

Delegated Report

Planning Ref: 23/00390/HOU

Applicant: Mrs Emma Ensor

Ward: Cadeby Carlton Market Bosworth & Shackerstone

Site: 3 Redmoor Close Market Bosworth Leicestershire



Hinckley & Bosworth
Borough Council

Proposal: Demolition of detached garage, erection of single storey side extension and additional parking

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 side extension following the demolition of an existing detached garage together with replacement car parking within the site frontage of a dwelling 3 Redmoor Close, Market Bosworth.
- 2.2. The proposed single storey side extension would be set back 0.8 metres from the main front elevation and measure 2.9 metres in width and 9.4 metres in depth. It would have a flat roof design to a height of 2.7 metres behind a small, pitched roof section to a height of 3.7 metres to its front elevation. It is proposed to be constructed in matching external materials. The existing sloping driveway is to be raised in height to provide a level surface supported by a new retaining wall. An additional/replacement parking space is to be provided 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 residential estate and within a small cul-de-sac. It is a two storey plain fronted semi-detached house with gable sided main roof form. It is constructed of light brown facing bricks, grey concrete interlocking roof tiles and white UPVC windows. It has a single storey rear extension with grey rendered walls and lean-to roof and a small flat roof side extension of matching brickwork. There is also a brick built garage to the side with a flat roof form that is detached from the application dwelling but attached to the similar neighbouring garage that occupies a higher ground level. There is a further off-street parking space on the relatively steeply sloping concrete surfaced driveway within the site frontage, the remainder being grassed. There is approximately 95 square metres of private amenity space at the rear.
- 3.2. The application dwelling lies in a row of similar two storey dwellings with flat roof garages to the side elevations. It occupies a lower ground level than the dwelling to the east and to the public highway. A majority of the site frontages of neighbouring dwellings comprises a mix of hard-surfacing and soft landscaping, however there are two examples of fully hard-surfaced frontages including that directly opposite the application site.

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. Leicestershire County Council (Highways) raise no objection and refer to standing advice in respect of the proposed replacement parking.
- 6.2. No objection has been received from Market Bosworth Parish Council.

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 DM17: Highways and Transportation
 - Policy DM18: Vehicle Parking Standards
- 7.4. National Planning Policies and Guidance
 - National Planning Policy Framework (NPPF) (2021)
 - 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 highway safety and 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 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 By virtue of its 0.5 metres set back, single storey scale, combined lean-to/flat roof design and appropriate 2.9 metres width, 9.4 metres depth and 3.7/2.7 metres height, the proposed side extension would appear as a clearly subordinate addition to the existing dwelling and subject to the proposed use of matching external materials in its construction to ensure a uniform appearance, together with appropriately proportioned fenestration would respect and complement its scale, character and appearance and that of the wider street scene within the cul-de-sac.
- 8.5 The proposed raising of the driveway ground level to provide a more useable flat parking surface would be to a similar level as that of the neighbouring driveway to the east and therefore would not have any significant adverse visual impacts on the street scene. The proposed additional hard-surfacing of the site frontage to provide replacement off-street parking, whilst not encouraged, would not be uncharacteristic of the street scene in this case and it is considered that there is sufficient soft landscaping within the wider street scene such that the proposal would not have a significant adverse impact on the visual amenities of the area.
- 8.6 Approximately 95 square metres of private amenity space would be retained within the rear garden and would be adequate to serve the existing/resulting three bedroomed dwelling. The proposals are therefore considered to be in accordance with Policies 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

- 8.7 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 By virtue of its siting entirely to the side elevation of the application dwelling, its siting and lower ground level in relation to the blank side elevation of the neighbouring garage, its single storey scale and flat roof design and separation distances, the proposals would not result in any significant adverse overbearing or overshadowing impacts on the residential amenity of, or any loss of privacy to, the occupiers of any neighbouring properties. The proposals would therefore be in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide. The making good of the neighbouring garage wall would be a civil matter between the respective landowners. No objections have been received from any neighbouring properties.

Impact upon highway safety and parking provision

- 8.9 Policy DM17 of the adopted SADMP supports development where there would be no significant adverse impact on highway safety. Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision and of appropriate design.
- 8.10 The site currently provides two off-street parking spaces to serve the existing three bedroomed house, albeit the garage is substandard in terms of its internal dimensions to meet current highway design guide standards. The other space is on the relatively steeply downward sloping concrete surfaced driveway. The proposed demolition of the garage and its replacement with a single storey side extension for additional internal accommodation would result in the loss of one substandard space, however, the proposal includes the provision of a replacement space which would meet current length and width standards within the site frontage which is

proposed to be hard-surfaced. The proposed raising of the height of the existing sloping driveway to provide a more useable level parking surface supported by a new retaining wall would ensure two off-street parking spaces would remain to serve the existing/resulting three bedroomed dwelling in accordance with local highway design standards. A condition to require the replacement spaces to be surfaced in permeable hard-bound materials and thereafter maintained would be reasonable and necessary to ensure that sufficient and suitable off-street parking is retained thereafter and that no loose stones etc. would enter the highway in the interests of highway safety in accordance with Policies DM17 and DM18 of the adopted SADMP and current local highway design guide 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 proposal is for an extension 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. By virtue of the siting, scale, design and proposed use of matching external materials to create a unified appearance, the proposals would respect and complement the scale, character and appearance of the existing dwelling and wider street scene. By virtue of the siting, scale, design, lower ground level and separation distances, the proposals would not result in any significant adverse impacts on the residential amenity or privacy of any neighbouring properties. Adequate replacement off-street parking of two spaces and private amenity space of 95 square metres would be retained within the site to serve the existing/resulting three bedroomed dwelling. The proposals are considered to be in accordance with Policy CE1 of the 'made' MBNP, Policies DM1, DM10, DM17 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: Site Location Plan and Block/Site Plan, Proposed Ground Floor Plan Drawing No. RC/2023/004, Proposed Front and Rear Elevations Drawing No. RC/2023/005 and Proposed Side Elevation Drawing No. RC/2023/006 received by the local planning authority on 2 May 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 extension and alterations 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 development hereby permitted shall not be occupied until such time as a minimum of two off-street car parking spaces have been provided and hard surfaced in permeable hard-bound materials (not loose aggregates) in accordance with the Proposed Ground Floor Plan Drawing No. RC/2023/004 received by the local planning authority on 2 May 2023 and once so provided the parking spaces shall be permanently so 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 and to prevent deleterious materials (loose stones etc.) being deposited in the highway in the interests of highway safety and in accordance with Policy 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 buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.