

Delegated Report

Planning Ref: 24/00156/HOU

Applicant: Mr Christopher Chambers

Ward: Newbold Verdon with Desford & Peckleton



Hinckley & Bosworth
Borough Council

Site: The Hawthorns Leicester Lane Desford Leicestershire

Proposal: Two storey front extensions and link attached garaging/outbuilding

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 two storey front extensions and alterations and a link detached garaging/outbuilding to a dwelling known as The Hawthorns, Leicester Lane, Desford.

2.2. The proposed two storey front extensions would both extend 2 metres forward of the main front elevation and 4 metres each in width. They would have a dual pitched gable fronted roof form with matching 5.4 metres eaves heights and 8 metres ridge heights as the main roof. They would be constructed primarily with stone clad external walls with vertical stained timber boarding infill panels surrounding the windows and grey plain concrete roof tiles to match the main roof. Other changes proposed to the front elevation include alterations to window and entrance door positions, replacement black framed uPVC windows and the replacement of the existing vertical stained timber boarding to the front elevation with smooth white render to match that of the western wing of the dwelling.

2.3. The proposed link detached garaging/outbuilding would be located adjacent to the west side elevation of the dwelling and attached to it by a single storey flat roof corridor link of 3 metres in width, 2.7 metres in depth and 2.8 metres in height. The garaging/outbuilding would be 10.4 metres in width and 14.6 metres in depth. It would have a hipped roof form concealing a large, central flat roof with an eaves height of 3.5 metres and a maximum height of 6.3 metres. It would be constructed with stone cladding and vertical stained timber boarding to the front and rear elevations to match the proposed front extensions and alterations and alterations to the two rear elevation gables of the dwelling and smooth white render to the side elevations to match the remainder of the application dwelling. The building is proposed to be used for purposes ancillary to the residential occupation of the application dwelling including garaging, a gym and games room.

3. Description of the site and surrounding area

3.1. The application dwelling is located in the countryside to the southeast of Desford and occupies a large rectangular plot measuring approximately 42 metres in width x 95 metres in depth on the north side of Leicester Lane. It is a two storey detached house with multiple pitched roof design with hipped main roof form and two storey projecting gables to the front and rear elevations. It has been contemporised with the use of a mix of smooth white render and vertical stained timber board cladding to the external walls, plain grey roof tiles, white uPVC windows and two wide dark grey up and over double garage doors. There is a link-detached single storey dual pitched roof outbuilding to the immediate rear and a tennis court enclosed by tall wire mesh fencing further towards the rear of the site.

- 3.2. The site is enclosed on the highway boundary by a 1.5 metres high wall finished in smooth white render. There are two vehicular accesses with electronically operated double timber gates to each set back at least 6 metres from the highway boundary. The site provides ample off-street parking and turning space within the existing double garaging and abundant concrete block surfaced hard standing within the site frontage. There is a huge, grassed garden to the rear providing substantial private amenity space. The other boundaries are enclosed by continuous hedgerows to the east side and rear boundaries and a 2 metres high solid close boarded timber fence to the west side boundary.
- 3.3. The application dwelling lies at the end of a ribbon development of large, detached houses of varying design, style and appearance within spacious plots along both sides of Leicester Lane. There are open fields to the south, east and north (rear) of the plot. The nearest neighbouring dwelling to the west is located much further from the highway and set well back from the application dwelling.

4. Relevant planning history

16/00369/HOU

- Two storey side and rear extension, demolition of existing garage and erection of two sets of electric gates
- Permitted
- 25.08.2016

18/00719/HOU

- Erection of 1.5 storey building, including a swimming pool, to the western elevation of the existing dwelling with a glass link and tennis court to the rear of the dwelling
- Permitted
- 25.09.2018

90/00792/4

- First floor extension and alterations
- Permitted
- 01.08.1990

83/00756/4

- Erection of garages and covered way
- Permitted
- 03.10.1983

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. No objection has been received from Leicestershire County Council (Highway Authority)
- 6.2. No response has been received from Desford Parish Council.

7. Policy

7.1. Desford Neighbourhood Plan (DNP) 2018-2036 (2021)

- Policy H7: Housing Design

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 DM4: Safeguarding the Countryside and Settlement Separation
- 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. Notwithstanding the countryside location outside of any settlement boundary, extensions and alterations to existing domestic properties 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 and surrounding countryside
- Impact upon neighbouring residential amenity
- Impact upon highway safety/parking provision

Design and impact upon the character of the area and surrounding countryside

8.2 Policy H7 of the 'made' DNP requires that the design principles of extensions seek to enhance the local distinctiveness and character of the area in which they are situated and not disrupt the visual amenities of the street scene or impact negatively on any significant wider landscape views.

8.3 Policy DM4 of the adopted SADMP states that to protect its intrinsic value, beauty, open character and landscape character, the countryside will first and foremost be safeguarded from unsustainable development. The policy goes on to list a number of categories of development that would be considered sustainable in the countryside. These include proposals for the extension and alteration of existing buildings which lead to an enhancement of the immediate setting and where, amongst other matters, the proposal does not have a significant adverse effect on the appearance and open character of the countryside.

8.4 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 front extensions 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.'

- 8.5 The proposed two storey front extensions would both extend forward of the main front elevation by only 2 metres and have an appropriate width of only 4 metres each and therefore would sit comfortably within, and not over-dominate, the front elevation. They would have a dual pitched gable fronted roof form with matching 5.4 metres eaves heights and 8 metres ridge heights as the main roof. Whilst not subordinate in height, by virtue of their modest width relative to the overall width of the dwelling, they would nevertheless appear as clearly subordinate additions in general accordance with the Good Design Guide for front extensions. They would be constructed primarily with stone clad external walls with vertical stained timber boarding infill panels surrounding the new black framed windows and grey plain concrete roof tiles to match the main roof. Other changes proposed to the front elevation include alterations to window and entrance door positions, replacement black framed uPVC windows and the replacement of the existing vertical stained timber boarding to the front elevation with smooth white render to match that of the western wing of the dwelling. It is considered that the design and appearance of the extensions and alterations including the changes in external materials would respect the already contemporised character and appearance of the existing dwelling and would therefore be acceptable.
- 8.6 In respect of garages the Council's adopted Good Design Guide states:
- 'Garages and car ports should generally be set back from the existing dwelling so as not to dominate the street scene.'*
- 8.7 At 10.4 metres in width and 14.6 metres in depth the proposed garaging/outbuilding would have a substantial footprint. It would have a hipped roof form reflecting that of the main dwelling but with a discreet and concealed central flat roof. It would have a much lower eaves height of 3.5 metres and a much lower maximum height of 6.3 metres to the main roof of the dwelling. Therefore, by virtue of its height and width relative to the existing dwelling, the proposal would appear as a clearly subordinate addition and would not result in any overdevelopment of the substantial plot in which it would be constructed. It would be constructed with stone cladding and vertical stained timber boarding to the front and rear elevations and smooth white render to the side elevations which would match the external materials proposed for the front extensions and other alterations to the front and rear elevations of the dwelling and the remainder of the dwelling to ensure a satisfactory and unified design and appearance.
- 8.8 The proposal would be set back from the highway boundary by 15 metres adjacent to the side elevation of the dwelling and well within all boundaries of the enclosed plot. By virtue of its siting, whilst clearly visible from the public highway, the proposal would not be overly prominent within the street scene or have any significant adverse visual impacts on the open character or rural appearance of the surrounding countryside.
- 8.9 The building is proposed to be used for purposes ancillary to the residential occupation of the application dwelling including garaging, a gym and games room. However, by virtue of its size, the imposition of a condition to restrict the use of the

building to being solely ancillary to the residential occupation of the application dwelling would not be unreasonable in this case.

- 8.10 By virtue of its siting, ancillary use, clearly subordinate overall scale, similar contemporary design and the proposed use of matching corresponding and complementary external materials to ensure a satisfactory and unified appearance, it is considered that the proposals would respect and complement the scale, character and appearance of the existing dwelling and would not result in any significant adverse visual impacts on the rural appearance or open character of the surrounding countryside. The proposals are therefore considered to be in accordance with Policy H7 of the 'made' DNP, Policies DM4 and DM10 of the adopted SADMP and acceptable in terms of the general principles of the adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 8.11 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.
- 8.12 The nearest neighbouring dwelling to the north is a detached bungalow located approximately 37 metres from the rear corner of the proposed garaging/outbuilding and with extensive areas of parking hard standing to its frontage. The nearest neighbouring dwelling to the west is a large detached two storey house located approximately 23 metres from the side elevation of the proposed garaging/outbuilding. Both are set within substantial plots.
- 8.13 By virtue of their siting, substantial separation distances to any neighbouring dwellings, scale and design, it is considered that the proposed extensions and alterations would not result in any significant adverse overbearing or overshadowing impacts on any neighbouring properties or result in any significant adverse impacts from overlooking or loss of privacy to the occupiers of any neighbouring properties. 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. No objections have been received from any neighbouring properties.

Impact upon parking provision

- 8.14 Policy H7 of the 'made' DNP requires that adequate off-road parking should be provided as a minimum of two car parking spaces for dwellings of three bedrooms or less and three spaces for dwellings of four bedrooms or more. Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.15 The substantial plot provides extensive off-street parking and turning space within the existing double garaging and abundant concrete block surfaced hard standing within the site frontage. The proposals would provide additional garaging and no reduction to the available hard standing within the site frontage which would be unaffected. This existing/retained level of provision would remain more than adequate to serve the resulting six bedroomed dwelling and proposed ancillary building. The proposals are therefore considered to be in accordance with Policy H7 of the 'made' DNP, Policy DM18 of the adopted SADMP and the local highway authority 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. Notwithstanding the location of the dwelling outside of any settlement boundary and therefore within designated countryside, the proposals are for extensions and alterations to an existing dwelling within an established residential curtilage and therefore there is a general presumption in favour of sustainable development as set out in Policies DM1 and DM4 of the adopted SADMP and the overarching principles of the NPPF.
- 10.2. By virtue of its siting, ancillary use, clearly subordinate overall scale, similar contemporary design and the proposed use of matching corresponding and complementary external materials to ensure a satisfactory and unified appearance, it is considered that the proposals would respect and complement the scale, character and appearance of the existing dwelling and would not result in any significant adverse visual impacts on the rural appearance or open character of the surrounding countryside. By virtue of their siting, separation distances scale and design, it is considered that the proposed extensions and alterations would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. More than adequate off-street parking and turning space would be maintained within the site to serve the resulting dwelling and ancillary outbuilding along with substantial private rear amenity space. The proposals are considered to be in accordance with Policy H7 of the 'made' DNP, Policies DM1, DM4, DM10, DM17 and DM18 of the adopted SADMP and the 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 Site Plan Drawing No. C160.101 Rev 00 received by the local planning authority on 19 February 2024 and Proposed Floor Plans and Elevations Drawing No. C160.100 Rev 01 received by the local planning authority on 25 March 2024.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1, DM4 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 shall be in accordance with the external materials details provided within the submitted Planning Application Form and as shown on the approved Proposed Elevations Drawing No. C160.100 Rev 01 received by the local planning authority on 25 March 2024 and shall match the corresponding materials of the existing dwelling where applicable.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. The link attached building hereby permitted shall only be used for purposes ancillary to the residential occupation of the application dwelling known as The Hawthorns, Leicester Lane, Desford and shall not be occupied, sold or separately leased or let as an independent unit of residential accommodation.

Reason: To ensure compatible use and that the building hereby permitted is not occupied as an independent unit of accommodation which may have additional impacts in accordance with Policies DM1, DM4, DM10, 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.