COMMITTEE EXTRACT

Committee Date: 7 April 2009

Reference:- 09/00137/FUL **Parish:- Desford Parish Council**

Applicant:- Mr And Mrs P Bessant
3 Bufton Lodge
Newtown Unthank
Leicester
Leicestershire

Location:- 3 Bufton Lodge Botcheston Road Newtown Unthank Desford Leicester

Proposal:- EXTENSIONS AND ALTERATIONS TO DWELLING.

Introduction:-

This is a revised scheme for the erection of a conservatory and a kitchen extension. The application property comprises a substantial detached period residence, occupying an elevated position set back from Botcheston Road to the front. The property has been sub-divided into three residential units. Numbers 1 and 2 Bufton Lodge are served by a separate access. Number 3 Bufton Lodge comprises the majority of the building and a substantial area of garden to the front, which extends to the highway boundary. The property is screened from the highway by a mature hedge, which forms the front boundary. A gated access is shared with Newtown Cottage, which leads to a stone driveway to the front of 1 Bufton Lodge, providing parking for between 3 and 4 vehicles. Newtown Cottage comprises an extensively extended detached property, situated north east of Bufton Lodge. Ground levels on site rise to the east.

The building is of intricate Edwardian design .The roof is predominantly hipped, however later additions have pitched and mono pitched designs. Roof lights have been inserted in the principal, and side roof plane. The building has a range of traditional ground and first floor sash/bay windows. The building is red brick to first floor and cream rendered to the eaves. Decorative detail embellishes the building. The original building has been subject to internal and external modernisation, extension and demolition. Originally there was an orangery and a range of outbuildings north of 1 Bufton Lodge, these have since been demolished and the area is laid to lawn. The scheme proposes two extensions. A Mono- pitched kitchen extension will project 3.30m along the common boundary adjacent to 1 Bufton Lodge. This will be 2.70m to the eaves and 4m to the ridge. This will enclose a walled courtyard. The previously proposed kitchen extension had a length of 4.75m and a maximum height of 4.20m. Two roof lights are proposed to the eastern elevation. An extensive conservatory is proposed to the side of the property. This will project 6.70m to the north and 7.20m to the east. This will have a hipped roof with a maximum height of 5.70m. The floor area of the proposed scheme has not changed, but its height has been reduced from 7m to 5.70m.

History :-

99/00944/FUL	07.12.99	Swimming Pool Extension	Approved
00/00480/FUL	19.06.00	Extensions to Dwelling	Approved
08/01051/FUL	02.12.08	Extensions and Alterations	Withdrawn

Consultations:-

No objection has been received from:-

Director of Community Services (Ecology)
Desford Parish Council
Head of Community Services (Pollution)

Head of Community Services (Land Drainage).

Two letters of objection have been received from the residents of 1 Bufton Lodge and Newtown Cottage. These state that the proposed extensions will, due to their size, scale and location have an overbearing impact on their properties, to the detriment of their residential amenity, will be out of keeping with the application property, will result in loss of light, and will be contrary to guidance within the Councils adopted Supplementary Planning Guidance on House Extensions.

Development Plan Policies:-

Local Plan Policies

The site is within the countryside as identified within the adopted Hinckley and Bosworth Local Plan. Policy NE5 states that the countryside will be protected for its own sake. Planning permission will be granted where the proposal does not have an adverse affect on the character and appearance of the landscape; is in keeping with the scale and character of existing buildings and the general surroundings, and is effectively screened by landscaping.

Policy BE1 of the adopted Local Plan seeks to secure attractive development and to safeguard and enhance the existing environment. Planning permission will be granted where the development: complements or enhance the character of the surrounding area with regard to scale, layout , mass, design, materials and architectural features; incorporates adequate provision for off street parking and does not adversely affect the occupiers of neighbouring properties.

Further advice on general principles to encourage good design for new house extensions is contained within the Borough Council's Supplementary Planning Guidance on House Extensions (SPG).

Appraisal:-

The main considerations with regards to this application are the scale and design of the extensions and the impacts on the residential amenity of residents of surrounding properties.

Principle

The site is situated within the open countryside, however due to the presence of existing development on site and the scale of the development proposed, the principal of the development is considered acceptable.

Residential Amenity

Given the complex layout of this property, guidance within the SPG on House Extensions is not directly applicable. For the purpose of this appraisal, the kitchen extension will be considered a rear extension. This will project 0.30m further along the common boundary than that advised within the SPD and will enclose the majority of the courtyard. The courtyard has a 2.30m high, solid boundary. The sole windows serving the kitchen of 1 Bufton Lodge are adjacent to the boundary. As this kitchen faces north east and overlooks an enclosed courtyard, its light is already compromised. Accordingly it has to be considered whether the proposed extension will further worsen the current situation. Although some afternoon sunlight will be restricted, the extension proposes a mono pitched roof sloping away from the boundary, which will be only marginally higher than the existing boundary wall. Therefore it is considered that the degree of additional impact is not sufficiently detrimental to warrent refusal of the application.

The proposed conservatory is considered a side extension, and will be appraised as such. The mass and footprint of the conservatory is extensive. With regard to side extensions the SPG suggests that to avoid being visually obtrusive these should not exceed over half the width of the existing house. As the original house has been subdivided, the proposal will exceed half the width of 1 Bufton Lodge, however it will not exceed half the width of the original house, accordingly its size is considered in keeping with the overall scale of the property. The occupants of Newtown Cottage have objected to the conservatory on grounds of loss of light to their property. As their property is west facing, the proposal will result in

some loss of light. However, despite the conservatory's extensive size and its distance of only 10m from Newtown Cottage, it does not directly face any habitable accommodation and it is considered that there is no material impact. When considering separation between buildings, the SPG on New Residential development suggests that there should be a distance of 14m between a window serving a habitable room and a blank wall for two storey developments, and 12m for single storey. Although one bedroom window of Newtown Cottage is a distance of only 10m from the proposal, this window does not directly face the flank wall of the conservatory and there is considered no material impact on residential amenity as a result.

Design

Given the subdivision of the property, the conservatory will occupy a prominent position. However its design is considered in keeping with the application property. Its windows are vertically emphasised and the sash design as well as architectural detailing found on the main dwelling have been incorporated. The conservatory will be timber framed, and the kitchen extension will utilise roof slates to match those on the existing dwelling. Accordingly given the quality of materials proposed and the detailed design, the appearance of the conservatory and extension is considered acceptable and appropriate.

Conclusion

The scale and design of the proposed extensions are considered in keeping with the existing dwelling, and although there will be some effect on the amenity of surrounding residential properties, given the location and height of the extensions proposed, these impacts are not considered to be of such a material nature as to warrant refusal of the application. Adequate private amenity space and car parking is retained within the curtilage of the site. It is therefore considered that the application is acceptable in terms of Policy BE1 and the Councils adopted Supplementary Planning Guidance on House Extensions.

RECOMMENDATION :- Permit subject to the following conditions :-

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan. Resultant of the scale, design and location of the proposal there are considered no material impacts on either visual or residential amenity or on the character of the surrounding area. Accordingly the development is considered acceptable.
Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1, NE5

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

2 The materials to be used on the external elevations of the proposed extension and alteration shall match the corresponding materials of the existing dwelling unless previously agreed in writing with the Local Planning Authority.

Reasons :-

1 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2 To ensure that the development has a satisfactory external appearance to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.

Notes to Applicant:-

1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of

Natural England contacted for advice.

2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3. As from 6th April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

4 List of plans used in the determination of this application:- Drg Nos 808/05; 808/06

5 This permission does not convey any authority to enter onto land or into any building not within the control of the applicant except for the circumstances provided for in The Party Wall etc Act 1996.

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