

Delegated Report

Planning Ref: 24/00081/HOU
Applicant: Mr M Bailey
Ward: Hinckley De Montfort



Hinckley & Bosworth
Borough Council

Site: 10 Middlefield Close Hinckley Leicestershire

Proposal: Replacement garage and new hobby workshop

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 replacement detached garage and new hobby workshop to the side of a dwelling, 10 Middlefield Close, Hinckley.
- 2.2. The proposed garage/workshop would be located to the side of the bungalow, set back from the front elevation and extend along the side boundary. It would be 5 metres in width and 11.4 metres in total depth. It would have a dual pitched gable fronted roof form with a ridge height of 4.2 metres and an eaves height of 2.6 metres. It is proposed to be constructed with matching corresponding facing bricks, roof tiles and window materials as the existing bungalow. It would replace an existing narrower flat roof garage and two garden sheds.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of Hinckley on a residential estate and off a turning head at the end of a cul-de-sac. It is a detached bungalow with gable sided main roof form and a forward projecting gable providing an 'L' shaped footprint. It is constructed of pale red facing bricks with buff stone cladding panels to the front elevation, weathered brown interlocking roof tiles and white uPVC windows and doors. There is a detached single width garage with flat roof set back to the side elevation and extending along the side boundary. There is also a double width tarmac surfaced driveway and concrete slab hard-standing within the open plan site frontage providing additional off-street parking for up to three vehicles.
- 3.2. The application dwelling lies between a row of detached gable fronted bungalows with attached flat roofed garages between to the north and two other detached bungalows with gable sided roof form located to the southeast extending around the turning head. Opposite there are two storey semi-detached houses with gable sided roof form constructed of red facing bricks and white rendered panels to the front elevations.

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 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) (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, including detached ancillary buildings, 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 suggests that: *'Garages and car ports should generally be set back from the existing dwelling so as not to dominate the street scene.'*

8.3. The proposed garage/workshop would be located to the side of the bungalow and set back 2.7 metres from its front elevation in the same position as the existing single width flat roofed garage that it would replace. It would be 5 metres in width and extend 11.4 metres in total depth along the side boundary of the site and adjacent to the detached flat roof garage and car port of the neighbouring bungalow. It would have a dual pitched gable fronted roof form with an eaves height of 2.6 metres to match that of the application bungalow and a clearly subordinate ridge height of 4.2 metres compared to that of the application bungalow. By virtue of the proposed use of matching corresponding facing bricks, roof tiles and window materials as the existing bungalow in its construction, the proposal would result in a satisfactory and uniform appearance.

- 8.4 By virtue of its siting, scale, design and the proposed use of matching corresponding external materials, it is considered that the proposal would respect and complement the scale, character and appearance of the application dwelling and wider street scene. The proposal would therefore be in accordance with Policy DM10 of the adopted SADMP and the principles of the adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 8.5 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.

- 8.6 The proposed garage and hobby workshop would replace existing structures and be sited adjacent to the garage and car port of the neighbouring dwelling which also extend along the side boundary. The proposed new pitched roof would result in an increased in height compared to the existing flat roof garage, however, the proposal is only single storey in scale and to the northwest of the flat roof of the adjacent neighbouring ancillary structures. The nearest neighbouring dwelling (No. 9) has a different orientation to the proposal and its side elevation is set off the side boundary by between 3.5 and 10 metres such that the proposal would not result in any significant adverse overbearing or overshadowing impacts on any principle habitable room windows or sensitive private amenity spaces of the neighbouring dwelling or result in any loss of privacy to the neighbouring occupiers. The proposal would therefore be in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide. No objections have been received from any neighbouring properties.

Impact upon parking provision

- 8.7 Policy DM18 requires adequate off-street parking space to be provided/maintained to serve the development.
- 8.8 When considering the current local highway authority design guide standards, the site currently provides off-street parking within an undersized garage, one marginally under-length space and one full length space on the double width tarmacadam surfaced driveway and a full sized parking space on concrete paved hard standing within the site frontage.
- 8.9 The proposed replacement garage would be constructed in the same position as the existing garage and with a longer internal length of 5.6 metres although still marginally undersized (by 0.4 metres) but with a much wider internal width dimension of 4.57 metres. Two marginally under-length (by 0.275 metres) driveway spaces to the front of the proposed garage would also be retained along with the existing full sized parking space on concrete paved hard standing within the site frontage. By virtue of the width of the driveway, two cars would still be able to pull clear of the public highway if parked at a slight angle and the third space would also be retained on the concrete paved hardstanding. Notwithstanding the dimensions provided, it is considered that the level of off-street parking provision provided would not be unacceptable to serve the existing/resulting three bedroomed bungalow located at the end of this lightly trafficked residential cul-de-sac. The proposal is therefore considered to be in accordance with Policy DM18 of the adopted SADMP and not unacceptable in respect of the general principles of 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 proposal is for a detached ancillary building to serve 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 its siting, scale, design and the proposed use of matching corresponding external materials, it is considered that the proposal would respect and complement the scale, character and appearance of the application dwelling and wider street scene and would not result in any significant adverse impacts on the residential amenity of privacy of the occupiers of any neighbouring dwellings. Adequate private rear amenity space of approximately 110 square metres would be retained along with adequate off-street parking for three vehicles to serve the existing/resulting three bedroomed bungalow. The proposal is considered to be in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP and the 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: Location Plan, Proposed Block Plan, Proposed Floor Plan and Proposed Elevations Drawing No. 746-23-150 received by the local planning authority on 23 January 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.