

Delegated Report

Planning Ref: 24/00232/FUL

Applicant: Mrs Sujeetha Kanagarathinam

Ward: Hinckley Trinity



Hinckley & Bosworth
Borough Council

Site: 117 Factory Road Hinckley Leicestershire LE10 0DP

Proposal: External staircase and replacement of window with door

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report.

2. Planning application description

2.1. This application seeks planning permission for a 3 metre high staircase to the north east of the building and the replacement of a window with a door to the side elevation, 117 Factory Road Hinckley to enable the existing flat to be accessed independently from the shop and to allow an increase in the floorspace of the shop.

2.2. The proposed staircase is to the side elevation of the building which fronts Teign Bank Road. It has a height of 3 metres and a width of 1 metre and is of steel construction with railings to the stairs. The proposal includes replacing an existing window with a door. The external finish of the staircase and new door are simple and plain.

3. Description of the site and surrounding area

3.1. The application property is located in the settlement boundary of Hinckley. It is a two storey semi-detached building on a corner plot, on the junction of Factory Road and Teign Bank Road. The property has no external space other than a small area on the frontage of Teign Bank Road and has a large single storey flat roofed storage area that it sited forward of the building line and sits at the back of pavement on Teign Bank Road. It has a mixed use of retail shop at the ground floor and a flat on the first floor with the existing flat being accessed from the ground floor. The property is faced in render and brick and has a hipped roof form. There are commercial premises at back of pavement on the opposite side of Teign Bank Road. It is not listed and not within a conservation area.

4. Relevant planning history

76/01271/4M

- Extension to shop living room.
- Refused
- 23.11.1976

76/01837/4

- Extension to shop and living accommodation.
- Planning Permission
- 25.01.1977

88/01288/4

- Bottle store canopy and alterations to shop front.

- Planning Permission
- 22.11.1988

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. No responses have been received as a result of public consultation.

6. Consultation

- 6.1. No consultation required.

7. Policy

- 7.1. Core Strategy (2009)
 - No relevant policies
- 7.2. Site Allocations and Development Management Policies (SADMP) DPD (2016)
 - Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM10: Development and Design
 - 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)
 - Local Highway Authority Design Guide

8. Appraisal

- 8.1. Extensions and alterations to existing properties within an urban settlement 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 parking provision

Design and impact upon the character of the 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 house extensions.
- 8.3. The proposed staircase is to the side elevation of the dwelling facing the north east of the site. It has a height of 3 metres with railings along the stairs and uses steel as its finish. The proposal includes replacing an existing window with door to create an opening into the hall. The new door is proportional in size to the existing doors to the main dwelling. The staircase is clearly visible from Teign Bank Road and is only partially screened by existing structures. The surrounding street has no external

staircase however, by virtue of its siting, small scale, sympathetic design and detailing which is secured by condition, it is considered that staircase and door are clearly subordinate to the main building and therefore respect the scale, character and appearance of the dwelling and are acceptable in these particular site specific circumstances.

- 8.4 The proposal is considered to be in accordance with Policies DM10 of the adopted SADMP and acceptable in terms of the general principles of the adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 8.5 Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy and/or amenity of nearby residents and occupiers of adjacent buildings.
- 8.6 The staircase is clearly visible from Teign Bank Road. It is set away from the site boundary wall by 2.5 metres and is partially screened by existing structures. It will though be prominent in the street scene particularly in views from Factory Road. There is no potential loss of privacy to 122 Teign Bank Road as there is a good separation distance between the two properties and the existence of a flat roof storage building adds further separation. The other view from the staircase is onto the public space. The proposal has a minor scale and does not result in any significant overbearing or overshadowing impact. There is no significant adverse impacts on the residential amenity or privacy of the neighbouring occupiers and therefore in accordance with Policy DM10 of the adopted SADMP. No objections to the proposal have been received from any neighbouring properties.

Impact upon parking provision

- 8.7 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.8 The proposal does not affect the existing parking provision and not result in the provision of additional bedrooms. The site is within an urban area and has access to sustainable public transport. The proposal is in accordance with Policy DM18 of the adopted SADMP and the local highway authority design guidance standards.

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, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this 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 is an extension and alteration to an existing property within an existing urban area and therefore there is a general presumption in favour of sustainable development as set out in Policies DM1 of the adopted SADMP and the overarching principles of the NPPF.
- 10.2. By virtue of its siting, small scale, design and the use of sympathetic external materials to ensure a plain and appropriate appearance, it is considered that the proposal respects the scale, character and appearance of the existing building and does not result in any significant adverse visual impact on the appearance or character of the surrounding area in these site specific circumstances. There is no significant impact on residential amenity or privacy of the occupiers of any neighbouring dwellings. There are no significant adverse impacts on existing parking. The proposal is therefore in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP, the general principles of the adopted Good Design Guide.

11. Recommendation

11.1 Grant planning permission subject to:

- Planning conditions outlined at the end of this report.

11.2 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 and Site Plan Drawing Number 04, Proposed Plan and Elevations Drawing No. 02 received by the local planning authority on 11 March 2024.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1, DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. The staircase and its supporting structure shall be powder coated black and shall be retained as such thereafter.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11.3 **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.