

Delegated Report

Planning Ref: 26/00123/HOU

Applicant: Mrs Laura Elsworthy

Ward: Hinckley DeMontfort



Hinckley & Bosworth
Borough Council

Site: 55 Dares Walk, Hinckley

Proposal: Part demolition of the existing rear and the erection of a single storey rear extension. Raising of ground level to provide accessible patio area including installation of raised fencing panels.

Case Officer: Gwion Russell (Planning Officer)

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

- 2.1. The application seeks planning permission for the erection of a single-storey rear extension and raised patio area at 55 Dares Walk, Hinckley.
- 2.2. The proposed single storey extension would project 2m from the rear elevation, with a total width of 2.5m, spanning the width of an existing projecting two-storey half gable. The eaves height of the proposed mono-pitched roof would not exceed a height of 3m. The extension involves the part demolition of a small section of the existing structure. The extension would serve a utility space and a ground-floor shower room.
- 2.3. The raised patio would extend a total of 2m and a width of 4.2m and would include steps up from main area of the garden to the rear; it would be approximately 0.5m above the existing ground level, with stepped access to the lower garden to the rear.
- 2.4. External materials include facing bricks for the exterior walls and EPDM single ply covering for the roof finish. Proposed fenestration includes a standard 1.2m wide casement window at the rear elevation and a 0.9m wide door at the north elevation; both would be finished in white uPVC. There are no further alterations proposed.

3. Description of the site and surrounding area

- 3.1. The application site relates to a two-storey end-of-terrace dwelling situated within the settlement boundary of Hinckley. The dwelling comprises light render to the walls with concrete interlocking tiles to its dual-pitched roof and white uPVC windows. The rear of the dwelling features a two-storey projecting half-gable (shared with its adjoining neighbour, No. 53 Dares Walk), typical of Victorian terraced dwellings. In addition, it also features a later mono-pitch 'lean-to' style single storey projection which serves a utility/kitchen space. Both these elements are reflected within the original form of the remaining terraced dwellings.
- 3.2. The street is dominated by a single row of terraced dwellings opposite a vehicle repair shop and various retail units. Dares Walk is a small, pedestrianised footpath with vehicular access and parking at the rear of the dwellings. The application site is adjoined with No. 53 Dares Walk to its south and detached from a commercial/retail unit to its north. The wider area is typified by a mixture of terraced dwellings and niche retail units.
- 3.3. The site is not within a conservation area, nor is the property listed.

4. Relevant planning history

- There is no planning history associated with this property.

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site. No representations have been received.

6. Consultation

- 1.2. There have been no objections from the following consultees:

- LCC's Ecology Unit

- 1.3. No further responses have been received.

7. Policy

- 7.1. Core Strategy (2009)

- Policy 1: Development in Hinckley

- 7.2. Site Allocations and Development Management Policies DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM10: Development and Design

- 7.3. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2024)
- Planning Practice Guidance (PPG)

- 7.4. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)

8. Appraisal

- 8.1. Key Issues

- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity

Design and impact upon the character of the area

- 8.2. Policy DM10 of the SADMP requires new development to complement or enhance the character of the surrounding area with regards to scale, layout, density, mass, design, materials and architectural features.

- 8.3. The proposed extension sits to the rear of a dwelling centrally to a continuous terraced property building, with no separation distances and therefore would not be visible from the public realm. By virtue of its dimensions the extension remains subordinate to the main dwelling.

- 8.4. The proposed exterior materials would be facing brick and roof topped with single ply covering, which accords with the main dwelling.

- 8.5 The proposed patio would be situated to the rear of the application dwelling and would span the width of the dwelling, projecting 2m from the rear elevation of the proposed extension. The main alteration would be a 0.5m increase to the floor level. In any case, this would not be visible from the public realm.
- 8.6 The proposals are therefore not be viewable from the public realm and by virtue of this, the proposal is considered to be in accordance with Policy DM10 of the SADMP and the Good Design Guide.

Impact upon neighbouring residential amenity

- 8.7 Policy DM10 of the SADMP states that proposals should not adversely affect the occupiers of the neighboring properties.
- 8.8 The additional projection of 2m would result in no further breach of any habitable neighbouring window at No. 53 Dares Walk. As such, the rear extension would not give rise to any further amenity concerns.
- 8.9 The increased depth of the proposal would not result in loss of light for the neighbouring kitchen space or further harm for the dining space. An adequate separation distance of 14m is maintained between the rear elevation of the extension and the rear elevation of No. 27 The Quarters which helps to maintain adequate levels of sunlight during the day.
- 8.10 There is a commercial/retail unit directly adjacent to the north, positioned perpendicularly, and therefore the extension poses no amenity concerns for this property.
- 8.11 The rear extension is only slightly higher than the eaves of the existing rear elevation, at approximately 2.6m in height. This sits below the maximum height of the existing extension. Given its single-storey massing, and modest height, the proposals would therefore not result in oppressive development for neighbouring No. 53 Dares Walk.
- 8.12 The sole window, at the rear elevation of the extension, would directly face the timber fence at the rear of the garden. This is separated by the rear elevation of No. 27 The Quarters by a bridleway and another fence and maintains a 14m separation distance. The side entry faces no residential units.
- 8.13 Although the increase in patio would mean higher degree of intervisibility for neighbouring No. 53; the patio is only modestly increased at approximately 50cm and maintains a timber fence which is 1.8m in height.
- 8.14 The garden would retain a footprint of 23m². The Good Design Guide states that three-bedroom properties should retain 60m² and four-bedroom properties 80m² of enclosed garden space; however, there is no specific guidance for the garden provision of two-bedroom dwellings. Given the garden is already small and the proposals only modestly increase the internal floorspace, this is considered acceptable.
- 8.15 In summary, the proposal is considered to comply with Policy DM10 of the SADMP and the Good 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.

10. Conclusion

- 10.1 The Local Planning Authority concludes that the proposed development would complement the character and appearance of the host dwelling, and no significant harm to neighbouring amenity would be caused by the proposals. On this basis, the proposal is therefore considered to be in accordance with Policy DM1 and DM10 of the Site Allocations and Development Management Policies DPD. The proposal is 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:

- Application Form
- Proposed Block, Site Location Plan, Drg No. 5993/4
- Proposed Elevations, Ground Floor Plan, Section, Drg No. 5993/2
- Proposed Ground Floor Plan, Section, Drg No. 5993/3

Reason: To ensure a satisfactory form of development in accordance with Policy DM1 and DM10 of the Site Allocations and Development Management Policies DPD.

11.3 Notes to applicant

- a) 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.