

Delegated Report

Planning Ref: 24/00199/HOU
Applicant: Mr Nick Vaughan
Ward: Markfield Stanton & Fieldhead



Hinckley & Bosworth
Borough Council

Site: 6 Jacqueline Road Field Head Markfield Leicestershire

Proposal: First floor front extension over existing garage and the installation of timber cladding and render

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 first floor front extension over an existing flat roofed garage and alterations to the external elevations including the installation of timber cladding and render to a dwelling, 6 Jacqueline Road, Field Head, Markfield.
- 2.2. The proposed first floor front extension would extend up to 8 metres forward of the existing front roof elevation, 5 metres over the existing forward projecting flat roofed garage, and with a width of 2.75 metres. It would have a dual pitched gable fronted roof form with an eaves height of 5 metres to match that of the flat roof of the existing front dormer window and a subordinate ridge height of 6.5 metres. The front elevation would have a box window at first floor and garage door at ground floor. It is proposed to be constructed with matching white render to the ground floor walls, vertical timber cladding to the first floor walls, matching grey concrete interlocking roof tiles and new and replacement anthracite grey uPVC windows, fascia's and guttering.
- 2.3. An amended plan has been submitted to confirm the use of obscure and non-openable glazing to the proposed secondary first floor side elevation window. By virtue of the nature of the amendment, no re-consultations are considered to be necessary or have been undertaken in this case.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of Field Head in a residential area. It is a semi-detached chalet style dormer bungalow with an asymmetric gable sided main roof form and a wide flat roof dormer window extending across the front roof elevation. It has a forward projecting garage with a flat roof and a covered entrance porch area across the remainder of the front elevation. There is a similar wide flat roof dormer window to the rear roof slope and a conservatory attached to the rear elevation. It is constructed of a mix of external materials which include rustic red facing bricks, white render, vertical grey cladding to the dormer window, timber framing/supports to the front porch roof, grey interlocking concrete roof tiles and white uPVC windows. There are four off-street parking spaces, one in the 5 metres long and 2.5 metres wide garage and three on loose stone surfacing within the 10 metres long and 8 metres wide site frontage.
- 3.2. The adjoining dwelling to the northwest is similar in design and style but has a double garage and different appearance. The neighbouring dwelling to the southeast is a two storey semi-detached house with gable sided roof form and set forward of the application dwelling. The wider street scene has a wide variety of

designs and styles with no uniform character or appearance evident. There are open fields to the rear (south) of the site.

4. Relevant planning history

None.

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. One response has been received as a result of public consultation objecting to the proposals on the grounds of loss of privacy from overlooking from a side elevation window and loss of light from the large box shape of the extension and suggesting a restriction on working hours to limit noise and disturbance during construction.

6. Consultation

- 6.1. Groby Parish Council also raise concerns in respect of loss of privacy from the side elevation window and suggest the use of privacy glass, a reduction in its size or the use of a roof light.

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 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. The Council's adopted

Good Design Guide provides further advice in respect of the siting and design of house extensions and states:

'Two-storey extensions to the front of properties are unlikely to be acceptable especially in relation to semi-detached and terraced properties as they will be visually prominent within the street scene. If this type of development is proposed, it should take the form of the existing building, mirroring the roof pitch, replicate or have lower eaves height and the ridge should be below the existing ridge height. In addition, the proposal should not normally extend beyond the front elevation by more than 2 metres and not cover more than 50% of the front elevation.'

- 8.3 The proposed first floor front extension would have an appropriate and clearly subordinate width of 2.75 metres and a dual pitched gable fronted roof form with an appropriate eaves height of 5 metres to match and tie in with the height of the flat roof of the existing front dormer window and a clearly subordinate ridge height of 6.5 metres. It would however extend a total of up to 8 metres forward of the existing front roof elevation, 5 metres over the existing forward projecting flat roofed garage. Under most circumstances a forward projection of such length would be considered excessive and likely to be visually prominent resulting in an adverse visual impact on the street scene. However, in this case, the application dwelling is set well back from the neighbouring two storey dwelling to the southeast (No. 8) such that the proposal would extend adjacent to, and would be viewed against, its side elevation gable. Therefore, the conflict identified with the adopted Good Design Guide in respect of front extensions is not considered to be critical in this particular case.
- 8.4 The front elevation would have a contemporary feature box window at first floor and garage door at ground floor. The extension is proposed to be constructed with matching white render to the ground floor walls to match the existing front elevation of the dwelling, vertical timber cladding to the first floor walls, matching grey concrete interlocking roof tiles as the main roof and new and matching replacement anthracite grey uPVC windows, fascia's and guttering to ensure a satisfactory and uniform appearance. The proposed external materials are considered to complement and reflect the more contemporary design of the proposals and to respect those of the existing dwelling and varied wider street scene and are therefore considered to be acceptable.
- 8.5 The proposal does not fully conform to the detailed requirements of the adopted Good Design Guide in respect of front extensions but by virtue of the particular circumstances of the case, its siting, scale, design and the proposed use of matching corresponding and complementary external materials in the construction to ensure a satisfactory and unified appearance, it is considered that the proposed extension and alterations would respect and complement the scale, character and appearance of the existing dwelling and would not result in any significant adverse visual impacts on the already varied wider street scene. The proposals are therefore considered to be in accordance with Policy DM10 of the adopted SADMP.

Impact upon neighbouring residential amenity

- 8.6 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. The Council's adopted Good Design Guide states:

'The 45 degree rule is applied for planning applications for new extensions to existing properties which could result in the outlook from or daylight to a principal window to a habitable room being impacted upon. On a plan of the proposal, a projecting line is to be drawn from the nearest principal window to a habitable room that may be affected by the planning application towards the proposed building at

an angle of 45 degrees. Habitable rooms include living rooms, bedrooms and kitchens but do not include rooms such as bathrooms, utility rooms, halls, landings or garages. The extension should not cross the 45 degree line.'

- 8.7 One response has been received as a result of public consultation raising objections to the proposals on the grounds of loss of privacy from overlooking from a side elevation window and loss of light from the large box shape of the extension and suggesting a restriction on working hours to limit noise and disturbance during construction. Groby Parish Council also raise concerns in respect of the potential loss of privacy from overlooking.
- 8.8 The proposed first floor extension would extend forward of the main ground floor elevation of the adjoining semi-detached chalet style dormer bungalow to the northwest (No. 4) by 5 metres but would be constructed at a separation distance of 4.5 metres to the side boundary with No. 4 and approximately 5.9 metres from the quarter point of the nearest habitable room ground floor window and centre point of the nearest habitable room first floor window. By virtue of its depth and separation distances, the proposal would not extend beyond a 45 degree line drawn from those windows and, notwithstanding the objection received, it is therefore considered that it would not result in any significant adverse overbearing or overshadowing impacts on those neighbouring windows. The proposed first floor window in the side elevation facing No. 4 would have the potential to result in some intervisibility between it and the lounge and first floor bedroom windows of No. 4, albeit at an angle, and therefore it is considered that the use of appropriate obscure and fixed glazing would be reasonable and necessary in this secondary window to protect the privacy and amenity of the neighbouring occupier. An amended plan has been submitted to confirm such use and this can be secured by condition.
- 8.9 The neighbouring two storey dwelling to the southeast (No. 8) has a flat roof garage between its side elevation and the garage above which the proposed extension would be constructed. There is a first floor window in the near side elevation of No. 8 at a separation distance of approximately 3.5 metres and which does not appear to be the principal window to a habitable room. Therefore, the proposal would not result in any significant adverse overbearing or overshadowing impacts or loss of privacy to the neighbouring occupiers of No. 8.
- 8.10 Noise and disturbance from construction is a short term rather than long term impact on residential amenity and by virtue of the small scale of the development proposed it is not considered necessary to restrict working hours by condition on the planning permission. Noise nuisance is subject to control by other separate environmental legislation.
- 8.11 Notwithstanding the objection received, by virtue of the siting, scale, design and adequate separation distances, and subject to the use of obscure and non-openable glazing where necessary, it is considered that the proposals would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. The proposals would therefore be in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide.

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 four off-street parking spaces within the site, one in the 5 metres long and 2.5 metres wide garage and three on loose stone surfacing within the 10 metres long and 8 metres wide site frontage. The proposals would result in the creation of a fourth bedroom and the loss of the garage as a parking space by

virtue of the formation of an internal staircase. Notwithstanding this, the local highway authority design guide would require only three off-street parking spaces for a four bedroomed dwelling and therefore the existing/retained level of provision would remain adequate in this case. The proposals are 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 urban settlement boundary of Field Head 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 and the proposed use of complementary and matching corresponding external materials in the construction to ensure a satisfactory and unified appearance, it is considered that the proposed extension and alterations would respect and complement the scale, character and appearance of the existing dwelling and would not result in any significant adverse visual impacts on the character or appearance of the wider street scene. Notwithstanding the objection received, by virtue of the siting, scale, design and separation distances, subject to the use of obscure and non-openable glazing where necessary, it is considered that the proposals would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. The proposals would retain adequate private rear amenity space of over 100 square metres and satisfactory off-street parking provision of three spaces to serve the resulting four bedroom dwelling. The proposals are considered to be in accordance with Policies DM1, 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: Location Plan No. 316612-1250 and Proposed Floor Plans Drawing No. PL100 Rev A received by the local planning authority on 1 March 2024 and Proposed Elevations Drawing No. PL102 Rev A received by the local planning authority on 15 April 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 extension and alterations hereby permitted shall be in accordance with the external materials details provided and detailed on the approved Proposed Dwelling Elevations Drawing No. PL102 Rev A received by the local planning authority on 15 April 2024 and shall match the corresponding materials of the existing dwelling where stated.

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 new first floor window in the northwest side elevation facing 4 Jacqueline Road, Field Head shall be fitted with obscure glazing to a minimum of level 3 of the Pilkington scale and non-openable as detailed on the approved Proposed Dwelling Elevations Drawing No. PL102 Rev A received by the local planning authority on 15 April 2024. Once so provided the window shall be permanently maintained as such at all times thereafter.

Reason: To safeguard the privacy and amenity of neighbouring dwelling from potential loss of privacy 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.