

Delegated Report

Planning Ref: 23/00972/HOU

Applicant: Mr & Mrs Parker

Ward: Cadeby Carlton Market Bosworth & Shackerstone

Site: 36 Barton Road Market Bosworth Leicestershire



Hinckley & Bosworth
Borough Council

Proposal: Single storey front extension, rear extension and alterations to dwelling

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 single storey front extension, single storey rear extensions and other alterations to a split level dwelling, 36 Barton Road, Market Bosworth.

2.2. The proposed single storey front extension would extend 2.7 metres forward of the lower floor front elevation of the existing integral garage flush with the northwest side elevation and for a width of 7.3 metres. It would have a lean-to roof form with an eaves height of 2.4 metres and a maximum height of 3.7 metres. The proposed rear extension to the middle floor would extend 4.8 metres in depth flush with the southeast side elevation and extend 8.1 metres in width across the rear elevation. It would have a flat roof design to a height of 3 metres and link into the rear roof slope of the existing low profiled dual pitched roof. The proposed rear extension to the upper floor would extend 3.2 metres in depth flush with the northwest side elevation and extend 6.9 metres in width across the rear elevation. It would have a dual pitched roof form with the same eaves and ridge height as the rear gable of the main upper floor roof to which it would be attached. The proposals include other external alterations to the dwelling including the replacement of existing windows and the provision of additional matching windows and roof lights to serve internal layout changes and uses and the formation of patio areas to the rear.

2.3. A mix of external materials are proposed throughout the scheme including retention of two red facing brick walls to the side elevations, smooth off-white render and vertical timber cladding to external walls of all elevations, matching grey concrete roof tiles to the pitched roofs and new grey uPVC or aluminium doors and windows throughout to reflect the resulting contemporary restyling of the dwelling.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the settlement boundary of Market Bosworth in a single row of detached residential properties occupying large plots on the northeast side of Barton Road. It occupies an elevated position in relation to the highway and is set back from it by approximately 25 metres. It is a two storey split level detached house with gable fronted main roof and a single storey mid-level section with low profiled dual pitched gable sided roof form extending from its southeast side elevation. A small white uPVC conservatory is attached to the rear elevation of this section. Steps lead from the driveway to the mid-level front entrance door. The dwelling is constructed of red rustic facing bricks, red/brown plain hanging tile cladding, large grey interlocking roof tiles and white uPVC windows. In addition to the integral garage there are a minimum of three other off-street car parking spaces available along with turning space within the site frontage on the tarmac surfaced double width garage forecourt and long driveway. To

the rear there is an enclosed garden providing approximately 380 square metres of private amenity space.

- 3.2. Barton Road is a main road into the village and this section comprises detached dwellings of varying scale, size and individual appearance with a mix of both traditional and contemporary styling and a variety of external materials including red facing bricks, render, hanging tiles, stone cladding and horizontal timber boarding.

4. Relevant planning history

05/00528/FUL

- Extensions and alterations to dwelling
- Permitted
- 15.07.2005

76/01209/4M

- Erection of one dwelling with access
- Permitted
- 28.09.1976

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.
- 5.2. One response has been received as a result of public consultation from Market Bosworth Society who object to the proposals on the grounds that the proposal extends beyond the front building line and may impact on neighbouring properties and that the proposed finishes are out of character with the surrounding vicinity and will have a poor relationship with neighbouring properties.

6. Consultation

- 6.1. Market Bosworth Parish Council raises objections to the proposals if development exceeds the building line and on the grounds that the proposed new materials will be in poor relationship with adjacent properties. Also, sufficient space should remain at the side of the property to enable the movement of waste bins to the rear so that they are not left at the front of the property.

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 (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 where Policy CE1b requires that any new development should pay particular regard to existing roof lines.

8.3 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.

8.4 Market Bosworth Parish Council and Market Bosworth Society raise objections to development extending beyond the front building line. The front building line of the dwellings along the northeast side of Barton Road is varied rather than uniform and as they are set well back from the highway boundary, occupy a higher ground level and are well screened by soft landscaping in most cases, the adherence to a particular building line is not considered to be particularly critical in terms of the character and appearance of the street scene. The two dwellings to the northwest of the site both sit further forward of the section of the application dwelling where the front extension is being proposed.

8.5 The proposed front extension would extend only 2.7 metres forward of the lower floor front elevation of the existing integral garage at only single storey scale and only marginally beyond the front elevation of the existing mid-level section of the application dwelling. By virtue of its modest depth, appropriate 7.3 metres width which respects that of the existing front gable and its lean-to roof form that relates well to the existing roof of the adjacent mid-level section of the dwelling and breaks up the existing deep expanse of blank brickwork above the garage door, the front extension is considered to be acceptable in design terms and to make a positive contribution to the design and character of the dwelling.

8.6 The proposed rear extension to the upper floor would extend to an appropriate depth of 3.2 metres flush with the northwest side elevation and extend by an appropriate width of 7.3 metres across the rear elevation to respect that of the existing rear elevation gable. It would have the same dual pitched roof form and same eaves and ridge height as the rear gable of the main upper floor roof to which

it would be attached. Notwithstanding that its height would not be subordinate to the main roof, by virtue of its single storey scale and modest depth the proposal would still appear as a subordinate addition and by virtue of its siting to the rear it would not be visually prominent or result in any adverse visual impacts on the street scene. It is therefore considered to be acceptable in design terms.

- 8.7 The proposed rear extension to the middle floor would extend for an appropriate 4.8 metres in depth flush with the southeast side elevation and extend 8.1 metres in width across the remainder of the rear elevation. Notwithstanding that the flat roof design is not characteristic of the existing dwelling, by virtue of its siting to the rear, 3 metres subordinate height linking into the rear roof slope of the existing dual pitched roof, the proposal would appear as a subordinate addition and by virtue of its siting to the rear it would not be publicly visible or result in any adverse visual impacts on the street scene. It is therefore considered to be acceptable in design terms.
- 8.8 Market Bosworth Parish Council and Market Bosworth Society raise objections to the external materials proposed which they consider would be out of character with the surrounding vicinity and would have a poor relationship with neighbouring properties.
- 8.9 A mix of external materials are proposed throughout the scheme including the retention of two red brick walls to the existing side elevations, smooth off-white render and vertical timber cladding to the external walls of all other retained and new elevations, matching grey concrete roof tiles to the pitched roofs and new grey uPVC or aluminium doors and windows throughout. The proposed materials are in contrast with the appearance of the existing dwelling. However, notwithstanding this, it is considered that together with the design of the proposed extensions and other alterations they would nevertheless reflect the contemporary restyling of the dwelling and are considered to enhance its overall appearance. By virtue of the mix of traditional and contemporary styling and variety of external materials (including red facing bricks, render, mock Tudor timbers, hanging tiles, stone cladding and white horizontal timber boarding) evident within the wider street scene together with the set back of the dwelling from the highway boundary with effective screening by soft landscaping, it is considered that the proposed materials would not be visually over prominent or result in any adverse visual impacts on the already varied character and appearance of the wider street scene.
- 8.10 In addition to their other objections, Market Bosworth Parish Council also seek to ensure that the proposals would leave sufficient space at the side of the property to enable the movement of waste bins to the rear so that they are not left at the front of the property. The submitted plans clearly show that the dwelling would not be extended to the side and that therefore adequate external access would be retained from the site frontage to the rear garden. In addition, the proposed oversized single garage and separate storage area to its rear would provide ample opportunity for the storage of waste bins should the occupiers wish and choose to do so.
- 8.11 Notwithstanding the objections received, by virtue of their siting, scale, design and proposed use of contrasting but complementary and appropriate external materials to create a contemporary but satisfactory appearance, the scheme would result in subordinate extensions that would respect and complement the scale, character and appearance of the existing dwelling and the variety within the wider street scene and would not result in any adverse visual impacts on the character or appearance of the surrounding area. Approximately 300 square metres of private amenity space would be retained within the rear garden and would be adequate to serve the resulting three/four bedroomed dwelling. Notwithstanding the objections received, the proposals are therefore considered to be in accordance with Policy

CE1 of the 'made' MBNP, Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 8.12 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.
- 8.13 The neighbouring dwelling to the northwest (No. 38) is a detached bungalow with dual pitched main roof form with front and rear gables and catslide dormer to the side elevation providing accommodation within its roof space. It has a single storey dual pitched roof gable fronted projection and a smaller lean-to roof section attached to its front elevation, the former having a near side elevation window and the latter having a front elevation window, both set well inside the side boundary. The proposed single storey front extension would not extend to any significant degree any further forward than the existing projection on the neighbouring dwelling. By virtue of its single storey scale, 2.7 metres depth, sympathetic lean-to roof form with an eaves height of 2.4 metres and a maximum height of only 3.7 metres together with the separation distance it would not extend to any significant point beyond a 45 degree line drawn from the nearest neighbouring window or result in any significant adverse overbearing or overshadowing impacts on the neighbouring dwelling.
- 8.14 Notwithstanding that it would be to the upper floor, by virtue of the prevailing and relative ground levels which rise from the front to the back of the dwelling, the proposed rear extension would also be single storey in scale. It would extend 3.2 metres in depth flush with the northwest side elevation with a blank near side elevation and would have a dual pitched roof form with the same eaves height and ridge height as the rear gable of the main upper floor roof to which it would be attached. By virtue of its scale, approximate 4 metres projection beyond No. 38, its sympathetic roof form that would slope away from the side boundary together with the separation distance to the nearest habitable room window on the rear elevation of No. 38, it is considered that the proposal would not result in any significant adverse overbearing or overshadowing impacts on the neighbouring dwelling or loss of privacy from overlooking.
- 8.15 The proposal includes the insertion of an additional upper floor window in the existing northwest side elevation facing No. 38 which would serve an en-suite. Although this would face towards the side elevation of No. 38 rather than any sensitive private amenity area, as it would be above the boundary fencing, a condition to require this to be obscurely glazed and non-openable below a height of 1.7 metres above the floor level of the room that it serves is considered to be reasonable in this case to protect the privacy of the neighbouring occupiers from potential direct overlooking.
- 8.16 The neighbouring dwelling to the southeast (No. 34) is a two storey split level detached house with asymmetric gable fronted main roof and a single storey mid-level section with low profiled dual pitched gable sided roof form extending from its southeast side elevation. It has a number of obscurely glazed windows with only top opening lights at both lower and upper level and solid doors in the near side elevation facing the site and is constructed on a similar building line to both front and rear. The proposed rear extension to the middle floor would extend flush with the southeast side elevation of the application dwelling and 4.8 metres in depth beyond the rear elevations of both dwellings. Notwithstanding its depth, by virtue of the single storey scale, flat roof design to a height of 3 metres and its separation from the nearest habitable room windows in the rear elevation of No. 34, it is considered that the proposal would not result in any significant adverse overbearing

or overshadowing impacts on the neighbouring dwelling. Notwithstanding that two new windows are proposed in the existing side elevation facing No. 34, these would face towards the side elevation of No. 38 and its obscurely glazed windows rather than any sensitive private amenity area and their outlook would in any case be limited by the existing 2 metres high solid timber fencing along the side boundary.

- 8.17 By virtue of the siting, scale, design, separation distances, existing screening and, subject to the use of obscure and fixed glazing where necessary, it is considered that the proposals would not result in any significant adverse overbearing or overshadowing impacts on the residential amenity of, or loss of privacy to, the occupiers of any neighbouring properties and would therefore be in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide. No objections to the proposals have been received from the occupiers of any neighbouring properties.

Impact upon parking provision

- 8.18 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.19 In addition to the proposed integral garage that would remain available for such use along with ample storage for waste bins etc., there are already a minimum of three other off-street car parking spaces available along with turning space within the site frontage on the tarmacadam surfaced double width garage forecourt and long driveway. This level of provision would be adequate to serve the resulting three/four bedroomed dwelling and be in accordance with Policy DM18 of the adopted SADMP and the local highway authority guidance standards.

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 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 objections received, by virtue of the siting, scale, design and the proposed contrasting but complementary external materials to be used in the construction, it is considered that the proposals would respect and complement the scale, character and appearance of the existing dwelling and the variety within the wider street scene and would not result in any adverse visual impacts on the character or appearance of the surrounding area. By virtue of the siting, scale, design, separation distances, existing screening and, subject to the use of obscure and fixed glazing where necessary, it is considered that the proposals would not result in any significant adverse impacts on the residential amenity or privacy of any neighbouring properties. More than adequate off-street parking and turning and private amenity space of over 300 square metres would be retained within the site to serve the resulting three/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 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 Site Plan Drawing No. 23/64 05 received by the local planning authority on 13 October 2023 and Proposed Floor Plans and Elevations Drawing No. 23/64 04 Rev C received by the local planning authority on 3 November 2023.

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 be in accordance with the external materials details provided within the submitted Planning Application form and as submitted on the approved Proposed Elevations Drawing No. 23/64 04 Rev C received by the local planning authority on 3 November 2023.

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. Notwithstanding the submitted details, the en-suite window in the upper northwest side elevation (facing 38 Barton Road, market Bosworth) shall be fitted with obscure glazing to a minimum of level 3 of the Pilkington scale and non-openable below a height of 1.7 metres above the finished floor level of the room that it serves. Once so provided the window(s) shall be permanently maintained as such at all times thereafter.

Reason: To safeguard the privacy and amenity of neighbouring dwellings from potential overlooking 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 buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.