

Delegated Report

Planning Ref: 24/00141/HOU
Applicant: Mr And Mrs D Eves
Ward: Hinckley Clarendon



Hinckley & Bosworth
Borough Council

Site: 9 Leysmill Close Hinckley Leicestershire

Proposal: Single storey side and 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 the construction of a single storey rear and side extension to a bungalow, 9 Leysmill Close, Hinckley.

2.2. The proposed single storey rear/side extension would extend 3 metres in depth from the rear elevation and 5.3 metres in width wrapping around the rear corner of the bungalow and extending along the side elevation to adjoin the rear elevation of the existing garage. A 1 metre wide access would be maintained to the rear garden. The rearmost section of the garage would be converted to a utility room and toilet, with the front section retained for storage. The proposed extension would have a dual pitched roof design with subordinate rear and side gables with an eaves height of 2.4 metres and ridge heights of 4.3 metres. It is proposed that the extension would be constructed with matching corresponding external materials to the existing bungalow.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the urban settlement boundary of Hinckley on the edge of a large residential estate and at the end of a small cul-de-sac. It is a semi-detached bungalow with gable sided roof form and a bay window supported by brackets to its front elevation. It is constructed of buff/brown multi facing bricks, grey concrete interlocking roof tiles and dark brown stained timber windows. There is a detached garage to the side elevation with dual pitched gable fronted roof form constructed of the same materials. The site frontage includes tarmac surfaced hard standing providing a minimum of three off-street parking spaces. The rear garden is enclosed by a 2 metres high brick wall to the northwest and southwest bordering the public highways of the Northern Perimeter Road and Roston Drive and a 2 metres high solid close boarded timber fence to the southeast boundary with the adjoining bungalow.

3.2. The adjoining bungalow and the semi-detached bungalows opposite to the northeast are of similar scale, design style and appearance. The remainder of the cul-de-sac comprises two storey semi-detached houses.

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.

5.2. No responses have been received as a result of public consultation.

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

- 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 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.'

8.3. The proposed single storey side extension would extend for an appropriate depth of 3 metres from the rear elevation and extend for an appropriate width of 5.3 metres around the rear corner of the dwelling only as wide as the existing garage to which it would be attached. It would have an appropriate dual pitched gabled roof design with an eaves height of 2.4 metres and clearly subordinate ridge heights of 4.3 metres. By virtue of its single storey scale, subordinate width and depth, the proposal would appear as a clearly subordinate addition to the existing bungalow. It would have no visual prominence within any street scene by virtue of being sited to the rear of the dwelling and garage and within a garden enclosed by 2 metres high brick walls and fencing. It is proposed that the extension and alterations would be

constructed with matching corresponding external materials to the existing bungalow to ensure a unified appearance. The proposed part conversion of the rear section of the garage would have no visual impact in the street scene as the existing garage door is to be retained.

- 8.4 By virtue of its siting, scale, design and subject to the proposed use of matching corresponding external materials in its construction, the proposal would respect and complement the scale, character and appearance of the existing bungalow and would have no adverse visual impacts on the wider street scene or surrounding area. The proposal is therefore considered to be acceptable in design terms 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

- 8.5 Policy DM10 of the adopted SADMP and the adopted Good 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. 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.'

- 8.6 The proposed rear extension would extend 3 metres further in depth than the rear elevation of the adjoining neighbouring bungalow but at a separation distance of 2.9 metres from the common side boundary. As a result of its depth and separation and by virtue of its single storey scale and subordinate roof height and rear gable design, the proposal would not extend beyond a 45 degree line drawn from the centre point of the full height patio door/window in the rear elevation of the adjoining dwelling (No. 8) or result in any significant adverse overbearing or overshadowing impacts on the adjoining dwelling or its rear garden. The proposal includes a set of full height patio doors in the side elevation of the extension facing towards the side boundary with No. 8. Notwithstanding this, these are set in from the side boundary by 3 metres and the existing 2 metres high solid close boarded timber boundary fence between the two gardens would ensure that the proposal would not result in any significant adverse impacts on the privacy of the neighbouring adjoining occupiers from potential direct overlooking. There are no other neighbouring dwellings that would be affected by the proposal.

- 8.7 By virtue of its siting, scale, design, separation distance and existing screening, it is considered that the proposal would not result in any significant adverse impacts on the privacy or residential amenity of any neighbouring properties and would therefore be in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide. No objections to the proposal have been received from the occupiers of any neighbouring properties.

Impact upon highway safety

- 8.8 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.

- 8.9 The proposal does not result in the creation of any additional bedrooms. The site frontage includes tarmacadam surfaced hard standing providing a minimum of three

off-street parking spaces to serve the existing/resulting two bedroomed bungalow. This existing provision would be in excess of the local highway authority design guide provision standards for a dwelling of this size and would be retained and unaffected by the proposals. This level of provision is considered to remain adequate to serve the existing/resulting two bedroomed dwelling in this urban location with easy access to a full range of services and facilities available by alternative and more sustainable transport means. The proposal would therefore be in accordance with Policy DM18 of the adopted SADMP and the local highway authority design guidance 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 proposal is for an extension to an existing dwelling 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 its siting, scale, design and subject to the proposed use of matching corresponding external materials in its construction, the proposal would respect and complement the scale, character and appearance of the existing bungalow and would have no adverse visual impacts on the wider street scene or surrounding area. By virtue of its siting, scale, design, separation distance and existing screening, it is considered that the proposal would not result in any significant adverse impacts on the privacy or residential amenity of any neighbouring properties. Adequate off-street parking for at least three vehicles and private amenity space of 60 square metres would be retained within the site to serve the existing/resulting three bedroomed dwelling in accordance with the adopted design guidance. The proposal is considered to be in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP, the adopted Good Design Guide and the local

highway authority design guide 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: Location Plan Drawing No. 1638/LP1, Proposed Ground Floor Plan Drawing No. 1638/03, Proposed Front and Rear Elevations Drawing No. 1638/04 and Proposed Side Elevations and Proposed Roof Plan Drawing No. 1638/05 received by the local planning authority on 12 February 2024 and Proposed Site/Block Plan Drawing No. 1638/BP1 Rev A received by the local planning authority on 6 March 2024.

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 extension and alterations 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 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 building.control@blaby.gov.uk or call 0116 272 7533.