

Delegated Report

Planning Ref: 24/00223/HOU

Applicant: Kyle Holdgate

Ward: Hinckley Trinity



Hinckley & Bosworth
Borough Council

Site: 109 Wykin Road Hinckley Leicestershire LE10 0HX

Proposal: First floor 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 first floor rear extension to a dwelling, 109 Wykin Road Hinckley.

2.2. The proposed first floor extension extends 3 metres from the first floor rear elevation and for a partial 5.1 metres width of the dwelling. The extension has a ridge height of 7.3 metres, slightly set down from the ridge of the main dwelling, eaves height of 4.9 metres and has a pitched roof form. Rendered brick, roof tiles, brown uPVC windows and doors are proposed to match the existing dwelling. A new obscure glazed bathroom window is inserted at the first floor level of the right elevation of the existing dwelling.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the settlement boundary of Hinckley and in a predominantly residential area. It is a two storey semi-detached house with a gable hipped roof form and a chimney stack. It has a ground floor bay window and a front porch, brown rendered bricks and brown uPVC windows. The dwelling is bordered to the front by a high hedge and a front loose stones driveway. The dwellinghouse is not listed and not within a conservation area.

3.2. The immediate surrounding properties have two storey scale, predominantly semi-detached dwellings, a mix of brick and render external materials and front gardens. To the west of the site is a single storey convenience store

4. Relevant planning history

10/00581/FUL

- Extension and alterations to dwelling.
- Planning Permission
- 21.09.2010

5. Publicity

5.1. The application has been publicised by sending out letters to local residents. A site notice has been posted within the neighbourhood.

5.2. No response has been received as part of the publicity.

6. Consultation

6.1. HBBC Drainage has no objection on sustainable drainage grounds.

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 and alterations to existing domestic properties within 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 in respect of rear extensions 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 first floor extension extends 3 metres from the first floor rear elevation and for a partial 5.1 metres width of the dwelling. The extension has a ridge height of 7.3 metres, eaves height of 4.9 metres and has a pitched roof form. Rendered brick, roof tiles, brown uPVC windows and doors are proposed to match the existing dwelling.

8.4 The extension has appropriate width, depth and height and is clearly subordinate addition to the existing dwelling. The new obscure glazed window is appropriately proportioned and matches the existing size and materials of the dwelling. The roof is slightly set down, the design matches the existing and not visible within the street scene. Matching external materials are proposed for the extension. The proposal has no visual impact on the street scene.

- 8.5 By virtue of the siting, scale, design and proposed use of matching external materials to ensure a unified and satisfactory overall appearance, it is considered that the proposed extension and alteration respect and complement the scale, character and appearance of the existing dwelling and the surrounding area and that the proposal is in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 8.6 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.

- 8.7 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.'

- 8.8 The extension is on the west side of the rear elevation with approximately 1.6 metres from the west boundary of the site. The extension is set down and covers more than 50% of the width of the dwelling. It has appropriate dimensions and does not significantly impact on 111 Wykin Road, 1 and 3 Gwendoline Avenue. The rear garden of 1 Gwendoline faces onto the rear garden of 109 Wykin Road however, there is a separation distance of approximately 8 metres between the extension and the rear boundary fence. There is also an outbuilding on the rear boundary of the garden of the application dwelling. It is considered therefore that there is a limited impact of overlooking into the garden of 1 Gwendoline Avenue.

- 8.9 The extension is separated from 107 Wykin Road and does not breach the 45 degree rule. The extension has no side windows. The new window to the first floor bathroom is obscured. The extension does not result in any significant or unacceptable adverse impacts from loss of light/overshadowing or any significant or unacceptable adverse overbearing impacts to the adjoining house or its rear garden. The extension does not result in overdevelopment of the garden land. The existing boundary fence separates the gardens of adjoining properties and there are no significant adverse impacts from loss of privacy from overlooking to the neighbouring occupiers. No objections were received from neighbouring dwellings.

- 8.10 By virtue of the above, it is considered that the proposal does not result in any significant or unacceptable adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring dwellings. The proposal is therefore considered to be in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide.

Impact upon parking provision

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

- 8.12 The existing dwelling has three bedrooms. The proposal does not result in the provision of additional bedroom. The existing off-street parking space at the front driveway is unaffected by the proposal and has the capacity to hold three cars. The application dwelling is located within a highly sustainable urban location where there is easy access to a full range of services and facilities by alternative and more

sustainable transport means. Therefore, it is considered that the existing parking provision is adequate to serve the resulting dwelling and acceptable in respect of Policy DM18 of the adopted 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 proposals relate to extension and alteration of 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, design and proposed use of matching corresponding external materials to ensure a unified and satisfactory overall appearance, it is considered that the proposed extension and alteration respects and complements the scale, character and appearance of the existing dwelling and the surrounding area. There is no significant or unacceptable adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring dwellings. The proposal retains adequate private amenity space and the existing off-street parking space to serve the resulting dwelling. The proposal is in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP, 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: Location and Proposed Block Plan Licence No: 100047474, Proposed Floor Plans and Elevations received by the local planning authority on 08 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 alteration 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.