

Delegated Report

Planning Ref: 23/00886/HOU

Applicant: Mr And Mrs Stewart Kendrick

Ward: Hinckley Castle



Hinckley & Bosworth
Borough Council

Site: 78 Princess Road Hinckley Leicestershire

Proposal: Two storey side 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 storey side extension to a dwelling, 78 Princess Road, Hinckley.

2.2. The proposed two storey extension would be set back by 0.7 metres from the main front elevation, extend 2.4 metres in width and 7.3 metres in depth to be flush with the main rear elevation. It would have a dual pitched gable sided roof form with matching 4.5 metres high eaves height as the existing main roof and a subordinate 7 metres high ridge height. Matching corresponding external materials are proposed in its construction including a plain concrete tile hung panel to the first floor front elevation. It would replace an existing single storey lean-to extension of the same position and footprint.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the urban settlement boundary of Hinckley on a residential estate and on a corner plot at the head of a small cul-de-sac. It is a two storey semi-detached house with gable sided main roof form. It has a single storey side extension with a lean-to roof, an open lean-to canopy roof porch to the front elevation and a white uPVC conservatory attached to its rear elevation. The dwelling is constructed of red facing bricks with a red plain concrete tile hung panel to the first floor front elevation, grey interlocking concrete roof tiles and white uPVC windows. The 10 metres long tarmac surfaced driveway and site frontage provides off-street parking for a minimum of two and possibly three cars. The rear garden is enclosed by 2 metres high close boarded timber fencing.

3.2. The application dwelling lies within a row of similarly scaled, designed and styled two storey semi-detached dwellings with gable sided roof form.

4. Relevant planning history

13/00381/HOU

- Extensions and alterations to dwelling
- Permitted
- 03.09.2013

5. Publicity

5.1. The application has been publicised by sending out letters to local residents.

5.2. No responses have been received as a result of public consultation.

6. Consultation

6.1. No other consultations necessary or undertaken.

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) (2021)
- 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. The Council's adopted Good Design Guide states:

'Two storey side extensions should appear smaller in scale and massing in order to be subordinate to the main dwelling. Any proposal for a two storey side extension should be set down from the ridge of the existing house and set back from the front elevation (the minimum distance for this should be 0.5 metres in both directions) unless in design terms this in itself would create an imbalance in the overall design of the property.'

8.3. The proposed two storey side extension would extend for an appropriate width of 2.4 metres from the main side elevation of the dwelling, less than half the 6.1 metres width of the original dwelling. It would have a similar gable sided roof form as the main roof and by virtue of the appropriate 0.7 metres set back from the main front elevation would have a subordinate ridge height. It would extend for an appropriate depth of 7.3 metres to be flush with the main rear elevation. By virtue of its width, set back and lower ridge height the proposal would appear as a clearly subordinate addition to the existing dwelling and would replace a single storey lean-

to extension of the same footprint. By virtue of the application dwelling and its adjoining neighbour occupying corner plots at the head of the cul-de-sac and being set back substantially from the neighbouring dwellings either side, the proposal would not result in any potential terracing effect or detract from their semi-detached character. The proposal also includes appropriately proportioned fenestration in the design and proposes the use of matching corresponding external materials in its construction, including a plain concrete tile hung panel to the first floor front elevation, to ensure a satisfactory and uniform appearance.

- 8.4 By virtue of the siting, scale, design and proposed use of matching corresponding external materials, it is considered that the proposal would respect and complement the scale, semi-detached character and appearance of the existing dwelling and wider street scene. The proposal is therefore considered to be in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 8.5 Policy DM10 of the adopted SADMP and the adopted 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.

- 8.6 The Council's adopted Good Design Guide states:

'The 45 degree rule is applied for planning applications for new extensions to existing properties which could result in the outlook from or daylight to a principal window to a habitable room being impacted upon. On a plan of the proposal, a projecting line is to be drawn from the nearest principal window to a habitable room that may be affected by the planning application towards the proposed building at an angle of 45 degrees. Habitable rooms include living rooms, bedrooms and kitchens but do not include rooms such as bathrooms, utility rooms, halls, landings or garages. The extension should not cross the 45 degree line.' The Guide also suggests that a minimum rear garden length of 7 metres and a minimum back to back separation distance between principal habitable room windows of 21 metres should be maintained.

- 8.7 The adjacent neighbouring dwelling to the southwest (No. 76) is a similarly designed and styled two storey semi-detached house that is set in from the side boundary with the application dwelling by 3 metres with a driveway between leading to a flat roofed garage set back to its side and rear. It is also set approximately 8 metres forward of the application dwelling and on a different orientation. By virtue of their relative siting and orientation, separation distance and the existing single storey extension attached to the rear elevation of No. 76, the proposal would not extend beyond a 45 degree line drawn from any principal habitable room windows in the rear elevation of No. 76 or result in any significant adverse overbearing or overshadowing impacts on the neighbouring dwelling. Only a ground floor window and door are proposed in the side elevation of the extension, as already existing in the single storey side extension that would be replaced and these would face towards the blank side elevation of the neighbours garage and existing 2 metres high solid close boarded timber boundary fencing. Therefore, the proposal would not result in any adverse impacts on the privacy or amenity of the neighbouring occupiers of No. 76 from any potential overlooking.

- 8.8 The new first floor bedroom window in the rear elevation of the proposed extension would be set in from the rear garden boundary by 7.5 metres and would be approximately 28 metres from the rear elevation windows of the neighbouring dwellings to the rear on Priesthills Road. The proposal would therefore exceed the

minimum rear garden length and back to back separation distance suggested as being acceptable in the adopted Good Design Guide.

- 8.9 By virtue of the siting, relative orientation, scale, design, separation distances and existing screening, it is considered that the proposed extension and alteration would not result in any significant adverse overbearing or overshadowing impacts or loss of privacy to the occupiers of any neighbouring properties and would therefore be in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.

Impact upon parking provision

- 8.10 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.11 The site currently provides two to three off-street parking spaces on the 10 metres long tarmac surfaced driveway and site frontage.
- 8.12 The proposed extension would result in the addition of a fourth and fifth bedroom to the dwelling but the existing two to three off-street parking spaces would be retained and unaffected by the proposal. The local highway authority design guide requires three spaces for a dwelling with three or more bedrooms and therefore this level of provision is considered to remain adequate to serve the resulting dwelling in this end of cul-de-sac location and within this highly sustainable urban location with easy access to a full range of services and facilities by alternative and more sustainable transport means. The proposal would therefore be in general accordance with Policy DM 18 of the adopted SADMP and the local highway authority design guide standards.

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 an extension and alteration 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. By virtue of the siting, scale, design and proposed use of matching corresponding external materials, it is considered that the proposal would respect and complement the scale, semi-detached character and appearance of the existing dwelling and wider street scene. By virtue of the siting, relative orientation, scale, design, separation distances and existing screening, it is considered that the proposed extension and alteration would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. The proposal would retain satisfactory private rear amenity space of approximately 95 square metres and adequate off-street parking provision to serve the resulting five bedroom dwelling in this highly sustainable urban setting. 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 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 development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows: Location Plan and Block Plan Drawing 2023-27-01 and Proposed Floor Plans and Elevations Drawing No. 2023-27-03 received by the local planning authority on 7 September 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 extension and alteration 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.