

Delegated Report

Planning Ref: 23/00951/HOU
Applicant: Mr D. Richardson
Ward: Hinckley Castle



Hinckley & Bosworth
Borough Council

Site: 21 Linden Road Hinckley Leicestershire LE10 0AR

Proposal: Two storey side extension and single storey rear extension (following demolition of existing single storey rear 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 full planning permission for the construction of a two storey side extension and single storey rear extension to a dwelling, 21 Linden Road, Hinckley.
- 2.2. The proposed rear extension measures approximately 3 metres in depth and to a width of 6 metres which covers the full width of the main dwelling. This follows the demolition of an existing rear projection. The rear extension has a flat roof, a roof light and approximately 3.2 metres roof height.
- 2.3. The two storey side extension is set back by approximately 0.5 metres from the main front elevation and set down from the main ridge by approximately 0.5 metres. It projects out from the side elevation by 2.5 metres and to a depth of approximately 7.5 metres. The proposed plan was amended from a Dutch hipped roof to a gable roof, retaining the eaves height of 5.3 metres to match with the existing eaves and a ridge height of approximately 8 metres.
- 2.4. The proposed external materials for the extension are brick plinth, render walls, white uPVC windows, and fibre cement slate roof. The brick plinth is to the front elevation only and render to the side and rear elevation.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of Hinckley on Linden Road. It is a two storey semi-detached dwelling within a row of detached and semi-detached dwellings. The dwelling is rendered at the upper level, brick plinth, white uPVC windows, slate roof tile and hipped roof form. The dwelling has a front hardstanding driveway and rear amenity space bounded by close-boarded fencing and hedging. The property is not listed, and the site is not within a conservation area.
- 3.2. The surrounding street scene has a mixed of brick work and rendered detached and semi-detached properties of varied design and similar scale. The adjoining semi-detached property has a hipped roof but elsewhere in the street there is a mix of hipped and gabled roofs.

4. Relevant planning history

None relevant.

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. A 10 day re-consultation was also made in regards to the amended plans.
- 5.2. One objection was received for the first neighbouring consultation. Two responses were received for the second re-consultation, one a further objection and the other raising issues regarding noise and previous subsidence. The objections raise concerns of overshadowing and loss of light including to habitable rooms, proximity of the side extension causing overbearing impact, inability of the applicants to externally access rear amenity space, noise and disturbance and loss of privacy.

6. Consultation

- 6.1. No other consultations are necessary or have been undertaken.

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
- HBBC Good Design Guide (2020)
 - National Design Guide (2019)
 - Local Highway Authority Design Guide
- ## **8. Appraisal**
- 8.1. Extensions to existing dwellings 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 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.
- 8.3. The adopted Good Design Guide states that:

‘Two storey side extensions should appear smaller in scale and massing in order to be subordinate to the main dwelling. Any proposal for a two storey side extension should be set down from the ridge of the existing house and set back from the front elevation (the minimum distance for this should be 0.5 metres in both directions) unless in design terms this in itself would create an imbalance in the overall design of the property.’ and,

‘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.’

- 8.4 The rear extension has a depth of 3 metres, a width of 6 metres, and flat roof height of 3.2 metres to create and enlarged kitchen/dining area. The two storey side extension is set back and set down in accordance to the Good Design Guide. It has a width of 2.5 metres and a depth of 7.5 metres. The two storey extension has a gable end roof with ridge height of 8 metres and eaves height of 5.3 metres.
- 8.5 The rear extension has appropriate dimensions and covers the full width of the existing dwelling. The rear extension is not viewable from the street scene. The flat roof design of the rear extension is not harmful to the street scene. The existing outbuilding at the rear of the dwelling is approximately 0.6 metres away from the proposed rear extension. The rear extension is considered to be clearly subordinate to the main dwelling. The proposed side extension is set down from the main ridge and set back from the front elevation. The extension has appropriate dimensions and is approximately 0.1 metres from the east side boundary which reduces the terracing effect on the street. The street scene does not have a uniform roof design therefore the proposed gable roof, albeit unbalancing, is not out of character and is not significantly harmful to the streetscene.
- 8.6 The proposed rear and side extensions in context to the host dwelling and surrounding environment, have appropriate height, scale, form and do not appear overly prominent. It complies with the character of the area and matching materials are proposed for the extension. The street scene has a number of side and rear extensions, therefore the proposed extension does not result in a significant adverse visual impacts on the application dwelling or wider street scene.
- 8.7 By virtue of its siting, appropriate scale, set back from the front elevation and set down from the main ridge, sympathetic gable roof design and construction in matching external materials, the proposed extension respect and complement the scale, character and appearance of the application dwelling and have no significant adverse visual impacts on the surrounding area. The proposal is therefore considered to be acceptable and in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 8.8 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.
- 8.9 The 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.'

- 8.10 The single storey rear extension is just to the 2 metres high boundary fence between 21 and 23 Linden Road. It is 3 metres away from the east boundary of the site. Due to its single storey scale and siting, it does not significantly affect adjoining neighbours in terms of overlooking, overbearing, loss of light and loss of privacy. It is not viewable from the streetscene. The single storey rear extension has a limited impact on the rear window at 23 Linden Road and does not result in a breach of the 45 degree rule.
- 8.11 The two storey side extension is approximately 0.1 metres away from the east boundary and 1.3 metres away from 19 Linden Road. The street topography slopes downwards to the west of the site, however, 19, 21 and 23 Linden Road have similar heights and follow a similar building line. The set back and set down of the two storey extension sufficiently reduces the terracing effect and creates an appropriate distinction between the main dwelling and the proposed extension. The proposed roof has a gable end that faces 19 Linden Road and the height does not go beyond the height of the existing main dwelling and that of the adjoining property. 19 Linden Road has two windows to the western side elevation and no principal window to the rear. The first window serves the stairway (not habitable). The other window serves a kitchen (habitable) which joins the dining room/lounge. The dining room/lounge area is served by a window to the south east elevation. Considering the orientation of the site and the absence of a principal window to the rear of 19 Linden, light is received through both side windows. Some light will be lost as a result of the side extension as it is directly opposite the kitchen window at 19 Linden Road, however, due to the use of render to the extension, the separation distance between the properties and the light received from the larger/principal side window to the lounge/dining area, the loss of light is not considered to be so significant as to warrant amendment or refusal of the application. There is no upper floor window to the side elevation of the two storey side extension to cause overlooking. The ground floor side window to the extension is obscured.
- 8.12 Notwithstanding the objections, the proposed side extension is not considered to unacceptably impact on adjoining properties. The separation distance between both properties, the roof design, the set down and set back, use of render to the extension, the orientation of the site, the sun path, and existing fence contribute to reducing the level of overbearing, overlooking, loss of light and loss of privacy.
- 8.13 By virtue of the above, the proposal does not result in unacceptable adverse overbearing or overshadowing impacts or loss of light on the residential amenity of neighbouring properties and therefore is in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.

Impact upon parking provision

- 8.14 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.15 The proposal increases the number of bedrooms from three to four. The local highway authority design guide requires the provision of a minimum of three off-street parking spaces to serve a four bedroom dwelling. The front hardstanding driveway has the capacity to hold two off-street cars. The site is considered to be in a sustainable urban location, therefore the two off-street car parking is considered to be adequate to serve the dwelling. The proposal is unlikely to result in any significant adverse impacts on highway safety. The proposal is 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 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 the siting, scale, design, set down and set back, roof form, separation distance, and the proposed use of matching external materials, it is considered that the proposed extension and alteration reflect and complement the scale, character and appearance of the existing dwelling and has no significant adverse visual impacts on the street scene or surrounding area. The extension does not result in an unacceptable adverse impact on the residential amenity or privacy of the occupiers of any neighbouring properties. Adequate off-street parking space and amenity space is provided to serve the dwelling. The proposal is therefore considered to be acceptable and 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 Drawing Number PP-12480264v1 (submitted on 26.09.2023), Proposed Floor Plan Drawing Number 003 Rev. A, Proposed Elevation Drawing Number 005 Rev. D received by the local planning authority on 20.11.2023.

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 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 buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.