

Delegated Report

Planning Ref: 23/00207/HOU

Applicant: Mr P and Mrs H Satchwell

Ward: Newbold Verdon with Desford & Peckleton



Hinckley & Bosworth
Borough Council

Site: 12 Hill Close Peckleton Leicestershire

Proposal: Three 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 three storey extension to the rear elevation of a dwelling, 12 Hill Close, Peckleton.
- 2.2. The proposal would extend to a maximum depth of 4 metres from the existing rear elevation and across the full 10.6 metres width of the dwelling. It would have two gables to the rear elevation, one with matching eaves and ridge heights as the main roof but subordinate width (6.3 metres) and the other with matching eaves but subordinate ridge height and width (4.3 metres). Matching facing bricks and roof tiles are proposed in the construction along with the part use of render and oak detailing and either uPVC or aluminium matching windows to the entire rear elevation to reflect the more contemporary design of the proposed extension.
- 2.3. An amended proposed elevations drawing has been submitted to address minor scale inconsistencies in relation to the scale bar and submitted floor plans. No re-consultation has been undertaken given the scale and nature of the amendments.

3. Description of the site and surrounding area

- 3.1. The application dwelling lies within the settlement boundary of Peckleton on its north eastern edge and within a small residential cul-de-sac of similar detached dwellings and with open fields to the north. It is a two storey detached house with dual pitched gable sided main roof form and an 'L' shaped footprint as a result of a subordinate dual pitched two storey forward projection that includes double garaging. The front elevation has a subordinate dual pitched front gable of shallow depth with a ground floor bay window, open lean-to porch canopy roof, dual pitched half dormers at first floor, brick corbel eaves detailing, arched brick headers and slanted brick cills. The brick detailing continues on the other elevations. The dwelling is constructed of red/blue facing bricks, grey flat concrete roof tiles and white uPVC windows. The site provides four off-street parking spaces within the double garage and on the tarmac surfaced garage forecourt within the site frontage. There is a large rear garden and grassed paddock to the rear providing more than adequate private amenity space.
- 3.2. The neighbouring dwellings within the cul-de-sac are of similar scale, character and appearance with some variations in their design.

4. Relevant planning history

None.

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.
- 5.2. No responses have been received as a result of public consultation.

6. Consultation

- 6.1. No response has been received from Peckleton Parish Council.

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 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.
- 8.3. The Council's adopted Good Design Guide provides further advice in respect of the siting and design of house extensions and in respect of rear extensions 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. Where there are no public views into a site, a fully integrated two storey rear extension may be acceptable unless there is a detrimental impact on the adjacent properties as assessed by the 45 degree rule.'
- 8.4. The proposed two storey rear extension would have the same 10.6 metres width as the existing dwelling and be flush with both side elevations. Part of the extension

would also have matching eaves and ridge heights as the existing dwelling. Notwithstanding this, by virtue of the clearly subordinate width of the main rear elevation gable of this section, the clearly subordinate width and ridge height of the second rear gable and their appropriate and subordinate 4 metres depth, the proposals would nevertheless appear as being subordinate to the footprint of the existing dwelling and the scale of its main roof which would remain dominant. The definition of the side elevation gables on the main roof would also be retained through the retention of the roof bargeboards ensuring that, although of matching width, the main dwelling would be visually distinct from the extension.

- 8.5 The proposals represent a contemporary re-modelling of the rear elevation of the dwelling which would contrast with the character and appearance of the remainder of the dwelling and that of the neighbouring dwellings. The characteristic brick detailing and window proportions of the existing dwelling elevations would be replaced by much larger openings with full height glazing with little detailing other than an oak timber frame and rendering at first floor around a feature window. Notwithstanding this, these would be to the rear elevation only and would overlook grassed paddocks and open fields to the north where there would be no significant adverse visual impacts on the character or appearance of any street scene or the surrounding area. Other than the minimal use of off-white render and an Oak timber frame, matching corresponding facing bricks and roof tiles to the existing dwelling are proposed. The proposal includes the replacement of all windows to the rear elevation which are proposed to be either uPVC or aluminium and of matching appearance.

- 8.6 By virtue of the siting to the rear, scale, contemporary design and the proposed use of matching and complementary external materials to create a satisfactory overall appearance, the proposed extension and alteration would respect and complement the scale, character and appearance of the existing dwelling and would not result in any significant adverse visual impacts on the character or appearance of the wider street scene or surrounding area. The proposal is therefore considered to be in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 8.7 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.

- 8.8 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.'

- 8.9 The adjacent two storey dwelling to the east (No. 14) is set further forward of the application dwelling and its rear elevation is orientated such that it splays away from the application site. Notwithstanding its 4 metres depth and its scale, the proposed rear extension would be approximately 7.5 metres away from the nearest part of No. 14 and located to the north west. As a result, it would not extend beyond a 45 degree line drawn from any principal habitable room rear elevation windows or result in any significant adverse overbearing or overshadowing impacts on No. 14.

A new (secondary) first floor bedroom window is proposed in the existing east side elevation of the application dwelling that would face directly towards the rear garden of No. 14. Therefore, a condition to require this new window(s) to be obscurely glazed and non-openable below a height of 1.7 metres above the floor level of the room that it would serve would be reasonable and necessary in order to protect the privacy and amenity of the neighbouring occupiers.

- 8.10 The two storey dwelling to the west (No. 11) extends approximately 2 metres further back from the rear elevation of the application dwelling with a blank side elevation and its rear elevation is orientated such that it splays away from the application site. Notwithstanding its overall depth of 4 metres and its scale, the proposed rear extension would extend only approximately 2 metres beyond the rear elevation of No. 11 at a minimum separation distance of 3 metres. As a result, it would not extend beyond a 45 degree line drawn from any principal habitable room rear elevation windows or result in any significant adverse overbearing or overshadowing impacts on No. 11.
- 8.11 By virtue of the siting relative to neighbouring dwellings, the scale, design, separation distances and subject to the use of obscure and non-opening glazing where necessary, the proposals would have no significant adverse impacts on the residential amenity or privacy of any neighbouring properties. The proposals would therefore be in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide. No objections have been received from any neighbouring properties.

Impact upon parking provision

- 8.12 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.13 Notwithstanding its scale, by virtue of the proposed internal layout alterations, the proposals would result in larger bedrooms served by additional facilities rather than any additional bedroom numbers. In any case, the site currently provides four off-street parking spaces within the double garage and on the tarmac surfaced garage forecourt within the site frontage which would remain unaffected by the proposals. This level of provision would remain adequate to serve the existing/resulting five bedroomed dwelling and 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 relate to extension and alteration of an existing dwelling located within the settlement boundary of Peckleton 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 to the rear, scale, design and construction in matching and complementary external materials to ensure a satisfactory external appearance, the proposals would respect and complement the scale of the existing dwelling and would not result in any significant adverse visual impacts on the character or appearance of the existing dwelling, the street scene or the surrounding area or, subject the use of obscure/fixed glazing where necessary, the privacy or residential amenity of any neighbouring properties. The proposals would retain more than adequate private rear amenity space and adequate off-street parking provision of four spaces to serve the existing/resulting five bedroomed dwelling. The proposals are considered to be in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP and the general principles of the adopted Good Design Guide 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 Proposed Block Plan, Proposed Ground Floor Plan, Proposed First Floor Plan, Proposed Second Floor Plan all Drawing Nos. PHS01-01-23PL received by the local planning authority on 16 March 2023 and Proposed Roof Plan and Proposed Elevations Drawing No. PHS01-01-23PL received by the local planning authority on 9 May 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 be in accordance with the materials details submitted

within the Planning Application form and as detailed on the approved Proposed Elevations Drawing No. PHS01-01-23PL received by the local planning authority on 9 May 2023 and shall match the corresponding materials of the existing dwelling where relevant.

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).

4. Notwithstanding the submitted plans, the proposed new first floor secondary bedroom window in the existing east side elevation of the dwelling (facing 14 Hill Close, Peckleton) shall be fitted with obscure glazing to a minimum of level 3 of the Pilkington scale and non-openable below a height of 1.7 metres above the finished floor level of the room that it serves. Once so provided the window(s) shall be permanently so maintained as such at all times thereafter.

Reason: To safeguard the privacy and amenity of neighbouring dwelling from potential overlooking 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.