

Delegated Report

Planning Ref: 24/00085/HOU
Applicant: Mr and Mrs Searle
Ward: Hinckley DeMontfort



Hinckley & Bosworth
Borough Council

Site: 7 Harwood Drive Hinckley Leicestershire LE10 1UH

Proposal: Single storey rear extension and part conversion of storage into utility

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 householder application seeks planning permission for the construction of a single storey rear extension to replace an existing conservatory and convert part of the existing garage into utility to a dwelling, 7 Harwood Drive, Hinckley.

2.2. The proposed single storey rear extension extends 2.7 metres from the rear elevation and for a width of 5 metres, joining the existing garage to matching eaves and ridge heights. It has a mono pitched roof with an eaves height of 2.2 metres and a ridge height of 4.15 metres. Proposed materials for construction include brick, roof tiles, anthracite grey aluminium door and uPVC windows to match existing. The extension is in the same position and is only marginally larger than the conservatory that it replaces.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the settlement boundary of Hinckley in a residential estate. It is a detached two storey dwelling with gable side dual pitched roof and attached storage area. The dwelling is brick built and has white uPVC windows and doors. The dwelling has a rear conservatory and the single storey storage projects to the rear. The dwelling is not listed and not within a conservation area. The wider street scene has similar built, designed and scaled properties.

4. Relevant planning history

90/00236/4

- Extension to dwelling.
- Planning Permission
- 18.04.1990.

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. None 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 domestic properties within settlement boundaries 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 on 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 and states:

'Rear extensions should be designed to be clearly subordinate to the main dwelling. They should be an appropriate height, width, depth and reflect or complement the detailing and materials of the original building.'

8.3 The proposed single storey rear extension replaces an existing rear conservatory. It measures 2.7 metres from the rear elevation and for a width of 5 metres. It has a mono pitched roof with an eaves height of 2.2 metres and a high ridge height of 4.15 metres. The ridge height of the extension is halfway up the rear window to the upper floor of the house, however, it is clearly subordinate to the existing dwelling as it matches the eaves and ridge of the existing garage. The use of matching corresponding external materials is proposed in its construction to ensure a satisfactory and unified appearance. Conversion of part of the existing garage into a utility room is not harmful to the street scene. The conversion does not result in increase in height or enlargement of the garage. It only includes the insertion of a new window to the rear, which can be inserted under permitted development rights. By virtue of its single storey scale and siting entirely to the rear, matching eaves and ridge height, the proposal has no adverse impacts on the street scene or surrounding area.

8.4 The proposal is clearly subordinate to the existing dwelling, respects and complements the scale, character and appearance of the existing dwelling and has

no adverse visual impacts on the character or appearance of the street scene or surrounding area. The proposal is therefore in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 8.5 Policy DM10 of the adopted SADMP and the adopted Good Design Guide require that development would not have a significant adverse effect on the privacy and/or amenity of nearby residents and occupiers of adjacent buildings. The adopted Good Design Guide states:

'The 45 degree rule is applied for planning applications for new extensions to existing properties which could result in the outlook from or daylight to a principal window to a habitable room being impacted upon. On a plan of the proposal, a projecting line is to be drawn from the nearest principal window to a habitable room that may be affected by the planning application towards the proposed building at an angle of 45 degrees. Habitable rooms include living rooms, bedrooms and kitchens but do not include rooms such as bathrooms, utility rooms, halls, landings or garages. The extension should not cross the 45 degree line.'

- 8.6 The extension replaces the existing conservatory. It has appropriate height and matches the height of the existing garage. There is a separation distance of 0.675 between the extension and the west boundary fence. The adjoining property (9 Harwood Drive) is set away from the boundary fence. The extension has a high ridge height, however, does not impact the side window and rear door to 9 Harwood Drive. As a result, a 45 degree line taken from the nearest ground floor habitable window of 9 Harwood Drive does not result in any significant impact on the adjoining property. The extension is not visible from the street. The proposal does not result in any significant adverse overbearing or overshadowing impacts on any neighbouring property. The extension has no side windows and does not result in any loss of privacy or direct overlooking.
- 8.7 The extension does not result in any significant adverse overbearing or overshadowing impacts on the neighbouring occupiers. By virtue of its siting, single storey scale, separation distances to neighbouring property, it is considered that the proposal does not result in any significant adverse overbearing or overshadowing impacts on the residential amenity of the occupiers of either neighbouring dwelling or result in any significant additional adverse impacts on the privacy of the occupiers of neighbouring dwelling from direct overlooking. The proposal is therefore considered to be in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide. No objections to the proposal have been received from the occupiers of any neighbouring properties.

Impact upon parking provision

- 8.8 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.9 The proposal does not result in the creation of any additional bedrooms. The dwelling has a hardstanding driveway which has the capacity to hold two off-street cars for the three bedroom dwelling. The loss of the garage does not impact on the parking arrangements as the existing use of the garage is for storage. This level of provision remain adequate to serve the existing dwelling and the proposal would therefore be 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 for an extension and alteration to an existing dwelling located within the settlement boundary of Hinckley where there is a general presumption in favour of sustainable development as set out in Policy DM1 of the adopted SADMP and the overarching principles of the NPPF.
- 10.2. By virtue of its siting, scale, design and subject to the proposed use of matching external materials in its construction, it is considered that the proposal respects and complements the scale, character and appearance of the existing dwelling and does not result in any significant adverse impacts on the street scene or surrounding area or the residential amenity or privacy of the occupiers of any neighbouring properties. Adequate off-street parking for two cars and adequate private amenity space of are retained within the site. The proposal is considered to be in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP, the adopted Good Design Guide and the local highway authority design guide and is therefore 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 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 Plan, Block Plan, Proposed Floor Plan and Elevation Drawing No. AVD-801-HDH-PL01 received by the local planning authority on 23 January 2024.

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 external elevations of the proposed extension and alteration shall match the corresponding materials on the approved plans and elevation and application form.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policy 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.