

Delegated Report

Planning Ref: 24/00523/HOU

Applicant: Mr Dexter Lewis

Ward: Cadeby Carlton Market Bosworth & Shackerstone



Hinckley & Bosworth
Borough Council

Site: 49 Heath Road Market Bosworth Leicestershire

Proposal: Two storey front and side extension, single storey rear extension and front canopy

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 a two storey front and side extension, a single storey rear extension and a front canopy to a dwelling, 49 Heath Road, Market Bosworth.

2.2. The proposed two storey front extension would extend 1 metre forward of the main front elevation forming a front gable with an overall width of 5.3 metres and a dual pitched roof with an eaves height of 4.9 metres to match that of the existing main roof and a subordinate ridge height of 7 metres. The proposed two storey side extension would extend 2.7 metres in width from the main side elevation and together with the front extension would have an overall depth of 8.8 metres to be flush with the existing main rear elevation. It would have a dual pitched gable sided roof form with matching eaves and ridge heights as the existing main roof of the dwelling. The proposed single storey rear extension would extend 3 metres in depth just inside the common side boundary with the adjoining dwelling and extend for 6 metres in width across the rear elevation to be flush with the existing main side elevation. It would have a lean-to roof form with an eaves height of 2.4 metres and a maximum height of 3.5 metres. An open lean-to front canopy roof porch is proposed across the front elevation of the new gable supported by three brick and timber pillars and with an eaves height of 2.2 metres and a maximum height of 3.2 metres. Matching corresponding external materials are proposed in their construction. The proposals include the provision of an additional off-street parking space on extended hard standing within the site frontage.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the settlement boundary of Market Bosworth on a large residential estate. It is a two storey semi-detached house with a gable sided main roof form. It has a former garage with dual pitched gable sided roof form (now converted to living accommodation) attached to its side elevation and an open front canopy lean-to roof porch extending from this across part of the front elevation over the front door. It is constructed with light brown facing bricks, grey concrete interlocking roof tiles and mid-brown uPVC windows. There are currently two off-street parking spaces on the double width concrete block paved driveway within the site frontage. The rear garden is enclosed by a mix of 1.8 metres high and 1.5 metres high ship-lap timber panel fencing to each side boundary and a 2 metres high continuous hedgerow to the rear boundary.

3.2. The wider street scene comprises a mix of detached, semi-detached and terraced predominantly two storey dwellings with a wide variety of designs including detached asymmetric gable fronted dwellings (opposite) and many other dwellings

to the west with very low profiled roof forms and plain frontages that together with fenestration proportions give them a box-like character/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 Market Bosworth Parish Council subject to rear access for bins being maintained.

6.2. No response has been received from Market Bosworth Society.

7. Policy

7.1. Market Bosworth Neighbourhood Plan (MBNP) 2014-2026 (2015)

- Policy CE1: Character and Environment

7.2. Core Strategy (2009)

- No relevant policies

7.3. 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

7.4. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2023)
- Planning Practice Guidance (PPG)

7.5. Other relevant guidance

- Good Design Guide (GDG) (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 CE1 of the 'made' MBNP requires that all new development within Market Bosworth should be in keeping with its Character Area with regards to scale, layout and materials to retain local distinctiveness and create a sense of place. The

application dwelling is identified as lying within Character Area D: Suburban Residential in the MBNP.

- 8.3 Policy DM10 of the adopted SADMP requires development to complement or enhance the character of the surrounding area with regard to design, materials and architectural features and for building material to respect existing/neighbouring buildings. The Council's adopted Good Design Guide (GDG) provides further advice in respect of the siting and design of house extensions and states:

'Two-storey extensions to the front of properties 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.' and,

'Two storey side extensions should appear smaller in scale and massing in order to be subordinate to the main dwelling. Any proposal for a two storey side extension should be set down from the ridge of the existing house and set back from the front elevation (the minimum distance for this should be 0.5 metres in both directions) unless in design terms this in itself would create an imbalance in the overall design of the property.' and, *'In assessing the merit of the planning application, consideration will be given to the impact on local character created by reducing the space between buildings.'* and,

'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.'

- 8.4 The proposed two storey front extension would extend only 1 metre forward of the main front elevation forming a front gable with an overall width of 5.3 metres and a dual pitched roof with an appropriate eaves height of 4.9 metres to match that of the existing main roof and a clearly subordinate ridge height of 7 metres. Notwithstanding that it would extend marginally over 50% of the resulting front elevation, and therefore result in a small degree of conflict with the adopted GDG, by virtue of its subordinate height it would still result in a well balanced design that would not visually overwhelm the existing dwelling. The proposed open lean-to front canopy roof porch supported by three brick and timber pillars would add visual interest to the elevation and is also considered to be acceptable in design terms. The proposed front gable is considered to enhance rather than detract from the character and appearance of the existing dwelling and the otherwise varied, but in places, bland street scene.

- 8.5 The proposed two storey side extension would extend for an appropriate and subordinate width of 2.7 metres from the main side elevation, less than half the 6.4 metres width of the existing dwelling (minus the garage) and together with the proposed front extension would have an appropriate overall depth of 8.8 metres to be flush with the existing main rear elevation. By virtue of being combined with the proposed front extension it would not be set back from the front elevation or be subordinate in height as required by the adopted GDG. Instead, it would have the same dual pitched gable sided roof form with a matching 4.9 metres eaves height and matching 8 metres ridge height as the existing main roof of the dwelling and therefore would have a degree of conflict with the adopted GDG. Notwithstanding this, it is considered that a lower ridge height to the narrow side extension behind the proposed front gable would detract from the otherwise well balanced design of the scheme in this particular case. In addition, in terms of the infill of the space between the dwellings, the proposal would still be set in from the side boundary by 1 metre. It would also be constructed adjacent to a flat roofed garage of the neighbouring contrasting plain fronted dwelling. By virtue of the variation in their

designs it is considered that the proposals would not detract from the existing detached and semi-detached character of the respective dwellings or result in any significant or adverse visual terracing effect and that therefore a set-back/subordinate height for the side extension is not critical in this particular case.

- 8.6 The proposed single storey rear extension would extend only 3 metres in depth just inside the common side boundary with the adjoining dwelling and extend for an appropriate 6 metres in width across the rear elevation to be flush with the existing main side elevation. It would have an appropriate lean-to roof form with an eaves height of 2.4 metres and a clearly subordinate maximum height of 3.5 metres. By virtue of its depth, width and height, the proposal would appear as a clearly subordinate addition to the existing dwelling.
- 8.7 The proposed extensions would have appropriately proportioned fenestration which would be acceptable in design terms and together with the proposed use of matching corresponding external materials in their construction would ensure a satisfactory and uniform design and appearance.
- 8.8 Notwithstanding the degree of conflict identified with the adopted Good Design Guide in respect of front and side extensions, for the reasons stated above, the proposals are considered to be acceptable in design terms in this particular case. By virtue of their siting, scale, design and proposed use of matching corresponding external materials in their construction to ensure a unified appearance, it is considered that the proposals would nevertheless respect and complement the scale, semi-detached character and appearance of the existing dwelling and would not result in any significant or adverse visual impacts on the character or appearance of the wider street scene in this case. The proposals are therefore considered to be in accordance with Policy CE1 of the 'made' MBNP, Policy DM10 of the adopted SADMP and the overall 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.
- 8.10 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.'
- 8.11 The neighbouring dwelling to the east (No. 47) is a detached two storey dwelling constructed on similar building lines as the application dwelling and set off the side boundary by 3 metres with a flat roofed garage filling the space between. The proposed two storey front/side extension would be set in 1 metre from the site boundary and would be constructed alongside the flat roofed garage and blank near side two storey gable of No. 47 to a similar depth. By virtue of its siting, scale and separation distance the proposal would have no significant adverse overbearing or overshadowing impacts on the residential amenity or privacy of the occupiers of No. 47. The only proposed first floor window in the near side elevation of the proposed extension would face the blank side gable of No. 47 and would serve an ensuite. Therefore, this window would not result in any significant loss of privacy to the

neighbouring occupiers from potential direct overlooking to any sensitive private areas. The blank near side elevation of the proposed rear extension would be set off the side boundary with No. 47 by 3.5 metres, screened by the neighbours flat roofed garage and existing 1.8 metres high timber panel boundary fencing and would be only single storey in scale and therefore would not result in any adverse impacts on the residential amenity or privacy of No. 47.

- 8.12 The adjoining two storey semi-detached house to the west (No. 51) has not been extended to the rear and has a two pane patio door/window closest to the side boundary, the centre-point of which is approximately 1.5 metres from the common boundary. As a result of its 3 metres depth just inside the common boundary, the proposed rear extension would therefore extend beyond a 45 degree line drawn from this principal habitable room window in conflict with the adopted GDG. Notwithstanding this, the proposal would be only single storey in height with a lean-to roof diminishing in height with depth from the rear elevation to an eaves height of just 2.4 metres and a maximum height of just 3.5 metres. On its own it is considered that the rear extension would meet the size criteria for permitted development. As a result of its scale, depth and lean-to roof design and the fall-back position, it is considered that the impact of the proposal on the level of light to, and outlook from, the neighbouring principal habitable room patio door/window and the neighbouring rear garden would not be adversely affected to a significant or unacceptable degree and no objection to the proposals has been received from the adjoining neighbouring occupiers. The near side elevation facing No. 51 would be blank and therefore would not result in any loss of privacy to the neighbouring occupiers from any potential direct overlooking.

- 8.13 Notwithstanding the degree of conflict identified with the adopted Good Design Guide, by virtue of the siting, scale, design, separation distances and existing screening, it is considered that the proposed extensions and alterations would not result in any significant or unacceptable adverse impacts upon the residential amenity or privacy of the occupiers of any neighbouring properties and would therefore be in accordance with Policy DM10 of the adopted SADMP and the overall general principles of the adopted Good Design Guide.

Impact upon parking provision

- 8.14 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision and of appropriate design.
- 8.15 The site currently provides two off-street parking spaces on the double width concrete block paved driveway within the site frontage to serve the existing three bedroomed dwelling. The proposals would result in the addition of a fourth bedroom to the dwelling but also propose an extension to the existing hard-standing within the site frontage to provide an additional third off-street parking space of appropriate dimensions along with a reduced area of landscaping. This level of provision would be in accordance with the local highway authority design guide standards for a four bedroomed dwelling and therefore the proposals be in accordance with Policy DM18 of the adopted 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 proposals are for extensions and alterations to an existing dwelling within the settlement boundary of Market Bosworth 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. Notwithstanding the degrees of conflict identified with the adopted Good Design Guide, by virtue of their siting, scale, design and proposed use of matching corresponding external materials in their construction to ensure a unified appearance, it is considered that the proposals would nevertheless respect and complement the scale, character and appearance of the existing dwelling and would not result in any significant or adverse visual impacts on the character or appearance of the varied wider street scene. Notwithstanding the degree of conflict identified with the adopted Good Design Guide, by virtue of the siting, scale, design, separation distances and existing screening, it is considered that the proposed extensions and alterations would not result in any significant adverse impacts upon the residential amenity or privacy of the occupiers of any neighbouring properties. Adequate off-street parking of three spaces and adequate private amenity space of 130 square metres would be retained within the site to serve the resulting four bedroomed dwelling. The proposals are considered to be in accordance with Policy CE1 of the 'made' MBNP, Policies DM1, DM10 and DM18 of the adopted SADMP and the overall 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 and Proposed Block Plan Drawing No. 115 Rev A received by the local planning authority on 20 June 2024 and Proposed Floor Plans and Proposed Roof Plan Drawing No. 110 Rev A and Proposed Elevations Drawing No. 111 Rev A received by the local planning authority on 22 May 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).

4. Within one month of the first occupation of the extensions and alterations hereby permitted, a minimum of three off-street parking spaces, each with dimensions of 5.5 metres in length and 2.5 metres in width, shall have been provided and hard surfaced in permeable hard-bound materials within the frontage of the site in accordance with the approved Proposed Ground Floor Plan Drawing No. 110 Rev A received by the local planning authority on 22 May 2024 and once so provided shall be permanently retained for such use and maintained as such at all times thereafter.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally in the interests of highway safety and in accordance with Policies DM17 and DM18 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.