DELEGATED REPORT

Recommendation Made: 26 October 2011

Reference:- 11/00713/FUL **Parish:- Hinckley**

Applicant:- Mr And Mrs Booker
20 Falmouth Drive
Hinckley
Leicestershire
LE10 1XQ

Location:- 20 Falmouth Drive Hinckley Leicestershire LE10 1XQ

Proposal:- EXTENSION AND ALTERATIONS TO DWELLING

Introduction:-

This application seeks to obtain full planning permission for the erection of a first floor extension to the existing single storey extension to the rear of this detached dwelling house.

The dwelling is constructed from buff facing brick and red pantile roof tiles.

Amended plans have been received that shows the proposed first floor extension reduced from a second storey to half a storey in height. This has been done by lowering the eaves of the proposed extension by 1.2 metres to be 3.7 metres in height from ground floor level. The walls are shown to be rendered to reduce its visual impact. The amended scheme also omits the first floor rear elevation window with a high level triangular shaped window and two rooflights, a single roof light on each side of the roof plane. The amended plans were then re-consulted for a 7 day period.

Planning History:

88/00097/4 - Private residential development for 97 dwellings revised and substituted types - Approved on 22/03/1988

Consultations:-

Four neighbour objections have been raised raising the following concerns:

a) Overlooking / loss of privacy
b) Loss of light / overshadowing
c) No existing planting above the fence line as indicated on plans
d) A flat roof is preferred
e) Overlooking window should be omitted
f) Loss of property value
g) Design and appearance not in keeping with estate layout
i) Size of the extension
j) Impact on the amenities currently enjoyed in their rear garden

During re-consultation of the amended plans further comments objecting to the proposal have been provided that raise the following additional points:

a) Inaccurate drawing - the side elevation faces no. 2 Penzance Close and not no. 1 Penzance Close
b) Building will still block out the light from their garden
c) Roof light will still invade their privacy
d) Spoils garden
e) Screening by conifers will block out sunlight
f) Unsightly appearance

Development Plan Policies:-

Adopted Local Plan

The site lies within the settlement boundary of Hinckley as defined in the adopted Hinckley and Bosworth Local Plan.

Policy BE1 - Design and Siting of the Development

Supplementary Planning Guidance: House Extensions Design Guidance (SPG)

Appraisal:-

The main considerations in respect of this application are the principle of development, the impact of the proposed extension on the character and appearance of the existing dwelling and on the amenities of the occupiers of neighbouring properties.

The Principle of Development

The site is located within the settlement boundary of Hinckley, as defined in the Adopted Hinckley and Bosworth Local Plan Proposals Map; therefore there is a presumption in favour of development subject to all other planning matters being appropriately addressed.

Impact on Existing Dwelling and Street Scene

The proposed first floor extension will have a gable roof design. The ridge height will be 1.5 metres lower than the main ridge while the eaves will be 1 metre lower than the eaves on the main house. It will also extend less than half the width across the rear elevation. The design and scale of the proposed extension is therefore considered to be subservient to the main house.

Given its position at the rear of the property and its scale that respects the character of the existing dwelling, the extension will not have any adverse impact on the street scene or the character of the existing dwelling and is therefore acceptable in design terms.

Neighbours Amenities

Seven representations have been received from the occupiers of four neighbouring properties that in summary raise objections to the proposal on the basis that the proposed development will adversely affect their amenities.

On the original plans submitted the first floor bedroom window on the proposed extension was shown to be 18 metres to directly face the first floor bedroom window at no. 4 Penzance Close which is 7 metres below the recommended 25 metre distance between two habitable room windows as recommended in the SPG. This was considered to be too much and significantly below the separation distance that is advised in the SPG to the extent that there would be an unacceptable amount of overlooking into a habitable room windows to the detriment of the current levels of privacy enjoyed by the occupiers of no. 4.

During negotiations with the architect the normal size window comprising of a casement and top light has been omitted and replaced with a high level “triangular shaped” window and two roof lights one on both roof planes. The window cill heights of the triangular high level window and both roof lights will be 1.7 metres in height from first floor level above the average eye level. The amended scheme resolving the issue of overlooking a habitable room window at no. 4 Penzance Close. It will also mitigate any opportunity to overlook the rear gardens of no. 4 and no. 5. With regards to the concern of overlooking from the first floor window to be inserted into the side (east) elevation of the main house, it should be noted that this window is also high level with the cill height at 1.7 metres from first floor level. It is considered that whilst the straight line distance remains significantly less than that required in the SPG, the provision of a high level windows appropriately mitigates the resultant impact to a degree that no unsatisfactory arrangement remains.

The amended plans also show the eaves height lowered 1.2 metres which makes the first floor extension half

a storey in height. This reduces the amount of mass along the side elevation. To further reduce its visual impact on neighbour's amenities, the walls will also be rendered as opposed to a conventional continuation of brickwork. In light of the inclusion of render and in absence of an amended application form, it is recommended a condition be attached for a revised material schedule.

Given these amended changes, it has been duly considered that the proposed extension will not have an oppressive or overbearing impact on the rear garden or the property at no. 2.

It is noted the rear elevation windows and conservatory at no. 1 Penzance Close are currently the same distance to the brick side elevation wall on the main house. The proposal will further add extra mass along the eastern boundary. Nevertheless, the proposed first floor extension at a reduced half a storey in height results in what is considered to be a marginal increase in the amount of mass along the side boundary where the significance of this impact will be minor and would not be to the detriment of the amenities currently enjoyed by the occupiers living at no. 1 Penzance Close in terms of oppressive or overbearing impact on their rear garden or property.

Given the design of the proposed extension with a low ridge height reduces the mass of a projecting gable end and the separation distance to the boundary with no. 4, it is not considered to have an oppressive or overbearing impact on that property either.

There is concern expressed in the representations received that the proposed extension will reduce the amount of natural light entering the rear gardens along Penzance Close (no. 1, 2, 4 and 5) and would result in overshadowing. Due to the position of the extension due north of the dwelling to the west of no. 2 Penzance Close, it is considered that a one and a half storey structure will not significantly reduce the amount of natural light entering their rear garden. The proposed extension will be due south of no. 4 and no. 5 Penzance Close and given its off set from the boundary by 7 metres it is not considered to result in any loss of light or overshadowing to these two properties at the rear of the site.

Highways

The proposal will not result in the addition of an extra bedroom. Two car parking spaces are currently provided of which none will be lost as a result of the development.

Other Matters

In response to the representation received that states the side elevation is indicated to be facing no. 1 Penzance Close, which is incorrect, and this has been noted. However, the applicants site has been correctly shown on both the Site Location and Block Plan. The impact on house prices is not a material planning consideration. No additional landscaping is proposed as part of the application and as such is not subject to this application. The proposal is considered acceptable on its own merits and for the reason discussed in this appraisal.

Conclusion

The proposal would respect the scale and character of the existing dwelling and would not adversely affect the amenities of the occupiers of neighbouring properties. The application is considered to be in accordance with Policy BE1 of the Local Plan and the Council SPG on House Extensions and is therefore recommended for approval subject to conditions.

RECOMMENDATION:- Permit subject to the following conditions:-

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below, it is considered that subject to compliance with the conditions attached to this permission, the proposed development by virtue of the scale, mass and design of the proposed extension would not detrimentally impact on the amenities of neighbouring residents or the character and appearance of the street scene and would be in accordance with the development plan.

Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1 & T5

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

2 Notwithstanding the submitted details, no development shall commence until a revised material schedule has been submitted to and approved in writing by the Local Planning Authority and the scheme shall be implemented in accordance with those approved materials. The material schedule shall include details of the type of materials to be used on the proposed extension.

3 The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:-

Drawing - 10/34 01 - Received on 02/09/2011
Drawing - 10/34 02D - Received on 19/10/2011
Drawing - 10/34 03 - Received on 02/09/2011

Reasons :-

1 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2 To ensure that the development has a satisfactory external appearance to accord with Policy BE1 of the adopted Hinckley & Bosworth Local Plan.

3 For the avoidance of doubt and in the interests of proper planning.

Notes to Applicant:-

1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3 As from 6 April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

4 All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

Contact Officer:- Kevin Roeton Ext 5919