

Delegated Report

Planning Ref: 24/00209/HOU
Applicant: Mr & Mrs Ashworth
Ward: Hinckley Castle



Hinckley & Bosworth
Borough Council

Site: 3 St Georges Avenue Hinckley Leicestershire LE10 0TE

Proposal: Single storey rear extension and a boundary wall

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 single storey rear extension and a garden wall to a dwelling, 3 St Georges Avenue, Hinckley.

2.2. The proposed single storey extension extends 5 metres from the rear elevation of the main dwelling and a width of 3.8 metres. It replaces the existing conservatory. The rear extension has a pitched roof form, an overall height of 3.6 metres and matching eaves height of 2.6 metres. External materials for the extension are brick work and roof tiles to match the existing. The garden wall is built with bricks, steps down to the garden and has an overall height of 3.2 metres and a length of 2.5 metres.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the settlement boundary of Hinckley and within the Hollycroft Conservation area. The dwelling is a two storey semi-detached house with a gable sided hipped roof form, a front bay window, white uPVC windows and an integral garage. The dwelling is brick built at the ground level and has pebble dash at the upper floors. The dwelling is bordered by a brick wall to the front and a tarmac surface driveway. The surrounding street has a mix of two storey semi-detached and detached dwellings.

4. Relevant planning history

16/00808/HOU

- Two storey side extension
- Planning Permission
- 04.11. 2016

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.

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

6. Consultation

6.1. LCC Ecology has no comment on the application.

6.2. HBBC Conservation Officer has no objection to the 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 DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets
- 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 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 and the conservation area.
- Impact upon neighbouring residential amenity
- Impact upon parking provision

Design and impact upon the character of the area and conservation 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 in respect of rear extensions 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.'

8.3 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

8.4 Section 16 of the National Planning Policy Framework (NPPF) provides the national policy on conserving and enhancing the historic environment. Paragraphs 205-208 of the NPPF require great weight to be given to the conservation of designated heritage assets when considering the impact of a proposed development on its significance, for any harm to the significance of a designated heritage asset to have clear and convincing justification, and for that harm to be weighed against the public benefits of a proposal.

- 8.5 Policies DM11 and DM12 of the Site Allocations and Development Management Policies (SADMP) DPD seek to protect and enhance the historic environment. Development proposals should ensure the significance of a conservation area is preserved and enhanced.
- 8.6 The proposed single storey rear extension extends 5 metres from the rear elevation of the main dwelling. It extends approximately 1.4 metres further than the depth of the existing conservatory. The extension has a width of 3.8 metres. The rear extension has a pitched roof form, rooflights, an overall height of 3.6 metres and matching eaves height of 2.6 metres to kitchen. The garden wall has a length of 2.5 metres and overall height of 3.2 metres. External materials for the extension are brick work and roof tiles to match the existing.
- 8.7 The proposed development has a single storey scale, has a roof form that matches the roof design of the main dwelling, appropriate siting, design and matching external materials proposed for the extension. The extension and the garden wall sit comfortably upon the rear elevation of the host dwelling. Due to its siting to the rear of the property and its single storey scale, the extension has no visual impact upon the character and appearance of the wider area, including the conservation area, where the heritage interest of the host dwelling is most greatly appreciated from its front elevation.
- 8.8 Overall, it is considered that the proposal has a neutral impact upon the character and appearance of the Hollycroft Conservation Area, thus preserving its significance. It respects and complement the character and appearance of the existing dwelling and creates a well enclosed garden. The proposal therefore complies with Policies DM10, DM11 and DM12 of the SADMP DPD, section 16 of the NPPF, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the general principles of the adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 8.9 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.
- 8.10 The proposed single storey rear extension is just to the east boundary. It extends approximately 1.4 metres further than the depth of the existing conservatory. The garden wall has a length of 2.5 metres and steps down in the garden. The overall height of the garden wall is 3.2 metres. The garden wall creates an enclosed rear garden and protects the privacy of the respective occupiers. Both garden wall and extension have a minor scale. The roof pitch of the extension reduces the level of overbearing impact on 1 St Georges Avenue. 1 St Georges Avenue has a rear glazed door close to the boundary of the extension serving a lounge. A 45 degree line taken from the middle of the door at 1 St Georges Avenue is crossed by the extension and wall. However, the site is oriented in a way that the lounge at 1 St Georges Avenue receives a significant amount of light during the day. There is no significant loss of light to the adjoining property as a result of the extension. The single storey scale and the roof design does not cause any significant overshadowing effect on the adjoining property.
- 8.11 By virtue of the siting, single storey scale and the orientation of the site, it is considered that the proposal does not result in any significant adverse overbearing or overshadowing impacts on any neighbouring properties. The proposal has no significant adverse impacts from overlooking or loss of privacy to the occupiers of any other neighbouring properties. There are no side facing windows on the proposed extension. The proposal is therefore in accordance with Policy DM10, DM11 and DM12 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

- 8.12 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.13 The site currently provides three off-street parking spaces to serve the existing dwelling and an integral garage. The level of provision is adequate to serve the resulting dwelling. The proposal is therefore in accordance with Policy DM18 of the adopted SADMP and current local highway 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 an extension and alterations to an existing dwelling located within the 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 its siting, scale, design, site orientation and subject to the proposed use of matching corresponding external materials in its construction to ensure a satisfactory and uniform appearance, the rear extension and garden wall respect the scale, character and appearance of the existing dwelling, conservation area and wider street scene. The proposal has no significant adverse impacts on the residential amenity or privacy of any neighbouring properties. Adequate private rear amenity space and off-street parking spaces are retained within the site to serve the resulting dwelling. The proposal is 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 Plan (submitted to the LPA on 05/03/2024) and Block Plan Drawing Number 1560/SL, Proposed Plans and Elevations Drawing Number 1580 received by the local planning authority on 19 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 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 building.control@blaby.gov.uk or call 0116 272 7533.