

Delegated Report

Planning Ref: 24/00084/HOU
Applicant: Mr Adam James Lersch
Ward: Hinckley Trinity



Hinckley & Bosworth
Borough Council

Site: 97 Tudor Road Hinckley Leicestershire

Proposal: Two storey side extension, dormer to the rear roof and alterations to dwellinghouse

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 two storey side extension and a loft conversion with a box dormer window to the rear roof elevation to a dwelling, 97 Tudor Road, Hinckley.
- 2.2. The proposed two storey side extension would be 2.5 metres in width to retain a gap of 0.9 metres to the side boundary and 6.4 metres in depth to be fully flush with both the front and main rear elevations of the dwelling. It would have matching eaves and ridge heights as the main roof but would extend the existing hipped roof to form a side gable to enable and extend the proposed loft conversion. The proposed box dormer window to the rear roof elevation, as part of the proposed loft conversion, would measure 9.6 metres in width with a flat roof design of 2.1 metres in height to just below the main roof ridge. It would be set in approximately 0.8 metres from the rear wall plate and also 0.4 metres from the new side elevation of the dwelling. The extensions are proposed to be constructed in matching plain red facing bricks, concrete headers and cills, matching plain grey roof tiles with similar hanging tiles to the rear dormer elevations and matching white uPVC windows. Existing brick outbuildings attached to the side elevation would be demolished to enable the scheme.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the urban settlement boundary of Hinckley on a residential estate. It is a two storey semi-detached house with a hipped main roof form and horizontal design emphasis. It has a plain front elevation, a partially completed single storey extension across its rear elevation with a lean-to roof form and flat roof brick outbuildings attached to its side elevation by a front parapet wall. The application dwelling is constructed with plain red facing bricks, concrete headers and cills, small plain grey roof tiles and white uPVC windows. The rear extension is incomplete but has been constructed of concrete blockwork and has a roof covering of larger plain grey concrete roof tiles. The site frontage has a depth of 7 metres and width of 11 metres and provides a minimum of three off-street parking spaces but currently on no formal hard bound surfacing. There is an extensive garden to the rear enclosed by 1.8 metres high concrete post and solid timber fencing panels.
- 3.2. The application dwelling is located within a row of similarly scaled and styled hipped roof semi-detached houses of plain fronted design and constructed on the same building line. Opposite the site there are short terraces (4 dwellings) of two storey houses with two storey bay windows and a mix of hipped roof and gable sided roof

form and spacing of 2 metres between each terraced block. There is a wide range of external materials in the street scene including red facing bricks, render of different colours and a mix of both grey and red/brown roof tiles.

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 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 side extensions should appear smaller in scale and massing in order to be subordinate to the main dwelling. Any proposal for a two storey side extension

should be set down from the ridge of the existing house and set back from the front elevation (the minimum distance for this should be 0.5 metres in both directions) unless in design terms this in itself would create an imbalance in the overall design of the property.' and, *'In assessing the merit of the planning application, consideration will be given to the impact on local character created by reducing the space between buildings.'* and,

'Wherever possible, locate roof extensions to the rear of properties to minimise potential impact on the street scene. Dormer windows, which allow for additional headroom within roof spaces can be appropriate in certain situations, however these will be considered in the context of impact upon the character of the building and on neighbours' amenity and should reflect the window pattern of the dwelling. Material selection, and scale of window opening and position within the roofscape is critical in the success of dormers.'

- 8.3 The proposed loft conversion includes an extension of the main roof of the dwelling from a hipped roof form to a gable sided roof form which would clearly change the design and character of the existing dwelling and would not reflect the hipped roof design of the neighbouring semi-detached dwellings within the row. Notwithstanding this, the wider street scene is characterised by a mix of both hipped roof dwellings and gable sided dwellings and therefore it is considered that the proposed hip to gable roof would not be uncharacteristic of the surrounding area or incongruous in this case. Were it not for the additional side extension, subject to meeting a number of criteria, a loft conversion including a hip to gable roof extension to the existing dwelling could be undertaken within the provisions of permitted development rights to achieve a similar outcome. It is the addition of the side extension that generates a need for planning permission in this case.
- 8.4 The proposed two storey side extension would be constructed to a depth of 6.4 metres to be flush with both the front and main rear elevations. It would have a clearly subordinate width of just 2.5 metres, only a third of the width of the 7.6 metres wide existing dwelling and would retain an appropriate 0.9 metres spacing to the side boundary which would reflect the two metres spacings (1 metre either side of the side boundaries) between a majority of the dwellings along this stretch of Tudor Road. It would have a fully flush roof with matching eaves height, ridge height and pitch as the existing front and rear roof slopes and therefore would not be subordinate in height as required by the adopted design guidance. However, notwithstanding this, the flush proposal would nevertheless reflect the horizontal emphasis of the semi-detached pairs in the row either side of the site and the terraced blocks opposite. In addition, by virtue of the retention of the 0.9 metre spacing to the side boundary with the neighbouring dwelling (No. 99), the additional 3.5 metres spacing to the rear side elevation of No. 99 and the clear differences in the ground levels of the respective dwellings, no significant potential terracing effect could result from the proposed development in this case.
- 8.5 Therefore, notwithstanding the degree of conflict identified with the adopted Good Design Guide, it is considered that a set-back/subordinate height for the side extension is not critical in this particular case and that the proposal would not result in any unacceptable impacts upon the character or appearance of the existing dwelling or the varied wider street scene. The proposal is to be constructed in matching external materials including plain red facing bricks, concrete headers and cills, matching plain grey roof tiles and matching white uPVC windows to ensure a satisfactory and unified appearance which, together with the appropriately proportioned and patterned fenestration proposed, would ensure a satisfactory and integrated design and appearance.

8.6 As suggested within the adopted Good Design Guide, the proposed box dormer window would be located on the rear roof elevation where any visual impact on the street scene would be minimised. It would have a width of 9.6 metres with a flat roof design of 2.1 metres in height to be just subordinate to the main roof ridge. It would be set in approximately 0.8 metres from the rear wall plate and also 0.4 metres from the new side elevation of the dwelling to ensure that it would sit comfortably within the roof slope and that the definition of the main roof and new side gable would be maintained. By virtue of its siting to the rear and flat roof design the dormer would not be visually prominent within the street scene and therefore would not result in any significant adverse impacts on the character or appearance of the surrounding area. The rear elevation windows within the dormer reflect the proportion and pattern of the existing windows at first floor below as promoted within the adopted Good Design Guide. The proposed use of matching plain grey hanging tiles on its external wall elevations to match the main roof would ensure an appropriate appearance. The proposed dormer is therefore considered to be acceptable in terms of its siting, scale, design and appearance.

8.7 Notwithstanding the degree of conflict identified with the adopted Good Design Guide, by virtue of the siting, scale, design, and subject to the proposed use of matching corresponding external materials in the construction to ensure a satisfactory and unified appearance, it is considered that the proposal would nevertheless respect and complement the scale, semi-detached character and appearance of the existing dwelling and would not result in any significant or unacceptable adverse visual impacts on the varied character and appearance of the wider street scene in this case. The proposals are therefore considered to be in accordance with Policy DM10 of the adopted SADMP and the general overall principles of the adopted Good Design Guide.

Impact upon neighbouring residential amenity

8.8 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.

8.9 The adjacent dwelling to the west (No. 99) is a similarly designed and styled two storey hipped roof detached house constructed on the same building line as the application dwelling but on a lower (by approximately 0.5 metres) ground level. It is set off the near side boundary by 3.5 metres with a range of single storey flat roof outbuildings between. It has only a first floor obscurely glazed bathroom window in its near side elevation facing the site. The proposed two storey side extension would extend towards No. 99 but retain a 0.9 metre spacing to the side boundary and would not extend any further forward or to the rear of the neighbouring dwelling. Therefore, by virtue of its siting, scale and design, the proposal would not result in any significant adverse overbearing or overshadowing impacts on any principal habitable room windows of No. 99 or its amenity areas. There are no side elevation windows proposed that would face directly towards No. 99 or result in any significant loss of privacy to the neighbouring occupiers from potential direct overlooking. The adjoining dwelling to the east (No. 95) is a similarly designed and styled two storey hipped roof detached house constructed on the same building line as the application dwelling and has a conservatory attached to its rear elevation. By virtue of the siting of the proposed two storey extension to the far side elevation only, the proposal would have no adverse impacts on the residential amenity or privacy of the occupiers of No. 95.

8.10 The proposed rear box dormer window would be set back from the rear wall plate and therefore would not result in any significant adverse overbearing or overshadowing impacts on any principal habitable room windows of either of the

neighbouring dwellings or their private amenity areas. Notwithstanding that new upper floor windows are proposed in the rear elevation and proposed rear dormer window, these are set in from the side boundaries of the site and face directly towards the applicants own garden and therefore would allow only acute views towards the neighbouring gardens. There are similar windows at first floor below the dormer and therefore it is considered that the proposal would not result in any significant or additional adverse impacts on the privacy of the occupiers of the adjoining or any other neighbouring properties from potential direct overlooking. By virtue of the distance of over 20 metres to the rear garden boundary the proposals would have no significant adverse impacts on the residential amenity or privacy of any of the neighbouring gardens to the rear (south) of the site.

- 8.11 By virtue of the siting, scale, design and separation distances it is considered that the proposed extensions and alterations would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties and that they are therefore 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

- 8.12 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.13 The site currently provides three off-street car parking spaces to serve the existing three bedroomed dwelling on the 7 metres deep and 11 metres wide open site frontage. The proposals would result in an additional fourth bedroom but would not result in any impact upon the existing off-street parking provision which would therefore remain available to serve the resulting four bedroomed dwelling. This level of retained existing provision would be adequate to serve the resulting four bedroomed dwelling in accordance with Policy DM18 of the adopted SADMP and the local highway authority design guidance provision standards in this highly sustainable urban location where a full range of services and facilities are easily accessible by alternative and more sustainable transport means.

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 relates 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. Notwithstanding the degree of conflict identified with the adopted Good Design Guide, by virtue of the siting, scale, design, and subject to the proposed use of matching corresponding external materials in the construction to ensure a satisfactory and unified appearance, it is considered that the proposal would nevertheless respect and complement the scale, character and appearance of the existing dwelling and would not result in any significant or unacceptable adverse visual impacts on the varied character and appearance of the wider street scene or the privacy or residential amenity of any neighbouring properties. The proposals would retain adequate private rear amenity space of approximately 250 square metres and adequate off-street parking provision of three spaces to serve a four bedroom dwelling. The proposals are considered to be in accordance with Policies DM1, DM10 and DM18 of the adopted SADMP and the majority of 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 and Proposed Block Plan Drawing No. 23/B1/100, Proposed Ground Floor Plan Drawing No. 23/B1/04, Proposed First Floor Plan Drawing No. 23/B1/05, Proposed Second Floor Plan Drawing No. 23/B1/06 and Proposed Elevations Drawing No. 23/B1/07 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 extensions and alterations 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.