

Delegated Report

Planning Ref: 23/00894/HOU
Applicant: Mrs Rehana Akthar
Ward: Hinckley Clarendon



Hinckley & Bosworth
Borough Council

Site: 4 Teal Drive Hinckley Leicestershire LE10 0GP

Proposal: Two storey rear extension and alteration to dwelling

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 full planning permission for a two storey rear extension to a dwelling, 4 Teal Drive, Hinckley. The proposal includes the insertion of two obscure glazed windows to the south west elevation of the existing dwelling and two new rooflights.
- 2.2. The proposed two storey rear extension extends 4 metres from the main rear elevation to a width of 6.1 metres at both levels of the proposed extension. The rear extension creates a dual pitched roof and matching eaves height to the main dwelling. The eaves is 4.6 metres and ridge height of approximately 6.7 metres, slightly set down from the main roof. A matching brick is proposed for the extension.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of Hinckley in a residential area. It is a two storey detached house with a pitched main roof form. It has a front bay window on one side of the front elevation and a front projection on the other side with a mono pitched roof over. The dwelling has white uPVC windows and brick quoin. The surrounding street scene has similar detached properties but not a uniform building line. The house to the north, 3 Teal Drive is set further forward and the house to the south, 5 Teal Drive is set slightly further back. The proposed site is not within a conservation area and the dwelling is not listed.

4. Relevant planning history

None.

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. Two objections have been received from neighbours raising concerns about insufficient/limited parking space, the extension being too large and out of character, encroachment into neighbours garden, loss of sunlight and privacy, too close to trees, noise and disturbance during construction and devaluation of property.

6. Consultation

- 6.1. None 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 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.

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 proposed rear extension extends the existing dining room and creates a new living room the ground floor. The existing bedroom to the first floor is extended and an additional bedroom is created. The extension is 4 metres in depth and 6.1 metres wide which joins the existing projection at the rear of the main dwelling. It is located to the south western side of the main dwelling. It has a dual pitched roof, set down by 0.15 metres and matching eaves height to the main dwelling. The eaves is 4.6 metres and ridge height of approximately 6.7 metres. Cumulatively, the proposed development and existing dwelling creates quite a substantial size but has satisfactory appearance. There is approximately 88 square metres amenity space to the rear of the dwelling.

8.5 The overall design, scale, height and proposed materials are subservient to the main dwelling. The proposed site is set back from 3 Teal drive but the existing rear extension at 5 Teal Drive is further back than the proposed rear extension due to the site orientation.

- 8.6 The new windows to the first floor side elevation of the host dwelling are obscured and well-proportioned to those of the existing dwelling. The rooflights do not protrude more than 0.2 metres on the roof slope.
- 8.7 By virtue of the location of the extension to the rear, its scale, design and proposed sympathetic external materials, the proposal respect the scale, character and appearance of the existing dwelling. It has no significant adverse visual impact on the dwelling or the street scene. The proposal is 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 dwellings along Teal Drive are angled in relation to each other such that no.3 sits considerably forward of the application property which in turn sits slightly forward of the house to the south, 5 Teal Drive. The proposed rear extension at 4 Teal Drive is sited away from the northern shared boundary with no.3. The single storey rear extension at 5 Teal Drive goes further back than the proposed extension. The extension is approximately 1 metre away from the south west boundary and 3.5 metre away from the north boundary. The location of the extension, the roof form and separation distances reduce the level of overbearing effects on neighbouring properties. The extension has no side elevation window on the first floor. The new windows to the main dwelling are obscured. Also, the existing 1.8 metres fence separates the gardens of the proposed dwelling and adjoining properties. The house to the north and the house to the rear also have tall conifers planted within their gardens on the shared boundaries.
- 8.10 3 Teal Drive is set forward of 4 Teal Drive. Due to the site's orientation, the movement of the sun from the rear to the front of the dwelling, location of the extension and the separation distance between 3 and 4 Teal Drive, it is considered that there is no significant impact on light to the rear windows of 3 Teal Drive or a significant overbearing effect on the use of the neighbours rear garden.
- 8.11 5 Teal Drive is slightly further back than 4 Teal Drive. The rear projection at 5 Teal Drive is well away from the proposed extension and therefore there is a limited impact on the rear extension in terms of loss of sunlight and overbearing effect. 5 Teal Drive has a side and rear door, and first floor rear window to a bedroom. The proposed extension does reduce light to the side door of 5 Teal Drive, it is not a principal door or window. The sun movement is such that there would not be a significant detrimental effect on light to windows. Although the proposed extension does extend beyond the main two storey element of 5 Teal Drive it is not considered that the effect of this is so great as to warrant amendment or refusal of the application.
- 8.12 9 Mandarin Close is located to the rear of 4 Teal Drive. The rear extension is screened by the existing trees on the boundaries of 4 Teal Drive and 9 Mandarin Close. The extension is approximately 7 metres away from the rear boundary fence. It is considered therefore that there is no significant detrimental effect as a result of overlooking from the new bedroom windows.
- 8.13 Notwithstanding the comments by neighbours, the proposed extension is not considered to have an unacceptable impact on adjacent dwellings by virtue of the orientation of the site, siting of the extension, appropriate scale and design of the proposed extensions and alterations. Similarly the proposal is not considered to have an unacceptable impact in terms of overbearing or overshadowing effects or loss of privacy to the occupiers of any neighbouring properties. The proposal is

broadly in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide.

Impact upon parking provision

- 8.14 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.15 The proposal increases the number of bedrooms within the dwelling from four to five. The local highway authority design guide seeks a minimum of three off-street car parking spaces to serve the resulting dwelling. The front driveway has the capacity to hold three off-street parking spaces. This provision would be unaffected by the proposal and remains adequate to serve the resulting five bedroomed dwelling in this highly sustainable urban setting with easy access to a full range of services and facilities 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 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 proposals relate to extensions and alterations to an existing dwelling located within the urban 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. Notwithstanding the objections, the proposed extension and alterations, by virtue of the siting to the rear, the acceptable design, appropriate scale and dimensions, separation distance, orientation of the site and the proposed use of matching and complementary external materials to ensure a satisfactory appearance, are considered to be acceptable. It does not result in any unacceptable adverse visual impacts upon the character or appearance of the wider street scene, on the privacy

of residential amenity of any neighbouring properties or on the enjoyment of existing rear gardens by neighbours. The proposal retains adequate private rear amenity space and satisfactory off-street parking provision. 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, Block Plan, Proposed Floor Plans and Elevation Drawing No. 07 received by the local planning authority on 17 October 2023.

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 hereby permitted shall match the corresponding materials of the existing dwelling.

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 buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.