

Delegated Report

Planning Ref: 24/00324/HOU

Applicant: Ms Sarah McKechnie

Ward: Markfield Stanton & Fieldhead



Hinckley & Bosworth
Borough Council

Site: 209 Leicester Road Field Head Markfield Leicestershire

Proposal: Two storey rear extension and other alterations

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 rear extension with integral external upper floor balcony and other alterations to a dwelling, 209 Leicester Road, Field Head, Markfield.

2.2. The proposed two storey rear extension would extend across the full 9.3 metres width of the existing dormer bungalow and extend to a depth of 5 metres with a dual pitched roof forming a rear gable with matching eaves and ridge heights as the existing main roof. The proposal includes an integrated upper floor balcony to the rear elevation which would be enclosed to both sides by the main roof and to the rear by a glazed balcony screen. A new rooflight is proposed to be formed in the north roof elevation of the dwelling and a new dual pitched roof is proposed to be constructed over the existing garage with a ridge height of 4 metres. Matching corresponding external materials are proposed in the construction throughout.

2.3. The originally proposed garage extension to the front elevation has been removed from the scheme through the submission of amended plans to overcome concerns raised.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the settlement boundary of Markfield but is not within the boundary of the Markfield Neighbourhood Plan by virtue of Field Head being within the Groby Parish boundary. It is a 20th century detached dormer bungalow with a hipped roof form to the front and dual pitched gable to the rear. It has a subordinate gable fronted single storey projection and a lean-to roof garage attached to the north side elevation which also projects partly forward of the front elevation. It has twin bay windows to the front elevation but no dormers. It is constructed with dark red/brown facing bricks, brown plain concrete roof tiles and white uPVC windows. In addition to the garage there are two further off-street parking spaces on the double width block paved driveway within the site frontage which is currently enclosed by a 2.5 metres high hedgerow. The long rear garden is enclosed by a mix of 2 metres high close boarded timber fencing and hedgerows of 2 metres or above in height.

3.2. To the north of the site there are four similarly scaled and designed hipped roof two storey semi-detached houses, to the south there are detached dormer bungalows of varying design and style with both hipped and gabled roof form and dormer windows to front, rear and side roof elevations some of which have been extended substantially, particularly to the rear.

4. Relevant planning history

21/00426/HOU

- Single storey extension at rear of house, pitched roof to existing garage
- Permitted
- 17.06.2021

89/01541/4

- Extension and room in loft
- Permitted
- 12.03.1990

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

6. Consultation

- 6.1. Leicestershire County Council (Highways) do not object but refer to standing advice in respect of highway related matters.
- 6.2. Leicestershire County Council (Ecology) do not object but refer to the protection of bats if found during construction and legal requirements which should be included as an informative note to the applicant.
- 6.3. Groby Parish Council do not object to the rear extension but object to the garage extension on the grounds that it would extend further forward of the building line, be uncharacteristic and overdevelopment.
- 6.4. Markfield Parish Council have no objections to the proposals.

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 and in respect of rear extensions 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. Where there are no public views into a site, a fully integrated two storey extension may be acceptable unless there is a detrimental impact on the adjacent properties as assessed by the 45 degree rule.'

- 8.3 By virtue of its full 9.3 metres width and 5 metres depth the proposed rear extension would add substantial floor space to the dwelling. However, it is considered that the existing dormer bungalow is modest in scale compared to the extensive plot that it occupies and therefore the proposed extension would not result in any overdevelopment of the plot. Neighbouring dormer bungalows further to the south of the site have also been extended substantially to the rear and therefore the resulting dwelling would not appear out of scale with neighbouring development.
- 8.4 The proposal would be fully integrated with the scale and design of the existing dormer bungalow extending the existing rear gable in depth with the same eaves and dual pitched ridge height as the existing main roof and therefore it would not be subordinate in height. Notwithstanding this, by virtue of its siting entirely to the rear and set well back from the highway, the proposal would not overwhelm the existing dormer bungalow or be overly prominent in, or have any significant adverse visual impacts on, the already varied character and appearance of the surrounding area. This is particularly so as the front elevation would retain its existing hipped roof character and appearance with no dormer windows proposed to either the front or side elevations. By virtue of its integral design, enclosed on both sides by the main roof, the proposed upper floor balcony would have no visual impacts on the street scene or any other public areas. It is considered that the proposed two storey rear extension would have an appropriate width, depth and design in this case, and a not inappropriate height, and that it that would respect the scale and character of the existing dwelling. Matching corresponding external materials are proposed in the construction to ensure a unified appearance.
- 8.5 A new dual pitched roof of matching materials is proposed over the existing garage which currently has an uncharacteristic low-pitched lean-to roof design. It is considered that this would result in a design enhancement to the overall character and appearance of the dwelling. The originally proposed garage extension to the front elevation has been removed from the scheme through the submission of amended plans following concerns raised by the case officer and Groby Parish Council in respect of its uncharacteristic siting forward of the building line and also potential adverse impacts on off-street parking provision and highway safety.

- 8.6 The resulting dwelling would remain compatible with the size of the plot and the scale of neighbouring dwellings. By virtue of their siting, scale, design and appearance the proposed rear extension and other alterations are considered to respect and complement the scale, character and appearance of the existing dormer bungalow and the variety of neighbouring development within the wider street scene and the surrounding area. The proposals are therefore considered to be in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 8.7 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.

- 8.8 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.'

- 8.9 The neighbouring dwelling to the north (No. 207) is a two storey house, the main side elevation of which is set off the side boundary with the application dwelling by approximately 4 metres and there is a garage with lean-to roof located between. It is set much further forward such that the application dwelling already extends for the full depth of its rear garden and therefore beyond a 45 degree line drawn from the centre-point of its nearest rear elevation ground floor habitable room window and the first floor obscurely glazed window above which serves only a bathroom. The proposed rear extension would extend 5 metres further in depth but would be offset from the direct outlook of the window by approximately 5 metres and located beyond the depth of the rear garden boundary of No. 207 at a separation distance of approximately 8 metres from the window. In addition, the roof of the proposal would slope away from the boundary reducing any visual impacts further. Therefore, notwithstanding its additional depth beyond the nearest habitable room window, it is considered that by virtue of its siting, height, design and separation distance, the proposed rear extension would not result in any significant overbearing or overshadowing impacts on the rear elevation windows or rear garden of No. 207. No. 207 has a conservatory attached to its rear elevation but this is to the far side and therefore would also not be affected to any significant degree. The proposed rooflight within the north side elevation facing No. 207 can be conditioned to have a sill height of a minimum of 1.7 metres above the finished floor level of the bedroom that it serves to prevent any adverse impacts to the occupiers of No. 207 from loss of privacy from any direct overlooking. The proposed upper floor rear balcony would be enclosed to both sides and would only face directly towards the applicants own rear garden rather than directly towards any neighbouring properties and therefore would not result in any loss of privacy. By virtue of its siting adjacent to the side elevation of the neighbouring garage and its single storey scale to a ridge height of only 4 metres, the proposed dual pitched roof over the existing garage would not result in any significant adverse overbearing or overshadowing impacts on No. 207.

- 8.10 The neighbouring dwelling to the south (No. 211) is a detached dormer bungalow with hipped roof form set off the side boundary with the application dwelling by

approximately 1 metre but on a similar building line. It has a dormer window to the centre of its rear roof elevation and a small single storey flat roof extension to the nearest part of its ground floor rear elevation that extends approximately 2 metres beyond the existing main rear elevation of the application dwelling. The proposed rear extension would project 3 metres further in depth than the rear of the nearest part of No. 211 but this has a blank rear side and rear elevation and therefore the proposal would not result in any adverse impacts on any ground floor principal habitable room windows of No. 211. The proposal would project beyond a 45 degree line drawn from the existing central dormer window in the rear roof elevation of No. 211. However, notwithstanding this, by virtue of its siting, offset of approximately 7 metres from the direct outlook, separation distance of approximately 8 metres, height and design with the roof sloping away from the boundary, it is considered that the proposal would not result in any significant adverse overbearing or overshadowing impacts on No. 211 or its rear garden which is well screened by a 2.5 metres high boundary hedgerow.

- 8.11 By virtue of the separation distance of over 25 metres to the neighbouring dwelling to the northeast/rear (No. 215) which is set within a substantial plot and intervening boundary screening by a tall hedgerow, the proposal would have no significant adverse impacts on the neighbouring occupiers of this dwelling.
- 8.12 By virtue of the siting, scale, design and separation distances, it is considered that the proposals 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 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 originally proposed garage extension to the front elevation has been removed from the scheme and the amended proposal would therefore have no adverse impacts upon highway safety. The site currently provides three off-street parking spaces within the existing garage and on the block paved driveway hardstanding within the site frontage and this would be unaffected by the proposal. The proposal would not increase the number of bedrooms which would remain at three but would provide a larger dormer bedroom within the extended roof space. The existing/proposed off-street parking provision would therefore remain adequate to serve the existing/resulting three bedroomed dwelling and be in accordance with Policy DM18 of the adopted SADMP and the local highway authority design guide.

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 an extension and alteration to an existing dwelling 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. The resulting dwelling would remain compatible with the size of the large plot and the scale of neighbouring dwellings. By virtue of the siting, layout, scale and design and the proposed use of matching corresponding external materials to ensure a unified appearance, it is considered that the proposed rear extension and alteration would respect and complement the character and appearance of the existing dormer bungalow and the varied character and appearance of the surrounding area. By virtue of the siting, scale, design, separation distances and existing screening, it is considered that the proposal would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. Adequate off-street parking and private amenity space would be retained within the site to serve the existing/resulting three bedroomed dwelling. The proposal is 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 is 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: Site Location Plan at scale 1:1250 and Proposed First Floor Plan Drawing No. LR/2024/006 received by the local planning authority on 3 April 2024 and Proposed Ground Floor Plan Drawing No. LR/2024/005 Rev A, Proposed Front and Rear Elevations Drawing No. LR/2024/007 Rev A and Proposed

Side Elevations Drawing No. LR/2024/006 Rev A received by the local planning authority on 20 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 rear extension and alteration 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. The proposed roof light within the north elevation (facing 207 Leicester Road, Field Head, Markfield) hereby permitted, shall have a sill height of a minimum of 1.7 metres above the finished first floor level of the room that it serves as confirmed by email from the agent dated 18 May 2024. Once so provided the roof light 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 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.