

**Planning Committee 28 May 2019  
Report of the Interim Head of Planning**

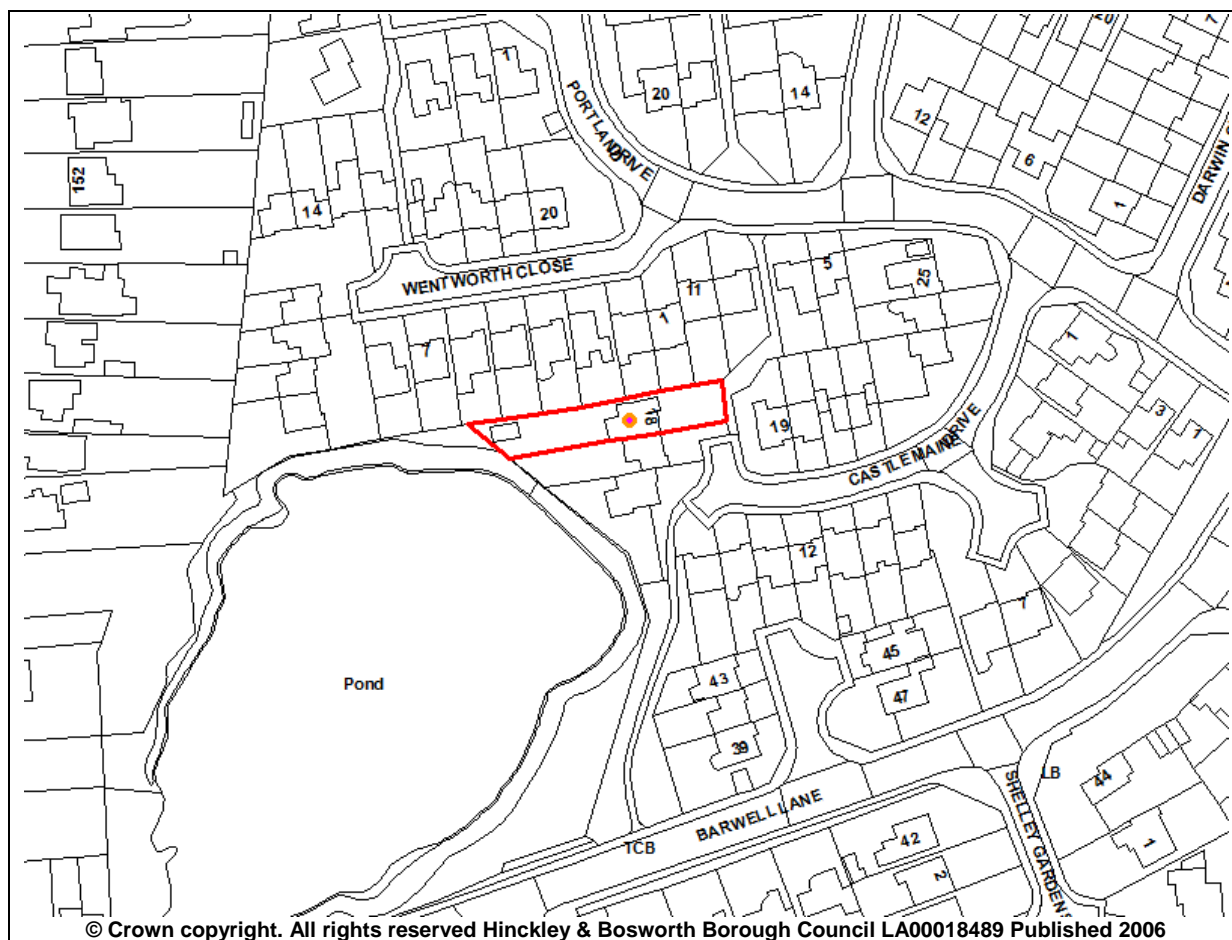
**Planning Ref:** 19/00389/HOU  
**Applicant:** Mr Keith Weiland  
**Ward:** Hinckley DeMontfort



Hinckley & Bosworth  
Borough Council

**Site:** 18 Castlemaine Drive Hinckley

**Proposal:** Conversion of existing garage to form habitable room and new pitched roof to front



**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 application seeks planning permission for a pitched roof to the front and side of 18 Castlemaine Drive, Hinckley. The proposed roof would replace a flat roof over the existing single storey front projection and garage on the north side of the property. Materials used would match the host dwelling.
- 2.2.** The proposal would also result in the internal conversion of the existing garage to form a habitable room, along with external alterations associated with this. Cladding would also be implemented at first floor level on the principal elevation of the host

dwelling, to replace the existing hanging roof tiles. These works do not require planning permission and thus only the proposed pitched roof is assessed in this application.

### **3. Description of the Site and Surrounding Area**

- 3.1. The application site comprises a two storey semi-detached dwelling in the settlement boundary of Hinckley. The property includes a single storey side projection to the north. Planning permission was previously approved on site (Ref: 18/00757/HOU) for an extension to the rear of the property. The property is finished in red brick, brown roof tiles, white UPVC windows and doors and brown hanging tiles to the front elevation. The property features both a pitched and flat roof design.
- 3.2. Castlemaine Drive is characterised by semi-detached two storey dwellings, uniform in design and appearance.

### **4. Relevant Planning History**

18/00757/HOU	Single storey rear extension	Permission	12.10.2018
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### **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.
- 5.2. No comments were received.

### **6. Consultation**

- 6.1. None relevant.

### **7. Policy**

- 7.1. Site Allocations and Development Management Policies DPD (2016)
- Policy DM1: Presumption in Favour of Sustainable Development
  - Policy DM10: Development and Design
- 7.2. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2019)
  - Planning Practice Guidance (PPG)

### **8. Appraisal**

- 8.1. Key Issues
- Assessment against strategic planning policies
  - Design and impact upon the character of the area
  - Impact upon neighbouring residential amenity

#### Assessment against strategic planning policies

- 8.2. Policy DM1 of the SADMP provides a presumption in favour of sustainable development. The policy sets out that those development proposals that accord with the development plan should be approved without delay, unless material considerations indicate otherwise.
- 8.3. The proposed pitched roof is for a property located within the settlement boundary of Hinckley. As such, there is a presumption in favour of sustainable development under Policy DM1 of the SADMP. Hinckley is an identified urban area whereby the principle of a householder extension is considered acceptable, subject to all other material planning considerations being acceptable.

#### Design and impact upon the character of the area

- 8.4. 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. The proposal is felt to comply with these requirements, according to the justification given below.
- 8.5. The proposed pitched roof would extend across the principal elevation of the host dwelling, and over the converted room which would be located on the north side of the dwelling. The proposed roof would replace an existing flat roof. The roof over the converted room would be dual pitched, and the roof projecting from the principal elevation of the host dwelling would be mono-pitched. Materials used would match the host dwelling. The eaves of the proposed roof would match those existing on the host dwelling and adjoining property, no.17. The ridge height established by the mono-pitched roof would be approximately 3.2 metres. The ridge height of the dual pitched roof would be approximately 4.2 metres, 0.7 metres above the ridge of the dual pitched roof over the existing bathroom.
- 8.6. Castlemaine Drive is characterised by pitched roofs, including those at ground floor level. Thus, the proposed development would complement the existing dwelling and surrounding properties.
- 8.7. The proposed development is considered to be a minor, appropriate and complementary addition to the host dwelling, which would respect the existing character of the host dwelling and surrounding area. The proposed pitched roof would result in a single roof design across the host dwelling, creating a cohesive visual appearance.
- 8.8. Therefore, the proposed development complies with Policy DM10 in this respect.

#### Impact upon neighbouring residential amenity

- 8.9. Policy DM10 of the SADMP states that proposals should not adversely affect the occupiers of the neighbouring properties. The proposed development is felt to fulfil this aspect of Policy DM10, deduced from the justification given below.
- 8.10. By virtue of its appropriate scale, the proposed roof would have no overbearing impacts upon properties neighbouring the application site.
- 8.11. The application therefore complies with Policy DM10 of the SADMP in this respect.

### **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 in the consideration of this application. The Committee must also ensure the same when determining this planning 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 proposed development is for a property located within the settlement boundary of Hinckley. As such, there is a presumption in favour of sustainable development under Policy DM1 of the SADMP, as long as the proposal is in accordance with the relevant policies of the SADMP.
- 10.2. The proposed development would respect the character and appearance of the host dwelling and surrounding area, and would not cause any adverse impacts on the neighbouring amenity of occupants to the north, south or east of the application site. On this basis, the proposal is therefore considered to be in accordance with Policy DM1 and DM10 of the SADMP, and 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 51 of 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:

- Block Plan (1:500 scale)
- Site Location Plan (1:1250 scale)
- Proposed Floor Plan, Roof Plan and Section, Existing and Proposed Elevations Drg No: 4507 (1:100/1:50 scale)

All received by the Local Planning Authority on 4 April 2019.

**Reason:** To ensure a satisfactory impact of the development to accord with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies DPD.

3. The materials to be used on the external elevations of the proposed development shall match those on the existing dwelling.

**Reason:** To ensure that the development has a satisfactory external appearance to accord with Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document.

### **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.