

Delegated Report

Planning Ref: 23/00292/HOU

Applicant: Mr Wlodek Rutkowski

Ward: Hinckley Castle



Hinckley & Bosworth
Borough Council

Site: 38 St Georges Avenue, Hinckley, Leicestershire, LE10 0TF

Proposal: Loft conversion to increase the height of the dwelling, first floor balcony and canopy.

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 a loft conversion to raise the height of the existing dwelling, first floor balcony to the rear, storage space above the existing garage and a covered car port area. It also includes roof lights to the roof slope.
- 2.2. The loft space measures 8.2 metres in depth and 5.4 metres in width raising the roof to a height of 7.5 metres. The original height was 5.6 metres. The rear canopy hosts a glazed balcony to the top.
- 2.3. The proposed external materials are cedar cladding for the loft space, rosemary roof tiles, render and brick for walls.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of Hinckley in a predominantly residential area. It is a single storey bungalow bordered by a metre and half brick wall and gate, built of brick with an attached flat roof garage to the side, a pyramid shaped roof and white uPVC windows. The site slopes downward from the road to the rear of the property.
- 3.2. The street scene has a mixed of single storey and two storey properties with a variety of design and styles. The properties to the south of the site are two storey while others to the east and north are single storey. Most properties in the area have a higher ridge than the existing dwelling.

4. Relevant planning history

16/00881/HOU – Roof extension – Planning Permission - 02.11.2016.

18/01054/HOU – Increase in ridge height to the existing dwelling including side extension, loft conversion with first floor balcony to the rear – Planning Permission - 21.12.2018.

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. No comments have been received.

6. Consultation

- 6.1. No consultation required.

7. Policy

7.1. 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

7.2. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF 2021)
- Planning Practice Guidance (PPG)

7.3. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)
- Local Highway Authority Design Guide

8. Appraisal

8.1. Extensions 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

8.1 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.

8.2 The Council's adopted Good Design Guide states that extensions should be an appropriate height, width, depth and reflect or complement the detailing and materials of the original building.

2.4. The proposal creates a loft space and a balcony to the rear which raises the existing roof by 1.9 metres to an overall ridge height of 7.5 metres and eaves height from 2.6 metres to 2.9 metres. The street scene has a mix of two storey and single storey properties and therefore the increase in height is not considered to be out of character with other properties within the street scene. The pyramid shaped roof is replaced by a dual pitched roof with a window to the front elevation. The rear window and door lead to the glazed balcony within the roof overhang. The external materials are Cedral cladding for the front and rear loft space, rosemary roof tiles, render and brick for wall. These are prevailing features within the immediate surrounding context. The canopy to the front of the existing garage and rear of the property are considered appropriate in height and scale. The rooflights are flush with the roof and introduce natural light to the loft space.

8.3 The street scene has a mix of roof designs and heights, therefore the proposed development is considered not to be harmful to the visual character of the area. It is considered that the proposed extensions and alterations would respect and complement the scale, character and appearance of the existing dwelling and would not result in any significant adverse visual impacts upon the character or appearance of the wider and varied 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

- 8.4 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.
- 8.5 The adopted Good Design Guide states that roof extensions should minimise potential impact on the street scene. The roof extension would be considered in context of the impact on the character of the building and neighbouring amenities.
- 8.6 The rise in height matches the height within the surrounding context. It does not cause any adverse overdominating effect as it is considered to have appropriate scale. The new roof slopes cover the existing garage and canopy. The proposed dwelling extends 0.2 metres to the side boundary on the south (40 St Georges Avenue) and 0.78 metres to the side boundary to the north (36a St Georges Avenue). As a result of the roof sloping away from the boundary of the property, there is no significant overbearing effect on the adjoining neighbours. The rooflights on both sides of the property do not cause overlooking into 36a and 40 St Georges Avenue. The front and rear windows have no significant impact on the neighbouring properties. There is no breach of the 45 degree rule and loss of sunlight as a result of the proposed development. The rear balcony to the top of the rear canopy is at a height of 2.9 metres and covered by the roof. It does not cause any significant overlooking to the private gardens of the adjoining neighbours.
- 8.7 The overall extension remains subservient to the host dwelling. It does not result to any significant adverse overbearing, loss of privacy or overshadowing impacts.
- 8.8 By virtue of the scale and design of the proposed extension together with the height and materials of the extension matching with the neighbouring properties, the roof slope and sun's path, it is considered that the proposals does not result in any significant adverse overbearing or overshadowing impacts or loss of privacy to the occupiers of any neighbouring properties and that they are therefore in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide.

Impact upon parking provision

- 8.9 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.10 The Leicestershire Highways Design Guide Paragraph 3.165, Part 3 states that a minimum of 2 parking spaces is required for dwellings with 3 or less bedrooms. Paragraph 3.199 also requires that a standard garage size measures 6m x 3m. The existing garage does not meet the standard garage size and therefore not considered as a garage, however as a result of the front canopy joining with the garage, it provides enough room for cars parking.
- 8.11 The front space of the house has the capacity to accommodate additional parking. The proposal is considered to be in accordance with Policy DM18 of the adopted SADMP.

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 extensions and alterations 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 subject to the proposed use of matching external materials to ensure a satisfactory and uniform appearance, the proposals would respect and complement the scale, character and appearance of the existing dwelling and that of the wider street scene and would not result in any significant adverse impacts on the privacy or residential amenity of any neighbouring properties. The proposal would not affect existing parking provision. The proposals are considered to be in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP, 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: Site Location and Block Plan (Drawing reference 100035207: submitted on

24.03.2023), Existing and Proposed Floor Plans and Elevation (Drawing reference: Planning 01: submitted on 28.03.2023).

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 extensions and alterations shall be in accordance with the details provided within the approved plans.

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.