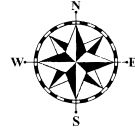
- I The development, hereby permitted, shall be begun not later than 3 years from the date of this permission.  
REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

The following advice notes will be attached to a decision

- I 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.
- 2 Planning permission has been granted for this development because the Council has determined that, although representations have been received against the proposal, it is generally in accord with the terms of the above-mentioned policies and the Council's adopted Supplementary Planning Guidance on House Extensions and, therefore, no harm would arise such as to warrant the refusal of planning permission.



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**Application No:** P/11/2643/2  
**Location:** 54 Outwoods Road, Loughborough  
**Scale:** 1:1250

