

Delegated Report

Planning Ref: 23/00532/HOU

Applicant: Mr James Gray

Ward: Hinckley Castle



Hinckley & Bosworth
Borough Council

Site: 19 Swinburne Road Hinckley Leicestershire LE10 0TQ

Proposal: Single storey front 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 single storey front extension. The front extension enlarges an existing kitchen and garage.
- 2.2. The extension projects 1.1 metre forward of the main front elevation with a width of 7.8 metres. It has a matching eaves of 2 metres and ridge height of 3.2 metres with mono pitched roof.
- 2.3. The proposed materials for the external elevation are brick, pantile roof, uPVC windows and prefabricated stock front door to match the existing.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within a residential settlement boundary of Hinckley and within a row of similarly styled and designed dwellings. It is a semi-detached two storey house with dual pitched main roof, an attached flat roof garage, a front projection with mono pitched canopy roof. The dwelling is constructed with bricks at the ground floor and render to the upper floor and white uPVC windows. In addition to the garage is a hardstanding front driveway and green grass adjacent the driveway. The dwelling is not listed and not within a conservation area.

4. Relevant planning history

None.

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. No response has been received as a result of public consultation.

6. Consultation

- 6.1. None required.

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.

8.3. Front extension should not normally extend beyond the front elevation by more than 2 metres and not cover more than 50% of the front elevation. It should not result in the loss of existing parking spaces where it will impact on the street scene.

8.4. The proposed single storey front extension extends 1.1 metre forward of the main front elevation in line with the adopted design guide. The 3.2 metres high mono pitched roof design of the single storey front extension is not uncharacteristic of the existing dwelling or wider street scene. The properties along the street have a number of front extensions and as a result, the street does not have a uniform building line.

8.5. By virtue of the single storey scales, appropriate width, depth and height and the use of both matching it is considered that the proposal does not significantly harm the character and appearance of the area.

8.6. The proposal is therefore considered to be in accordance with Policy DM10 of the adopted SADMP and the general overall principles of the adopted Good Design Guide.

Impact upon neighbouring residential amenity

8.7. 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.

8.8. 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.'

- 8.9 The adjacent dwelling to the west (No. 23) is a has a similarly designed and styled front extension except for the roof design. The proposed front extension follows similar design. A 45 degree line taken half way from the nearest ground floor window of 17 Swinburne Road is not crossed by the extension. The immediate adjoining building to the west of the extension is a garage which the proposed development has no significant impact on. There is no form or overlooking, overbearing impact on the neighbouring properties, therefore it is considered that the proposal has no unacceptable loss of outlook or adverse overbearing impact over and above the existing dwellings. No objection to the proposal has been received from the neighbouring occupiers. There are no side elevation windows to cause any significant loss of privacy to the neighbouring occupiers from potential overlooking.
- 8.10 By virtue of the siting, scale, and design it is considered that the proposed extensions and alterations does not result in any significant or unacceptable adverse overbearing or overshadowing impacts or loss of privacy to the occupiers of any neighbouring properties and would therefore in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide. No objections to the proposal has been received from the occupiers of any neighbouring properties.

Impact upon parking provision

- 8.11 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.12 The site currently has a front driveway and a garage. The front extension does not result in overhanging of cars. There is no increase in the number of bedrooms.
- 8.13 The extension does not impact on parking provision is therefore considered to be in accordance with Policy DM18 of the adopted SADMP and the local highway authority design guide.

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 proposals relate 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 their siting, scale, design and subject to the proposed use of matching corresponding materials to ensure a satisfactory and unified appearance, it is considered that the proposal respect and complement the scale, character and appearance of the existing dwelling and wider street scene. It does not result in any significant adverse impacts upon the privacy or residential amenity of any neighbouring properties. The proposal retains adequate private rear amenity space and satisfactory off-street parking provision to serve the dwelling in this 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. Plan 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: Location Plan, Proposed Block Plan and Proposed Floor Plans and Elevations received by the local planning authority on 31 May 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 hereby permitted shall be in accordance with the materials details provided within the submitted Planning Application form received by the local planning authority on 31 May 2023 and 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.