DELEGATED REPORT

Recommendation Made: 25 July 2011

Reference:- 11/00510/FUL **Parish:-**

Applicant:- Mr Malcolm Upton
23 Welwyn Road
Hinckley
LE10 1JE

Location:- 23 Welwyn Road Hinckley Leicestershire LE10 1JE

Proposal:- EXTENSION AND ALTERATIONS TO DWELLING

Introduction:-

This application seeks to obtain full planning permission for the erection of a two storey and single storey extension to the rear of this end of property. Two ground floor windows will be inserted into the side (north west) elevation of the main house as a result of development.

The application property is constructed from light red facing brick with plain clay red tiles.

Planning History:

None

Consultations:-

Neighbours notified and site notice displayed on 08.07.2011

One letter of objection received objecting on the following grounds:-

a) Overbearing impact
b) Overshadowing
c) Single storey extension would be acceptable
d) Lack of clarification:
    i) Site notice not displayed outside no. 23
    ii) Site location plan shows garage when no longer exists and does not show the substantial building further down in the garden area

Development Plan Policies:-

Adopted Local Plan

The site lies within the settlement boundary of Hinckley as defined in the adopted Hinckley and Bosworth Local Plan.

Policy BE1 - Design and Siting of the Development

Supplementary Planning Guidance: House Extensions Design Guidance (SPG)

Appraisal:-

The main considerations in respect of this application are the principle of development, the impact of the proposed extension on the character and appearance of the existing dwelling, street scene and on the amenities of the occupiers of neighbouring properties.

The Principle of Development

The site is located within the settlement boundary of Hinckley, as defined in the Adopted Hinckley and Bosworth Local Plan Proposals Map; therefore there is a presumption in favour of development subject to all other planning matters being appropriately addressed.

Impact on Existing Dwelling and Street Scene

The proposal has two elements, a two storey hipped roof extension and a single storey lean to extension. The hipped roof design on the two storey extension reflects the design of the main house in accordance with the SPG. The ridge height on the hipped roof is 1.4 metres lower than the ridge on the main house which ensures subservience. Given the position to the rear of the property and the subservient design that reflects the character of the existing dwelling, the extension will not have any adverse impact on the street scene or the character of the existing dwelling. The proposal is therefore acceptable in design terms.

Impact on Neighbours Amenities

The proposed two storey extension projects 3.3 metres from the rear elevation wall of the main house and extends across the rear elevation some 3.3 metres. The single storey extension projects 1.3 metres and continues across the remainder of the rear elevation (2.4 metres) to the boundary with no. 21.

The two storey element of the proposal with an inset distance of 2.5 metres to the common boundary with no. 25 and 2.3 metres to no. 21 are both considered sufficient to compensate for the extent in which the extension projects without having an adverse impact on neighbouring residential amenities in terms of overbearing impact.

A representation has been received raising concern over loss of light. Given the suns orientation and the extensions position to the south east of no. 25 there will be a shadow cast towards no. 25 in the morning and a shadow cast to no. 21 in the afternoon. Nevertheless, due to the off-set distances from the common boundary and the hipped roof design of the extension, the impact will not be significantly detrimental to the amenities enjoyed by the occupiers of neighbouring properties to an extent which would warrant a refusal of planning permission on those grounds.

Given the projection and lean to design of the single storey extension it is not considered that it will materially harm the amenities of no. 21. There is a 1.6 metre high fencing along the boundary with no. 21

Two windows are proposed to be inserted at ground floor level in the side (north west) elevation of the main house facing No. 25. It is noted there are no side elevation windows at no. 25 that would result in any loss of privacy. Fencing then forms the boundary with no. 25 enclosing the neighbours rear garden therefore the windows do not pose issues in terms of overlooking the neighbours rear garden.

Although the proposed two storey extension exceeds the guidance contained in the SPG by 1.3 metres by projecting 3.3 metres from the rear elevation wall of the main dwelling, given the design of the extension, its position inset from the boundaries and the height of the existing boundary treatment, it is not expected that this will have an impact on the amenities of the occupiers of neighbouring properties.

Additional Issues

A representation has been received that highlights mapping anomalies on the OS plans. The anomalies have been noted and were taken on board before a decision was made. As part of the process of determining a planning application, a site visit was carried out where site notes of the existing layout (including buildings present) are taken and alongside the comments made in representations received which informs how the application is determined overcoming any incorrect mapping anomalies.

The OS site location plan shows the footprint of a built structure (referred to as a garage) which is no longer present. There is also an out-building that centres the garden area and this is not shown on the OS plans. This application considers the acceptability of the two storey and single storey extension to the rear elevation of the main house (only) as indicated on the plans. This proposal has then been assessed based on the observations made during a site visit.

With regard to the issue of where the site notice was displayed, this was rectified by repositioning the site notice to the nearest appropriate lamppost.

Conclusion

The proposal would respect the scale and character of the existing dwelling, does not impact on the character of the street scene and would not adversely affect the amenities of the occupiers of neighbouring properties. The application is considered to be in accordance with Policy BE1 of the Local Plan and the adopted SPG on House Extensions and is therefore recommended for approval subject to conditions.

RECOMMENDATION:- Permit subject to the following conditions:-

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below, it is considered that subject to compliance with the conditions attached to this permission, the proposed development by virtue of the scale, mass and design of the proposed extension and alterations would not detrimentally impact on the amenities of neighbouring residents or the character and appearance of the street scene and would be in accordance with the development plan.

Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

2 The materials to be used on the external elevations of the proposed extension and alterations shall match the corresponding materials of the existing dwelling unless previously agreed in writing with the Local Planning Authority.

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

Drawing - 24/5/11-01 - Received on 22/06/2011

Reasons :-

1 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2 To ensure that the development has a satisfactory external appearance to accord with Policy BE1 of the adopted Hinckley & Bosworth Local Plan.

3 For the avoidance of doubt and in the interests of proper planning.

Notes to Applicant:-

1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3 As from 6 April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

4 All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

5 This permission does not convey any authority to enter onto land or into any building not within the control of the applicant except for the circumstances provided for in The Party Wall etc Act 1996.

Contact Officer:- Kevin Roeton Ext 5919