

Delegated Report

Planning Ref: 23/00605/HOU
Applicant: Mr Ryan Williams
Ward: Hinckley Clarendon



Hinckley & Bosworth
Borough Council

Site: 5 Brenfield Drive Hinckley Leicestershire

Proposal: Two storey side/front 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 two storey side/front extension to a dwelling, 5 Brenfield Drive, Hinckley.

2.2. The proposed extension would extend 0.6 metres forward of the main front elevation with a 2.6 metres up to just inside the side boundary and would extend to a depth of 8.4 metres to be flush with the existing main first floor rear elevation. It would have a dual pitched gable sided roof form with matching 5 metres high eaves height and 7 metres high ridge height as the existing main roof of the dwelling and a forward projecting shallow dual pitched roof gable with matching eaves height and subordinate ridge height of 5.7 metres. The proposal would create a drive-through car port at ground floor and an enlarged third bedroom and additional fourth bedroom at first floor along with a mezzanine floor for a single bed within the roof space and served by a small rear elevation rooflight. Matching corresponding external materials are proposed in its construction.

2.3. An amended plan has been submitted following case officer comments to provide a flush roof in this case and remove the rear gable feature to simplify the design. The application is a re-submitted scheme following a previous planning permission which now seeks additional floor space within the front bedroom.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the urban settlement boundary of Hinckley on a large residential estate. It is a semi-detached two storey house with gable sided main roof form. It has a shallow single storey projection across its front elevation with lean-to roof form, a single storey rear extension with lean-to roof form, a double gated car port with lean-to roof form attached to its left side elevation, and a detached dual pitched roof gable fronted garage set back to the left side and rear. The dwelling is constructed with brown multi facing bricks, red/brown interlocking concrete roof tiles and dark brown uPVC windows. In addition to the garage, the car port and 8 metres long tarmac driveway and loose stone surfaced site frontage provides at least three additional off-street parking spaces. The rear garden is enclosed by 2 metres high close boarded timber fencing and there is a tall 4 metres high conifer hedge beyond the rear boundary.

3.2. The application dwelling lies within a row of four originally similarly designed and styled two storey semi-detached dwellings with gable sided roof form. The adjoining dwelling has been extended with a much wider two storey side extension set back slightly from the main front elevation to respect its corner plot position.

4. Relevant planning history

23/00319/HOU

- Two storey side extension
- Permitted
- 13.06.2023

76/00904/4M

- Extension to kitchen
- Permitted
- 12.07.1976

5. Publicity

5.1. The application has been publicised by sending out letters to local residents.

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

6. Consultation

6.1. No other consultations necessary or 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) (2021)
- 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 and alterations to existing domestic properties 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.

8.3 The Council's adopted Good Design Guide states:

'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.' and,

'Two-storey extensions to the front of properties should take the form of the existing building, mirroring the roof pitch, replicate or have lower eaves height and the ridge should be below the existing ridge height. In addition, the proposal should not normally extend beyond the front elevation by more than 2 metres and not cover more than 50% of the front elevation.'

8.4 The proposed two storey side extension would have the same dual pitched gable sided roof form as the existing dwelling and would extend 8.4 metres in depth to be flush with the existing main first floor rear elevation. In this case, following the submission of an amended plan, it would not be set back from the front elevation or be subordinate in height but would have the same 5 metres eaves height and 7 metres ridge height as the existing dwelling and therefore would have a degree of conflict with the adopted design guide in respect of two storey side extensions. However, instead, the proposal would extend forward of the main front elevation, but only by 0.6 metres and with a clearly subordinate width of 2.6 metres (less than half the width of the existing dwelling) and with a matching eaves height of 5 metres and a clearly subordinate shallow pitched front gable ridge height of 5.7 metres, all of which would be in general accordance with the adopted design guide for two storey front extensions. The subordinate scale and design of the proposal would be similar in design terms to that suggested as being acceptable in respect of two storey front extensions within the adopted Good Design Guide (figure 39). The creation of a small mezzanine floor for a single bed within the roof space of the extension served by a small unobtrusive rooflight to the rear roof elevation would have no adverse visual impacts. The proposed use of matching external materials in the construction together with appropriately proportioned fenestration would ensure a satisfactory and integrated design and appearance for the scheme.

8.5 In terms of the infill of the space between the dwellings, notwithstanding that the proposal would extend up to the side boundary, it is considered that a set-back/subordinate height for the proposal is not particularly critical in this case. By virtue of the staggered relative building lines of the application dwelling and its neighbour to the north (No. 3), the proposal would be set sufficiently back from the front of the neighbouring dwelling to the north and by virtue of the form and subordinate scale of the front extension, it is considered that the proposal would not result in any significant terracing effect and that therefore the semi-detached character of the four dwellings would be maintained in this case.

8.6 The surrounding area consists predominantly of plain fronted dwellings of varying designs or those with shallow single storey front projections. However, narrow two storey gable fronted front extensions are evident within many roads within the surrounding residential estate and are not considered to be an unacceptable design feature within the surrounding area, particularly in this case, where it would be set back from the neighbouring dwelling and therefore not at all prominent in the street scene.

8.7 Notwithstanding the degree of conflict identified with the adopted Good Design Guide in respect of side extensions, the proposal would be in accordance with the adopted Good Design Guide in respect of front extensions and by virtue of the

siting, scale, design and proposed use of matching corresponding external materials in the construction to ensure a unified appearance, it is considered that the proposal would nevertheless respect and complement the scale, semi-detached character and appearance of the existing dwelling and would not result in any significant or adverse visual impacts on the character or appearance of the wider street scene in this case. The amended proposal is therefore considered to be 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 Council's 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 adjacent dwelling to the north (No. 3) is a similarly designed and styled two storey semi-detached house that is set further forward of the application dwelling by approximately 1.5 metres and is set off the side boundary by approximately 2.25 metres with a driveway between. It has a single storey rear extension attached to the far side of its rear elevation that extends approximately 3 - 4 metres further to the rear. The only window in the facing side elevation of No. 3 is to a landing at first floor and there is a side (kitchen) door at ground floor. The proposal would extend 2.22 metres in width to just inside the side boundary and for a depth of 8.4 metres, approximately 1.5 metres beyond the main rear elevation of No. 3 but at a separation distance of approximately 2.25 metres and to the south. As a result, the proposal would not extend beyond a 45 degree line drawn from the quarter point of the nearest ground floor (kitchen) window or first floor bathroom window in the rear elevation of No. 3 or result in any significant adverse overbearing or overshadowing impacts on the neighbours residential amenity. The proposal would have a blank gable facing towards No. 3 and therefore would not result in any significant adverse impacts from loss of privacy to the neighbouring occupiers of No. 3 from overlooking. Notwithstanding that there would be a new bedroom window at first floor in the rear elevation, this would not face directly towards the rear garden of No. 3 and offer only oblique views, with the neighbouring driveway and flat roof garage extending along the side boundary.

- 8.11 The new first floor rear elevation window would have a separation distance of approximately 14 metres to the rear boundary which is defined by a 2 metres high close boarded timber panel fence and with a 4 metres high conifer hedge screen beyond in the neighbouring garden, and approximately 27 metres to any habitable room windows in the opposing rear elevations of neighbouring dwellings to the east (Leven Close). These distances comfortably exceed the separation distances of 7 metres and 21 metres respectively suggested as being acceptable within the adopted Good Design Guide and therefore the proposal would not result in any adverse overbearing or overshadowing impacts or significant adverse impacts from loss of privacy to the neighbouring occupiers from any potential overlooking.

- 8.12 By virtue of the siting, scale, design, separation distances and existing screening, it is considered that the proposed extension and alteration would not result in any significant or unacceptable adverse overbearing or overshadowing impacts or loss of privacy to the occupiers of any neighbouring properties and would therefore be in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.

Impact upon parking provision

- 8.13 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.14 The site currently provides a minimum of four off-street parking spaces in the existing garage, car port and on the 8 metres long and 8 metres wide tarmac surfaced driveway and loose stone surfaced site frontage.
- 8.15 The proposed extension would result in the addition of a fourth bedroom to the dwelling but the existing four off-street parking spaces would be retained and unaffected by the proposal. This level of provision would remain adequate to serve the resulting four bed roomed dwelling within this highly sustainable urban location with easy access to a full range of services and facilities by alternative and more sustainable transport means. The proposal would therefore be in accordance with Policy DM 18 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 proposal relates to an extension and alteration 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, amended design and subject to the proposed use of matching corresponding external materials to ensure a unified appearance, it is considered that the proposal would respect and complement the scale, semi-detached character and appearance of the existing dwelling and would not result in any significant or adverse visual impacts on the character or appearance of the wider street scene. By virtue of the siting, scale, amended design and separation distances it is considered that the proposal would not result in any significant adverse impacts upon the privacy or residential amenity of any neighbouring properties. The proposal would retain satisfactory private rear amenity space of 60 square metres and adequate off-street parking provision of four spaces to serve the resulting four bedroom dwelling in this sustainable urban setting. The proposal is considered to be in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP and the general principles of the adopted Good 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: Site Location Plan received by the local planning authority on 16 June 2023 and Proposed Floor Plans and Elevations Drawing Rev C received by the local planning authority on 19 July 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 extension and alteration 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 buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.

