

Delegated Report

Planning Ref: 23/00860/HOU

Applicant: Robert Conley

Ward: Hinckley Trinity



Hinckley & Bosworth
Borough Council

Site: 56 Hollycroft Hinckley Leicestershire LE10 0HG

Proposal: Part two storey and single 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 a part two storey and single rear extension to a dwelling, 56 Hollycroft Hinckley.

2.2. The proposed single storey rear extension extends 3 metres in depth from the main rear elevation of the dwelling and a width of 9 metres covering the full width of the existing dwelling. The extension follows the demolition of an existing rear conservatory. The first floor extension measures 3 metres in depth to a width of approximately 4 metres. The extension has a hipped roof form set down from the ridge of the main dwelling. The two storey has an overall ridge of 6.7 metres and eaves of approximately 5 metres. The single storey has a mono-pitched roof of 3.7 metres in height, rooflights and eaves height of 2.5 metres. External materials for the extension include matching brick and roof tiles.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the settlement boundary of Hinckley. The property is a two storey detached property built in buff brick, white uPVC windows, gable roof to the front and hipped roof form to the side of the property. The streetscene has a number of detached and semi-detached dwellings of various scale and design and mature trees. The dwelling is within the northern corner of Hollycroft Conservation Area

4. Relevant planning history

21/00269/OUT

- Erection of one dwelling (Outline – all matters reserved)
- Planning Permission
- 19.04.2022

23/00570/REM

- Approval of Reserved Matters (Access, Appearance, Landscaping, Layout and Scale) for outline planning permission 21/00269/OUT (Erection of one dwelling).
- Planning Permission
- 23.08.2023
- 10.06.1986

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site and a notice was displayed in the local press.
- 5.2. No responses have been received as a result of public consultation.

6. Consultation

- 6.1. HBBC Conservation Officer - The proposal has a neutral impact on the character and appearance of 56 Hollycroft and the wider Hollycroft Conservation Area and will preserve its significance.

7. Policy

- 7.1. Core Strategy (2009)
 - None relevant
- 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 DM11: Protecting and Enhancing the Historic Environment
 - Policy DM12: Heritage Assets
 - Policy DM18: Vehicle Parking Standards
- 7.3. National Planning Policies and Guidance
 - Planning (Listed Buildings and Conservation Areas) Act 1990
 - 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 dwelling and Hollycroft Conservation Area
 - Impact upon neighbouring residential amenity
 - Impact upon parking provision

Design and impact upon the character of the dwelling and Hollycroft Conservation Area

- 8.2. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 8.3. Section 16 of the National Planning Policy Framework (NPPF) provides the national policy on conserving and enhancing the historic environment. Paragraphs 199-202 of the NPPF require great weight to be given to the conservation of designated heritage assets when considering the impact of a proposed development on its

significance, for any harm to the significance of a designated heritage asset to have clear and convincing justification, and for that harm to be weighed against the public benefits of a proposal.

- 8.4 Policies DM11 and DM12 of the SADMP seek to protect and enhance the historic environment including conservation areas and national and locally important heritage assets and should ensure the significance of a conservation area is preserved and enhanced. 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.
- 8.5 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.'*
- 8.6 The proposed site is opposite Hollycroft Park and slopes downwards from the east of the site. The wider site has an informal residential layout. The proposed single storey rear extension extends 3 metres in depth from the main rear elevation of the dwelling and a width of 9 metres. The first floor extension measures 3 metres in depth to a width of approximately 4 metres. The extension has a hipped roof form set down from the ridge of the main dwelling. The two storey has an overall ridge of 6.7 metres and height 3.7 metres, with rooflight and eaves height of 2.5 metres. The overall design of the extension is subservient to the main dwelling. It is located to the rear of the dwelling and does not deviate from the character and appearance of the Conservation Area. Considering the set down of the ridge and its location to the rear, the extension is not viewable from the street scene and the character and appearance of the Conservation Area is preserved. The roof design remains a character of the main dwelling and wider street scene. The extension is constructed with matching brick and roof tiles.
- 8.7 Overall, the extension has appropriate dimension, scale, siting to the rear, design and the proposed use of matching external materials, it is considered that the proposal would have a neutral impact on and respect and complement the scale, character and appearance of the existing dwelling and surrounding area, and does not therefore preserve the character and appearance and thus significance of the Hollycroft Conservation Area in accordance with Policies DM10, DM11 and DM12 of the adopted SADMP, the general principles of the adopted Good Design Guide, section 16 of the NPPF (2023) and the statutory duty of Section 72 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Impact upon neighbouring residential amenity

- 8.8 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.
- 8.9 The proposed extension sits comfortably to the rear of the property within a large garden that is over 13m in depth and has appropriate design, scale and appearance. The extension is 2.1 metres away from the southeast boundary and approximately 5 metres from the north-west boundary at the closest point. This reduces the level of overbearing impact on neighbouring adjoining properties. The already approved dwelling to the rear of the property is well set back and therefore the proposed extension does not significantly impact on the new dwelling and the proposed access. The proposal has a first floor side window and a ground floor side

window that faces 58 Hollycroft. Considering the separation distance from the first floor elevation to the northwest boundary, surrounding trees and blank facing of 58 Hollycroft, the level of overlooking and loss of privacy is reduced. The orientation of the site is such that there is no loss of light on adjoining properties and breach of any 45 degree rule.

- 8.10 By virtue of the siting, appropriate scale and dimension of the proposal together with separation distances, surrounding trees screening to/from any neighbouring properties, the proposal has no significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. The proposal is therefore in accordance with Policy DM10 of the adopted SADMP. No objections to the scheme have been received from any neighbouring properties.

Impact upon parking provision

- 8.11 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design. Paragraph 111 of the National Planning Policy Framework states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the cumulative impacts on the road network would be severe.
- 8.12 The Leicestershire Highway Design Guide requires a minimum of 3 parking spaces for 4-bedroom properties. The proposal provides additional bedroom. 2 parking spaces to the front of the property are made available. Notwithstanding, the provision of two parking spaces, the proposed development is considered to have no significant impact upon highway traffic. The site is within an urban settlement with good transport and connection to the town centre and bus stops. This level of provision is considered to be adequate to serve the existing/resulting dwelling and the proposal is therefore in accordance with Policy DM18 of the adopted SADMP and current local highway design guide 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 alterations to an existing dwelling within the settlement boundary of Hinckley and Hollycroft Conservation Area 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 siting, scale, design and the proposed use of matching external materials in its construction, it is considered that the proposal respect and complement the scale, character and appearance of the existing dwelling and has a neutral impact on and therefore preserve the character and appearance and thus significance of the Hollycroft Conservation Area. By virtue of the siting and single storey scale of the proposal together with separation distances and existing screening to/from any neighbouring properties, the proposal would have no significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. Appropriate level of parking and sufficient private amenity space are retained within the site to serve the existing/resulting dwelling. The proposal is considered to be in accordance with Policies DM1, DM10, DM11, DM12 and DM18 of the adopted SADMP, the general principles of the adopted Good Design Guide, section 16 of the NPPF (2023) and the statutory duty of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and are 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: Site Location Plan Drawing Ref: 0684370, Block Plan Drawing Ref: 0684370, Proposed Floor Plans and Elevation Drawing Number: 1515 received by the local planning authority on 01 September 2023.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1, DM10 and DM12 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 of the existing dwelling.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM10 and DM12 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.