

Delegated Report

Planning Ref: 25/00467/HOU
Applicant: Mr Reagan Hayes
Ward: Hinckley Clarendon



Hinckley & Bosworth
Borough Council

Site: 163 Coventry Road Hinckley Leicestershire LE10 0JS

**Proposal: Erection of double storey rear, single storey front and loft extensions
(revised scheme of 23/00218/HOU)**

Case Officer: Zahra Jam-Rotbeh
Date: 03/07/2025

1. Recommendations

- 1.1. **Refuse planning permission** subject to the reasons at the end of this report.

2. Planning application description

- 2.1. This householder application is a revised scheme of approved planning permission (23/00218/HOU) for a two-storey rear extension, single storey front extension, loft conversion and alterations to the dwelling that include a 1 metre increase in the roof height and in this scheme, it is seeking a planning permission for the same scheme with the addition of two balconies to the rear elevation.
- 2.2. The rear extension is to create a kitchen/dining room to the ground floor and bedroom to the first floor. The rear extension at the ground floor extends 6.3 metres in depth on the western side of the dwelling and a metre in depth to the eastern side of the dwelling and has a width of approximately 9 metres. The first-floor extension also measures 3.3 metres in depth from the west elevation of the dwelling to a width of 5.5 metres.
- 2.3. The proposal also includes the addition of two balconies to the rear elevation, measuring 1.1 metres in width, 2.8 metres in length, and 0.9 metres in depth. The balcony will be fitted with opaque glazed privacy screens to the sides facing adjacent neighbouring, set at a height of 1.8 metres above the balcony floor level.
- 2.4. The original dwelling has a bay window to the front. A slight extension to the front to square the front elevation of the house to create an overall depth of 11.55 metres. This is to create a lounge, new entrance and living room.
- 2.5. The proposed development also creates loft space to the revised roof with a flat roof dormer to the rear, rooflight to the front, replacement of window to the first-floor front elevation and an increase in the roof height from 7.3 metres to 8.3 metres.
- 2.6. The extension uses off white render for the wall, roof tiles, grey uPVC double glazed doors and windows.
- 2.7. Whilst not stated in the application form the amended proposals also include a 1.8m high wall/railings and associated gates to the front boundaries of the site. As this element would not be permitted development and is shown on the proposed plans it has been assessed as part of the application.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the urban settlement boundary of Hinckley. It is a two-storey detached property directly opposite Northfield Road. The house is built with red bricks at the base and side elevation, render to the front and rear of the building, dual pitched roof tiles, and white uPVC double glazed windows.
- 3.2. The surrounding street has predominantly residential dwellings with commercial premises to the southwest and Rock Gardens to the southeast of the site. The residential dwellings are designed to have a mixed of single and two storeys, mixed brick work and render, different roof designs, broadly similar two storey building heights, and a few dormer windows. The property is not listed and not in a conservation area.
- 3.3. Boundary treatments to the frontage of surrounding properties are predominantly low brick/stone walls or hedges.

4. Relevant planning history

- **23/00218/HOU**
- Two storey rear extension, single storey front extension, loft conversion and alterations to dwelling
- Planning Permission
- 08.03.2023

5. Publicity

The application has been publicised by sending out letters to local residents. 1 comments were received from neighbours, and that includes:

-Loss of privacy from the proposed balconies

6. Consultation

- 6.1. No consultations required.

7. Policy

- 6.2. Core Strategy (2009)
 - No relevant policies
- 6.3. 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
- 6.4. National Planning Policies and Guidance
 - National Planning Policy Framework (NPPF 2024)
 - Planning Practice Guidance (PPG)
- 6.5. Other relevant guidance

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

8. Appraisal

6.6. 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

6.7. 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.

6.8. The Council's adopted Good Design Guide 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. Where there is no public view into the site, a fully integrated two storey rear extension is acceptable unless there is a detrimental impact on the adjacent properties as assessed by the 45-degree rule'.

6.9. The proposed rear extension at the ground floor protrudes from the west elevation of the dwelling by 6.3 metres in depth and a metre in depth at the east elevation of the dwelling. The first floor also extends 3.3 metres in depth from the west elevation and creates a balcony to the top of the ground floor extension. These integrates well at the rear of the dwelling and not viewable from the street.

6.10. The front extension squares up the existing bay window and slightly extends forward the existing building line on the street. A bay window remains a predominant feature on the street scene, while other properties including 161, 173 Coventry Road and others have no bay windows.

6.11. The proposed front design including windows replacement, roof light and the use of render to the front elevation extension does not significantly harm the character of the area. The street scene has a mixed of render and brick work, detached, bungalow and semi-detached dwellings along the street.

6.12. The proposed loft space raises the height of the extension from 7.3 metres to 8.3 metres to create a flat roof dormer to the rear of the dwelling. The increased in roof height does not harm the character of the area. The bungalow to the east of the site has a deep and high roof height, likewise 165 Coventry Road. Property 161 Coventry Road, which is a bungalow, has deep pitched roof but slightly lower than 163 Coventry Road. 163 Coventry Road is also slightly lower than 165 Coventry Road and other properties to the west of the site. The increase in height of the 163 Coventry Road from 7.3 metres to 8.3 metres is does not adversely impact on the street scene.

6.13. The flat roof dormer to the rear is not visible from the street scene and is acceptable in this instance. The gable end pitched roof design is a character of the area and the proposed roof design is acceptable. The roof tiles for the extension are similar to the existing and other dwellings along the street. The EPDM rubber flat roof is to

the rear is not viewable from the street scene. Grey uPVC windows and door are not a common feature on the street. The predominant colour of windows and doors along the street is white however the street does not have uniform character as the new dwellings at Mason Court has brown and grey window frame and therefore grey windows and door enhance the character of the area.

- 6.14. The proposed balconies are located on the rear elevation and measures 1.1 x 0.9 metres. It features clear glazed balustrade panels and each balcony is screened on one side with opaque glazed privacy panels, set at a height of 1.8 metres from the balcony floor and aligned with its depth. The balconies would not be very visible from the public realm, is in keeping with the character of the surrounding area and is not considered to have an adverse impact on the design or appearance of the neighbourhood.
- 6.15. The proposed wall, measuring approximately 12.40 metres along the front boundary and 7 metres along each side boundary, it is proposed to have a total height of 1.8 metres. The wall is designed to be solid for the bottom 0.9m and to the pillars, which would have a white rendered finish and the this would be dark grey steel railings to the height of 1.8m. It includes a sliding gate and garden gate in dark grey PCA panels on the front elevation. The erection of a front wall and proposed design is inconsistent with the established character and appearance of the surrounding area. There are no comparable structures in the vicinity, where front boundaries are open or characterised by low brick walls and/or hedging. The wall would be very prominent by virtue of its location to the front of the dwelling and opposite the junction, its large scale and the stark materials proposed. The introduction of the wall would negatively impact the streetscene and disrupt the visual continuity and character of the area. As such, the proposal is considered contrary to Policy DM10.
- 6.16. By virtue of the above, the proposed extension and alterations are considered subordinate in both scale and design. However, the proposed wall is considered to have an adverse impact on the character and appearance of the surrounding area. As such the development is contrary to Policy DM10 of the adopted SADMP and the adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 6.17. Paragraph 135 of the NPPF states that decisions should ensure that developments have a high standard of amenity for existing and future users.
- 6.18. 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.
- 6.19. 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.'
- 6.20. The application proposes a front extension which moves slightly beyond the building line. The front extension does not significantly impact neighbouring amenities in terms of overlooking, loss of light, parking area and overbearing. The increase in roof height does not cause any dominating effect on the adjoining

dwellings as a result of the detached nature of the host dwelling and the separation distance of approximately 1.3 metres to the boundary of 161 Coventry Road (east) and 2.1 metres to the west boundary (165 Coventry Road). No significant impact from overlooking or loss of privacy as a result of the dormer window and rooflight.

- 6.21. The property has a fairly long rear amenity area, and the rear extension fully integrates to the rear of the dwelling. The depth of the ground floor rear extension is considered to be quite deep but due to its single storey scale, it does not harm any neighbouring property. It follows the rear building line of 165 Coventry Road. The single storey extension to the rear of 165 Coventry Road (kitchen) has a side window, rear window and a window to the first-floor rear elevation. A 45-degree line taken from the rear window on the ground floor of 165 Coventry Road is not crossed by the extension. A 45-degree line drawn from the rear window at the first floor of 165 Coventry Road hit the edge of the extension however does not have any significant impact as a result of it being overbearing and there is no significant loss of light as a result of the separation distance.
- 6.22. The previous scheme proposed Juliet balconies on the rear elevation windows. While, the revised plan includes a full balcony to each bedroom measuring 2.81 metres in length, 1.1 metres in width, and 0.9 metres in depth. The balconies will be screened on both external sides with opaque glazed privacy panels adjacent to the neighbouring properties at 161 Coventry Road (east) and 165 Coventry Road (west). However, no privacy screens are proposed on the internal sides of each of the balcony. While the inclusion of privacy screens is a positive step towards mitigating overlooking, the overall impact remains significant due to the extended length of the balcony and lack of screening on the internal elevations. The elevated position allows direct views into the rear garden areas of both neighbouring properties, which raises concerns about loss of privacy. Whilst Juliet balconies were approved, these openings were comparable to normal views from first floor windows. In contrast the proposed balconies extend further than the building line of the neighbouring properties and are of a scale which would allow users to sit out on the balcony for extended periods of time. Whilst views immediately to the external side of each balcony may be screened by the privacy screens, the screens would not be sufficient to fully mitigate views from the rear and internal sides of the balcony. Both neighbouring properties have key amenity outdoor space to the immediate rear of their dwellings close to the balconies. As such, the proposal is considered contrary to Policy DM10, as it would adversely affect the amenity of adjacent occupiers.
- 6.23. By virtue of the above, it is considered that the proposed balconies would result in loss of privacy to the occupiers of adjacent neighbouring properties and therefore it is in contrary with Policy DM10 of the adopted SADMP and paragraph 135 of the NPPF.

Impact upon parking provision

- 6.24. Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 6.25. The Leicestershire Highways Design Guide requires 3 off street parking space to be provided for dwellings of 4 or more bedrooms, a minimum parking size of 2.4m x 5.5m, add 0.5m if bounded by a wall, fence, hedge, line of trees or other similar obstructions on 1 side, 1m if bounded on both sides.
- 6.26. The proposed development creates a 6-bedroom dwelling. The front space of the dwelling has approximately 61 square metres. The site has the capacity to

accommodate 3 off-street cars to the front driveway. It is on a B classified road with double yellow lines and traffic light on the street. The site is within an urban settlement in Hinckley with a number bus stations on the street. Therefore, the proposals have a neutral impact on parking provision within the site.

- 6.27. The proposal is therefore considered to be acceptable in terms of Policy DM18 of the adopted SADMP and LHDG.

8. Equality implications

- 8.1 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.

- 8.2 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.

- 8.3 There are no known equality implications arising directly from this development.

- 8.4 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).

9. Conclusion

- 10.1. The proposal relates the householder application which is a revised scheme of approved planning permission (23/00218/HOU) for a two-storey rear extension, single storey front extension, loft conversion and alterations to the dwelling that include a 1 metre increase in the roof height and in this scheme, it is seeking a planning permission for the same scheme in addition of two balconies to the rear elevation. In addition a 1.8m high wall and gate to the front of the property.
- 10.2. By virtue of the siting, scale and design the proposed wall as introduced in the revised scheme is considered to be inconsistent with the character and appearance of the area and therefore it is considered to be contrary to DM10.
- 10.3. The proposed balconies will result an unacceptable adverse impact upon the privacy of adjacent neighbouring properties and as a result, the proposal is considered to be in contrary with Policies DM10 of the adopted SADMP and paragraph 135 of the NPPF. As such, the application is recommended for refusal for the reasons outlined at the end of this report. It is therefore advised that the development should follow the previously approved scheme.

10. Recommendation

- 11.1 **Refuse planning permission** subject to the reasons at the end of this report.

11.2 **Reasons**

1. By virtue of balconies scale and siting, the proposed development would result in a significant loss of privacy of the adjacent neighbouring properties. The development is therefore contrary to Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016), the Hinckley and Bosworth Good Design Guide (2020) and National Planning Policy Framework (2024).
2. By virtue the proposed wall design, scale and sitting, it is considered to have an adverse impact on the character and appearance of the surrounding area. As such, it is contrary to Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016), the Hinckley and Bosworth Good Design Guide (2020) National Planning Policy Framework (2024).

11.3 **Notes to applicant**

11. This application has been determined with assessment of the submitted Application Form, Site Location Plan, Updated Proposed Plan and Site Plan, Drg No. M2202_PL_DRG_0011, Proposed and Existing Plans & Elevations, Drg No. M2202_PL_DRG_0010, Proposed Plans and Site Plan-M2202_PL_DRG_0011 as received by the Local Planning Authority on the 20th March 2025. Site Plan, Drg No. 0380-A-GA-003A as received by the Local Planning Authority on the 8th March 2025.