

Delegated Report

Planning Ref: 24/01093/HOU
Applicant: Mr and Mrs Walker
Ward: Ratby Bagworth and Thornton



Hinckley & Bosworth
Borough Council

Site: 26 Chapel Lane Ratby Leicestershire

Proposal: Single storey side extension

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 extension to a detached C20th bungalow 26 Chapel Lane, Ratby.

2.2. The proposed single storey extension would have a rectangular footprint of approximately 4 metres by 9 metres and replace an existing smaller single storey extension and conservatory. It would have a dual pitched roof form with gables to west and south elevations, a blank west facing elevation, full height glazing to the south (garden) elevation and full height sliding doors to the east (raised patio elevation) resulting in a more contemporary style. It would have an eaves height of approximately 2.6 metres and a clearly subordinate (1.5 metres lower) ridge height of approximately 4.3 metres (varying slightly with ground levels) compared to the main roof ridge.

2.3. Other alterations to fenestration are proposed to the south elevation to provide two further sets of full height sliding doors to the raised patio/garden and a larger window to the north elevation replacing a combined window/door. An open porch canopy is also detailed on the elevation and roof plan and an internal alteration to provide an en-suite to bedroom 1 within the rearmost section of the attached garage is also detailed on the floor plan. Matching corresponding external materials are proposed in the construction.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the settlement boundary of Ratby and within the Ratby Conservation Area. It is a detached bungalow that occupies a large back-land plot to the east of Chapel Lane with prevailing ground levels falling to the south and it is accessed by a 50 metres long shared private driveway. It is constructed predominantly with red facing bricks but with cream rendered panels to the south side elevation, brown concrete interlocking roof tiles and white uPVC windows. It has a conservatory with multi-faceted polycarbonate roof attached to its south side elevation and a wide raised patio area. It has a garage attached to its north side elevation and additional off-street parking on hardstanding on the double width garage forecourt and long driveway.

3.2. This large back land plot is well enclosed by a mix of fencing and soft landscaping and surrounded by other residential properties of varying scale, design and style.

4. Relevant planning history

None.

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

6. Consultation

- 6.1. No objection has been received from Leicestershire County Council (Ecology) but an informative note to applicant is recommended in respect of bats and their habitat and legal responsibilities of the applicant/developer to their protected status.
- 6.2. No response has been received from Ratby Parish Council.

7. Policy

- 7.1. Core Strategy (2009)
 - Policy 8: Key Rural Centres Relating to Leicester
- 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 DM11: Protecting and Enhancing the Historic Environment
 - Policy DM12: Heritage Assets
 - Policy DM18: Vehicle Parking Standards
- 7.3. National Planning Policies and Guidance
 - Planning (Listed Buildings and Conservation Areas) Act 1990
 - National Planning Policy Framework (NPPF) (2024)
 - Planning Practice Guidance (PPG)
- 7.4. Other relevant guidance
 - Ratby Conservation Area Appraisal and Map (2014)
 - Good Design Guide (2020)
 - National Design Guide (2019)
 - Local Highway Authority Design Guide

8. Appraisal

- 8.1. Extensions and alterations to existing dwellings 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 and appearance of the dwelling and Ratby Conservation Area
 - Impact upon neighbouring residential amenity
 - Impact upon parking provision
 - Biodiversity

Design and impact upon the character and appearance of the dwelling and Ratby Conservation Area

- 8.2. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

- 8.3 Section 16 of the NPPF (2024) provides the national policy on conserving and enhancing the historic environment. Paragraphs 212 - 215 of the NPPF require great weight to be given to the conservation of designated heritage assets when considering the impact of a proposed development on its significance, for any harm to the significance of a designated heritage asset to have clear and convincing justification, and for that harm to be weighed against the public benefits of a proposal.
- 8.4 Policy 8 of the adopted Core Strategy requires new development in Ratby to respect the character and appearance of the Ratby Conservation Area by incorporating locally distinctive features of the conservation area into the development.
- 8.5 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. All development proposals will need to accord with Policy DM10 of the adopted SADMP. 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.
- 8.6 The Council's adopted Good Design Guide provides further advice in respect of the siting and design of various forms of house extensions and requires that extensions should be designed to be clearly subordinate to the main dwelling, of an appropriate height, width, depth and reflect or complement the detailing and materials of the original building.
- 8.7 The application property is a 20th century detached bungalow located on the eastern side of Chapel Lane and at the end of a long driveway flanked by dwellings of varying character. Being a relatively modern bungalow, the application property does not follow the traditional building form, scale and architectural characteristics of the conservation area. However, given the significant distance of the property from Chapel Lane and its modest scale, its uncharacteristic qualities are barely noticeable from the conservation area street scene, and as such it is identified as a neutral area within the Ratby Conservation Area Appraisal (2014).
- 8.8 The proposed single storey extension would have an appropriately sized rectangular footprint of 4 metres by 9 metres and replace an existing smaller single storey extension and conservatory. It would have an appropriate dual pitched roof form to reflect that of the main roof with gables to the west and south elevations and an eaves height of approximately 2.6 metres and clearly subordinate (1.5 metres lower) ridge height of approximately 4.3 metres (varying slightly with ground levels) compared to the main roof ridge. Full height glazing to the south (garden) elevation and full height sliding doors to the east (raised patio elevation) are proposed resulting in a more contemporary but nevertheless acceptable design on this relatively modern bungalow.
- 8.9 Other alterations to fenestration are proposed to the south elevation to provide two further sets of full height sliding doors to the raised patio/garden and a larger window to the north elevation replacing a combined window/door. An open porch canopy is also detailed on the elevation and roof plan and an internal alteration to provide an en-suite to bedroom 1 within the rearmost section of the attached garage is also detailed on the floor plan. These alterations are all relatively minor and acceptable in terms of design and would respect the scale and character of the bungalow. Matching corresponding external materials are proposed in the construction which would ensure a satisfactory and uniform appearance. By virtue of the position of the dwelling within a well enclosed back land plot, it is considered

that the proposed extension and other alterations would not result in any significant changes that would adversely impact upon any key characteristics of conservation area, and as such its significance would be preserved.

- 8.10 By virtue of the siting, scale, design and proposed use of matching corresponding external materials in the construction, it is considered that the proposals would respect and complement the scale, character and appearance of the existing dwelling and would have no adverse visual impacts upon the surrounding area. By virtue of the siting, scale, design, appearance and screening it is considered that the proposals would have a neutral impact on the character and appearance of the Ratby Conservation Area and therefore would preserve its significance. The proposals are therefore considered to be in accordance with Policies DM10, DM11 and DM12 of the adopted SADMP, the general principles of the Council's adopted Good Design Guide, Section 16 of the NPPF (2024) and the statutory duty of Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

Impact upon neighbouring residential amenity

- 8.11 Policy DM10 of the adopted SADMP and the adopted 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.
- 8.12 By virtue of its siting within a large and well enclosed back land plot, its single storey scale, design and separation distances to all surrounding neighbouring dwellings, it is considered that the proposals would not result in any significant adverse overbearing or overshadowing impacts on the residential amenities of any neighbouring occupiers or result in any significant loss of privacy to any neighbouring occupiers from potential direct overlooking. The proposals are therefore considered to 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 any neighbouring occupiers.

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 site currently provides a minimum of three off-street parking spaces to serve the existing three bedroomed bungalow within the existing (substandard 5 metres long) garage, on the hard surfaced double width garage forecourt and on the long driveway.
- 8.15 The proposals would not result in the provision of any additional bedroom space but would result in the loss of the already undersized garage as a parking space as the rear part would become an en-suite to bedroom 1. The local highway authority design guide suggests that dwellings with three bedrooms should be provided with a minimum of two off-street parking spaces. The proposals would not impact upon the existing off-street parking on the double width garage forecourt or long driveway and this would remain adequate to serve the existing/resulting dwelling. The proposals would therefore be in accordance with Policy DM18 of the adopted SADMP and the local highway authority design guide standards.

Biodiversity

- 8.16 The proposals would be exempt from the biodiversity gain condition by virtue of being a householder application development within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order (2015). An informative note to applicant in respect of bats and their habitat should be included as recommended by Leicestershire County Council (Ecology).

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 Ratby 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 the siting, scale, design and the proposed use of matching corresponding external materials in the construction, it is considered that the proposals would respect and complement the scale, character and appearance of the existing dwelling and would have no adverse visual impacts upon the surrounding area. By virtue of the siting, scale, design, appearance and screening it is considered that the proposals would have a neutral impact on the character and appearance of the Ratby Conservation Area and therefore would preserve its significance. By virtue of the siting, scale, design, screening and separation distances it is considered that the proposals would not result in any significant adverse impacts on the residential amenities or privacy of any neighbouring occupiers. Adequate off-street parking for a minimum of two vehicles and more than adequate private amenity space of approximately 400 square metres would be retained within the site to serve the existing/resulting three bedroomed dwelling.

10.3. The proposals are therefore considered to be in accordance with Policies DM1, DM10, DM11, DM12 and DM18 of the adopted SADMP, the general principles of the Council's adopted Good Design Guide, section 16 of the NPPF (2024) and the statutory duty of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 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, Proposed Block Plan, Ground Floor Plan, Roof Plan and Elevations Drawing No. 4141-04 Rev B received by the local planning authority on 29 November 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 Policies DM10 and DM12 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.
2. The property may be suitable for roosting bats, which are protected by law from harm. It is the applicant's responsibility to ensure that bat legislation is not breached, and therefore may need to consult with a licensed bat ecologist prior to commencement to ensure that bats will not be impacted by the works. The applicant should ensure that all contractors and individuals working on the property are aware of this possibility, as all works must cease if bats are found during the course of the works whilst advice from a licensed bat ecologist is obtained. Bats are particularly associated with the roof structure of buildings, including lofts, rafters, beams, gables, eaves, soffits, flashing, ridge-tile, chimneys, the under-tile area etc. but may also be present in crevices in stone or brickwork and in cavity walls.