

Delegated Report

Planning Ref: 24/01150/HOU
Applicant: Mr Hanson
Ward: Hinckley Trinity



Site: 106 Main Street Thornton

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 application seeks full planning permission for a 2 storey side extension under a (slate tiled) duo pitch roof. An extra garage space is proposed within the ground floor, whilst an extra bedroom will be created within the proposed roof space.
- 2.2. The proposed side extension's front elevation is set back 0.5 metres from the host dwelling's principle elevation and will adjoin its side (north) elevation - which itself formed part of a previous (see history below) two storey extension to the dwelling- with a depth of 6.7 metres and width of 3.65m. The extension's side elevation will sit upon the common boundary (close boarded fence treatment) shared with the adjoining dwellings (No.96 Main St and 55 Hawthorne Drive) which are located to the north west and south -west of the proposal site, respectively.
- 2.3. The extension will comprise of a ground floor space (proposed garage) with a tiled duo-pitch roof above. The proposed roof ridge will measure 6.15 m from ground level below. The roof height above the proposed garage is a relatively high pitch in ratio to the eaves height above the lower front elevation, this will however provide approx. 2.2 metre headspace clearance from the proposed first floor to its ceiling height and will allow for the provision of a bedroom within it. To provide light to the bedroom space, a gable dormer type window is will inserted within the proposed rear roof slope and a (small) roof light type window will be inserted within the proposed front roof slope.

3. Description of the site and surrounding area

- 3.1. The application property is a modern (60/70s) brick built, two storey detached property. The dwelling is under a duo-pitched (concrete) tiled roof with two protruding gable features (entrance porch and two storey side extension). The property benefits from a relatively large front garden space, which is bounded by a maintain privet hedge located on the proposal sites boundary and the back of the pedestrian highway.
- 3.2. The property is sited within a linear row of dwellings sited upon the south west side of Main Street, which is the main thoroughfare through Thornton. Thornton village School - which is a two storey (red brick, under clay tiled pitched roof) and typical style of the late Victorian period- is sited on the opposite the proposal site, and is also sited within a linear row of dwellings that flank the north side of Main Street. A modern (Late 20C) cul-de-sac type development (Hawthorne Drive) is located to the south west of the proposal site's side boundary treatment.

4. Relevant planning history

00/00124/FUL

- SIDE AND REAR EXTENSIONS
- PER
- 16.03.2000

5. Publicity

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

5.2. No comments received

6. Consultation

6.1. Thornton Parish Council. No comments received

7. Policy

7.1. 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

7.2. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2019)
- Planning Practice Guidance (PPG)

7.3. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)
- Leicestershire Highway Design Guidance (2024)

8. Appraisal

8.1. Key Issues

- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact upon highway safety

Design and impact upon the character of the area

- 8.2 Policy DM10 of the adopted SADMP seeks to ensure that development complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features. This is further supported through the adopted Good Design Guide.
- 8.3 HBBC Good Design Guidance SPD (2020) recommends that two storey side extensions should appear smaller in scale and massing in order to be subordinate to the main dwelling, and therefore should be set back from the front elevation and set down below the main roof ridgeline by at least 0.5 metres in both directions.
- 8.4 The guidance also recommends that, in the spirit of neighbourliness and to protect the character of the surrounding streetscene, an adequate distance of one metre should be maintained between adjacent dwelling houses and their side boundary (providing a gap of two metres in total between both properties).
- 8.5 By virtue of the set back of the proposed side extensions front elevation by approximately 0.45 metres, and the set down of the proposed roof ridge approx. 0.55m below the host dwelling's main ridge line, the proposed extension will appear suitably subservient in scale to the host dwelling.
- 8.6 Contrary to the good design guide, the proposed side extension will be constructed upon the common boundary shared with the adjoining dwelling houses (No. 96 Main Street), however, given the proposal site adjoins the neighbouring dwelling's side amenity space, the proposal will not introduce a terraced appearance between neighbouring properties. Furthermore, despite its siting upon the common boundary, given the relatively large front and rear garden space belonging to the host dwelling, the proposal will sit comfortably within its plot. Furthermore, given its siting to the side of the host dwelling, existing rear and front amenity space will be retained.
- 8.7 The proposed side extension can be able to be viewed from the nearby highway, however, given its siting, scale and design the proposal is sympathetic to the design and scale of the host dwelling and neighbouring properties, and furthermore, the proposal will not introduce a harmful feature within the surrounding streetscene. The proposal therefore accords with Policy DM10 of the SADMP and the recommendations of The Good Design Guidance SPD.

Impact upon neighbouring residential amenity

- 8.8 Policy DM10 of the SADMP states that proposals should not adversely affect the occupiers of the neighbouring properties. This is further supported through the adopted Good Design Guide.
- 8.9 The proposed two storey side extension's side elevation (west) would be sited on the boundary shared with No. 96 Main Street (located immediately to the west of the proposal) and No 55 Hawthorne, which is a bungalow type dwelling, which is located to the south-west of the proposed extension. However, a sufficient distance (approx. 11.6 m) will be retained between the side (south east facing) elevation of No.96 to not introduce an overbearing or overshadowing feature upon its amenity space (both rear and side) or windows that serve habitable rooms.
- 8.10 The proposed 2 storey side (gable) elevation (approx. 6.15 m in height to ridge) would introduce a prominent feature when viewed from adjoining neighbour's (No 55 Hawthorne Drive) rear amenity space. However, given the proposal will be

constructed upon the existing two storey black side gable (west) of the host dwelling, the proposed (gable) side elevation would not introduce a feature/mass that would appear significantly different in appearance or greater in scale than what can already be viewed by neighbouring occupants, and therefore, the proposal would not harm the amenity afforded to the areas of the neighbour's rear amenity space most enjoyed by its occupants.

- 8.11 Given the siting of the proposed extension and orientation the adjoining neighbour's rear amenity space in relation to sunlight, the proposal would not introduce any significant levels of overshadowing upon the neighbour's rear amenity space.
- 8.12 Moreover, despite the proposed side elevation will be erected upon the boundary shared with the adjoining neighbour (No. 55) and will be sited approx. 10.5 metres from a section of the neighbour's rear elevation, the proposed side elevation will not be sited directly in front of window openings that serve the neighbouring dwelling's habitable rooms.
- 8.13 The Proposed extension will not protrude beyond the rear elevation of the host dwelling and therefore will the proposal would not otherwise create an overshadowing feature or harm the amenity afforded to the adjoining dwelling located to its east (No.108 main street). Otherwise, the proposal would not introduce overlooking or overbearing features to adjoining neighbour's living space windows or amenity space most enjoyed by their occupants.
- 8.14 Notwithstanding the above, in order to protect the amenity and privacy of the adjoining property (No. 55 and No. 96) a condition should be attached to the approval of this application requiring that any window opening inserted within the upper side (west) elevation would require permission from the Local Planning Authority.
- 8.15 In view of the above considerations, the proposal is considered to comply with Policy DM10 of the SADMP and the associated guidance provided in HBBC's Good Design Guide.

Impact upon highway safety

- 8.16 Policy DM18 of the SADMP and the Local High Way Authority's Highway Design Guidance states that proposals should ensure that there is adequate provision for on and off street parking for residents and visitors and there is no impact upon highway safety.
- 8.17 The proposal would provide one additional bedroom, resulting in a four bedroomed property. Parking is available to the front of the site for provision of two/three off-street parking spaces with a further space available in the proposed internal garage.
- 8.18 Therefore the proposal is considered to comply with Policy DM10 of the SADMP and the associated LHA Design Guidance.

9. Equality implications

- 9.1 **Where No Known Implications** 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 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.
- 9.5 There are known equality implications arising directly from this development.
- 9.6 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 is located within the settlement boundary of Thornton and therefore there is a presumption in favour of sustainable development as set out in Policy DM1 of the SADMP and the wider policies of the NPPF.
- 10.2. The proposed development would respect the scale and character of the existing dwelling and street scene, retain adequate private amenity within the curtilage and would not adversely affect the amenities of the occupiers of neighbouring properties. In addition sufficient off-street parking provision would be available on the site. On this basis, the proposal is therefore considered to be in accordance with Policies DM1, DM10, DM17 and DM18 of the SADMP and is recommended for approval subject to conditions.

11. Recommendation

11.1 Grant planning permission subject to

- Planning conditions outlined at the end of this report

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:

- Site Location, Block Plan
- Drg No. 281124: Proposed Garage, Floor Plans, Elevations.

Both documents received by the local planning authority 20th December 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 extension and alteration shall match the corresponding materials of the existing dwelling, except for those specified within the materials schedule of the planning application form submitted as part of this approved application.

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).

4. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) no window other than those approved under this permission shall be inserted into the side elevation (north-west facing) of the proposed extension unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the amenities of neighbouring properties in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11.2 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.