

Delegated Report

Planning Ref: 23/00735/HOU

Applicant: Mr Ali Kulhas

Ward: Hinckley Castle



Hinckley & Bosworth
Borough Council

Site: 37 Trinity Vicarage Road Hinckley Leicestershire LE10 0BU

Proposal: Single storey rear extension and first floor 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 two-part single storey rear extensions and first floor extension to a dwelling, 37 Trinity Vicarage Road. The extensions are to the rear of the existing lounge and utility area.

2.2. It is a resubmitted scheme to a previously approved planning permission 12/00687/HOU. There are no changes to the previously approved planning application.

2.3. The proposed rear dining area extension measures approximately 2.2 metres deep to a width of 3 metres. The rear utility room extension measures 1.8 metres from the rear elevation to a width of 2.7 metres. Both have a mono pitched roof with eaves height of 2.6 metres and brown rendered walls to match the existing pebble dash at the rear of the dwelling. The rear dining area extension has a ridge height of 3.6 metres while the utility rear extension has a ridge height of 2.5 metres. The first floor rear extension measures 2.2 metres in depth and 2.7 metres in width. The roof is hipped and joins the existing roof at a matching eaves height of 5 metres and is set down from the main roof. The first floor extension is faced with brick with brown clay roof tiles.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the settlement boundary of Hinckley. It is a semi-detached rendered property with a brick base. The main roof is hipped and has a front pitched roof design. The dwelling is not listed and not within a conservation area.

3.2. The surrounding street has similar semi-detached dwellings of similar scale with a mix of render and brick for the external walls.

4. Relevant planning history

12/00687/HOU

- Extension and alterations to dwelling.
- Planning Permission
- 24.10.2012.

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 consultation required.

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 and alterations to existing domestic properties within 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.

8.3. In respect of rear extensions, the Council's adopted Good Design Guide states:

'Rear 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.'

8.4. The rear dining area extension measures approximately 2.2 metres deep with a width of 3 metres. It has an eaves height of 2.6 metres and ridge height of 3.6 metres. The rear utility room extension measures 1.8 metres from the rear elevation to a width of 2.7 metres, 2.6 metres eaves height and 3.5 metres ridge height. Both have a mono pitched roof, brown rendered walls to match the existing pebble dash at the rear of the dwelling. Considering the size of the plot and dwelling, both rear extensions are considered appropriate in scale. They have the same roof design and are not visible from the public realm. The proposed materials match with the

existing materials used at the rear of the existing dwelling. The overall design respects the main dwelling and has appropriate dimensions.

- 8.5 The first floor rear extension measures 2.2 metres in depth and 2.7 metres in width. It has a hipped roof form and matching eaves height of 5 metres. It is set down from the main roof and has a ridge height of 6.4 metres. The first floor extension is faced with brick with brown clay roof tiles. It remains compatible with the host dwelling in terms of scale and design.
- 8.6 The overall extensions and alterations do not overly dominate the rear elevation and are not visually prominent. While different materials are used for the ground and first floor extensions, they complement the main dwelling and other dwellings in the area where there is a mix of render and bricks.
- 8.7 By virtue of their siting entirely to the rear, the scale and roof design, appropriate dimension and complementing external materials, the proposed rear extensions and alterations do not significantly impact the character and appearance of the existing house. The proposal respects the varied character and appearance of the surrounding area. The proposal is therefore in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 8.8 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.
- 8.9 The infill rear dining extension extends to the east site boundary. Due its scale, it does not significantly impact on the rear extension at 35 Trinity Vicarage Road. Both 35 and 37 Trinity Vicarage Road are separated by a wall and adjoining fence. This reduces the level of overbearing impact on the adjacent dwelling and its garden area. The other rear extension is 0.7 metres away from the west boundary fence. The separation distance to the fence reduces any overbearing and overshadowing impacts on 39 Trinity Vicarage Road. Both rear extensions do not have side windows to cause overlooking into adjoining properties.
- 8.10 The first floor extension is set down by approximately a metre set from the ridge of the main dwelling. The roof hips away from the side boundary to reduce overbearing and overshadowing effects on 39 Trinity Vicarage Road. It is 0.7 metres away from the side fence. The ground floor side windows at 39 Trinity Vicarage Road serves landing and kitchen. The kitchen has a principal rear window to receive light. The first floor side window at 39 Trinity Vicarage Road serves the bathroom. A 45 degree line drawn from the nearest rear window at 39 Trinity Vicarage Road will hit the edge of the rear extension at 37 Trinity Vicarage Road, however does not significantly impact on 39 Trinity Vicarage Road due to the set down, appropriate dimension, separation distance and the hipped roof. Considering the sun path and the orientation of the site, there is no significant loss of light to the rear of adjoining neighbours. It is therefore considered that the proposal has no significant adverse overbearing or overshadowing impacts on either neighbouring dwelling. There is no significant adverse impact on the privacy or amenity of either neighbouring occupiers. No objection to the proposals has been received from either of the neighbouring occupiers.
- 8.11 By virtue of the siting, layout, scale, design and separation distances, it is considered that the proposal has no significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties and that they are therefore in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide.

Impact upon parking provision

- 8.12 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.13 The frontage of the site has the capacity to hold only one off-street car which may likely overhang the public footpath. The dwelling currently has three bedrooms, and the proposal does not result in the increase in the number of bedrooms. While the proposed dwelling does not comply with parking requirements of Leicestershire Highway Design Guide, it is within a sustainable location with easy access to sustainable public transport. As a result, the proposal is considered to comply with Policy DM18 of the adopted SADMP and the local highway authority design guide.

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 relates to extensions and alterations 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. The cumulative rear extensions remain compatible with the size of the plot and the scale of neighbouring dwellings. By virtue of the siting, layout, scale, separation distance, design and the proposed use of complementing external materials, it is considered that the proposed extensions and alterations complement the character and appearance of the existing dwelling and respect the varied character and appearance of the surrounding area. There is no significant adverse impact on the residential amenity or privacy of the occupiers of any neighbouring properties. Adequate private amenity space is retained within the site to serve the dwelling. The proposal is 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 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 Site Plan Drawing Number 1225.105
- Proposed Floor Plan Drawing Number 1225.102
- Proposed Elevations Drawing Number 1225.104

received by the local planning authority on 13 June 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 extensions and alterations shall be in accordance with the external materials details provided on 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.