

Delegated Report

Planning Ref: 24/00814/HOU

Applicant: Mrs K Beaumont

Ward: Newbold Verdon with Desford & Peckleton

Site: The Oaks, Main Street, Botcheston

Proposal: Single storey rear extension



Hinckley & Bosworth
Borough Council

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 proposes a single storey rear extension with a sloped roof, serving as a boot room. The extension consists of stone and wood cladding, with roof tiles to match the existing dwelling, the extension includes a door to the side elevation. The proposal also includes the alteration of the existing side door of the property to a window with timber boarding below.

3. Description of the site and surrounding area

- 3.1. The Oaks is a two storey residential property that is set back from Main Street by around 60 metres. The main property benefits from a detached building located to the south-east which has recently been granted planning permission to be converted into a separate dwellinghouse. To the south, the site abuts the open countryside, with residential properties to the north. The site gradually slopes away to the south from Main Street. There is a fenced public footpath which runs north/south to the west of the site.

4. Relevant planning history

24/00091/FUL

Erection of a single storey detached garage, single storey stables and change of use of land for the keeping of horses (Sui Generis)

Planning permission

17.06.2024

23/00843/FUL

Conversion and alteration to existing garage and store into a separate dwelling and associated parking

Planning Permission

23.10.2023

23/00530/HOU

Proposed single storey rear extension and retention of existing timber shelter

Planning Permission

18.07.2023

23/00502/CLE

Continued use of land as residential garden and retention of machinery shed and summer house

Certificate of Lawful Use Existing

18.07.2023

23/00333/AGDO

Proposal for a lake no larger than 980 square metres to be used for horticultural purposes.

5. **Publicity**

- 5.1. The application has been publicised by sending letters to neighbours and a site notice posted within the vicinity of the site.
- 5.2. No comments have been received.

6. **Consultation**

- 6.1. Desford Parish Council: No comments made.

7. **Policy**

7.1. **Site Allocations and Development Management Policies DPD (2016)**

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM4: Safeguarding the Countryside and Settlement Separation
- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.2. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2023)
- Planning Practice Guidance (PPG)

7.3. 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
- Impact upon highway safety

Design and impact upon the character of the area

- 8.2. DM10 of the SADMP seeks to ensure that new development should complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.3. The proposal is for a single storey rear extension, and an amendment to an existing side door opening to a window. The proposal is to the rear of the dwelling and the dwelling itself is set approximately 60m from the highway boundary. As such the proposal will not be visible from the highway or significantly viewable from public vantage points. The extension may be visible from the public footpath but is considered to be of an appropriate design, including the use of materials such as stone and timber cladding is befitting for the rural nature of the south of the site.
- 8.4. As such it is considered that the proposal is in accordance with Policy DM10 of the adopted SADMP.

Impact upon neighbouring residential amenity

- 8.5. Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy and/or amenity of nearby residents and occupiers of adjacent buildings.
- 8.6. The proposal by way of its sloping single storey nature and the orientation of the proposed side door and rooflights, is not considered to cause any detrimental impacts to neighbouring properties in terms of loss of light, loss of privacy, overbearing impacts or overshadowing,
- 8.7. As such the proposal is considering in general accordance with Policy DM10 of the SADMP.

Impact upon highway safety

- 8.8. Policy DM17 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety. Policy DM18 of the SADMP requires new development to provide an appropriate/justified level of parking provision.
- 8.9. The proposal for the single storey rear extension is not considered to have any detrimental impact on highways safety or vehicle parking standards.
- 8.10. As such the proposal is considered to be in accordance with Policies DM17 and DM18 of the SADMP.

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 seeks to erect a single storey rear extension and amend the exiting side door to a window. The proposal is deemed acceptable due to the limited adverse impacts upon the character of the area, neighbouring residential amenity and highway safety.
- 10.2. It is considered that the proposed development would be in accordance with Policies DM10, DM17 and DM18 of the adopted SADMP.

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:

Planning Statement

Site Location Plan Drg No. 22.302_OS3_1:1250

Proposed Site Plan Drg No. 22.302.22

Proposed Floor Plans and Elevations Drg No. 22.302.24

Block Plan Drg No. 22.302.BP1

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 proposed elevations of the extensions shall accord with the approved materials detailed within the application form.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies 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 or call 01455 238141.