

Delegated Report

Planning Ref: 24/00578/HOU

Applicant: Mr D Fitzgeorge

Ward: Hinckley Castle



Hinckley & Bosworth
Borough Council

Site: 10 Friary Close Hinckley Leicestershire

Proposal: Two storey side extension and single storey front extension (following demolition of existing garage). Resubmission of 22/00181/HOU.

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 full planning permission for a two storey side extension and single storey front extension to a dwelling, 10 Friary Close, Hinckley. The side extension would be 2.8 metres in width and project 1 metre forward of the main front elevation at ground floor and for a total depth of 9.5 metres to be flush with the main rear elevation. At first floor the side extension would be flush with the main front elevation and extend only 2.5 metres in depth with a hipped pitched roof with the same main eaves height and lower ridge height to the main roof. To the rear of this a flat roof above the remaining ground floor would provide an external balcony area at first floor enclosed by a side wall and glazed balustrade to the rear elevation. A single storey front extension would extend 2 metres in width from the side of the 1 metre forward projection of the two storey side extension to provide an enclosed front porch with dual pitched gable fronted roof. The use of matching corresponding external materials is proposed in the construction. A flat roof garage attached to the side elevation would be demolished as part of the scheme. A replacement off-street parking space is proposed within the site frontage.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of Hinckley in a residential estate and at the end of a small cul-de-sac. It is a two storey detached house with a gable fronted design and flat roof garage attached to the right side elevation. It is constructed of dark red/brown facing bricks, off-white rendered panels to the front and rear elevations with matching protruding brick column detailing to each corner, plain grey concrete roof tiles and anthracite grey uPVC windows. The site has two off-street parking spaces, one in the garage and one on the concrete paved driveway to the frontage. There is a large enclosed rear garden.
- 3.2. The application dwelling lies at the end of a row of detached dwellings of similar scale, gable fronted design and style. There is a large block of flats and parking areas to the west (rear) of the site and extensive grassed church grounds to the north (side).

4. Relevant planning history

22/00181/HOU

- Two storey side extension and single storey front extension (following demolition of existing garage)
- Permitted
- 21.04.2022

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. 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) (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 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.
- 8.3. The adopted Good Design Guide states that:
'Two storey side extensions should appear smaller in scale and massing in order to be subordinate to the main dwelling. Any proposal for a two storey side extension should be set down from the ridge of the existing house and set back from the front elevation (the minimum distance for this should be 0.5 metres in both directions) unless in design terms this in itself would create an imbalance in the overall design of the property.'

- 8.4 The proposed two storey side extension would not be set back but would be flush with the front elevation at first floor and with the same eaves height but by virtue of its depth would have a clearly subordinate ridge to that of the main roof. In addition, by virtue of the prominence of the forward protruding (0.2 metres) brick column detailing to each corner, the 2.8 metres width being only marginally over half the width of the existing dwelling (5.2 metres) and the amended hipped roof form proposed, it is considered that the design would, nevertheless, maintain the dominance and character of the existing front gable design and the extension would still appear as a clearly subordinate addition to the existing dwelling. In addition, the proposal would be located at the end of a turning spur within the cul-de-sac and largely screened by the existing dwelling and therefore would not be a prominent feature in, or have any significant adverse impacts on, the detached character or appearance of the wider street scene. Therefore, the requirement for an extension to be setback is not considered to be necessary or critical in design terms in this case. The proposed first floor side balcony would be concealed from the public highway and enclosed by a side wall adjacent to the church grounds to the north and therefore would not be a prominent feature within the street scene or from public areas.
- 8.5 The proposed front extension would project only 1 metre forward of the front elevation with a total width of 5 metres and would have a dual pitched gable fronted roof over the new porch area which would reflect that of the main roof and a lean-to roof to the front of the proposed side extension which together with the proposed use of matching corresponding external materials throughout the construction would ensure satisfactory integration of the extension and a unified external appearance.
- 8.6 By virtue of the siting, scale, design and proposed use of matching corresponding external materials, it is considered that the proposal would respect and complement the scale, character and appearance of the existing dwelling and the wider street scene and would 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 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 By virtue of its siting between the far side elevation of the existing dwelling and open church grounds, and separation distances to any neighbouring properties, the proposal, including the external side balcony at first floor, would not result in any significant adverse overbearing or overshadowing impacts on any neighbouring dwellings or result in any significant loss of privacy to the occupiers of any neighbouring dwellings from potential overlooking. The proposed scheme 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

- 8.9 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design. The Council's adopted Good Design Guide states:

'Front extensions should not result in the loss of existing parking spaces where it would impact on the street scene and car parking provision.' and *'When a driveway is used in front of a garage it should be at least 5.5m long so that vehicles do not overhang the highway.'*

- 8.10 The proposal would not result in the creation of any additional bedroom space but would result in the loss of the existing garage. Notwithstanding that the proposed front extension would also reduce the depth of the frontage, sufficient space would remain for the provision of two off-street parking spaces of 2.5 metres width x 5.5 metres length. This level of provision would be adequate to serve the existing/resulting three bedroomed dwelling in this highly sustainable edge of town centre location with easy access to a full range of town centre facilities by alternative more sustainable transport means. The two spaces could be secured in a reasonable timescale and thereafter retained by a planning condition. The proposal would therefore be in accordance with Policy DM18 of the adopted SADMP, the Council's adopted Good Design Guide and the local highway authority design guidance standards for a three bedroomed dwelling.

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 extensions 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, design and proposed use of matching corresponding external materials, it is considered that the proposal would respect and complement the scale, character and appearance of the existing dwelling and the wider street scene. By virtue of its siting and separation distances to any neighbouring properties, the proposal would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties from potential overlooking. Adequate off-street parking of two spaces and adequate private rear amenity space of 110 square metres would be retained within the site. The proposal is 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 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 and Proposed Block Plan Drawing No. 21 122 04A received by the local planning authority on 17 June 2024 and Proposed Floor Plans and Proposed Elevations Drawing No. 21 122 08E received by the local planning authority on 10 July 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 extensions and alterations hereby permitted shall be in accordance with the approved Proposed Elevations Drawing No. 21 122 08E received by the local planning authority on 10 July 2024 and 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).

4. Within one month of the first occupation of the extension hereby permitted, a minimum of two off-street parking spaces, each with dimensions of 5.5 metres in length and 2.5 metres in width as detailed on the approved Proposed Block Plan Drawing No. 21 122 04A received by the local planning authority on 17 June 2024, shall have been provided and hard surfaced in permeable hard-bound materials within the frontage of the site and once so provided shall be permanently retained for such use and maintained as such at all times thereafter.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally in the interests of highway safety and in accordance with Policies DM17 and DM18 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.