

Officer Report

Planning Ref: 25/00704/HOU
Applicant: Mr James McKenna
Ward: Hinckley DeMontfort



Hinckley & Bosworth
Borough Council

Site: 35 Welwyn Road Hinckley Leicestershire

Proposal: Single storey rear extension and garage conversion into living space

Case Officer: Zahra Jam-Rotbeh (Planning Officer)

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions detailed at the end of this report.

2. Planning Application Description

- 2.1. The applicant seeks full planning permission for erection of single storey rear extension and garage conversion into living space at 35 Welwyn Road. The proposed single-storey extension will replace the existing conservatory, forming a “L” shaped extension to the rear. The proposal also includes converting the garage into a living space and replacing the existing garage door with a window on the front elevation.
- 2.2. The proposed extension would have a maximum depth of 6.35 metres and a width of 8.30 metres. It would feature a flat roof form with height of 3 metres.
- 2.3. The proposed extension includes a Juliet balcony on the first floor, which will serve the door located on this level.
- 2.4. The proposed extension would project 3.9 metres beyond the existing rear line of the conservatory.
- 2.5. The material to the external walls would be white render and the window and door openings would be in white uPVC.

3. Description of the Site and the Surrounding Area

- 3.1. The application site is located within the settlement boundary of Hinckley. The street scene is a mix of semi-detached and detached properties of different sizes, designs and finishes.
- 3.2. The property is a Victorian style semi-detached, two-storey dwelling comprising four bedrooms. The front elevation features white-rendered and facing brickwork with white uPVC to the openings.
- 3.3. There is an existing integral single garage on the front elevation.

4. Relevant Planning History
76/01096/4M

- ERECTION OF KITCHEN GARAGE WITH TWO BEDROOMS OVER
- PER
- 16.09.1976

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. No responses have been received.

6. Consultation

- 6.1. An objection was initially received from LCC Ecology; however, after reconsideration and reconsultation due to incorrect grounds, the objection has been withdrawn.

7. Policy

- 7.1. Core Strategy (2009):

- Policy 1: Development in Hinckley

- 7.2. Site Allocations and Development Management Policies Development Plan Document (SADMP) (2016):

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

- 7.3. National Planning Policies and Guidance:

- National Planning Policy Framework (NPPF) (2024)
- National Design Guide (2019)
- Planning Practice Guidance (PPG)

- 7.4. Other Relevant Guidance:

- Good Design Guide (2020)
- National Design Guide (2024)
- Leicestershire Highway Design Guide (LHDG) (2024)

8. Appraisal

8.1. Extensions to existing domestic properties 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 residential amenity
- Impact upon parking provision and highway safety

Design and Impact upon the Character of the Area

8.2. Chapter 12 of the NPPF confirms that good design is a key aspect of sustainable development, and the creation of high quality, beautiful, and sustainable buildings and places is fundamental to what the planning and development process should achieve.

8.3. Policy DM10 requires new development to complement or enhance the character of the surrounding area with regards to scale, layout, density, mass, design, materials, and architectural features.

8.4. According to the HBBC Good Design Guide (2020), rear extensions should be clearly subordinate to the main dwelling in terms of height, width, depth, and should reflect or complement the detailing and materials of the original building. The proposed extension would have a maximum depth of 6.35 metres and a width of 8.30 metres. It would feature a flat roof with a height of 3.4 metres. The extension would be a large addition to the existing dwelling, especially in terms of its depth. However, due to its single-storey nature, the extension is considered on balance to be subordinate to the main dwelling.

8.5. According to HBBC Good Design Guide (2020), 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. The proposed extension would have a flat roof to the rear, and due to the nature of the single-storey rear extension and not being visible from the public realm, it is not considered to have any adverse impact on the design of the main dwelling and surrounding area. Furthermore an existing flat roof is present on the two storey side extension, therefore flat roofs are already visible on the dwelling.

8.6. Proposed fenestration including a Juliet balcony to the rear accommodating the door and a bay window to the front elevations is not considered to harm the design of the main dwelling or surrounding area.

8.7. Therefore, the proposed extension is not considered to have any adverse impact on the character or design of the main dwelling or the surrounding street scene, and the development complies with Policy DM10 of the SADMP and Chapter 12 of the NPPF.

Impact upon Residential Amenity

- 8.8. Paragraph 135(f) of the NPPF requires planning policies and decisions to ensure that developments create places that are safe, inclusive, and accessible, which promote health and well-being, and a high standard of amenity for existing and future users.
- 8.9. Policy DM10(a) and (b) of the SADMP states that development will be permitted provided that it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings.
- 8.10. The HBBC Good Design Guide (2020) requires the way buildings to relate to each other, and their orientation and separation distances, to provide and protect acceptable levels of amenity. In the spirit of good neighbourliness, an adequate distance of 1m between the property and its boundary (giving a total distance of at least 2m between properties) should be encouraged. Furthermore, proposals should comply with the 45⁰ guidance set out within the Good Design Guide.
- 8.11. The most effected neighbouring properties would be no. 37 on the western side and no.33 on the eastern side of the host dwelling. The proposed extension would protrude approximately 8m beyond the rear elevation of no.37 Welwyn Road. This dwelling has two windows in the rear elevation a living room and kitchen window. There are no habitable windows in the side elevation of No.37 facing the application site. According to the 45-degree plan provided, the proposal would not breach the 45-degree rule from the principal window located on the rear elevation of No. 37. However, the kitchen window would have a significant breach. Given that the kitchen forms part of an open-plan layout along the rear elevation, the window is not considered a sole principal window. Therefore, the overall impact would reduce and is considered to be acceptable. The extension would retain the existing separation distance of 2.30 metres to the neighbouring property at No.37 Welwyn Road and 1 metre to the existing boundary treatment. And therefore, the extension is considered to have a minimal impact on the neighbouring property at no.37.
- 8.12. The proposed scheme also includes two new side windows facing no.37 and serving the pantry and cloakroom. These windows are considered habitable; although they will be partly screened by the boundary treatment, a condition will require that these side windows be fitted with obscure glazing at the end of this report.
- 8.13. As mentioned above, No. 33 is also located to the eastern side of the application site and the extension would protrude beyond this neighbouring property line to the rear, however, it wouldn't breach 45-degree rule and given the single story nature of the extension and the absence of any window to the side facing this neighbouring property, it would not cause an unacceptable loss of privacy, overlooking or overdominance impacts to this neighbouring property and its amenities.
- 8.14. Views from the proposed ground floor windows in the rear elevation would be restricted by boundary treatments to both neighbouring properties. The existing first floor bedroom window in the rear elevation would be enlarged to create a Juliet balcony, this may increase a perception of overlooking through the additional size, however, given the presence of proposed Juliet balcony, additional overlooking

impact compared to the existing situation will be limited. As the balcony doors would open out onto the flat roof of the extension a condition is recommended ensuring that the flat roof of the extension is not used as a balcony to protect the privacy of both neighbouring dwellings.

- 8.15. By virtue of these factors, subject to the above conditions, the proposal would have a minimal impact and does not result in any adverse overbearing or overshadowing impacts or any overlooking or loss of privacy to the neighbouring properties and therefore is considered to be in accordance with Policy DM10 of the SADMP and the Good Design Guide.

Impact upon Parking Provision and Highway Safety

- 8.16. Policy DM17 of the SADMP states that development proposals need to demonstrate that there is not a significant adverse impact upon highway safety, and that the residual cumulative impacts of development on the transport network are not severe.
- 8.17. Policy DM18 of the SADMP also requires developments to demonstrate an adequate level of off-street parking provision.
- 8.18. The proposal would not increase the number of bedrooms, which would remain at four. In accordance with the Leicestershire Highways Design Guide (LHDG), the property requires three off-street parking spaces, each with minimum dimensions of 2.4m x 5.5m. Although the proposal includes the conversion of the existing garage, drawing no. JM/2025/1 indicates that the driveway at the front of the property would accommodate three vehicles. However, the proposed parking spaces would have dimensions slightly below the stated standard. Despite the shortfall it is clear that cars can park to the frontage of the property and in this case given the site's location any additional on street parking (which would be limited) would not give rise to an unsafe highway impact. Therefore, the development is considered to comply with Policies DM17 and DM18 and is not expected to have any adverse impact on parking provision, pedestrian safety, or highway safety.

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 As outlined in the report the development complies with the relevant policies of the Development Plan therefore, taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission to be granted, subject to the imposition of appropriate conditions.

11. Recommendation

- 11.1 **Grant planning permission** subject to:

- Planning conditions detailed 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:
 - Existing, Proposed Floor, Roof Plans, Elevations, Sections, Drg No. JM/2025/1,
 - Block Plan,
 - Site Location Plan,along with application form all received by the local planning authority on 17 July 2025.

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 openings shall match the corresponding materials of the main dwelling. The existing brick quoin details to the front elevation of the dwelling shall be retained.

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).

4. The ground floor windows in the north west side elevation serving the pantry and utility room according to Drg No. JM/2025/1 shall be fitted with obscure glazing to a minimum of level 3 of the Pilkington scale and non-openable. Once so provided the window(s) shall be permanently maintained as such at all times thereafter.

Reason: To safeguard the privacy and amenity of neighbouring dwellings from potential overlooking in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. The flat roofed area of the extension hereby approved shall not at any time be used as a balcony or sitting out area neither shall any balustrade, railings, wall or other means of enclosure be erected on any part of the flat roof except those indicated on the approved plan Existing, Proposed Floor, Roof Plans, Elevations, Sections, Drg No. JM/2025/1.

Reason: In the interest of the residential amenity and privacy in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

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.