

PLANNING STATEMENT

IN SUPPORT OF A PROPOSED LAWFUL DEVELOPMENT CERTIFICATE

PROPOSED (C3 Dwelling to 5-Person C4 HMO) AND SINGLE STOREY REAR EXTENSION

2 GLENBARR DRIVE, HINCKLEY LE10 0UT

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1.0 INTRODUCTION & PURPOSE

- 1.1 The supporting Planning Statement is to support a Proposed Lawful Development for a 5 Person HMO and single storey rear extension at No. 2 Glenbarr Drive, Hinckley LE10 0UT
- 1.2 This Statement has been prepared in accordance with the requirements of the Town and Country Planning Act 1990 (as amended by the Planning and Compulsory Purchase Act 2004) and the provisions of the Town and Country Planning (General Development Procedure) (Amendment) Order 2010 and Town and Country Planning (Development Management Procedure) (Amendment) Order 2015.

2.0 SITE LOCATION

- 2.1 The site is located on the corner of Glenbarr Drive and Roston Drive.

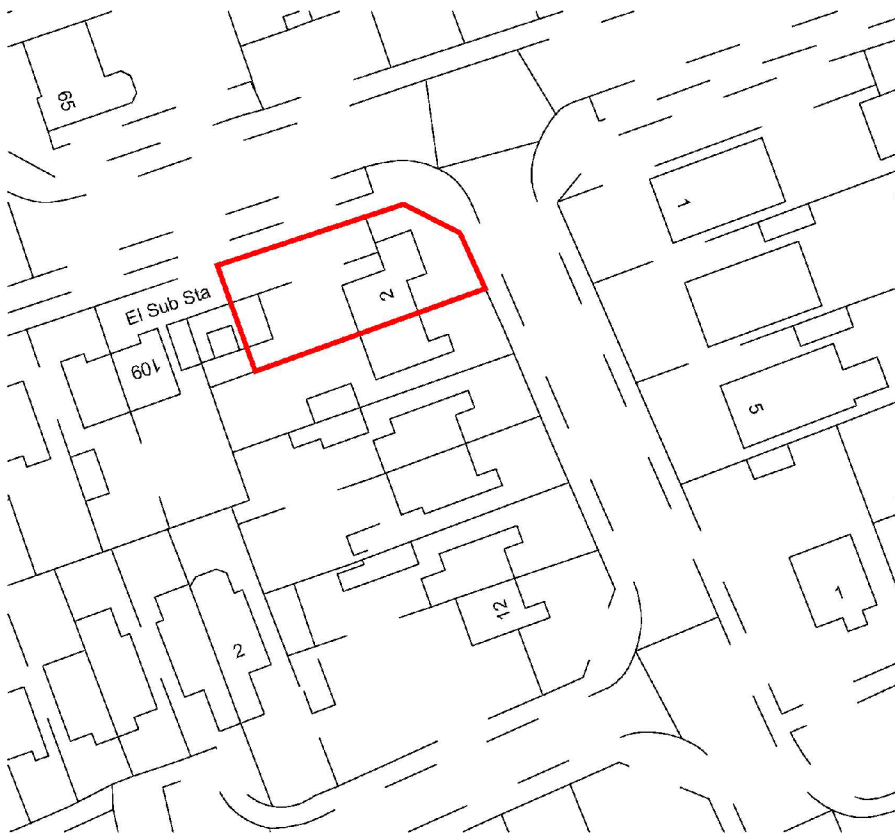


Fig 1. Site Location Plan



Fig 2. 2 Glenbarr Drive



Fig 3. 2 Glenbarr Drive

3.0 PHYSICAL CONTEXT

- 3.1 The application site lies 0.8 miles West of Hinckley Town Centre.
- 3.2 The site lies within an established Residential area and is a 3 Bed Semi-detached Property.
- 3.3 The house sits on the corner of Genbarr Drive and Roston Drive with a long rear garden including a garage at the bottom of the garden, which is accessed off Roston Drive and parking for the dwelling is off the Public Highway with a space to the front of the garage and linear parking adjacent to the boundary wall of the property.
- 3.4 The Northern brick boundary of the site faces on to Roston Drive.
- 3.5 The Southern timber fence lined boundary adjoins No. 4 Glenbarr Drive.
- 3.6 The Eastern boundary of the site being the front elevation and garden faces onto Glenbarr Drive.
- 3.7 The site covers approximately 317m².

4.0 SOCIAL CONTEXT

- 4.1 The site is comprises of a family home, rear garden and garage with associated parking.
- 4.2 It is within an area that has established Residential houses.
- 4.3 The nearby buildings are not Listed and the site is not within a Conservation area.
- 4.4 Its change of use and extensions to the property would be within keeping and character of the area.
- 4.5 The site is not identified by the Environment Agency as being at risk of flooding.

5.0 PROPOSAL

- 5.1 The application seeks Lawful Development for a 5 Person HMO and single storey rear extension.
- 5.2 There shall be 2 bedrooms with access to shower facilities on the first floor and a further 3 bedrooms with shower facilities on the ground floor, one bedroom using a previously extended side extension and the other 2 bedrooms within the proposed rear extension. There will be an open plan kitchen and dining area for the use of the residents along with the garden amenity area.
- 5.3 The proposed extension size will be 2775mm in depth, 5358mm in width (allowing for 150mm offsets from boundary fence and end of house) and 2750mm in height from Finished Ground level to top of finished roof.
- 5.4 The proposed conversion of the main house to an HMO does not constitute with any material changes and the extension proposed will be constructed of materials to be in keeping with the existing house.

6.0 SCALE

- 6.1 The height of the extension will be under 3m.

7.0 APPEARANCE

- 7.1 The proposed materials shall be constructed of brick, white upvc windows and doors and a GRP flat roof to match the existing house.

8.0 The Town and Country Planning (General Permitted Development) (England) Order 2015

- 8.1 It is contended that the proposed the 5 Person HMO single storey side extension is Permitted Development and therefore does not require Planning Permission because it satisfies the relevant criteria of the General Permitted Development Order.

Permitted Development

A. The enlargement, improvement or other alteration of a dwellinghouse.

(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class [F1G,] M, [F2MA,] N, P [F3, PA] or Q of Part 3 of this Schedule (changes of use);

(b) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse); **Proposals would not exceed 50% of the total garden area.**

(c) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse; **Proposals would not exceed the highest part of the house.**

(d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse; **Proposals would not exceed the height of the eaves of the house.**

(e) the enlarged part of the dwellinghouse would extend beyond a wall which—

(i) forms the principal elevation of the original dwellinghouse; or

(ii) fronts a highway and forms a side elevation of the original dwellinghouse;

Proposals would not extend beyond wall forming the principle elevation and fronts a highway and forms a side elevation.

(f)subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and—

(i)extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or

Proposals would not extend beyond the rear wall by 3m.

(ii)exceed 4 metres in height;

Proposals would not exceed 4m in height.

(g)F4...for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—

(i) **Would not** extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or

(ii) **Would not** exceed 4 metres in height;

(h)the enlarged part of the dwellinghouse **Would not** have more than a single storey and—

(i) **Would not** extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or

[F5(ii) **Would not be** within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse;]

(i)the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part **would not** exceed 3 metres;

(j)the enlarged part of the dwellinghouse **would not** extend beyond a wall forming a side elevation of the original dwellinghouse, and would—

(i) **Would not** exceed 4 metres in height,

(ii) **Would not** have more than a single storey, or

(iii)**Would not** have a width greater than half the width of the original dwellinghouse; F6...

[F7(ja)any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j);]

(k)it **would not** consist of or include—

(i)the construction or provision of a verandah, balcony or raised platform,

(ii)the installation, alteration or replacement of a microwave antenna,

(iii)the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or

(iv)an alteration to any part of the roof of the dwellinghouse [F8; or]

[F9(l)the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses).]

A.2 The proposed extension **is not** situated on article 2(3) land.

A.3 Development is permitted by Class A subject to the following conditions—

(a)the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior **would match** of the existing dwellinghouse;

(b)any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be—

(i)obscure-glazed, and

(ii)non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and

[F11(c)where the enlarged part of the dwellinghouse has more than a single storey, or forms an upper storey on an existing enlargement of the original dwellinghouse, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse.]

As the proposed extension will not contain any upper floor windows and is of single storey construction, conditions (b) and (c) above do not apply.

9.0 The Town and Country Planning (General Permitted Development) (England) Order 2015, Cross Heading: Class L – small HMOs to dwellinghouses and vice versa.

9.1 PERMITTED DEVELOPMENT FOR SMALL HMO'S

Small HMOs (Use Class C4, up to 6 residents) benefit from Permitted Development (PD) rights, allowing changes between C3 (dwellinghouse) and C4 without planning permission. It also allows for specific, controlled extensions, loft conversions and alterations.

Legislation:

Permitted development

L. Development consisting of a change of use of a building—

(a)from a use falling within Class C4 (houses in multiple occupation) of the Schedule to the Use Classes Order, to a use falling within Class C3 (dwellinghouses) of that Schedule;

(b)from a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order, to a use falling within Class C4 (houses in multiple occupation) of that Schedule. **Applies.**

There is no known Article 4 Direction used by the local authority in where permitted development rights have been removed.

10.0 HMO STANDARDS

- 10.1 Planning permission for HMOs Houses can be converted to HMOs without making a planning application, so long as it has six or fewer people living in it. If there are more than six people, a planning application will be required, which is not the case in this application.
- 10.2 Hinckley and Bosworth Borough Council webpage for HMO's as per link below provides full criteria for HMO's of which evidence base is provided to match the space sizing criteria:

https://www.hinckleybosworth.gov.uk/info/898/house_in_multiple_occupation_hmo/244/house_in_multiple_occupation_hmo_-_licence_fees_and_rules/2

- 10.3 Minimum size of bedrooms - (currently under review, subject to change)
If the bedroom is occupied by a single person:

- 6.52 square metres is the minimum required bedroom size
If the bedroom is occupied by two people:
- 10.23 square metres is the minimum required bedroom size

All bedrooms accord to the min. space size of 6.52m² (excluding shower facilities) and occupied by a single person:

Bedroom 1 total area: 6.8m²

Bedroom 2 total area: 7.5m²

Bedroom 3 total area: 9.1m²

Bedroom 4 total area: 9.0m²

Bedroom 5 total area: 9.2m²

- 10.4 Minimum size of common rooms required - (currently under review, subject to change)

All kitchens require a minimum width of 1.8 metres to allow occupants to move around safely.

If the HMO is occupied by one to five people:

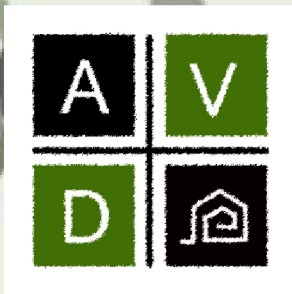
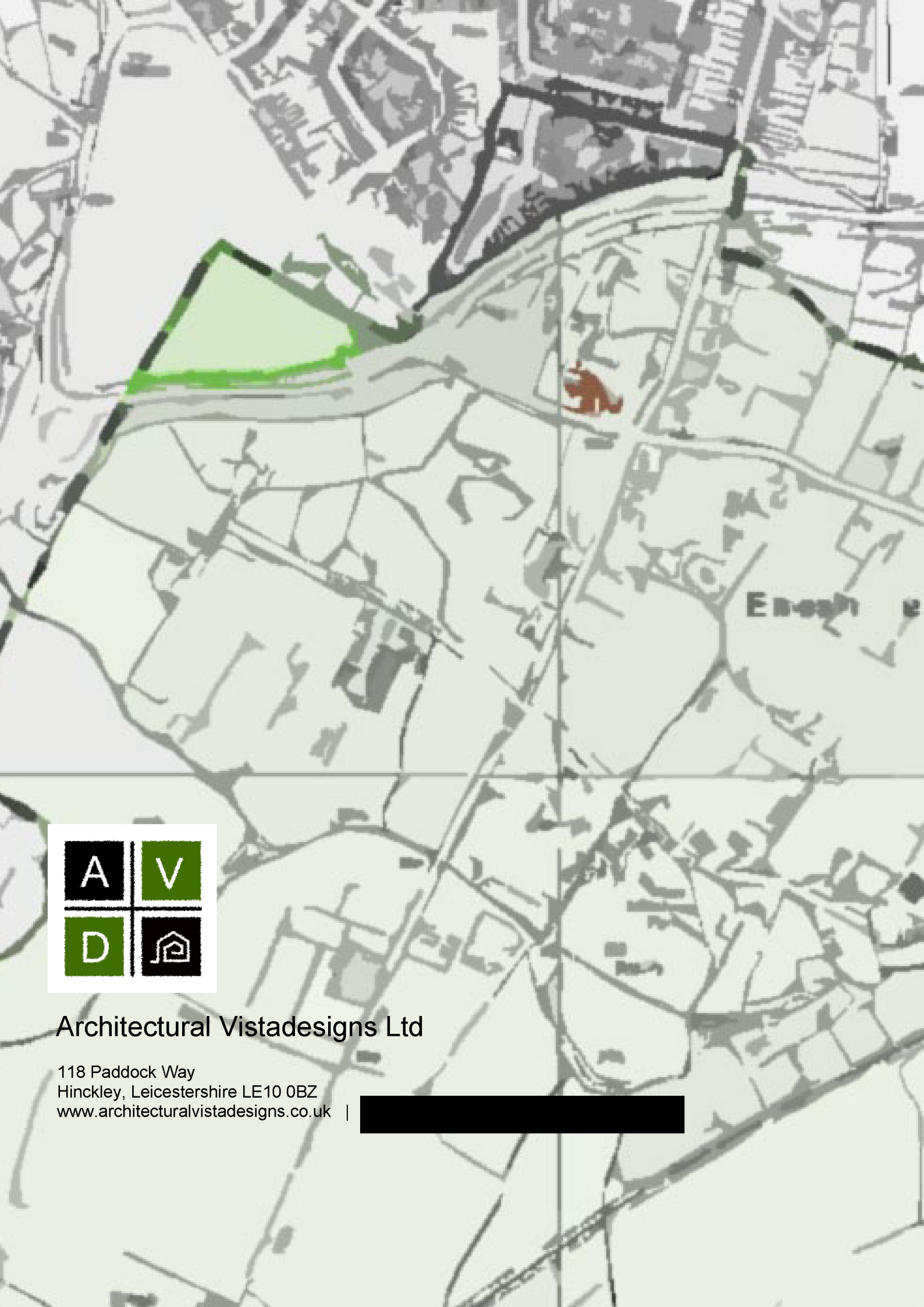
The kitchen must have a minimum size of 7 square metres and there

must be an additional living room or dining room with a minimum size of 11 square metres, or there must be a kitchen diner with a minimum size of 16.5 square metres

A combined kitchen and dining room is proposed with total floor area of 17.9m² which is above the threshold level of 16.5m² as shown on the application plans submitted.

11.0 CONCLUSION

- 16.1 The proposals would appear to have minimal impact on the the surrounding area, which is predominantly surrounded by residential.
- 16.2 The proposed single storey extension satisfies all the relevant criteria of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, is permitted development and thus does not require planning permission. The erection of the proposed extension would therefore be lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended).
- 16.3 The proposed (C3 Dwelling to 5-Person C4 HMO) change of use satisfies all the relevant criteria of the Town and Country Planning (General Permitted Development) (England) Order 2015, Cross Heading: Class L – small HMOs to dwellinghouses and vice versa.
- 16.4 A positive Certificate of Lawful Development for the change of use C3 Dwelling to 5-Person C4 HMO and the proposed extension should be granted based on the evidence outlined in this statement and supporting plans.



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