

Delegated Report

Planning Ref: 23/01236/HOU

Applicant: Mr Richard Smallman

Ward: Markfield, Stanton and Fieldhead

Site: The Paddock, Ratby Lane, Markfield

Proposal: Single storey front, side and rear extension and associated works



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 front, side and rear extension and associated works, to enlarge the existing single storey bungalow currently on site.

3. Description of the site and surrounding area

- 3.1. The property is located out of the settlement boundary of Markfield and is in a countryside location, and within Charnwood and National Forest. The site is set back significantly from Ratby Lane and is heavily screen by mature trees and hedgerow. The existing development is located on a large plot with a generous front and rear garden, with off-street car parking to the site frontage. The property neighbours a bungalow and a two storey dwelling, both of which are separated by 2m wooden boundary fencing with associated established landscaping.

4. Relevant planning history

None

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. One letter has been received in relation to building works having a potential impact on house prices and house viewings throughout a house sale – this would not be considered to be a material planning consideration.

6. Consultation

- 6.1. Markfield Parish Council: No objections to the proposal.

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. Markfield Neighbourhood Plan (MNP) 2021:

- Policy M1: Countryside
- Policy M2: Landscape Character
- Policy M10: Design

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
- Impact upon highway safety

Design and impact upon the character of the area

- 8.2. Policy DM4 of the adopted SADMP states that to protect its intrinsic value, beauty, open character and landscape character, the countryside will first and foremost be safeguarded from unsustainable development. The policy goes on to list a number of categories of development that would be considered sustainable in the countryside. These include proposals for the extension and alteration of existing buildings which lead to an enhancement of the immediate setting and where, amongst other matters, the proposal does not have a significant adverse effect on the appearance and open character of the countryside.
- 8.3. 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.
- 8.4. Policy M1 of the MNP states that development in line with national policies and other neighbourhood planning policies will be considered acceptable in the countryside.
- 8.5. Policy M2 of the MNP states that development should be designed in a way which is sensitive to its landscape setting and character including the retention of trees.
- 8.6. Policy M10 of the MNP states that development should be in keeping with the scale, form and surrounding character of the area.
- 8.7. The overall design of the proposed extensions is considered acceptable. The extensions are sizeable and enlarge the plot significantly however it is considered that given the retained single storey nature and the size of the dwelling in relation to the plot size it is acceptable in terms of sizing. In addition, the proposed new materials on site are considered acceptable, whilst differing from the existing, it is proposed under this application to include amendments to the cladding on the existing dwelling.
- 8.8. The dwelling is well screened from public vantage points, by existing mature hedgerow and boundary treatments and as such is considered to have limited impacts upon the visual amenity of the area and street scene.
- 8.9. Overall, the proposal is considered in relation to its design and is not considered to cause any detriment to the character of the area and as such it is considered to be in accordance with Policies DM4 and DM10 of the SADMP and Policies M1, M2 and M10 of the MNP.

Impact upon neighbouring residential amenity

- 8.10. 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.
- 8.11. Policy M10 of the MNP states that the amenities of residents within the area should not be significantly adversely affected by the development including loss of daylight/sunlight, privacy, air quality, noise and light pollution.
- 8.12. The proposal retains its single storey nature whilst enlarging the dwelling size. It includes a rear elevation consisting mainly of large windows. There are existing boundary treatments separating the development site with neighbouring properties, which consist of 1.8m close board fencing, trees and shrubbery.
- 8.13. The extensions would significantly increase the footprint of the dwelling, extending the built form along both shared boundaries with neighbouring properties. Cliffe View to the north east is set back from the shared boundary mitigating harmful impacts as a result of the extensions. The front garage extension will be a significant addition along the shared boundary with 'The Barn' located to the south west. As the extension is to the north of this dwelling and its front garden it is unlikely to cause loss of light, but due to its depth and proximity to the boundary there is likely to be some additional overbearing impacts. The 45° guideline is breached albeit only marginally as the closest window on the front elevation is set away from the shared boundary. The front extension in question is set down from the main ridge height and is single storey and considering this and the existing presence of trees/shrubs and existing boundary treatments along this boundary despite the breach of the 45° guideline the extension is judged to be acceptable and unlikely to cause adverse overbearing impacts so as to warrant refusal.
- 8.14. Overall, it is considered that the proposal would not cause any detrimental impacts upon neighbouring residential amenity in terms of overshadowing, loss of light, loss of privacy, noise impacts or overbearing impacts, due to the single storey nature of the extensions and the location of any proposed windows and openings to the boundary treatments.
- 8.15. The proposals can therefore be considered to be in accordance with Policy 10 of the MNP and Policy DM10 of the SADMP.

Impact upon highway safety

- 8.16. 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.
- 8.17. Policy M10 of the MNP states that parking should be integrated into development so that it does not dominate the streetscene.
- 8.18. The proposal seeks to extend the existing bungalow to create a 3 bedroom bungalow, with an integrated garage. The Leicestershire Highway Design Guidance states that 2 off-street car parking spaces would be required for a 3 bedroom property. Three spaces have been proposed in the integrated garage and there also remains significant surplus space on the existing hardstanding to the front of the

development. No highways safety issues are considered to arise from this proposal.

- 8.19. As such the proposal is considered to be in accordance with Policy M10 of the MNP and 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 front, side and rear extensions. 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 M1, M2 and M8 of the MNP and Policies DM4, 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 and Design Statement

Site Location and Block Plan

Existing and Proposed Elevations (West/South) Drg No. 23, 094-P-223

Existing and Proposed Elevations (North/East) Drg No. 23, 094-P-222

Proposed Elevations (West/South) Drg No. 23, 094-P-221A

Proposed Elevations (North/East) Drg No. 23, 094-P-220A

Existing and Proposed Roof Plans Drg No. 23, 094-P-213

Existing and Proposed Floor Plans Drg No. 23, 094-P-212

Proposed Site Layout Drg No. 23, 094-P-211

Proposed Floor Plans Drg No. 23, 094-P-210A

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.