

Delegated Report

Planning Ref: 24/00367/HOU

Applicant: Mr M Timms

Ward: Hinckley Castle



Hinckley & Bosworth
Borough Council

Site: 23 Porter Close Hinckley Leicestershire LE10 0YP

Proposal: Single storey rear conservatory

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 the construction of a single storey rear conservatory to a dwelling, 23 Porter Close Hinckley.

2.2. The proposed single storey rear conservatory has a hipped tinted toughened glass roof, brickwork and uPVC frame with double glazing. The extension measures 3 metres in depth and 3.2 metres in width. The ridge height of the conservatory is 3.1 metres and eaves height is 2.1 metres. The proposed external materials complement the materials of the existing dwelling.

3. Description of the site and surrounding area

3.1. The application dwelling is within the settlement boundary of Hinckley. It is a two storey detached dwelling with an attached garage. The building is brick built with a gable sided roof form, white uPVC windows, a hardstanding driveway and grassed area. The dwelling is not listed and not within a conservation area.

3.2. The immediate surrounding street scene is characterised with similar brick built detached dwellings, driveways and grassed areas.

4. Relevant planning history

None relevant

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 notification.

6. Consultation

6.1. None required for this application.

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 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 provides further advice in respect of the siting and design of house extensions and 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.'

8.3. The proposed single storey rear conservatory has a hipped roof form with a tinted toughened glass roof. The conservatory measures 3 metres in depth and 3.2 metres in width. The ridge height is 3.1 metres and eaves height is 2.1 metres. The extension has appropriate dimensions and is single storey in scale. It is not visible from the street scene. The proposed external materials complement the existing dwelling. The design of the conservatory respects the character of the existing dwelling and is clearly subordinate to the main dwelling.

8.4. By virtue of its siting, appropriate design and dimension, single storey scale and not being visible from the street, the proposed use of complementing external materials in the construction to ensure a satisfactory appearance, it is considered that the proposal respects and complements the scale, character and appearance of the existing dwelling. 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 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.

8.6. The proposed conservatory is 2.1 metres away from the south boundary fence and 3.3 metres from the north boundary fence. The existing fence separates the gardens of neighbouring properties and protects their privacy. The application site has a remaining garden length of approximately 9 metres. The conservatory is considered to have appropriate height and distance from the boundaries of the site.

Due to the distance from the boundary fence, there is no significant overbearing, overlooking and overshadowing impact on adjoining properties. It does not result in overdevelopment of the garden land. There is no loss of light to adjoining properties and no breach of the 45 degree rule.

- 8.7 By virtue of their siting, scale and appropriate dimension, the proposed conservatory has no significant adverse impacts on adjoining residential amenity of the occupiers of the neighbouring dwelling and therefore in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide. No objections have been received from any neighbouring properties.

Impact upon parking provision

- 8.8 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.9 The application dwelling has a front hardstanding driveway and an integrated garage. The driveway and the garage can hold up to 2 cars. The proposed conservatory does not increase the number of bedrooms in the dwelling. The site is within an urban looking with a walking distance to Granville Road bus stop and alternative means of public transport. The existing parking arrangements are sufficient to serve the dwelling. The proposed development does not impact on the existing parking spaces. The proposal is therefore considered to be in accordance with Policy DM18 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 is for extension and alteration to an existing dwelling within an established residential curtilage and therefore 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 its siting, single storey scale, appropriate design and dimensions, and appropriate external materials in the construction to ensure a satisfactory appearance, it is considered that the proposal respects and complements the scale, character and appearance of the existing dwelling. There are no significant adverse visual impacts on the character of the surrounding area. The extension does not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. Sufficient off-street parking and amenity space are maintained within the site to serve the dwelling. 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 are 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: Site Location and Block Plan reference number 90013959, Proposed Floor Plans and Elevation contract number 900-13959 received by the local planning authority on 16 April 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 alterations hereby permitted shall be in accordance with the external materials details submitted on the approved Proposed Plan and Elevation.

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 building.control@blaby.gov.uk or call 0116 272 7533.