

Delegated Report

Planning Ref: 24/00576/HOU

Applicant: Mr Tom Fowler

Ward: Markfield Stanton & Fieldhead



Hinckley & Bosworth
Borough Council

Site: 35 Ratby Lane Markfield Leicestershire

Proposal: Single storey rear extension, replacement of existing flat roof to hipped roof form, loft conversion and rear dormer window

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 single storey rear extension, a hipped roof above an existing a flat roofed two storey side extension and a part loft conversion including a rear dormer window to a dwelling, 35 Ratby Lane, Markfield.
- 2.2. The proposed single storey rear extension would extend 4.5 metres in depth from the rear elevation and for a width of 4.5 metres. It would have a dual pitched roof forming a rear gable with an eaves height of 2.6 metres and a ridge height of 3.8 metres. The proposed new hipped roof over the existing flat roofed two storey side extension would have the same eaves and ridge heights as the main roof of the dwelling. The proposed amended rear dormer would extend from the rear of this new roof and to the side of an existing rear gable, would be set in from the rear wall plate and would have a flat roof design matching the height of the main ridge. It is proposed that the extensions and alterations would be constructed in matching corresponding external materials, including tile hanging to the dormer window.
- 2.3. An amended plan has been submitted to address a minor design issue (reduced depth) in respect of the dormer window. By virtue of the minor nature of the amendment and no previous objections being received, no re-consultations are considered to be necessary or have been undertaken.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of Markfield in a residential area. It is a two storey detached house with a dual pitched gable fronted original main roof form and a similar width two storey side extension with a flat roof design. It has a ground floor front bay window with flat roof above, oriel window at first floor and a lean-to canopy roof over the integral double garage within the side extension. It has a single storey conservatory with a shallow pitched lean-to roof form extending part way across the rear elevation. The application dwelling is constructed with roughcast white render to walls other than for red roughcast bricks to the ground floor front elevation and quoins at first floor, two red brick chimney stacks and dark stained timber detailing within the front gable infill. The main roof is covered with grey interlocking concrete roof tiles and windows are of white uPVC. In addition to the integral double garage there are two further off-street parking spaces on the double width and 9 metres deep tarmacadam forecourt/driveway within the site frontage. There is a large rear garden enclosed by a mix of 2 metres high timber fencing/trellis and hedgerows. The application dwelling is located within a row of four detached dwellings of varying scale, design, style and appearance.

4. Relevant planning history

None.

5. Publicity

5.1. The application has been publicised by sending out letters to local residents.

5.2. No responses have been received as a result of public consultation.

6. Consultation

6.1. No objection has been received from Groby Parish Council.

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.

8.3. In respect of roof extensions, the Council's adopted Good Design Guide states:

'Wherever possible, locate roof extensions to the rear of properties to minimise potential impact on the street scene. Dormer windows, which allow for additional headroom within roof spaces can be appropriate in certain situations, however these will be considered in the context of impact upon the character of the building

and on neighbours' amenity and should reflect the window pattern of the dwelling. Material selection, and scale of window opening and position within the roofscape is critical in the success of dormers.'

- 8.4 The proposals include the construction of a new hipped roof above the existing two storey flat roof side extension. This would have the same eaves and ridge heights as the existing/original dual pitched gable fronted main roof. The existing flat roof is a poor design feature that is readily visible within the street scene and detracts from it. Its replacement with a pitched hipped roof of appropriate scale and design as proposed would therefore visually enhance the overall character and appearance of the dwelling and the wider street scene. The proposal includes a part loft conversion including a flat roofed dormer window to the same height as the main roof ridge that would extend from the rear of the new pitched roof and to the side of an existing rear gable. Whilst box roof dormer windows do not generally result in attractive development, they are widespread throughout the Borough on rear roof elevations.
- 8.5 An amended plan has been submitted to reduce the depth of the dormer to set it in from the rear wall plate so that the definition of the existing rear gable roof would be retained and remain dominant and the proposed dormer would appear less visually prominent from within the street scene on Jacqueline Road to the north. By virtue of this amendment, it is considered that the proposed dormer window would be acceptable in design terms and not appear out of scale with the existing dwelling or have any significant adverse visual impacts on the character or appearance of the surrounding area. Matching grey concrete roof tiles are proposed along with matching grey concrete hanging tiles and more appropriately proportioned white uPVC window in the dormer to ensure a uniform and balanced appearance.
- 8.6 In respect of rear extensions, the Council's adopted Good Design Guide states:
'Rear extensions should be designed to be clearly subordinate to the main dwelling. They should be an appropriate height, width, depth and reflect or complement the detailing and materials of the original building.'
- 8.7 The proposed single storey rear extension would replace an existing shallow pitched lean-to roofed conservatory. The proposal would extend to an appropriate depth of 4.5 metres from the main rear elevation and to an appropriate width of 4.5 metres across part of the rear elevation. It would have an appropriate dual pitched roof forming a rear gable with an eaves height of 2.6 metres and a ridge height of 3.8 metres. By virtue of its depth, width and height, the proposal would appear as a clearly subordinate addition to the existing dwelling and by virtue of its siting to the rear within a well enclosed rear garden would have no adverse visual impacts on any street scene. Matching corresponding external materials to the existing dwelling are proposed in its construction to ensure a unified appearance.
- 8.8 By virtue of their siting, scale, design and subject to the proposed use of matching corresponding external materials to ensure a unified appearance, it is considered that the proposed extensions and alterations would respect and complement the scale of the existing dwelling and would enhance its overall character and appearance along with that of the surrounding area. The proposals are therefore considered to be acceptable in design terms and in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.
- Impact upon neighbouring residential amenity
- 8.9 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.'

- 8.10 The neighbouring dwelling to the northeast (No. 33) is a two storey detached house constructed on a similar rear building line as the application dwelling. It has a single storey rear extension with a lean-to roof form extending along the side boundary with the application dwelling to a depth of approximately 3.5 metres. The proposed single storey rear extension would be constructed 1.35 metres inside the side boundary and to the blank side elevation of the neighbouring single storey rear extension. By virtue of its marginal additional 1 metre depth (4.5 metres overall) and separation distance, the proposal would not extend beyond a 45 degree line drawn from the centre point of the nearest habitable room window in the rear elevation of the neighbouring extension. By virtue of its siting, single storey scale, dual pitched roof design to a height of only 3.8 metres and blank near side elevation facing No. 33, the proposed rear extension would not result in any significant adverse overbearing or overshadowing impacts upon the residential amenity or privacy of the occupiers of the neighbouring dwelling. The proposed rear dormer window would be set in from the side boundary and set back from the rear wall plate and therefore would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of No. 33.
- 8.11 The neighbouring dwelling to the southwest (No. 37) is a two storey detached house set off the side boundary by 2 metres and with a car port with lean-to roof extending full depth from its near side elevation to the side boundary with application dwelling. It is constructed on a similar building line and with no significant windows (other than a roof light in the main roof) facing the site and therefore the proposed hipped pitched roof above the existing two storey side extension would not result in any significant adverse overbearing or overshadowing impacts or loss of privacy to the neighbouring occupiers of No. 37. The proposed rear dormer window would be approximately 17.5 metres inside the rear garden boundary and therefore would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of the neighbouring dwelling to the southwest (2 Jacqueline Road).
- 8.12 By virtue of their siting, scale, design, screening and separation distances it is considered that the proposed extensions and alterations would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties and that they are therefore in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide. No objections have been received from any neighbouring properties.
- Impact upon parking provision
- 8.13 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.14 The proposals would result in an additional (fifth) bedroom to the dwelling. The local highway authority design guide requires three off-street parking spaces to be provided to serve a dwelling of this size. There are currently four off-street car parking spaces within the integral double garage and double width and 9 metres deep tarmacadam surfaced forecourt/driveway within the site frontage and these would be unaffected by the proposals. This level of retained existing provision

would be adequate to serve the resulting five bedroomed dwelling and therefore the proposals are considered to be in accordance with Policy DM18 of the adopted SADMP and the local highway authority design guidance.

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 settlement boundary of Markfield 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 their siting, scale, amended design and subject to the proposed use of matching corresponding external materials to ensure a unified appearance, it is considered that the proposed extensions and alterations would respect and complement the scale of the existing dwelling and would enhance its overall character and appearance along with that of the surrounding area. By virtue of their siting, scale, design, screening and separation distances it is considered that the proposed extensions and alterations 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 approximately 200 square metres and adequate off-street parking provision of four spaces to serve the resulting five 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 reference number TQRQM24047222117524 received by the local planning authority on 10 June 2024 and Proposed Site Plan, Proposed Floor Plans, Proposed Roof Plan and Proposed Elevations Drawing No. RLM/002 Rev A received by the local planning authority on 2 July 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 extensions and alterations hereby permitted shall match the corresponding materials of the existing dwelling.

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).

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.