

Delegated Report

Planning Ref: 23/00505/HOU

Applicant: Miah

Ward: Hinckley Clarendon



Hinckley & Bosworth
Borough Council

Site: 49 Windrush Drive Hinckley Leicestershire

Proposal: Raising of existing roof ridge line with box dormer to rear elevation to form a loft conversion

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 an increase in the ridge height and roof pitch (but not eaves height) of a two storey detached dwelling together with the construction of a box roof dormer to the rear roof elevation to enable the provision of habitable loft accommodation.
- 2.2. The main roof ridge would be increased by 0.64 metres to a new height of 8.04 metres and with a slightly steeper pitch as a result of the eaves remaining at the existing height. The gables are proposed to be built up in matching red multi facing bricks. The proposed flat roof box dormer on the rear roof elevation would have a width of 6.6 metres and be set in from both side roof edges by 0.9 metres. It would be set back 0.41 metres from the rear wall plate and have a height of 2.37 metres to just below the new roof ridge. It would have new grey roof tiles to its rear wall and sides. The proposal includes two small roof lights to the front roof elevation and the replacement of the existing grey interlocking concrete roof tiles with Marley Ashmore plain concrete roof tiles in Smooth Grey along with grey windows and doors.
- 2.3. An amended plan has been submitted to reduce the amount of glazing to the rear elevation of the dormer window and to confirm the use of new grey roof tiles. By virtue of the nature of the amendments, no re-consultation has been undertaken.

3. Description of the site and surrounding area

- 3.1. The application dwelling lies within the urban settlement boundary of Hinckley on a residential estate. It is a two storey detached house with gable sided main roof form, single storey hipped roof projections to its front and side elevation and a single storey rear extension with dual pitched roof form and rear gable. It is constructed of red multi facing bricks, contrasting light brown brick headers and string course, grey concrete interlocking roof tiles and white uPVC windows and doors. The 15 metres long and 12.5 metres wide rear garden is enclosed by 2 metres high solid close boarded timber fence panels and planting either side of the rear garden boundary. The 6 metres deep and 13 metres wide site frontage is entirely block paved providing off-street parking for four cars.
- 3.2. The application dwelling lies within a row of detached two storey dwellings on similar building lines. The street scene comprises a variety of house designs which include both gable sided and hipped main roof forms with small variations in ridge heights, subordinate two storey projecting gables, cat-slide roofs and single storey projections with both hipped and lean-to roof forms. There is also a variety of brick and tile construction materials.

4. Relevant planning history

00/01187/FUL

- Extensions and alterations to dwelling
- Permitted
- 22.01.2001

20/01244/HOU

- First floor side extension
- Permitted
- 02.02.2021

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. One objection has been received concerning privacy as a result of the raising of the roofline and the additional windows. Especially in winter when the leaves have fallen.

6. Consultation

- 6.1. No other consultations necessary or undertaken.

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) (2021)
 - 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 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

- 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 that:
- 8.3 *'Wherever possible, locate roof extensions to the rear of properties to minimise potential impact on the street scene. Dormer windows, which allow for additional headroom within roof spaces can be appropriate in certain situations, however these will be considered in the context of impact upon the character of the building and on neighbours' amenity and should reflect the window pattern of the dwelling. Material selection, and scale of window opening and position within the roofscape is critical in the success of dormers. Care should be taken to ensure that the existing horizontal and vertical rhythm together with the proportion of openings is either reflected or complemented.'*
- 8.4 The proposal seeks to raise the ridge height and roof pitch of the existing dwelling, with the eaves height remaining the same. There are already existing minor variations in the ridge heights and roof forms of existing dwellings along this section of Windrush Drive. By virtue of this and the proposed modest increase of only 0.64 metres in the ridge height (to 8.04 metres in total) and, importantly, no proposed increase in the eaves height, it is considered that the proposal would not result in the proposal appearing out of scale or character with the existing dwelling or have any significant adverse visual impacts on the character or appearance of the surrounding area.
- 8.5 Dormer windows are not a characteristic feature of the estate on which the dwelling is located and box roof dormer windows in particular do not generally result in attractive development. Notwithstanding this, similar designed flat roof box dormers are widespread through the Borough on rear roof elevations. The proposed box roof dormer window would be located on the rear roof slope and with a subordinate flat roof height to the proposed new main ridge where its potential visual impact on the street scene would be minimised. By virtue of the dwellings either side both having hipped roof forms it is likely that it would still be visible within the street scene, but by virtue of being set in from either side by 0.9 metres and from the rear wall plate by 0.41 metres it would only be glimpsed from the side and therefore would not be overly visually prominent in, or result in any significant adverse visual impacts on, the character or appearance of the wider street scene or surrounding area.
- 8.6 The amended plans submitted have removed the originally proposed full width and full height glazing from the rear elevation of the dormer and replaced it with two full height glazed double doors with Juliet balconies and a central smaller staircase window. These are slightly offset from the first floor windows below to suit the internal layout of the loft space rooms but nevertheless retain some symmetry with the existing windows and therefore are not considered to be unacceptable in design terms. The new main roof and dormer window are proposed to be constructed with new Marley Ashmore plain concrete roof tiles (smooth grey) and grey UPVC windows and doors which would result in a satisfactory external appearance. Whilst not a characteristic feature, by virtue of their small size the proposed roof lights within the front roof slope would not result in any significant adverse visual impacts on the character or appearance of the street scene.
- 8.7 On balance, by virtue of the siting, scale, amended design and proposed use of satisfactory external materials, it is considered that the proposals would respect and complement the scale, character and appearance of the existing dwelling and would not result in any significant adverse impacts on the character or appearance of the

street scene or surrounding area. The proposals are therefore considered to be acceptable in design terms and in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 8.8 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.
- 8.9 An objection to the proposals has been received in respect of loss of privacy as a result of the increase in the existing roofline and the subsequent installation of the additional windows to the rear roof elevation, particularly during the winter months when leaf fall would offer direct views to neighbouring houses and rear gardens.
- 8.10 The proposed increase in the main roof ridge would be only marginal at just 0.64 metres. The proposed additional windows within the rear elevation of the proposed box dormer would be over 15 metres from the rear garden boundary and approximately 40 metres to the rear elevation windows of the dwellings to the rear (southwest) on Thirlmere Road. These separation distances would both be well in excess of the 7 metres minimum garden length and 21 metres separation between back to back principal habitable room windows suggested as being acceptable within the adopted Good Design Guide. In addition, there is landscaping planted both sides of the 2 metres high solid close boarded timber fence along the rear boundary which provides additional screening, despite being sparser during the winter months. Notwithstanding the objection received, it is therefore considered that the marginal increase in the roof ridge and the additional rear elevation dormer windows would not result in any significant or additional adverse overbearing or overlooking impacts on the occupiers of the neighbouring dwellings to the rear on Thirlmere Road.
- 8.11 The application dwelling is constructed on a similar building line to the similarly scaled two storey dwellings either side. Therefore, the proposed box roof rear dormer window would not project to any significant degree beyond the main rear elevations of the dwellings either side and the marginal increase in the height of the roof ridge would be to the inactive side elevations of both neighbouring dwellings. The additional windows in the rear elevation of the proposed dormer window would be set in from both side boundaries by approximately 2.5 metres (No. 51) and 5 metres (No. 47) above existing first floor windows and would face directly towards the applicants own garden rather than towards those to each side. Therefore, it is considered that the proposed additional windows would not result in any significant adverse overbearing, overshadowing or overlooking impacts on the occupiers of the neighbouring dwellings either side on Windrush Drive.
- 8.12 Notwithstanding the objection received, by virtue of the siting, scale, design and separation distances it is considered that the proposals would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties and that the proposals are therefore in accordance with Policy DM10 of the adopted SADMP and the general principals of the Council's adopted Good Design Guide.

Impact upon parking provision

- 8.13 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.14 The proposal would result in an additional (fifth) bedroom, however, the site frontage has been completely hard surfaced with block paving and provides off-street parking along with the integral garage for a minimum of four cars. This

existing provision would be unaffected by the proposals and it is considered that this level of provision would be adequate to serve the resulting five bedroomed dwelling in this highly sustainable location within the urban settlement boundary of Hinckley where a full range of services and facilities are available by alternative and more sustainable transport means. The proposal would therefore be in accordance with Policy DM18 of the adopted SADMP and the local highway authority 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 proposals are for an extension and alterations 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 siting, scale, amended design and proposed use of satisfactory external materials to ensure a unified appearance, it is considered that the proposals would respect and complement the scale, character and appearance of the application dwelling and the wider street scene. Notwithstanding the objection received, by virtue of the siting, scale, amended design, separation distances and landscaping it is considered that the proposals would not result in any significant or additional adverse impacts on the privacy or residential amenity of the occupiers of any neighbouring properties. Adequate off-street parking provision for four vehicles and adequate private amenity space of over 160 square metres would be retained to serve the resulting five bedroomed dwelling. The proposals are considered to be in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP 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 and Block Plan Drawing No. 099-23-EX000 received by the local planning authority on 23 May 2023 and Proposed Floor Plans, Roof Plan and Elevations Drawing No. 099_23_PR_002 Rev C received by the local planning authority on 12 July 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 shall accord with the approved Proposed Elevations Drawing No. 099_23_PR_002 Rev C received by the local planning authority on 12 July 2023 and proposed roof tile details received by the local planning authority on 5 July 2023.

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.