

Delegated Report

Planning Ref: 24/00140/HOU

Applicant: Mr J Dale

Ward: Earl Shilton



Hinckley & Bosworth
Borough Council

Site: 7 Hinckley Road Earl Shilton Leicester Leicestershire LE9 7LG

Proposal: Replacement of single storey side 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 planning application seeks planning permission for a single storey side extension to replace an existing lean to projection to a dwelling, 7 Hinckley Road, Earl Shilton.

2.2. The proposed single storey side extension measures 3.26 metres in width and 5.27 metres in depth. The size of the proposed extension increases slightly and extends further to the side boundary fence and rear elevation. It creates a dual pitched roof with side gable facing Melton Street. The overall height of the extension is 4.2 metres and an eaves height of 2.7 metres. Proposed external materials for the extension are brick for the wall, roof tile and uPVC windows to match existing materials of the main dwelling.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the settlement boundary of Earl Shilton and to the east of Melton Street. It is a two storey detached dwelling built with bricks, dark brown roof tiles, a front bay white uPVC window with canopy over it. The dwelling has a front and side paving driveway to accommodate two off-street cars. The property is not listed and is not within a conservation area.

3.2. The surrounding street are predominantly residential with few commercial services. The properties along the street are a mix of brick and render built detached and terrace properties.

4. Relevant planning history

None related.

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. Earl Shilton Parish Council has no comment to the application.

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 dwellings 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 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 single storey side extension extends up to the side boundary, rear elevation, increases the existing height and create a new roof form. The extension is set back from the front elevation of the main dwelling and therefore there is no potential terracing effect. It measures 3.26 metres in width and 5.27 metres in depth. It creates a dual pitched roof with side gable facing Melton Street. The roof form matches the design design of the main dwelling. The overall height of the extension is 4.2 metres and an eaves height of 2.7 metres. The extension has appropriate dimension. External materials for the extension are brick for the wall, roof tile and uPVC windows to match existing materials of the main dwelling.

8.4 By virtue of its siting, scale, design, appropriate dimension and subject to the proposed use of matching corresponding external materials in its construction to ensure a satisfactory and unified appearance, the proposal respect and complement the scale, character and appearance of the existing dwelling and the wider street scene. The proposal is therefore considered to be in accordance with 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 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.

- 8.6 There is no immediate property to the west of the dwelling. The extension has appropriate height, depth and width. It is bordered to west by a fence and no side facing window is proposed to the extension. It extends up to the side boundary and has a depth of 5.27 metres. The extension has a subordinate scale and does not result in any significant adverse overbearing or overshadowing impacts on the neighbouring occupiers. There is no loss of privacy to the neighbouring occupiers.
- 8.7 By virtue of its siting, scale and design, the proposal does not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties and is therefore in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide. No objections 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 to the addition of extra bedroom and there is no loss of existing driveway. The front and side driveway has the capacity to hold two off-street cars to serve the existing 3 bedroom dwelling. This level of retained provision is adequate to serve the resulting dwelling in accordance with the local highway authority design guidance standards and Policy DM18 of the adopted SADMP.

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 relates to an extension to an existing dwelling located within the settlement boundary of Earl Shilton 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 corresponding external materials in its construction to ensure a unified appearance, the proposal respects and complement the scale, character and appearance of the existing dwelling and the wider street scene and does not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. Adequate private amenity space and driveway are retained within the site. The proposal is considered to be in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP and the principles of the adopted Good 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, Proposed Block Plan, Proposed Ground Floor Plan and Proposed Elevations Drawing Ref: Planning received by the local planning authority on 13 February 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 hereby permitted shall match the corresponding materials of the existing dwelling.

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.