

Delegated Report

Planning Ref: 24/00921/HOU
Applicant: Mr Andrew Hutchinson
Ward: Hinckley Trinity



Hinckley & Bosworth
Borough Council

Site: 33 King Richard Road Hinckley Leicestershire

Proposal: Single storey rear extension and timber garden building

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

- 2.1. The application seeks full planning consent for a single storey rear extension and timber garden building at 33 King Richard Road, Hinckley.
- 2.2. The proposed single storey rear extension would project outwards from the existing rear elevation by 7.41 metres and would feature a width of 7.15 metres. It would feature a flat roof with a roof lantern which would measure 3.12 metres in height (excluding the roof lantern) and 3.75 metres in height (including the roof lantern).
- 2.3. The proposed timber garden building would measure 4.33 metres in width and 6.73 metres in width. It would feature a pitched roof which would measure 3.60 metres to the ridge and 2.40 metres to the eaves.
- 2.4. The scheme would also involve the demolition of the existing single car detached garage to the rear.
- 2.5. The proposed external materials would match those of the existing dwelling, with the exemption of timber to the garden building.
- 2.6. Supportive pre-application advice on the scheme was issued by the Local Planning Authority in January 2023, the scheme has since, however undergone minor amendments, the main alterations being an increase in the projection of the proposed rear extension and the alteration of the proposed golf simulator to a garden outbuilding. By virtue of the amendments the scheme has been re-assessed in its entirety. (23/10232/PREHMO).

3. Description of the site and surrounding area

- 3.1. The application site relates to a detached residential bungalow situated within the settlement boundary of Hinckley. The application dwelling comprises the use of red brick to the walls, brown interlocking tiles to the hipped roof and white uPVC to the windows. A mono-pitched white uPVC car port sits to the south-west side of the dwelling, accompanied by black metal gates to the frontage. A detached single garage (to be demolished) and various outbuildings are also sited to the rear.
- 3.2. To the frontage of the site sits a generous area of slabbed and gravel hardstanding suitable to accommodate a parking provision for up to three off-street parking spaces. This is enclosed by a 1.00 metre timber fence to the side and front boundaries.
- 3.3. The street scene consists of a mixture of single-storey and two-storey semi-detached and detached dwellings all which vary in design, scale and finish, with the

exception of the dwelling to the west 31 King Richards Road which features a very similar design to the application dwelling.

Residential Curtilage Check

- 3.4. To the rear of the main amenity space of the site sits a separated enclosed grassed amenity area which is situated between 76 Burleigh Road, 6a Alexander Gardens and 35 King Richards Road. The proposed garden outbuilding is to be situated to this section of land and therefore an investigation has been carried out to determine the lands current use.
- 3.5. The site history is minimal and therefore fails to determine whether this section of land was acquired separately to the application dwelling, and whether the land has always been part of the main sites residential curtilage. Nevertheless, on the basis of the aerial image (Figure 1) it is believed that the land has been used as part of the sites residential curtilage since at least 2011, demonstrating more than ten years of continuous use. Therefore an additional application for the change of use of the land would not be required on this occasion as it would fall under the planning enforcement immunity as set out in Section 171B of the Town and Country Planning Act 1990 (as amended).

Figure 1 – 2011 Aerial Image



4. Relevant planning history

- None relevant.

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 and a notice was displayed in the local press.
- 5.2. No objections have been received.

6. Consultation

6.1. HBBC Environmental Services – Drainage

“Note to Applicant:

Rainwater from the detached outbuilding roof should be positively drained into a suitable water butt, soakaway or domestic drainage system, and not be permitted to discharge directly onto the surface of the application site and neighbouring properties.”

7. Policy

- 7.1. Core Strategy (2009)
 - Policy 1: Development in Hinckley
- 7.2. Site Allocations and Development Management Policies 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)

8. Appraisal

- 8.1. Key Issues
 - 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 SADMP requires new development to complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.3. The application seeks full planning consent for a single storey rear extension and timber garden building at 33 King Richard Road, Hinckley. The scheme would also include the demolition of the existing garage to the rear of the site.

- 8.4 The Councils Good Design Guide states that *“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.”*
- 8.5 The Councils Good Design Guide states that *“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.”*
- 8.6 The proposed single storey rear extension would span the entire width of the existing dwelling, not extending past the existing building line and would project outwards from the existing rear elevation by 7.41 metres, 1.64 metres larger than the presented pre-application scheme. Whilst the increase in projection is not particularly favorable as the previously presented extension was already considered to be large addition to the dwellings footprint prior to the increase, the site occupies a reasonably large plot such that in isolation the extension would not present overdevelopment of the site.
- 8.7 The proposal would host a flat roof design, a feature that is not ordinarily viewed as an example of good design. Despite this, as the extension would be situated in a position of minimal visibility from the public realm and taking into account the flat roof design to the rear elevation of the site at present, albeit on a significantly smaller scale the impacts upon the character of the area are considered to be minimal.
- 8.8 It has been observed that the height of the extension would protrude past the existing eaves of the dwelling, which does not present good design, however, given the extensions position and 3.12 metres height (excluding the roof lantern), a reduction in this case is not considered to be achievable as it would significantly impact upon the proposed acquired headspace.
- 8.9 A single door and set of 5 bi-fold doors are proposed to the northern elevation. No windows are proposed to the eastern or western elevations of the extension. To the western elevation of the existing dwelling an additional obscure glazed window is to be introduced to host the second bedroom. It was advised within the issued pre-application advice that the proposed windows to the western elevation of the dwelling should be re-designed to be of consistent scale with the existing window which the current bathroom hosts, to ensure that the additions conform with the existing dwellings design. The advice has not been taken into account which is disappointing, nevertheless, such a minor detail especially given their limited visibility would not render refusal.
- 8.10 The proposed external materials of the rear extension would match those of the existing dwelling.
- 8.11 The proposed garden building would feature a pitched roof measuring approximately 3.6 metres to the ridge and 2.40 metres to the eaves. It would sit to the rear of the second contained garden at the dwelling and would be situated approximately 1.00 metres from the eastern and western boundary lines and 2.00 metres from the northern boundary line. The outbuilding would be constructed of timber and would host a singular access door to the front elevation. The proposed garden outbuilding would be large for a garden outbuilding, however, wouldn't be wholly out of keeping with other outbuildings in the surrounding properties, it would also be limitedly visible from the public realm. The proposed external materials would not match those of the existing dwelling, nevertheless would not look out of place for the nature of the structure.

- 8.12 Overall it is considered that the extensions and outbuilding as indicated would be acceptable additions to the host dwelling and site, and would adhere to Policy DM10 of the adopted SADMP.

Impact upon neighbouring residential amenity

- 8.13 Policy DM10 of the SADMP states that proposals should not adversely affect the occupiers of the neighbouring properties.
- 8.14 It is observed that two generous detached garages are sited directly to the rear of both 31 and 35 King Richard Road, of which the proposed extension would be situated behind. Therefore it is considered that the proposed extension would not result in any adverse impacts upon the residential amenity of 31 and 35 King Richard Road. No windows are proposed to the eastern or western elevation of the extension therefore overlooking would be minimised. A new window is proposed to the west elevation of the original dwelling, however it would be obscure glazed mitigating from overlooking.
- 8.15 The proposed garden outbuilding would be situated to the rear of the second contained garden at the dwelling and would be situated approximately 1.00 metres from the eastern and western boundary lines and 2.00 metres from the northern boundary line. Whilst a large outbuilding, by virtue of the scale of the site and location of the outbuilding it would not have any adverse impact on the neighboring occupiers. Vegetation can also be seen to the northern and western boundaries of the site along with a shed to the eastern neighbor's property. No windows are proposed only a solid timber access door to the garden outbuildings front elevation.
- 8.16 Accordingly, the proposal would not result in any significant adverse impact on the privacy or amenities of any neighbouring properties and would therefore be in accordance with Policy DM10 of the adopted SADMP.

Impact upon parking provision

- 8.17 Policy DM18 of the SADMP seeks to ensure that new development provides an appropriate level of parking provision.
- 8.18 An additional bedroom is proposed altering the application dwelling from a 2 to 3 bedroom dwelling. Section 3.151 of the Leicestershire Highways Design Guide states that "*a three-bedroom dwelling in suburban or rural areas should host two spaces*". The front of the application dwelling hosts a half slabbed and gravel driveway and a gated lean to car port to the west of the application dwelling suitable to host a parking provision for a minimum of three vehicles.
- 8.19 Therefore, subject to a proposed parking provision being submitted the proposal would allow for the retention of suitable off street parking provision in compliance with Policy DM18 of the SADMP and the Leicestershire Highways 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.

10. Conclusion

- 10.1. The proposal is located within, but to the edge of the settlement boundary of Hinckley and is for the demolition of the existing garage and construction of a single storey rear extension and timber garden building at 33 King Richard Road, Hinckley, therefore there is a presumption in favour of sustainable development as set out in Policy DM1 and the wider policies of the NPPF.
- 10.2. For the reasons given in the report above, it is considered that the proposed scheme of extensions and alterations would respect the overall scale, character and appearance of the existing dwelling and street scene. The proposals would not result in any significant adverse overbearing or overshadowing effects or result in any loss of privacy to the occupiers of any neighbouring properties and would neither impact the parking provision. The proposal is considered to be in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP, the adopted Good Design Guide, and the Leicestershire Highways Design Guide standards 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 materials to be used externally shall accord with the approved application form, as received by the Local Planning Authority on the 1st October 2024.

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).

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

- Site Location Plan, Drg No. 01_2403_00

- Proposed Block Plan, Drg No. 03_2403_00
- Garden House Floor Plans and Elevations
as received by the Local Planning Authority on the 1st October 2024.
- Proposed Floor Plans and Elevations, Drg No. 02_2403 Rev A
as received by the Local Planning Authority on the 20th November 2024.

Reason: To ensure a satisfactory form of development in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. The window to the ground floor of the western elevation hosting bedroom 3 shall be fitted with obscure glazing to a minimum of level 3 of the Pilkington scale and non-openable. Once so provided the window shall be permanently maintained as such at all times thereafter.

Reason: To safeguard the privacy and amenity of neighbouring dwellings from potential overlooking in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

12. Notes to applicant

- a) 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.
- b) Rainwater from the detached outbuilding roof should be positively drained into a suitable water butt, soakaway or domestic drainage system, and not be permitted to discharge directly onto the surface of the application site and neighbouring properties.