

Delegated Report

Planning Ref: 24/00288/HHGDO
Applicant: Mr Faizal Osman
Ward: Hinckley Clarendon



Hinckley & Bosworth
Borough Council

Site: 5 John Nichols Street Hinckley Leicestershire LE10 0LB

Proposal: Single storey rear extension measuring 4.65 metres in depth, 3.9 metres in height to the ridge, and 2.9 metres to the eaves height.

1. Recommendation:

Prior Approval Not Required

This is an application to determine if prior approval is required under Condition A.4. of the Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 1, Class A for a larger home extension.

2. Planning application description

The application relates to a larger home extension notification of a single storey rear extension measuring 4.65 metres in depth from the original wall, 3.9 metres in height to the ridge and 2.9 metres to the eaves. The extension has an approximate area of 34.6 square metres.

3. Description of the site and surrounding area

The application site relates to a two storey semi-detached property within the settlement boundary of Hinckley. It is brick built, has white uPVC windows hipped roof form, set back from the public highway and a front loose stones driveway. The dwelling is not listed and not within a conservation area.

4. Relevant planning history

- 21/00861/HHGDO
- Single storey rear extension measuring 4.3 metres in depth, 3.60 to the ridge and 2.9 metres to the eaves.
- GDO Prior Approval Not Required
- 09.08.2021

5. Consultation

Not required for this application type.

6. Publicity

The following neighbouring properties were notified of the application:

- 3 John Nichols Street Hinckley Leicestershire LE10 0LB
- 4 John Nichols Street Hinckley Leicestershire LE10 0LB
- 7 John Nichols Street Hinckley Leicestershire LE10 0LB
- 22 Amanda Court King Georges Way Hinckley Leicestershire LE10 0JQ
- 23 Amanda Court King Georges Way Hinckley Leicestershire LE10 0JQ
- 24 Amanda Court King Georges Way Hinckley Leicestershire LE10 0JQ
- 25 Amanda Court King Georges Way Hinckley Leicestershire LE10 0JQ
- 26 Amanda Court King Georges Way Hinckley Leicestershire LE10 0JQ

No responses have been received

7. Policy

Condition A.4 of the Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 1, Class A, National Planning Policies and Guidance.

8. Appraisal

The main consideration in respect to this notification is whether any neighbouring properties have objected and whether the development will impact upon the amenity of any adjoining neighbour.

The application relates to a notification for a larger home extension for a single storey rear extension measuring 4.65 metres in depth from the original wall, 3.9 metres in height to the ridge and 2.9 metres to the eaves. The extension has an approximate floor area of 34.6 metres. The dwelling has a large garden. The extension is just to the north boundary but has a lower eaves height of 2.9 metres, however, 7 John Nichols Street has no intervening structure close to the boundary. The extension has a large separation distance to the south boundary. The extension is to the rear and not viewable from the street scene. It is clearly subordinate to the main dwelling. It has no significant impact on neighbouring properties and no comments have been received as a result of the neighbouring notification.

The determination of this application is assessed on whether the proposed development falls within permitted development for a Larger Homes Extension as set out under The Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2 Part 1, Class A (as amended). For the purpose of Class A (enlargement, improvement or other alteration of a dwellinghouse).

Development is not permitted if:-

- a) Permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use);

Permission to use the dwellinghouse as a dwellinghouse has not been granted by Class G, M, MA, N, MA, P, PA or Q of Part 3 of this Schedule.

- 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);

The area of the proposed extension does not exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse).

- 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;

The proposed extension does not exceed the height of the existing dwellinghouse.

- 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;

The eaves of the proposed extension do not exceed the eaves height of the existing dwellinghouse.

- e) The enlarged part of the dwellinghouse would extend beyond a wall which:-
 - (i) forms the principal elevation of the original dwellinghouse; or
 - (ii) front a highway and forms a side elevation of the original dwellinghouse.

The proposed extension does not extend beyond the principal elevation of the original dwellinghouse and does not front a highway.

- 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
 - (ii) exceed 4 metres in height;

The extension exceeds 3 metres

- g) For a dwellinghouse not on article 2(3) land nor on a site of specific scientific interest the enlarged part of the dwellinghouse would have a single storey and-
 - (i) Extend beyond the rear wall of the 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) Exceed 4 metres in height;

The development does not extend beyond the rear wall by more than 6 metres and does not exceed 4 metres in height.

- h) The enlarged part of the dwellinghouse would have more than one storey and:-
 - (i) Extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or
 - (ii) Be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of the dwellinghouse.

The proposed extension is a single storey.

- 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 exceed 3 metres;

The proposed extension is within 2 metres of the boundary of the curtilage of the dwellinghouse but the eaves does not exceed 3 metres in height.

- j) The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would :-
 - (i) Exceed 4 metres in height.
 - (ii) Have more than one storey, or
 - (iii) Have a width greater than half the width of the original dwellinghouse.

The extension does not extend beyond a wall forming a side elevation

- 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 limit set out in sub-paragraphs (e) to (j);

The proposed extension is to the rear of the dwellinghouse.

- k) It would consist of or include:-
- (i) The construction or provision of a veranda, 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 or

The extension does not consist of or include any of the above

- (l) the dwellinghouse is built under Part 20 of this schedule (construction of new dwellinghouses)

The proposed dwellinghouse is not built under Part 20 of this schedule (construction of new dwellinghouses).

A.2 In the case of a dwellinghouses on article 2(3) land, development is not permitted by Class A if –

- (a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;
- (b) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or
- (c) the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.
- (d) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceed or would exceed the limits set out in sub-paragraph (b) and (c).

The dwellinghouse is not on article 2(3) land.

Conditions

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 of the existing dwellinghouse;

Matching external materials are proposed for the extension.

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. Recommendation

The proposal complies with the permitted development for a Larger Homes Extension as set out under The Town and Country Planning General Permitted Development) (England) order 2015 Schedule 2 Part 1, Class A (as amended). There is no neighbour objection and the proposal does not significantly impact on neighbouring properties.

Prior Approval Not Required

This application has been determined having regard to the following documents and plans submitted with the application:

- Site Location Plan and Proposed Block Plan Drawing Number 002
Received by the Local Planning Authority on 28.03.2024.

Notes to applicant

- This permission does not grant approval under the Building Act 1984 and the Building Regulations 2010 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section