

## Delegated Report

**Planning Ref: 23/00439/HOU**  
**Applicant: Mr and Mrs Farmer**  
**Ward: Hinckley DeMontfort**



Hinckley & Bosworth  
Borough Council

**Site: 4 Well Lane Hinckley Leicestershire LE10 1QL**

**Proposal: Single storey rear extension**

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### **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 a single storey rear extension, 4 Well Lane, Hinckley. It includes rooflights on the extension and a new window to the existing garage.
- 2.2. The proposed single storey rear extension extends 3.8 metres from the rear of the existing attached garage and 1.85 from the main rear elevation of the dwelling. The dual pitched roof extension has a width of 3.3 metres, eaves height of 2.25 metres and 3.84 metres to the ridge.
- 2.3. Matching corresponding external materials (brick and roof tiles) are 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 in a small residential estate at Well Lane, Hinckley. It is a two storey semi-detached house set well back from the public highway with access between the Queens Court Apartment and 1 Well Lane.
- 3.2. 4 Well Lane is a brick built property with attached garage, dual pitched roof, white uPVC and front paving driveway. The dwelling is not listed and not in a conservation area.

### **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 response required.

### **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 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.

8.3 The adopted Good Design Guide states that:

*'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.'*

8.4 The proposed single storey rear extension extends 3.8 metres from the rear of the existing attached garage and 1.85 metres from the main rear elevation of the dwelling. It has a dual pitched roof with roof design and materials matching the existing dwelling. The extension has eaves height of 2.25 metres and 3.84 metres to the ridge which is considered appropriated.

8.5 The extension clearly subordinate and sympathetic the garage and main extension and is constructed in matching corresponding external materials to the existing dwelling to ensure a satisfactory and unified appearance. It has appropriate scale, positioned to the rear and not viewable from the main street. The rooflights do not go beyond 0.2 metres from the roof slope and therefore considered appropriate for the size of the extension.

8.6 By virtue of the rear siting, clearly subordinate single storey small scale, design and proposed use of matching corresponding external materials to ensure a satisfactory and unified appearance, the proposals respect and complement the scale, character and appearance of the existing dwelling and would not result in any significant adverse visual impacts on the wider street scene. The proposals 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**

- 8.7 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.
- 8.8 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.'*
- 8.9 The proposed single storey rear extension is 1 metre away from the boundary to the southeast. An existing wall of above 2 metres to the southeast boundary separate the proposed extension from the dwellings to the southeast and therefore there is no issue of loss of privacy. The proposed window does not cause any form of overlooking and not harmful the visual character. The extension has a single storey scale, lower eaves, and pitched roof sloping away from the boundary and has not significant impact on the level of overlooking and overbearing effecting on the neighbouring dwellings.
- 8.10 As a result of the position of the extension, the high wall separating the extension and adjoining properties, the proposal does not cross the 45 degree line drawn from the neighbouring window.
- 8.11 The extension has a modest depth, height and well away from the boundary, the proposal does not result in any significant adverse overbearing or overshadowing and loss of privacy impacts on the adjoining properties.
- 8.12 The proposals are therefore considered to be in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide. No objections have been received from the occupiers of any neighbouring properties.

### **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 attached garage remains as garage and a front driveway with the capacity to hold two off-street cars. The proposal does not increase the number of bedrooms to the dwelling and therefore would have a neutral impact on parking requirements. The proposal is therefore considered to be in accordance with Policy DM18 of the adopted SADMP and the standards within 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 extension and alteration to an existing dwelling within the 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, subordinate single storey small scale, sympathetic design and proposed construction in matching corresponding external materials, the proposals respect and complement the scale, character and appearance of the existing dwelling and do not result in any significant adverse visual impacts on the character or appearance of the wider street scene, or the privacy or residential amenity of any neighbouring properties. The proposal does not impact the parking spaces and adequate private rear amenity space to serve the dwelling. 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: Location Plan Drawing No. 1607/SL and Proposed Block Plan Drawing No. 1607/BP, Proposed Floor Plan and Elevation Drawing No 1607 received by the local planning authority on 03 May 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 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](mailto:buildingcontrol@hinckley-bosworth.gov.uk) or call 01455 238141.