

Delegated Report

Planning Ref: 24/00608/HOU
Applicant: Mr Simon Moxley
Ward: Hinckley DeMontfort



Hinckley & Bosworth
Borough Council

Site: 71 Forest Road Hinckley Leicestershire LE10 1HA

Proposal: Part single, part two storey rear extension, front porch, loft conversion with dormer, solar panels and alteration to dwelling.

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 a part single, part two storey rear extension, an extension to the existing front porch, a loft conversion with rear dormer, solar panels and alterations to the dwelling, 71 Forest Road, Hinckley. The original plans have been amended to obscure certain windows including the side facing windows to the first floor rear projection, reduce the depth of the front porch, replace the front dormer with rooflights, install solar panels on the rear dormer extension, a slight reduction of the first floor bay window, and rendering to the property.
- 2.2. The proposed ground floor rear extension measures 2.1 metres in depth at the south facing elevation and 4.1 metres on the north side facing elevation. The extension cuts inward from the south facing elevation in order to comply with the Council's guidelines regarding the 45 degree rule and covers the full width of the main dwelling. The ground floor rear extension has a flat roof to a maximum height of 2.88 metres and slightly raised skylights. The first floor flat roof extension projects 1 metre out from the rear elevation of the dwelling to a width of 2.1 metres. The ridge height of the first floor rear extension matches the eaves of the main dwelling to a height of 2.43 metres. The loft conversion creates a flat roof box dormer to the rear elevation. The rear dormer protrudes 2.9 metres out from the roof slope to a height of 2.2 metres. Solar panels are installed on the rear dormer roof. The solar panels project 0.4 metres from the rear dormer roof slope. A new obscure window is inserted in the north east side elevation of the dwelling and the first floor rear extension window is obscured at both sides. The front extension extends 1.2 metres forward of the existing porch (including the overhanging roof), has a width of 1.6 metres and matching roof height of 2.8 metres.
- 2.3. The extension and existing dwelling are finished with light grey render for the wall, uPVC/timber/composite windows and doors and roof tiles to match the existing.
- ### **3. Description of the site and surrounding area**
- 3.1. The application dwelling is located within the settlement boundary of Hinckley. It is a two storey brick built semi-detached dwelling with a side gable main roof. The house has a ground floor front bay window and a flat roof front porch. The dwelling is set back from the public highway, bordered by a fence and grassed area to the front. The house is not listed and not within a conservation area.
- 3.2. The surrounding dwelling are of similar scale and design. They are predominantly two storey semi-detached dwellings with a mix of brickwork and render.

4. Relevant planning history

None

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. A 7-day re-consultation was also made on the revised plans.
- 5.3. Two objections have been received regarding the original plans and two further objections were received for the revised plans. Issues raised include:
 - invasion of privacy and overlooking
 - loss of light
 - loss of views
 - loss of openness
 - proposals not in keeping with the character of the area
 - loss of value

6. Consultation

- 6.1. None 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 DM2: Delivering Renewable Energy and Low Carbon 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. Policy DM2 requires that development of renewable energy and low carbon development installations at the domestic, community and commercial scales will be supported.

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

- 8.4 The Council's adopted Good Design Guide 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.' and,

'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, particularly if designed with a contemporary aesthetic style.'

'Wherever possible, locate roof extensions to the rear of properties to minimise potential impact on the street scene. Roof lights that lie flush with the roof itself will typically be the easiest way of introducing natural light into a roof space without resulting in negative visual impact.'

- 8.5 The proposed extensions and alterations increase the massing and scale of the existing dwelling but do not increase the height of the existing dwelling. Window sizes on the dormer and rear extensions are proportionate to the existing windows. The single storey rear extension measures 2.1 metres in depth at the south facing elevation and 4.1 metres on the north side facing elevation. It has a flat roof to a clearly subordinate and appropriate height of 2.88 metres and marginally higher skylights. The first floor flat roof extension projects 1 metre out from the rear elevation of the dwelling to a width of 2.1 metres. The ridge height of the first floor rear extension matches the eaves of the main dwelling to a height of 2.43 metres. The loft conversion creates a flat roof box dormer to the rear elevation. It does not increase the height of the dwelling and is set away from the roof edge. The rear dormer protrudes 2.9 metres out from the roof slope and to a height of 2.2 metres. Solar panels on the roof of the rear dormer project 0.4 metres above the dormer roof but remain lower than the height of the main dwelling. The front rooflights do not protrude more than 0.2 from the roof slope. The dormer extension and flat roof features are not common features within the street however, due to their subordinate dimensions and their siting to the rear, the proposed flat roof dormer is not considered harmful to the street scene. The front extension extends 1.2 metres forward of the existing porch (including the overhanging roof), has a width of 1.6 metres and matching roof height of 2.8 metres. It projects forward of the existing building line within the immediate surrounding dwellings however, is not considered harmful to the dwelling or the overall street character.

- 8.6 Notwithstanding the fact that the proposed extension and alteration are viewable from the rear, they are clearly subordinate to the existing dwelling and have no significant visual prominence within any street scene or have any significant adverse visual impacts on the surrounding area. It is therefore considered that the proposed part single part two storey rear extension, rear dormer, front extension and solar panels are acceptable in terms of their scale and design. The proposed use of light grey and uPVC/timber/composite windows and doors and roof tiles are acceptable and satisfactory in terms of its appearance and have no adverse visual impacts on the character of the surrounding area.

- 8.7 By virtue of the siting, scale, design and the proposed use of corresponding external materials to ensure a satisfactory appearance, it is considered that the proposed extensions and alterations respect and complement the scale, character and appearance of the existing dwelling and have no significant adverse visual impacts on the wider street scene. The proposal is therefore considered to be in accordance with Policies DM2 and DM10 of the adopted SADMP, the general principles of the adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 8.8 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.
- 8.9 The proposed rear extension has appropriate height and dimension. It extends further than the existing rear projections at 69 and 73 Forest Road. The extension extends to the 2 metres high boundary fence to the south and is 1 metre away from the north boundary fence. The fence separates the gardens of both 69 and 73 Forest Road from the garden of 71 Forest Road. This provides a level of privacy for the adjoining neighbours. As a result of the single storey scale and appropriate height of the rear extension, there is no significant adverse impact on neighbouring properties. The solar panels on the roof of the single storey rear extension are not easily visible and therefore have no significant visual impact on 69 and 73 Forest Road.
- 8.10 The insertion of windows to the north side facing elevation of the dwelling does not result in overlooking into the garden of 73 Forest Road. All side facing windows on the north elevation of the dwelling are on the ground floor and obscured except for the first floor side window which serves the landing (non-habitable). The first floor flat roof extension projects 1 metre out from the rear elevation of the dwelling to a width of 2.1 metres. It has a height of 2.43 metres and is approximately 0.13 metres from the south boundary fence and matches the eaves of the main dwelling. The first floor projections is built with bricks at the base and obscured glazed at the upper level. The rear window to the first floor faces into the applicant's rear garden. Views from the first floor extension into the gardens of adjoining neighbours will be at an angle similar to existing rear windows at both 69 and 73 Forest Road. As a result of obscuring the side elevations, non-openable glazed and appropriate depth, width and height of the rear projection, it does not result in any significant overbearing or overlooking impact on 69 and 73 Forest Road. A 45 degree line taken from the quarter point of the first floor rear window at 69 Forest Road hits the edge of the first floor rear extension at 71 Forest Road, meaning that it does not significantly impact on light levels in the adjacent habitable room.
- 8.11 The rear dormer is set down from the ridge of the main roof. It has no side facing windows and is approximately 0.2 metres away from both side edges of the main roof. It does not result in any adverse overbearing or overshadowing impacts on the residential amenity or result in any loss of privacy to the neighbouring occupiers. The solar panels on the rear dormer protrude 0.4 metres above the dormer roof. The panels have no significant impact on adjoining properties. The front porch extends further than the existing building line on the street. It is well positioned and has appropriate dimensions. As a result, it does not impact on the neighbouring properties. The front rooflights do not protrude more than 0.2 metres beyond the roof slope and do not therefore impact on 69 and 73 Forest Road.
- 8.12 By virtue of the siting, scale, design, separation distances and the use of obscure glazing and non-opening windows where necessary, 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 properties. The

proposal is therefore in accordance with Policies DM2 and DM10 of the adopted SADMP and the adopted Good Design Guide.

- 8.13 Loss of value of neighbouring property is not a material planning consideration that can be taken into account in the consideration of any planning application. The originally submitted scheme has been reduced in part to address the concerns of neighbours. It is considered that the legitimate concerns of neighbours have now been appropriately addressed.

Impact upon parking provision

- 8.14 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.15 The proposal has an additional bedroom to provide a total of three bedrooms. The site currently has two off-street car parking spaces to the rear of the property. The local highway authority design guide seeks a minimum of two off-street car parking spaces to serve a dwelling of this size. The existing rear parking spaces are not impacted as a result of the proposed extension and alteration. The site is within a sustainable urban location with access to alternative public transport. As a result, the proposal is therefore considered to 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 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, separation distances, the use of obscure glazing and non-opening windows, and the proposed use of corresponding external

materials, it is considered that the proposed extensions and alterations respect and complement the scale, character and appearance of the existing dwelling and have no significant adverse visual impacts on the already varied wider street scene. There is no significant or unacceptable adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. Off-street parking for at least two vehicles is retained at the rear of the property and adequate private amenity space to serve the dwelling is provided. The proposal is considered to be in accordance with Policies DM1, DM2, 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: Site Location Plan Drawing Number 195-TAA-XX-ZZ-DR-A-0001 Rev P02 (received on 19 June 2024), Proposed Site Plan Drawing Number 195-TAA-XXX-00-DR-A-1100 Rev P04, Proposed Ground Floor Drawing Number 195-TAA-XXX-00-DR-A-1200-P05, Proposed First Floor Plans Drawing Number 195-TAA-XXX-01-DR-A-1201 Rev P06, Proposed Loft Plan Drawing Number 195-TAA-XXX-02-DR-A-1202 Rev P04, Proposed Roof Plan Drawing Number 195-TAA-XXX-ZZ-DR-A-1300, Proposed South East and North West Elevation Drawing Number 195-TAA-XX-00-DR-A-1400 Rev P05, Proposed North East and South West Elevation Drawing Number 195-TAA-XX-00-DR-A-1401 Rev P05 received by the local planning authority on 02 August 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 existing and proposed extensions and alterations hereby permitted shall match the corresponding materials confirmed through an email received on 06 August 2024 and other material within the application form.

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 proposed obscure glazing shall be a minimum of level 3 of the Pilkington scale and such windows that are obscurely glazed shall be non-openable below a minimum height of 1.7 metres above the floor level of the rooms that

they serve. Once so provided the windows 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).

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.