

Delegated Report

Planning Ref: 23/00266/HOU
Applicant: Mr Matthew Palmer-Rowe
Ward: Hinckley Trinity



Hinckley & Bosworth
Borough Council

Site: 9 Knapton Close Hinckley Leicestershire

Proposal: Single storey rear extension and first floor 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 full planning permission for the construction of a single storey rear extension and first floor front extension to a dwelling, 9 Knapton Close, Hinckley.
- 2.2. The proposed single storey rear extension would extend 2 metres from the rear elevation and for the full 6.4 metres width of the dwelling. It would have a pitched lean-to pitched roof with an eaves height of approximately 2.5 metres and maximum height of approximately 3.6 metres. The proposed first floor front extension would project 1.7 metres from the main front elevation and have a width of approximately 4.2 metres. It would be constructed above the existing entrance hall/toilet/utility room and form a dual pitched front gable with the same 5.3 metres eaves height and pitch as the existing main roof and with a subordinate ridge height of 7.15 metres. The use of matching corresponding external materials is proposed in their construction.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of Hinckley on a large residential estate and within a cul-de-sac of similar dwellings but of a variety of designs. It is a semi-detached two storey house with a hipped main roof form and a single storey forward projection with hipped roof form to the front elevation. It is constructed with light brown multi facing brick, grey interlocking concrete roof tiles and white uPVC window frames and doors. There is a 6.5 metres long tarmac driveway and a loose stone surfaced frontage providing an additional off-street parking space (two in total). The rear garden is enclosed by 2 metres high close boarded timber fencing.
- 3.2. The adjoining semi-detached dwelling (No.8) and No 16 within the cul-de-sac have been extended in a similar manner on the front elevation and there are single storey conservatories with lean-to roof form attached to the rear elevations of both neighbouring properties either side.

4. Relevant planning history

None.

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 undertaken or necessary.

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. The Council's adopted Good Design Guide provides further advice in respect of the siting and design of house extensions and states:

'Two-storey extensions to the front of properties are unlikely to be acceptable especially in relation to semi-detached and terraced properties as they will be visually prominent within the street scene. If this type of development is proposed, it 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.' and,

'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. Notwithstanding that the application dwelling is a semi-detached house, the proposed first floor front extension would extend only 1.7 metres forward of the front

elevation above the existing single storey structure, would have the same 5.3 metres eaves height and roof pitch as the existing main hipped roof and with a clearly subordinate ridge height of 7.15 metres, all in accordance with the adopted design guide. The proposal would result in the formation of a dual pitched front gable with a width of 4.2 metres which would be over half the width of the application dwelling contrary to the adopted design guide. However, notwithstanding this, in this particular case, the proposal would mirror that which has already been constructed on the adjoining semi-detached house and would therefore result in the re-balancing of the front elevation of the pair. By virtue of its modest forward projection, clearly subordinate ridge height and re-balancing effect, the proposal would appear as a clearly subordinate addition that would respect the scale and character of the semi-detached pair and would not appear overly prominent within, or result in any adverse visual impacts on, the wider street scene. An amended plan has been submitted to include a minor amendment to provide a larger, centralised and more appropriately proportioned first floor front window which has improved the overall design. A string course has been included in the design to mirror that of the similar neighbouring extension. Matching corresponding external materials are proposed in its construction to ensure a unified appearance.

- 8.4 The proposed single storey rear extension would extend for an appropriate modest depth of only 2 metres from the rear elevation and across the full 6.4 metres width of the dwelling. It would have a clearly subordinate lean-to pitched roof with an eaves height of approximately 2.5 metres and maximum height of approximately 3.6 metres. The proposal would have appropriately proportioned full height glazing to the rear elevation and blank side facing elevations which would be acceptable in design terms. The use of matching corresponding external materials is proposed in its construction which would ensure a uniform appearance with the existing dwelling.

- 8.5 By virtue of their siting, scale, design and proposed use of matching corresponding external materials to ensure a unified appearance, it is considered that the proposed extensions and alterations would respect and complement the scale, character and appearance of the existing dwelling and neighbouring dwellings and the proposals would therefore 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

- 8.6 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 By virtue of its 1.7 metres forward projection and separation distance, being set off the common side boundary with the adjoining dwelling to the north (No. 8) by 2.2 metres, the proposed front extension would not extend beyond a 45 degree line from the main front elevation habitable room windows of No. 8 or therefore be considered by the adopted design guide to result in any significant adverse

overbearing or overshadowing impacts on those windows. By virtue of the application dwelling being set back from the main front elevation of the other neighbouring dwelling to the south (No. 10) by approximately 1.5 metres, the 1.7 metres forward projection and separation distance of 2 metres between them, the proposed front extension would not extend beyond a 45 degree line from the main front elevation habitable room windows of No. 10 or result in any significant adverse overbearing or overshadowing impacts on those windows.

- 8.9 The proposed single storey rear extension would extend only 2 metres along the common side boundary with the adjoining dwelling (No. 8) and would be constructed immediately adjacent to the south side elevation wall of an existing lean-to roof conservatory of 3 metres in depth attached to its rear elevation. Notwithstanding that there are secondary high level windows (above 2 metres) in the near south side elevation of the adjacent structure that would be affected in terms of direct sunlight, the proposal would not have any significant adverse overbearing or overshadowing impacts on its principal rear elevation windows or garden due to its shorter 2 metres depth. The proposed single storey rear extension would extend only approximately 1 metre beyond the rear elevation of the lean-to conservatory attached to the rear elevation of the neighbouring dwelling to the south (No. 10) and at a separation distance of approximately 2.5 metres. Therefore, the proposal would not have any significant adverse overbearing or overshadowing impacts on any principal rear elevation windows or garden of No. 10. There are no side facing windows in the proposed extension that would result in any loss of privacy to either of the neighbouring occupiers from potential overlooking.
- 8.10 By virtue of their siting, scale and design together with existing similar neighbouring structures and separation distances, it is considered that the proposals would not result in any significant 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 adopted Good Design Guide. No objections have been received from any neighbouring properties.

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 proposal does not result in the addition of the number of bedrooms although one would increase in size. The existing two off-street parking spaces on the tarmacadam driveway and the loose stone surfaced site frontage would remain unaffected by the proposals. This level of provision would remain in accordance with the local highway authority design standard for the existing/resulting three bedroomed dwelling and therefore remain adequate within this highly sustainable urban location where access to a full range of services and facilities is available by alternative and more sustainable transport means. The proposals would therefore be in accordance with Policy DM18 of the adopted SADMP and the local highway authority design guide.

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 extensions and alterations 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 their siting, scale, design and the proposed use of matching external materials to ensure a unified appearance, the proposed extensions and alterations would respect and complement the scale, character and appearance of the existing dwelling and surrounding area and would re-balance the semi-detached pair. By virtue of their siting, scale, design, existing similar neighbouring structures and separation distances, the proposals would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. The proposal would retain adequate although slightly reduced private rear amenity space of approximately 67 square metres and adequate off-street parking provision of two spaces to serve the resulting three bedroomed dwelling. The proposals are 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 are 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, Proposed Block Plan, Proposed Floor Plans and Proposed

Elevations Drawing No. 002 Rev A received by the local planning authority on 13 April 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 extensions and alterations hereby permitted shall match the corresponding materials of the existing dwelling and be in accordance with the materials details provided within The submitted Planning Application form received by the local planning authority on 20 March 2023.

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.