

Delegated Report

Planning Ref: 23/00985/HOU
Applicant: Mr Stuart Burton
Ward: Hinckley DeMontfort



Hinckley & Bosworth
Borough Council

Site: 144 Ashby Road Hinckley Leicestershire LE10 1SN

Proposal: Single storey rear extension

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 a dwelling, 144, Ashby Road, Hinckley.

2.2. The proposed extension is at the rear, to the north corner and to the existing boundary wall. The extension projects out from the existing side elevation by 0.46 metres, extends from the main rear elevation by 10 metres and has a width of 4.7 metres. This would result to the demolition of an existing wooden structure and retaining wall to the rear of the dwelling. The proposed extension creates a glazed link and snug at the rear of the property. It is flat roofed with a maximum height of 2.8 metres and eaves of 2.6 metres. Proposed construction materials are render to the walls and aluminium framed window to match the existing.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the urban settlement boundary of Hinckley, forms part of the ribbon development, and set back from Ashby Road. It is a modernised detached two storey house with render wall, white uPVC windows, loose stone surface front driveway, hipped roof form and surrounded by single storey and one and half dwellinghouse. The site has an extensive garden to the rear. The building is not within a conservation area and is not listed.

Relevant planning history

16/00090/HOU

- Two storey side and single storey rear extension
- Permitted
- 24.03.2016

20/00334/HOU

- First floor rear extension
- Permitted
- 28.05.2020

4. 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.

5. Consultation

6.1. No other consultations necessary or undertaken.

6. 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

7. Appraisal

8.1. Extensions and alterations to existing domestic properties within urban 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 upon parking provision

Design and impact upon the character of the area

7.2. 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 that:

'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.' and,

'Flat roofs on extensions will not normally be considered appropriate where they do not form part of the original design of the house, however in some circumstances where they are not visible from the public realm and the use of a flat roof may result in a reduced visual impact, they may be considered acceptable, particularly if designed with a contemporary aesthetic style.'

7.3. The rear extension is single storey, has a long depth of 10 metres and a width of 4.7 metres. It projects out to the side of the dwelling, to the north boundary by approximately 0.46 metres. The maximum height of the extension is 2.8 metres and it has a flat roof. The extension is approximately 6 metres further back to the

detached garage at 146 Ashby Road, Hinckley. The existing dwelling has existing flat roof elements to the rear. The extension is slightly viewable from the street due to lower existing walls and the projection to the side elevation of the dwelling, however it is not harmful in the street scene. Matching materials are proposed for the extension. By virtue of the siting of the extension to the rear, the use of matching materials, single storey scale, appropriate dimension in context to the rear amenity space, the proposal appears as a clearly subordinate addition to the existing dwelling. The proposal is in accordance with the principles of the adopted Good Design Guide and does not result in any significant adverse visual impacts on the application dwelling or the street scene.

- 7.4 The proposal is in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 7.5 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.
- 7.6 The projection of the rear extension to the side elevation of the dwelling is up to the boundary and to a maximum height of 2.8. The existing detached garage to 146 Ashby Road is not affected. The extension is approximately 1.7 metres away from the 146 Ashby Road main dwelling. No side window faces 146 Ashby Road. By virtue of its single storey scale, flat roof design and blank north elevation, the proposal does not result in any significant adverse overbearing or overshadowing impacts or loss of privacy to the occupiers of No 146 Ashby Road or any other neighbouring properties. The proposal is therefore in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide.

Impact upon parking provision

- 7.7 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 7.8 The site currently has a front loose stoned surface driveway. The proposal does not increase the number of bedrooms. The existing driveway is unaffected and has the capacity to accommodate more than 3 cars. This level of provision is adequate to serve the existing/resulting dwelling in this highly sustainable urban location with easy access to a full range of services and facilities by alternative and more sustainable transport means. The proposal is therefore in accordance with Policy DM18 of the adopted SADMP and the local highway authority design guidance standards.

8. Equality implications

- 8.1 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.

- 8.2 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.
- 8.3 There are no known equality implications arising directly from this development.
- 8.4 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).

9. Conclusion

- 10.1. The proposal is for an extension and alteration to an existing dwelling within the urban 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 the single storey scale, siting to the rear, appropriate roof design and dimensions, the use of matching materials, adequate parking and amenity space, the proposal respects and complements the scale, character and appearance of the existing dwelling and has no adverse visual impacts on the surrounding area or any adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. The proposal is considered in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP, the general principles of the adopted Good Design Guide and the local highway authority design guide standards and is therefore recommended for approval subject to conditions.

10. 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 (Drawing Number: 8143-01-001), Proposed Floor Plans and Elevation (Drawing Number: 8143-03-001), received by the local planning authority on 23 October 2023.

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 hereby permitted shall be in accordance with the materials details provided approved plans and elevation.

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 buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.