

Delegated Report

Planning Ref: 24/00291/HOU
Applicant: Mr Steven Reed
Ward: Ambien



Hinckley & Bosworth
Borough Council

Site: The Hembs 109 Main Street Higham On The Hill Leicestershire

Proposal: 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 planning permission for a single storey rear extension to a dwelling, The Hembs, 109 Main Street, Higham on the Hill. The proposal would be located within a rear courtyard flanked on both sides by much deeper two storey and single storey rear ranges with dual pitched roof form. It would extend 3.35 metres from the rear elevation of an existing flat roof rear extension (a total of 6.2 metres from the original main rear elevation) and for a width of 4.75 metres. It would have the same flat roof design and to the same height of 2.9 metres as the extension to which it would be attached and a hipped raised glazed roof lantern. The use of matching corresponding external materials is proposed in its construction.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of Higham on the Hill in a row of residential properties and within the Higham on the Hill Conservation Area. It is a two storey semi-detached cottage with a dual pitched gable sided roof form. It has a 1½ storey extension set back to the side and rear with a gable fronted dual pitched roof form and perpendicular ridge. It is constructed with a mix of red facing bricks and white smooth rendered walls, slate roof and white uPVC windows. It has two floating ground floor bays to the front elevation, red brick chimney and red brick corbelled eaves and roof verge detailing. There are two off-street parking spaces on the concrete paved hard surfaced site frontage. The side/rear garden is enclosed by a mix of brick walls, hedgerow and fencing and provides over 160 square metres of private amenity space.
- 3.2. The garden to the application dwelling lies to the west beyond a two storey range with dual pitched roof that extends much deeper to the north and encloses the west side of the courtyard. There is an adjoining two storey cottage to the east which also has a two storey and single storey rear range with dual pitched roof that extends much deeper to the north and encloses the east side of the courtyard. This has two windows facing the existing flat roof rear extension, one at ground floor and one at first floor, both are obscurely glazed. There are school playing fields to the north.

4. Relevant planning history

None.

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 and a notice was displayed in the local press.
- 5.2. No responses have been received as a result of public consultation.

6. Consultation

- 6.1. No response has been received from Higham on the Hill Parish Council.

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
 - Planning (Listed Buildings and Conservation Areas) Act 1990
 - National Planning Policy Framework (NPPF) (2023)
 - Planning Practice Guidance (PPG)
- 7.4. Other relevant guidance
 - Higham on the Hill Conservation Area (HHCA) Appraisal and Map (2009)
 - 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 dwelling and the Higham on the Hill Conservation Area
- Impact upon neighbouring residential amenity
- Impact upon parking provision

Design and impact upon the character of the dwelling and the Higham on the Hill Conservation Area

- 8.2. 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.
- 8.3. Section 16 of the NPPF (2023) 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.

- 8.4 Policy 12 of the adopted Core Strategy seeks to ensure that new development would respect the character and appearance of the Higham on the Hill Conservation Area by incorporating locally distinctive features of the conservation area into the development.
- 8.5 Policies DM11 and DM12 of the SADMP seek to protect and enhance the historic environment and heritage assets. Policy DM12 states that development proposals should ensure the significance of a conservation area is preserved and enhanced. 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.
- 8.6 The Council's adopted Good Design Guide provides further advice in respect of the siting and design of house extensions and 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.'* and,
- 'Flat roofs on extensions will not normally be considered appropriate where they do not form part of the original design of the house, however in some circumstances where they are not visible from the public realm and the use of a flat roof may result in a reduced visual impact, they may be considered acceptable, particularly if designed with a contemporary aesthetic style.'*
- 8.7 The application dwelling is located within the Higham on the Hill Conservation Area (HHCA) and is identified as one of a row of 'significant local buildings' within the HHCA appraisal and map.
- 8.8 The proposed single storey rear extension would extend to an appropriate depth of 3.35 metres from the rear elevation of an existing flat roof rear extension (a total of 6.2 metres from the original main rear elevation) and for an appropriate width of 4.75 metres. Notwithstanding that flat roofs do not form part of the original design of the cottage, in this case the proposal would have the same flat roof design and to the same height of 2.9 metres as the existing extension to which it would be attached and is therefore considered to be acceptable in design terms, particularly given its siting to the rear within a well enclosed courtyard and single storey scale. It is proposed to be constructed in matching corresponding external materials to ensure a satisfactory and unified appearance.
- 8.9 By virtue of the siting of the proposal to the rear of the cottage within a courtyard flanked on both sides by much deeper two storey and single storey rear ranges with dual pitched roof form and its single storey scale and flat roof design, the proposal would have no visual prominence either on the application dwelling or within the surrounding area. By virtue of its siting, scale, design and the proposed use of matching corresponding external materials in its construction, it is considered that the proposal would respect and complement the scale, character and appearance of the existing dwelling and would have a neutral visual impact upon the character or appearance of the Higham on the Hill Conservation Area and consequently would preserve its significance. The proposal is therefore considered to be in accordance with Policies DM10, DM11 and DM12 of the SADMP, the general principles of the adopted Good Design Guide, section 16 of the NPPF and the statutory duties of section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

Impact upon neighbouring residential amenity

- 8.10 Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy and/or amenity of nearby residents and occupiers of adjacent buildings.
- 8.11 The adjoining two storey cottage to the east (No. 111) has a two storey and single storey rear range with dual pitched roof that extends much deeper to the north and encloses the east side of the courtyard. Whilst this has two windows facing the rear courtyard of the application dwelling, one at ground floor and one at first floor, these face towards and over the existing flat roof rear extension and do not appear to be principal habitable room windows being relatively small and both obscurely glazed. Therefore, it is considered that the proposed additional single storey flat roof extension would not result in any significant adverse overbearing or overshadowing impacts on No. 111 or result in any loss of privacy to the neighbouring occupiers from overlooking. The proposal would have no adverse impacts on the residential amenity of any other neighbouring dwellings due to its siting, scale, design, screening and separation distances. The proposal is therefore considered to be in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide. No objections have been received from the occupiers of 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 proposal would not result in the provision of any additional bedroom space or have any impact upon the existing off-street parking provision of two spaces serving the dwelling on the concrete paved hard surfaced site frontage. This level of provision would remain adequate to serve the existing/resulting dwelling and the proposal would therefore have a neutral impact on parking provision and be in accordance with Policy DM18 of the adopted SADMP and current local highway 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 proposal is for an extension to an existing dwelling within the settlement boundary of Higham on the Hill 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 and the proposed use of matching corresponding external materials to ensure a unified appearance, it is considered that the proposal would respect and complement the character and appearance of the existing dwelling and would have a neutral visual impact on the Higham on the Hill Conservation Area and consequently would preserve its significance. By virtue of its siting, scale, design and existing screening, the proposal would have no significant adverse impacts on the residential amenity or privacy of any neighbouring properties. Adequate private amenity space of over 160 square metres and adequate off-street parking provision of two spaces would be retained within the site. The proposal is considered to be in accordance with Policies DM1, DM10, DM11, DM12 and DM18 of the adopted SADMP, the general principles of the adopted Good Design Guide, section 16 of the NPPF (2023) and the statutory duty of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 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 Plan at scale 1:1250, Proposed Ground Floor Plan Drawing No. MS/2024/003 and Proposed Rear and Side Elevations Drawing No. MS/2024/004 received by the local planning authority on 25 March 2024.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1, DM10, DM11 and DM12 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 alteration 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 Policies DM10 and DM12 of the adopted Site

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.