

Delegated Report

Planning Ref: 24/00180/HOU

Applicant: Mr and Mrs D. Mason

Ward: Hinckley



Hinckley & Bosworth
Borough Council

Site: 50 King Richard Road Hinckley Leicestershire LE10 0HL

Proposal: Single storey rear and side extension and conversion of store into garage

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 single storey rear and side extension and conversion of an existing store into a garage at 50 King Richard Road, Hinckley.

2.2. The proposed single storey rear extension measures 3 metres in depth. The side extension has a depth of 5.1 metres. Both side and rear extensions create an L shape to an overall width of 11.9 metres. The extension has a flat roof to a height of 3 metres. The conversion of the existing store only includes inserting a new roller shutter garage door to the front elevation.

2.3. The extension is constructed with K rend polymer coated render for the wall, rubberised roof felt and uPVC windows and doors to match existing.

3. Description of the site and surrounding area

The application site is located within the settlement boundary of Hinckley. The two storey semi-detached dwellinghouse is brick built, has a hipped roof form, white uPVC windows and an attached single storey flat roof store, and a front paving driveway. The dwelling is not listed and not within a conservation area.

The surrounding street scene has a mix of render and brick built two storey semi-detached and bungalows.

4. Relevant planning history

None.

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. LCC highways has no objection to this application.

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 dwellings 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:

Rear and side 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. and,

'Flat roofs on extensions will not normally be considered appropriate where they do not form part of the original design of the house, however in some circumstances where they are not visible from the public realm and the use of a flat roof may result in a reduced visual impact, they may be considered acceptable, particularly if designed with a contemporary aesthetic style.'

8.3 The rear extension covers the full width of the main dwelling, replaces the existing rear conservatory, joins the side extension to create an L shaped extension and extends the existing kitchen/lounge and create a new sitting room. The rear extension measures 3 metres in depth. The side extension has a depth of 5.1 metres. Both extensions have an overall width of 11.9 metres. The extension has a flat roof to a height of 3 metres. The extension has appropriately proportioned windows and doors that complement the main dwelling. The existing attached store is converted into a garage. The store is slightly set back. The conversion only includes the insertion of a new roller shutter garage door and removal of the existing door, window and a section of the front wall. This does not impact on the character of the area as the surrounding environment has a few dwellings with similar garage doors.

8.4 The side and rear extension are clearly subordinate to the main dwelling. They are not viewable from the street. They have a similar height to the existing attached

store. The flat roof design is a character of the existing dwelling. The height, width and depth of the extension are appropriate. The external materials are K rend polymer coated render for the wall, rubberised roof felt and uPVC windows and doors to match existing.

- 8.5 By virtue of its siting, scale and design, it is considered that the proposed rear and side extensions respect and complement the scale, character and appearance of the existing dwelling and have no significant or unacceptable adverse visual impacts on the character or appearance of the street scene or surrounding area. The proposal is therefore considered to be acceptable in design terms and 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 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. 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.'

- 8.7 The rear and side extension are single storey in scale. It extends up to both side boundaries of the dwelling. The depth of the extension on the east elevation remains the same as the depth of the existing conservatory and the overall height of the extension is subservient to the existing dwelling, therefore there is no significant overbearing impact or loss of light impact on the rear door of 52 King Richard Road. 48 King Richard Road has a side and rear elevation window. Due to the appropriate dimensions of the extension, there is no significant overbearing or loss of light impacts on 48 King Richard Road. The side window at 48 King Richard Road serves a bathroom (not habitable) and there is an approximate 1 metre separation distance between the west boundary and 48 King Richard Road. The existing 1.8 metres boundary fence separates the gardens of both adjoining neighbours (No. 48 and 52). The extension has no side facing window and no significant loss of privacy or overlooking into the gardens of adjoining properties. The extension does not result in any significant overbearing impact on adjacent properties and no significant breach of the 45 degree rule as the extension has a single storey scale.

- 8.8 The proposal has no significant or unacceptable adverse overbearing or overshadowing impacts or any loss of privacy to the neighbouring occupiers, as a result of its appropriate scale, siting and the relationship to neighbouring dwellings. The proposal is therefore in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide. No objections to the proposal have been received from the occupiers of any neighbouring properties.

Impact upon parking provision

- 8.9 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.10 The proposal does not create additional bedroom. The site frontage has a paved front hardstanding driveway and a proposed garage. The driveway has the capacity

to hold three off street cars to serve the resulting dwelling in accordance with the local highway authority design guide standards and this provision is unaffected. This level of provision is adequate to serve the dwelling in this urban location with easy access to a full range of services and facilities available by alternative and more sustainable transport means. The proposal is therefore in accordance with Policy DM18 of the adopted SADMP and the local highway authority design guidance 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 proposal is for an extension to an existing dwelling within the 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, single storey subordinate scale, design, complementing external materials and relationship to neighbouring dwellings, the proposed rear and side extension respect the scale, character and appearance of the existing dwelling and has no significant or unacceptable adverse visual impacts on the character or appearance of the street scene or surrounding area. There are no significant or unacceptable adverse impacts on the privacy of the occupiers of any neighbouring properties. Adequate off-street parking and private amenity space is retained within the site to serve the dwelling in accordance with design guidance. The proposal is in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP, the general principles of the adopted Good Design Guide and the local highway authority 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: Site Location Plan Drawing Number 1640/LPI, Block Plan Drawing Number 1640/BPI, Proposed Floor Plan and Elevation Drawing Number 1640/p02 received by the local planning authority on 26 February 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 extension and alteration shall be in accordance with the external materials details provided within the Planning Application form and the approved plans and elevation.

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 building.control@blaby.gov.uk or call 0116 272 7533.