

Delegated Report

Planning Ref: 24/00723/HOU
Applicant: Mr Cameron Murphy
Ward: Hinckley DeMontfort



Hinckley & Bosworth
Borough Council

Site: 34 Middlefield Place Hinckley Leicestershire

Proposal: Single storey side and 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. The application seeks full planning permission for a single storey side and rear extension at 34 Middlefield Place, Hinckley.
- 2.2. The proposed single storey side extension would project outwards from the existing side elevation by 3.00 metres and would feature a depth of 12.29 metres.
- 2.3. The proposed single storey rear extension would project outwards from the existing rear elevation by 3.00 metres and would feature a width of 5.00 metres.
- 2.4. The extensions would form an L-shaped design and would host a mono-pitched roof which would hip at the join measuring 2.62 metres to the eaves and 3.97 metres to the ridge.
- 2.5. Additional alterations include the installation of five Velux roof lights, two sets of French doors to the rear (one hosting half panel side lights), a single pane window and a door to the side elevation and a two pane window to the front elevation.
- 2.6. The proposed external materials would match those of the existing dwelling.
- 2.7. Amendments were sought during the application process.

3. Description of the site and surrounding area

- 3.1. The application site relates to a two-storey semi-detached residential dwelling, situated within the settlement boundary of Hinckley. The residential development, which accommodates eight additional dwellings to the application site was approved in June 2016 (15/00402/OUT).
- 3.2. The dwelling compromises the use of red brick to the walls, grey tiles to the pitched roof and white uPVC to the windows. A bay window and pitched front canopy line the principle elevation, forward of which sits a gravelled hardstanding hosting a generous off street parking provision for around three vehicles. The land levels at the site can be observed to slope to the north-east.
- 3.3. The immediate street scene is significantly uniform in design, scale and finish from all orientations par the south-east which compromises a mixture of designs, scales and finishes.

4. Relevant planning history

15/00402/OUT

- Erection of up to 9 dwellings (outline - access only)
- OUT
- 22.06.2016

16/00729/REM

- Application for approval of reserved matters (appearance, landscaping, layout and scale) of outline planning permission 15/00402/OUT for the erection of 9 dwellings
- APRREM
- 02.11.2016

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. No objections have been received.

6. Consultation

- 6.1. None relevant.

7. Policy

- 7.1. Core Strategy (2009)
 - Policy 1: Development in Hinckley
- 7.2. Site Allocations and Development Management Policies 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)

8. Appraisal

- 8.1. Key Issues
 - Design and impact upon the character of the area
 - Impact upon neighbouring residential amenity
 - Impact upon highway safety

Design and impact upon the character of the area

- 8.2. Policy DM10 of the SADMP requires new development to complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.

- 8.3 The application seeks full planning permission for a single storey side and rear extension at 34 Middlefield Place, Hinckley.
- 8.4 The Council's Good Design Guide seeks to ensure that rear extensions are 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.
- 8.5 The Council's Good Design Guide seeks to ensure that side extensions appear smaller in scale and massing in order to be subordinate to the main dwelling. It also seeks to ensure that side extensions are set back from the front elevation by 0.50 metres.
- 8.6 The proposed single storey rear extension would be situated approximately 0.13 metres from the shared residential curtilage to the south-east, and would host a 3.00 metre projection. It would adjoin onto the proposed single storey side extension to the north-west forming an L-shaped design. The proposed side extension would be situated 0.25 metres from the principle elevation, not according with the guidance as set out within the Council's Good Design Guide, nevertheless as the extension is of a single storey nature the setback distance is considered appropriate in relations to the minor nature of the scheme and positioning of the plot to the corner of the cul-de sac, which would screen a generous proportion of the extension. It is also noted that the scheme originally sought consent for the extension to sit in line with the principle elevation of the dwelling and therefore the revision is considered a positive improvement.
- 8.7 The extensions would host a mono-pitched roof which would hip at the join measuring 2.62 metres to the eaves and 3.97 metres to the ridge, reflecting the design of the existing dwelling which features a pitched design. The ridge height would sit immediately below the sill of the existing first floor windows, appearing to be a subordinate addition.
- 8.8 Additional alterations include the installation of five Velux roof lights, two sets of French doors to the rear (one hosting half panel side lights), a single pane window and a door to the side elevation and a two pane window to the front elevation. The proposed windows would be of a matching design to those used on the existing dwelling and the proposed doors would be a complementary addition. Particular observation has been given to the front window which is to host a brick arch detailing, which is welcomed as it complements the existing design features of the dwelling.
- 8.9 The proposed materials would match the materials of the existing dwelling.
- 8.10 In light of the above, it is considered that the proposal would complement the character of the existing dwelling and surrounding area and therefore complies with Policies DM1 and DM10 of the SADMP and the Good Design Guide SPD.

Impact upon neighbouring residential amenity

- 8.11 Policy DM10 of the SADMP states that proposals should not adversely affect the occupiers of the neighbouring properties.
- 8.12 The Council's Good Design Guide seeks to ensure that the 45 degree rule is applied for planning applications for new buildings and extensions to existing properties which might affect the outlook from or daylight to a neighbouring property. This rule ensures consistency and fairness between applicants and their neighbours.
- 8.13 The proposed single storey rear extension would feature a projection of 3.00 metres, which would breach the 45 degree rule when assessed from the nearest

principle window of 32 Middlefield Place as demonstrated within the submitted Proposed Ground Floor Plan and Elevations, Drg No. 24040-03 Rev B. It is therefore noted that there would be a degree of impact upon the occupiers, nevertheless, the permitted development rights at the site remain intact and therefore refusing the application on this ground alone would hold a significantly limited weight. No additional windows are proposed to the south-east elevation.

- 8.14 The proposed extensions would be situated approximately 20.57 metres from the nearest neighbouring dwelling to the north-east, 18 Donald Cobley Close. The land levels on the site are observed to slope to the north-east, resulting in the application site sitting on raised levels, however due to the minor nature of the proposal there are not considered to be any overbearing impacts, attention should also be paid to section 8.12 of the report in regards to permitted development rights that the site possesses. Two sets of French doors to the rear are proposed, one hosting half panel side lights. Although the openings feature a slight different layout and position to the existing openings, they are not considered to contribute to any additional harm that the existing. Two Velux roof lights are proposed to the rear roof slope of the dwelling, however they would allow no additional overlooking.
- 8.15 The proposed single storey side extension would be situated approximately 12.20 metres from the neighbouring dwellings to the north-west. To boundary line sits 2.00 metre high timber fencing along with planting to the boundary of 8 Donald Cobley Close and a generous outbuilding to the boundary of 10 Donald Cobley Close, the proposed extension will therefore host a percentage of screening. A window is proposed to the utility room, which is to be obscure glazed and a side access is proposed to the snug/study which will feature a blank design. Three Velux roof lights are proposed to the rear roof slope of the dwelling, however they would allow no additional overlooking.
- 8.16 A two pane window is proposed to the front elevation of the side extension, however due to the separation distance of approximately 18.50 metres and the adjacent outlook being a metal framed shed which features no windows, the proposal is not considered to impact the privacy of 33 Middlefield Place.
- 8.17 By virtue of the above it is considered that the proposal would comply with Policies DM1 and DM10 of the SADMP and the Good Design Guide SPD.

Impact upon highway safety

- 8.18 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.19 The proposed scheme would not involve the increase in the number of habitable rooms that the dwelling hosts, however would be situated on a section of existing hardstanding, which contributes to the off-street parking provision at the site. Therefore, consideration is required be given to whether the extension would result in an insufficient off-street parking provision at the site.
- 8.20 Part 3 of the Leicestershire Highways Design Guide seeks to ensure that dwellings with 3 or less bedrooms host a minimum parking provision for two off-street parking spaces.
- 8.21 Part 4 of the Leicestershire Highways Design Guide seeks to ensure that the minimum parking size is 2.40 metres x 5.50 metres. 0.50 metres should be added if bounded by a wall, fence, hedge, line of trees or other similar obstructions on 1 side, and 1.00 metre if bounded on both sides.

- 8.22 The remaining hardstanding at the site following development would be 9.30 metres x 9.20 metres, and therefore there would be no adverse impact upon the off-street parking provision.
- 8.23 By virtue of the above, the proposal complies with Policy DM18 of the SADMP and Part 3 and Part 4 of the Leicestershire Highway Design Guide in this aspect.

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.

10. Conclusion

- 10.1. The proposal is located within the settlement boundary of Hinckley and is for a single storey side and rear extension at 34 Middlefield Place, Hinckley, therefore there is a presumption in favour of sustainable development as set out in Policy DM1 and the wider policies of the NPPF.
- 10.2. For the reasons given in the report above, it is considered that the proposed scheme of extensions and alterations would respect the overall scale, character and appearance of the existing dwelling and street scene. The proposals would not result in any significant adverse overbearing or overshadowing effects or result in any loss of privacy to the occupiers of any neighbouring properties and would neither impact the parking provision. The proposal is considered to be in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP, the adopted Good Design Guide, Leicestershire Highways 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 materials to be used externally shall accord with the approved application form, as received by the Local Planning Authority on the 26th July 2024.

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) and the Councils Good Design Guide.

3. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

- Site Location Plan
- Block Plan
as received by the Local Planning Authority on the 26th July 2024.
- Proposed Ground Floor Plan and Elevations 24040-03 Rev B
as received by the Local Planning Authority on the 3rd September 2024.

Reason: To ensure a satisfactory form of development in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the Councils Good Design Guide.

4. The window to the ground floor side elevation hosting the utility room shall be fitted with obscure glazing to a minimum of level 3 of the Pilkington scale and non-openable. Once so provided the window shall be permanently maintained as such at all times thereafter.

Reason: To safeguard the privacy and amenity of neighbouring dwellings from potential overlooking in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the Councils Good Design Guide.

11.3 Notes to applicant

- a.) 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.