

Delegated Report

Planning Ref: 23/00729/HOU

Applicant: Miss Victoria Turner

Ward: Newbold Verdon with Desford & Peckleton

Site: 1 Markfield Lane Botcheston Leicestershire



Hinckley & Bosworth
Borough Council

Proposal: Single storey rear extension and alteration 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 rear extension and alterations to a dwelling. 1 Markfield Road, Botcheston. The proposed single storey extension would extend 4.5 metres from the rear elevation and for a width of 5.7 metres to adjoin an existing single storey rear projection. It would have a lean-to roof form with an eaves height of 2.5 metres and a maximum height of 3.9 metres. Matching red facing bricks and brown windows/doors are proposed in its construction along with complementary concrete roof tiles. It would replace an existing conservatory of the same width and 3 metres depth.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located in the countryside to the north of Botcheston. It is a two storey semi-detached house with dual pitched gable sided main roof form and a central two storey forward projection with dual pitched gable fronted roof form. It has a single storey rear projection with dual pitched rear gabled roof form and a rear conservatory with low profile lean-to polycarbonate roof. The application dwelling is constructed with red multi facing bricks to the ground floor, off-white rendered walls to the first floor, red plain clay roof tiles and dark brown uPVC windows. There is concrete block surfaced hardstanding to the site frontage providing a minimum of two off-street parking spaces. There is a large rear garden providing ample private amenity space.
- 3.2. The application dwelling lies at the north-western end of a staggered row of three pairs of traditionally styled semi-detached dwellings of similar scale design and appearance. To the north lies an area of woodland, there are open fields to the west and southwest and a small holding to the north east of the site.

4. Relevant planning history

97/00393/FUL

- Extensions to dwelling
- Permitted
- 25.06.1997

84/00242/4

- Change of use to class xiv institutional purposes nursing home or elderly persons home
- Permitted
- 19.06.1984

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 raising objections on the grounds of insufficient parking provision.

6. Consultation

- 6.1. 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) (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. 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 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 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.'

- 8.5 The proposed single storey extension would extend to an appropriate depth of 4.5 metres from the rear elevation and for an appropriate width of 5.7 metres to adjoin an existing single storey rear projection. It would have a clearly subordinate footprint and lean-to roof form with an eaves height of 2.5 metres and a maximum height of 3.9 metres. Matching red facing bricks and brown windows/doors are proposed in its construction along with complementary concrete roof tiles to ensure a satisfactory external appearance. Whilst the concrete roof tiles proposed would not match the small red plain clay roof tiles of the main roof, the proposal would be to the rear elevation within a large and well enclosed rear garden and be screened by an existing single storey pitched roof projection.

- 8.6 By virtue of its siting, clearly subordinate scale, design and the proposed use of matching corresponding and complementary external materials to ensure a satisfactory appearance, it is considered that the proposal 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 proposal is 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

- 8.7 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 proposed rear extension would be set in from the common side boundary with the adjoining semi-detached dwelling by 2 metres and would extend to a depth of 4.5 metres from the rear elevation of the application dwelling. It would have only a single storey and a lean-to roof design with an eaves height of only 2.5 metres and a maximum height of only 3.9 metres. As a result, it would not extend to any significant degree beyond a 45 degree line drawn from the centre-point of the nearest ground floor window in the rear elevation of the adjoining dwelling or result in any significant adverse overbearing or overshadowing impacts on any neighbouring windows or amenity areas. Notwithstanding that clearly glazed side elevation windows facing the neighbouring rear garden are proposed, these would replace similar windows in the existing conservatory that is to be replaced at the same 2 metres separation distance and would therefore not result in any

significant/additional loss of privacy to the adjoining occupiers. No objection has been received in respect of the proposal from the adjoining neighbouring occupiers.

- 8.9 By virtue of the siting, single storey scale, lean-to roof design and separation distances, it is considered that the proposed extension and alteration would not result in any significant adverse overbearing or overshadowing impacts on the adjoining neighbouring property or result in any significant adverse impacts from overlooking or loss of privacy to the occupiers over and above the current existing situation. The proposal is 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 parking provision

- 8.10 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.
- 8.11 An objection on the grounds of ongoing development and insufficient parking provision to serve the dwelling.
- 8.12 By virtue of the sloping and part stepped level nature of the site frontage the area within it available for off-street parking is limited to a minimum of two off-street parking spaces on concrete block surfaced hardstanding. The scope for additional and better configured parking is currently restricted by a narrow strip of highway verge land that extends across the site frontage other than the vehicular access. Neighbouring dwellings within the row are set back further from the highway boundary and therefore have site frontages of much greater depth and better off-street parking provision. There is also an informal public parking pull on area with space for approximately three vehicles directly opposite the site.
- 8.13 The existing off-street parking provision would be unaffected and the proposal would replace an existing conservatory providing an enlarged kitchen/dining area rather than resulting in any additional bedroom space. Therefore, notwithstanding the objection received and the number of existing bedrooms, the proposed development would have a neutral impact on parking provision to serve the application dwelling and the existing potential shortfall of one space would not justify refusal of the application on the grounds of highway safety. Therefore whilst not in strict accordance with Policy H7 of the 'made' DNP or the local highway authority design guidance standards for a dwelling of over four bedrooms, subject to a condition to ensure that the existing parking provision or equivalent replacement is retained and maintained at all times it is considered that the proposal would not be in significant conflict with Policy DM18 of the adopted SADMP or result in any significant adverse highway impacts.

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 proposal is for an extension and alteration 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, clearly subordinate scale, design and the proposed use of matching corresponding and complementary external materials to ensure a satisfactory appearance, it is considered that the proposal 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 the siting, single storey scale, lean-to roof design and separation distances, it is considered that the proposed extension and alteration would not result in any significant/additional adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties over and above the current existing situation. Notwithstanding the objection received, there are no significant highway impacts arising from the proposal and the existing off-street parking provision would be unaffected and retained to serve the dwelling along with more than adequate private amenity space. The proposal is therefore considered to be in general accordance with Policy H7 of the 'made' DNP, Policies DM1, DM4, 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: Location Plan Drawing No. 1, Proposed Site Plan, Ground Floor Plan, Roof Plan and Rear and Southeast Side Elevations Drawing No. 1 and Proposed Front and Northwest Side Elevations Drawing No. 1 received by the local planning authority on 8 August 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 alteration shall match the corresponding materials of the existing dwelling and be in accordance with the materials details provided within the submitted Planning Application Form.

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 existing hard surfaced off-street parking spaces currently provided within the site, or equivalent replacement provision, shall be permanently maintained to serve the application dwelling at all times.

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 in the interests of highway safety and in accordance with Policy 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.