

Delegated Report

Planning Ref: 23/00999/HOU

Applicant: Mr Adam Grant

Ward: Hinckley Clarendon



Hinckley & Bosworth
Borough Council

Site: 19 Florian Way Hinckley Leicestershire

Proposal: Car port and first floor 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 application seeks planning permission for a car port and first floor extension above supported by brick piers to the side of a dwelling, 19 Florian Way, Hinckley. The proposal would be 3.7 metres in width, set back 1 metre from the main front elevation and have a depth of 6.9 metres flush with the main rear elevation. The proposal would have matching eaves height as the existing dwelling and a subordinate ridge height. The use of matching corresponding external materials and architectural detailing is proposed in the construction.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of Hinckley on a large residential estate within a cul-de-sac. It is a two storey semi-detached house with gable sided main roof form within a row of four similar dwellings served by a shared private driveway. It has a rectangular footprint and plain fronted design other than a dual pitched roof open canopy porch roof. It is constructed of red facing bricks, with soldier headers and cills, string course and corbelled brick eaves detailing, red/brown concrete interlocking roof tiles and white uPVC windows. The site provides a minimum of two parking spaces on the 6 metres long tarmac driveway and hard standing to the side of the dwelling behind timber gates/fencing. The enclosed rear garden provides 65 square metres of private amenity space.
- 3.2. The surrounding area is characterised by two storey semi-detached and detached dwellings of similar age and appearance and a variety of designs. The application dwelling faces towards an area of grassed public open space to the west.

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 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 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:

'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.'

8.3 By virtue of its 3.7 metres width, the proposed two storey side extension would extend for over half the 5 metres width of the existing dwelling but would be set back 1 metres from the main front elevation, have the same eaves height but a subordinate ridge height to the main roof of the dwelling. Notwithstanding its width, by virtue of its set back and height, the proposal would not overwhelm the existing dwelling and would still appear as a clearly subordinate addition in general accordance with the adopted Good Design Guide for side extensions. The design includes appropriately proportioned windows of matching style and the use of matching external materials and architectural detailing is proposed to ensure a satisfactory and unified appearance. Notwithstanding that the proposal would extend almost up to the side boundary of the site, the neighbouring dwelling (No. 17) is set inside the boundary by 4 metres and is set slightly further forward such that the proposal would not result in any unacceptable or adverse terracing effect within the limited street scene of the short, shared driveway. In addition, the ground

floor of the proposal would not be visually prominent from the adjacent public open space by virtue of effective screening by the continuous 3 metres high mature hedgerow defining the open space boundary.

- 8.4 The rear of the plot provides up to 80 square metres of private amenity space although this has been reduced to 65 square metres by the erection of a detached outbuilding. The remaining/retained provision is considered to be acceptable to serve the resulting four bedroomed dwelling, particularly given the close proximity of the public open amenity space immediately to the west.
- 8.5 By virtue of the siting, scale, design and proposed use of matching corresponding external materials and architectural detailing, the proposal would respect and complement the scale, character and appearance of the existing dwelling and notwithstanding the proposed brick piers design would not result in any significant adverse visual impacts on the wider street scene. 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

- 8.6 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.
- 8.7 17 Florian Way is a two storey semi-detached house that lies to the south of the proposal and is set inside the side boundary by 4 metres with open parking between. The proposal would extend almost up to the side boundary of the site at two storey height. Notwithstanding this, by virtue of its position to the north, 4 metres separation and the near side elevation gable of No. 17 having only a half glazed side door, it is considered that the proposal would not result in any significant adverse overbearing or overshadowing impacts on No. 17 and there are no side facing windows proposed that would result in any loss of privacy to the occupiers from potential direct overlooking.
- 8.8 The proposal would be flush with the main rear elevation and therefore would maintain the existing separation distance of 9 metres to the rear garden boundary (which exceeds the minimum length of 7 metres within the adopted Good Design Guide) and the existing separation of 19 metres to the rear elevation principal habitable room windows of the neighbouring dwellings to the east (Nos. 9 and 11). By virtue of the separation distances, it is considered that the proposal would not result in any significant adverse overbearing or overshadowing impacts on Nos 9 or 11 Florian Way or result in any significant or unacceptable loss of privacy to the occupiers from potential direct overlooking. The first floor rear elevation window proposed would serve an en-suite bathroom/toilet.
- 8.9 By virtue of its siting, scale, design and separation distances it is considered that the proposal would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties and would therefore be in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide. No objections to the proposal have been received from the occupiers of any neighbouring properties.

Impact upon parking provision

- 8.10 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.11 The proposal would result in the creation of an additional fourth bedroom but would maintain a minimum of two off-street parking spaces on the 6 metres long and 4 metres wide tarmac surfaced driveway and within the proposed car port. This

level of provision would be one space short of the three spaces required by the local planning authority design guide for a four bedroomed house. Notwithstanding this, the existing driveway is used to park two cars (albeit less than highway authority design guide width) and by virtue of the location of the dwelling within a highly sustainable urban location with easy access to a full range of services and facilities by alternative more sustainable transport means it is considered that two spaces would not be unacceptable in this particular case. In addition, the potential exists to marginally extend the driveway width from 4 metres to 4.8 metres to meet the local highway authority design guide and enable a third space to be provided (if necessary) in the future. The proposal is therefore considered to be acceptable in terms of Policy DM18 of the adopted SADMP and local highway authority design guidance.

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 alteration 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 its siting, subordinate scale, design and subject to the proposed use of matching external materials and architectural detailing, the proposal would respect and complement the scale, character and appearance of the existing dwelling and wider street scene. By virtue of its siting, scale, design and separation distances the proposal would not result in any significant adverse overbearing or overshadowing impacts or result in any loss of privacy to the occupiers of any neighbouring properties. Adequate off-street parking for a minimum of two vehicles and private rear amenity space of approximately 65 square metres would be retained within the site. 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: Location Plan and Proposed Site Plan Drawing No. B23/19/S01 and Proposed Floor Plans and Elevations Drawing No. B23/19/P01 received by the local planning authority on 11 October 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 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 buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.