

Delegated Report

Planning Ref: 24/01080/HOU

Applicant: Mr and Mrs Morley

Ward: Groby

Site: 15 Marina Drive, Groby

Proposal: Single storey rear extension



Hinckley & Bosworth
Borough Council

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

- 2.1. The application is for the erection of a single storey flat roof rear extension to the dwelling. The extension is approx. 2.15m in depth, 5.8m in width and 3m in height to the highest point.

3. Description of the site and surrounding area

- 3.1. The development site is located within the settlement boundary of Groby. The site consists of a two storey semi-detached dwelling with off-street car parking located to the front of the site. The site benefits for a large rear garden. Marina Drive consists of two-storey semi-detached dwellings set back from the highway.

4. Relevant planning history

None

5. Publicity

- 5.1. The application has been publicised by sending letters to neighbours and a site notice posted within the vicinity of the site.
- 5.2. No comments received.

6. Consultation

- 6.1. Groby Parish Council: No objections.

7. Policy

7.1. Site Allocations and Development Management Policies DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.2. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2024)
- Planning Practice Guidance (PPG)

7.3. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)

8. Appraisal

8.1. Key Issues

- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact upon highway safety

Design and impact upon the character of the area

- 8.2. DM10 of the SADMP seeks to ensure that new development should complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.3. The proposed development is for a single storey rear extension. The rear of the site is screen by the dwelling itself and a detached garage, which shall be connected to the proposed rear extension as part of this proposal. The proposed extension is considered acceptable by way of its overall design and will consist of materials that match that of the existing dwelling. The single storey rear extension will not be visible from public vantage points along Marina Drive and as such it will have no impact on the character of the area.
- 8.4. As such the proposal is considered in accordance with Policy DM10 of the SADMP.

Impact upon neighbouring residential amenity

- 8.5. 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.
- 8.6. The proposed single storey rear extension is set away from the boundary with No. 17 Marina Drive, and when considering the extensions single storey nature and the existing boundary treatment, including the existing garage it is considered that there would be no detrimental impacts to neighbouring amenity in terms of loss of light, overshadowing, loss of privacy, overlooking or overbearing impacts.
- 8.7. The proposed single storey extension is proposed to be located adjacent to the neighbouring boundary with No. 13 Marina Drive. The neighbouring property has an existing single storey rear extension. The site already has an existing single storey rear extension and proposes a further extension of 2.15m. This would result in the development sites single storey rear extension, extending beyond the rear wall of the neighbouring extension by approx. 3m. When considering the existing boundary treatments and the single storey nature of the development, alongside the orientation of the development it is not considered that the development would create significant detrimental impacts to neighbouring amenity in terms of loss of light, overshadowing, loss of privacy, overlooking or overbearing impacts. The proposal complies with the Council's 45⁰ guideline.
- 8.8. As such the proposal is considered to be in accordance with Policy DM10 of the SADMP.

Impact upon highway safety

- 8.9. Policy DM17 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety. Policy DM18 of the SADMP requires new development to provide an appropriate/justified level of parking provision.
- 8.10. The proposal does not propose any additional bedrooms at the development site and therefore there is no requirement for any additional off-street car parking and the existing off-street car parking to the site frontage and side is considered

acceptable. There are no additional impacts to highway safety as a result of the proposed development.

- 8.11. As such the proposal is considered to be in accordance with Policies DM17 and DM18 of the 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 is considered to be acceptable in terms of its impact on the character of the area and overall design, its limited impacts on neighbouring amenity and highway safety/vehicular parking.

- 10.2. It is therefore considered that the proposed development would be in accordance with Policies DM10, DM17 and DM18 of the adopted SADMP.

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 Drg No. ADM-3994-PL-100
Proposed Site Plan Drg No. ADM-3994-PL-200
Proposed Floor Plans Drg No. ADM-3994-PL-201
Proposed Elevations Drg No. ADM-3994-PL-202

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 proposed elevations of the extensions shall accord with the approved materials detailed within the application form.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies 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.