

Delegated Report

Planning Reference 24/01147/HOU
Applicant(s) Mr and Mrs Phillippa Lurcock
Ward Cadeby, Carlton, Market Bosworth
& Shackerstone



Hinckley & Bosworth
Borough Council

Application Site 143 The Park, Market Bosworth, Nuneaton

Proposal Proposed two storey side extension, single storey rear extension, front ground floor and front first floor dormer window extension

Case Officer Sullivan Archer (Senior Planning Officer)

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions detailed at the end of this report.

2. Planning Application Description

- 2.1. This householder planning application seeks full planning permission for a two-storey side extension, a single storey rear extension, and a front ground floor and front first floor dormer window extension at 143 The Park, Market Bosworth. To facilitate this development, the existing attached garage is demolished.
- 2.2. The 24.5sqm two-storey side extension is constructed above the existing garage and externally measures 2.5m in width by 9.8m in depth. The side extension is constructed with a hipped roof and a small, pitched dormer window on the front elevation. The 26.1sqm single storey rear extension externally measures 6.4m in width by 4.5m in depth and features a flat roof. The existing bay window on the front of the property is replaced with a 1.2m deep single storey hipped roof front extension and a new pitched roofed dormer window is proposed above. The scheme is constructed with clay roof tiles and weathered rustic red/heather facing bricks to match the existing property

3. Description of the Site and the Surrounding Area

- 3.1. The application site is located to the east of, and outside of the identified settlement boundary of, Market Bosworth in the designated open countryside. The site located on the northern side of The Park and forms part of a ribbon development of large individually designed two-storey detached residential properties. Open agricultural fields are located to the north of the site and beyond The Park to the south of the site is open parkland beyond The Park.

3.2. The front gardens to all the properties along The Park are within the Market Bosworth Conservation Area, and their verdant character positively contributes to the character and appearance, and thus significance of the Conservation Area. The trees within these front gardens are protected by Tree Preservation Orders 64/00003/TPORD and 64/00004/TPORD.

3.3. The application site consists of 143 The Park, which is a two-storey detached dwelling that is set within a substantial plot. The property has a hipped main roof form and subordinate two-storey hipped roof projection to the front elevation. The existing property dates from the mid-20th century and has a form, scale and appearance that is typical of the architecture from this period.

4. Relevant Planning History

4.1 15/00355/HOU

- Extensions and alterations to dwelling
- Permitted
- 10.06.2015

4.2 11/00371/FUL

- Extensions and alterations to dwelling
- Permitted
- 11.07.2011

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, and a notice was displayed in the local press. Local residents were reconsulted on two further occasions due to amendments to the description of the proposal and the design of the scheme.

5.2 One response was received but raised no objections or comments in support of the proposal. No further responses have been received.

6. Consultation

6.1 There have been no objections from the following consultants:

- Hinckley & Bosworth Borough Council (HBBC)'s Conservation Officer
- Market Bosworth Parish Council
- Market Bosworth Society

6.2 Leicestershire County Council's Ecology Department had a holding objection to the development, subject to receipt of the details of the proposed bat boxes, as per the recommendations of the submitted Bat Emergence and Re-Entry Surveys Report.

6.3 However, a European Protected Species (EPS) License is required to undertake the proposed works, and it is considered by the Local Planning Authority that the details of the bat boxes can be secured via planning condition.

6.4 No further responses have been received.

7. Policy

7.1 Core Strategy (2009):

- Policy 7: Key Rural Centres
- Policy 11: Key Rural Centres Stand Alone

7.2 Site Allocations and Development Management Policies Development Plan Document (SADMP) (2016):

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM4: Safeguarding the Countryside and Settlement Separation
- Policy DM6: Enhancement of Biodiversity and Geological Interest
- Policy DM10: Development and Design
- Policy DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.3 Market Bosworth Neighbourhood Plan 2020– 2039 (MBNP) (2025):

- Policy DC1: Design Codes
- Policy CE1: All New Development within Market Bosworth
- Policy CE4: Trees and Hedgerows
- Policy CE6: Provision for Wildlife in New Development

7.4 National Planning Policies and Guidance:

- National Planning Policy Framework (NPPF) (2024)
- National Design Guide (2019)
- Planning Practice Guidance (PPG)

7.5 Other Relevant Guidance:

- Good Design Guide (2020)
- Leicestershire Highway Design Guide (LHDG) (2024)
- Market Bosworth Conservation Area Appraisal (MBCAA) (2014)

8. Appraisal

8.1. Extensions to existing domestic properties 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 and the historic environment
- Impact upon residential amenity
- Impact upon parking provision and highway safety

Design and Impact upon the Character of the Area and the Historic Environment

8.2 Policy DM4(i) of the SADMP states that development in the countryside will be considered sustainable where it does not have a significant adverse effect on the intrinsic value, beauty, open character, and landscape character of the countryside.

8.3 Policy DM10(c) of the SADMP states that developments will be permitted where they complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.

8.4 Policies DM11 and DM12 of the SADMP seek to protect and enhance the historic environment and heritage assets. Development proposals should ensure the significance of a conservation area is preserved and enhanced.

8.5 The property is over 23m north of the public highway and none of the proposed works affect the front garden of the property, nor its protected trees.

8.6 The rear extension cannot be seen from public views. This element of the scheme does not protrude any further to the rear of the property than the existing study/utility room. The rear extension is single storey and is considered to be of an appropriate height, width, and depth that complements the existing dwelling.

8.7 The two-storey side extension is set back from the front elevation of the dwelling by 2.3m, and from the front elevation of the attached garage below the extension by 1m. The extension does not protrude any further to the eastern side of the property than the existing built form within the site. The roof height of the side extension is set down and subordinate in scale to the main dwelling and the development has a form, appearance, and roof design that reflect the prevailing characteristics of the existing dwelling.

8.8 The amendments to the front elevation of the property do not extend beyond the furthest forward part of the existing property and do not extend more than 2m beyond the existing front elevation of this element of the dwelling. The proposal does not affect the principal roof to the property and utilises a form, appearance, and roof design that replicate the character of the existing property.

- 8.9 By virtue of these factors, the development is considered to reflect and complement the character of the site and surrounding area and results in a neutral change in the wider setting of the Market Bosworth Conservation Area, thereby preserving its character, appearance, and significance. Given the above, the scheme is considered to comply with Policies DM4, DM10, DM11, and DM12 of the SADMP and the Good Design Guide.

Impact upon Residential Amenity

- 8.10 Policy DM10(a) and (b) of the SADMP states development will be permitted provided that it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings.
- 8.11 There are no residential properties to the north or south of the site. Therefore, the two main residential properties that could be affected by the proposed extensions are 145 The Park to the east and 141 The Park to the west.
- 8.12 The amendments to the front elevation of the property are not considered to result in any significant adverse impacts to the residential amenity of neighbouring properties. There are no proposed windows on the eastern or western side elevations of the property. Therefore, the scheme is not considered to result in any overlooking or loss of privacy to either neighbouring property.
- 8.13 The two-storey side extension is on the eastern side of the property and is not considered to materially impact the residential amenity of 141 The Park. The two-storey side extension does not protrude any further to the east than the existing built form of the property. The side extension is separated from 145 The Park by 2.8m and extends 4.1m further beyond the rear elevation of this neighbouring property but only 1m beyond the rear conservatory to the dwelling.
- 8.14 Although the side extension may cause a degree of overshadowing to the western side of 145 The Park, given the separation distances between the development and this neighbouring property, the scheme is not considered to result in any contravention of the 45-degree rule of any of the habitable windows on the rear of 145 The Park. Furthermore, the area to the western side of 145 The Park is predominantly utilised as a driveway up to its detached single garage to the rear of the property, and the scheme is constructed with a hipped roof to further mitigate this impact.
- 8.15 By virtue of these factors, the proposed side extension is not considered to result in any significant adverse impacts to the neighbouring residential amenity of 145 The Park in relation to any overbearing or loss of light impacts.
- 8.16 The proposed rear extension is single storey in massing and does not protrude any further than the existing study/utility on the eastern side of the property. The existing built form of the study and utility are adjacent to the detached garage associated with 145 The Park. Therefore, the single storey rear extension is not considered to materially impact the residential amenity of 145 The Park.

- 8.17 The rear extension then reduces to 3m in depth on the western side of the dwelling. Although this element of the scheme extends between 4.6m and 6.3m further than the rear elevation of the adjacent property, the two structures are separated by a width of 2.3m. Given the separation distances between the development and this neighbouring property, and its single storey massing, the scheme is not considered to result in any contravention of the 45-degree rule of any of the habitable windows on the rear of 141 The Park.
- 8.18 By virtue of these factors, the scheme is not considered to result in any significant adverse impacts to the neighbouring residential amenity of 141 The Park in relation to any overbearing or loss of light impacts.
- 8.19 No amendments are made to Bedroom 4, and all other existing bedrooms increase in size. The site is considered to benefit from sufficient private outdoor amenity space.
- 8.20 In light of the above, the proposal does not result in any significant adverse impacts to the residential amenity for neighbouring properties or the occupiers of the host property. The scheme is therefore considered to be in accordance with Policy DM10 of the SADMP and the Good Design Guide.

Impact upon Parking Provision and Highway Safety

- 8.21 Policy DM17 of the SADMP states that development proposals need to demonstrate that there is not a significant adverse impact upon highway safety, and that the residual cumulative impacts of development on the transport network are not severe.
- 8.22 Policy DM18 of the SADMP requires developments to demonstrate an adequate level of off-street parking provision. Any reduction below minimum standards will require robust justification.
- 8.23 The proposal makes no amendments to the existing vehicular access to the site, nor the property's provision of off-street vehicle parking spaces. The proposal does not increase the number of bedrooms within the property, and therefore the scheme is not considered to have a material impact on highway safety or the road network. Therefore, the scheme is regarded as 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 Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission to be granted, subject to the imposition of appropriate conditions.

11. Recommendation

11.1 **Grant planning permission** subject to:

- Planning conditions detailed 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 received by the Local Planning Authority as follows:

- Existing Elevations (submitted: 19.12.2024)

- Existing Floor, Roof Plans (submitted: 19.12.2024)
- Proposed Floor Plans & Elevations (submitted: 10.06.2025)
- Proposed Site and Parking Plan (submitted: 20.06.2025)
- Site Location Plan (submitted: 19.12.2024)

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. Prior to any works above slab level a Biodiversity Enhancement Scheme has been submitted to, and approved in writing by, the Local Planning Authority. Enhancements should include, but is not limited to, bat boxes, and their make/model and locations. Any enhancement measures need to be shown on all relevant submitted plans. All works are to proceed strictly in accordance with the approved scheme prior to the first use of the scheme.

Reason: In order to protect the protected wildlife species and their habitats that are known to exist on site in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the recommendations within the Bat Emergence and Re-Entry Surveys (submitted: 04.08.2025).

4. The materials to be used on the external elevations of the proposed extension and alteration 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).

5. Prior to installation, the details of any external lighting in association with the development hereby permitted shall be submitted to, and approved in writing by, the Local Planning Authority. This information shall include a layout plan with beam orientation, a schedule of equipment proposed in the design (luminaire type, mounting height, aiming angles and luminaire profiles), and shall be demonstrate that the lighting will not cause harm to bat or their habitats. The details shall be installed, maintained, and operated as approved.

Reason: In order to protect the protected wildlife species and their habitats that are known to exist on site to accord with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the recommendations within the Bat Emergence and Re-Entry Surveys (submitted: 04.08.2025).

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.
2. This development will require a European Protected Species (EPS) License for bats to make it lawful. You must be aware that to proceed with the development without first obtaining an EPS License could result in prosecution.