

Delegated Report

Planning Ref: 24/00309/HOU
Applicant: Mr. Mick Mullings
Ward: Ratby Bagworth And Thornton



Hinckley & Bosworth
Borough Council

Site: 53 Church Lane Ratby Leicester

Proposal: Proposed porch to side of property

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

- 2.1. The application seeks full planning consent for a porch to the north-east side of 53 Church Lane, Ratby.
- 2.2. The proposed porch would project outwards from the existing north-east side elevation of the dwelling by 2.47 metres and would host a width of 2.70 metres. It would feature a pitched roof which would measure 2.51 metres to the eaves and 3.55 metres to the ridge.
- 2.3. Additional alterations include the addition of a black uPVC/composite front door with glazed side lights to the north-west elevation and a two pane window to the north-east elevation.
- 2.4. The proposed materials would be to match the materials of the existing dwelling.

3. Description of the site and surrounding area

- 3.1. The application site relates to a single storey detached dwelling located in an established residential area within the settlement boundary and conservation area of Ratby. The application dwelling comprises the use of red brick to the walls, grey tiles to the roof and white uPVC to the windows.
- 3.2. To the north-east and south-west boundary of the site sits timber fencing measuring approximately 1.00 metre in height and to the north-west boundary sits a stone wall measuring approximately 0.50 metre in height. The stone wall is a prominent feature to the front boundaries of the adjacent surrounding dwellings on Church Lane.
- 3.3. The site is surrounded on all sides by other residential dwellings. The dwelling is one of 4 similarly designed dwellings on Church Lane. Off-street parking is located to the side and front of surrounding dwellings.
- 3.4. An application (reference 21/00523/HOU) for a single storey extension to the front and rear of the property, including demolition of existing porch and chimney breast and relocation of main entrance door to side of property was approved in November 2021 by way of committee decision.

4. Relevant planning history

02/01053/TPO

- REMOVAL OF ONE CHERRY TREE

- TPOCAP
- 16.10.2002

21/00523/HOU

- Single storey extension to the front and rear of the property, including demolition of existing porch and chimney breast and relocation of main entrance door to side of property.
- PER
- 22.11.2021

76/01362/4M

- ERECTION OF PORCH AND EXTENSION TO DWELLING
- PER
- 03.11.1976

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 objections have been received.

6. Consultation

6.1. Ratby Parish Council;

- No objections have been received.

6.2. HBBC Conservation Officer;

"This application is for a side porch to 53 Church Lane, Ratby. The application site is located within the Ratby Conservation Area.

The collection of similar designed bungalows on the eastern side of Church Lane, which includes no.53, are identified as a weak area in the Ratby Conservation Area Appraisal (2014) as they do not follow the traditional building form, scale and characteristics of the conservation area and are of no special historical or architectural interest. For these reasons they make a negative contribution to the character and appearance of the conservation area.

In my opinion there will be no particular material changes resulting from the proposal that would impact upon any key characteristics of conservation area, and as such its significance would be preserved. Additionally there are no particular opportunities arising from the proposed development to enhance the character and appearance of the area. Overall the proposal would therefore complies with Policies DM11 and DM12 of the SADMP, section 16 of the NPPF and the statutory duty of section 72 of the Planning (Listed Building and Conservation Areas) Act 1990."

7. Policy

7.1. Core Strategy (2009)

- Policy 8: Key Rural Centres to Leicester

7.2. Site Allocations and Development Management Policies 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

- National Planning Policy Framework (NPPF) (2023)
- Planning Practice Guidance (PPG)

7.4. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)

8. Appraisal

8.1. Key Issues

- 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 and heritage assets

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 that area.

8.3 Section 16 of the NPPF provides the national policy on conserving and enhancing the historic environment. Paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 196 states that where less than substantial harm is identified, this should be weighed against the public benefits of the proposal.

8.4 Policies DM11 and DM12 of the Site Allocations and Development Management Policies (SADMP) DPD seek to protect and enhance the historic environment. Development proposals should ensure the significance of a conservation area is preserved and enhanced.

8.5 Policy DM10 of the adopted SADMP seeks to ensure that development would not have a significant adverse effect on the character of the surrounding area.

8.6 The application site is situated within the Ratby Conservation area, and is a collection of similar designed bungalows positioned on the eastern side of Church Lane. This collection of bungalows and immediate area are identified within the Ratby Conservation Area Appraisal (2014) as a weak area as they do not follow the traditional building form, scale and characteristics of the Conservation Area and are of no special historical or architectural interest. Accordingly it is considered that these dwellings including the application site make a negative contribution to the character and appearance of the conservation area.

- 8.7 The Council's adopted Good Design Guide states that *"side extensions should appear smaller in scale and massing in order to be subordinate to the main building."*
- 8.8 The proposed porch would be an appropriate size in relations to the original dwelling. It would project outwards from the existing north-east side elevation of the dwelling by 2.47 metres and would host a width of 2.70 metres. It would feature a pitched roof to match the existing appearance of the property of which the proposed eaves would mirror those of the existing dwelling and the ridge height would sit approximately 0.96 metres below the existing ridge height appearing subordinate to the existing dwelling.
- 8.9 The addition would be viewable from a public realm due to its positioning to the side of the dwelling, notwithstanding this the porch would be situated approximately 12.00 metres behind the principle elevation of the dwelling and approximately 20.20 metres from the adjacent highway, Church Lane. By virtue of the above the proposed porch would not be a dominant addition to the street scene.
- 8.10 The proposed materials would be to match the materials of the existing dwelling with the exception of a black uPVC/composite front door. This addition would, however add a contemporary aspect to the dwelling and as it is considered that the dwelling makes a negative contribution to the character and appearance of the conservation area in general this material addition is not deemed to be detrimental to the conservation area of Ratby.
- 8.11 At present there are no examples of similar porches along the street of similar architectural design, layout and scale, the proposed porch would, however be a minor addition and would therefore not alter the overall character of the street scene. Taking this into consideration, the proposed porch complies with policy DM10 of the SADMP.
- 8.12 Additional alterations include the addition of a front door with glazed side lights to the north-west elevation and a two pane window to the north-east elevation.
- 8.13 By virtue of the above, having regard the proposed development, it is not considered that the extension would impact upon any key characteristics of the Ratby Conservation Area, as such the significance would be preserved. In addition there are no opportunities arising from the proposed development to enhance the character of and appearance of the area. Overall the proposal is considered to have no adverse impact on the character and appearance of existing building and the wider Ratby Conservation Area. Therefore the proposal would preserve the significance of the conservation area and subsequently complies with Policies DM10, DM11 and DM12 of the SADMP, section 16 of the NPPF and the statutory duty of section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

Impact upon neighbouring residential amenity

- 8.14 Policy DM10 of the SADMP seeks to ensure that development proposals shall not harm the amenity of neighbouring residential properties.
- 8.15 The proposal would not extend forward of the principle elevation of the dwelling and by virtue of this there is not considered to be any adverse impact upon the occupiers of the neighbouring dwelling to the south-west, 55 Church Lane.
- 8.16 The proposal would be situated approximately 1.17 metres away from the dwelling to the north-east, 51 Church Lane. A two pane window is proposed to the north-east elevation of the proposed porch, nevertheless by way that the proposal would face

a blank elevation of 51 Church Lane there is not considered to be any adverse impacts in terms of loss of light or privacy.

- 8.17 To the north-west of the site sits neighbouring dwellings Church Lodge and High Gable. Church Lodge is orientated to the south differing from the application dwellings north-west orientation and by virtue of this along with the approximate 40.11 separation distance there is not considered to be any adverse impacts upon the occupiers. High Gable is orientated to the south-east facing directly towards the application site, notwithstanding this due to the approximate separation distance of 58.56 metres and the screening by way of the double garage of Church Lodge there is not considered to be any adverse impacts upon the occupiers.
- 8.18 By virtue of the existing garden structures and boundary treatments the proposal would be predominantly screened from the view of 18 Ingle Drive to the south-east.
- 8.19 The proposed development would therefore satisfy Policy DM10 of the SADMP in this regard.

Impact upon parking provision

- 8.20 Policy DM18 seeks to ensure that development would provide an appropriate level of parking provision.
- 8.21 The proposed porch to the side elevation of the dwelling would not impact the amount of parking available at the site. The proposed development neither seeks to increase the number of bedrooms at the site, therefore the proposed porch extension is unlikely to result in any significant adverse impact upon the relevant off-street parking provision. Policies DM18 of the SADMP can therefore be complied with in this instance.

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.

10. Conclusion

- 10.1. The proposal is located within the settlement boundary and conservation area of Ratby and therefore there is a presumption in favour of sustainable development as set out in Policy DM1 of the SADMP and the wider policies of the NPPF.

- 10.2. The proposed development would respect the scale and character of the existing dwelling and street scene, retain adequate private amenity within the curtilage and would not adversely affect the amenities of the occupiers of neighbouring properties. In addition sufficient off-street parking provision would be available on the site. On this basis, the proposal is therefore considered to be in accordance with Policies DM1, DM10, DM11, DM12 and DM18 of the SADMP, section 16 of the NPPF and the statutory duty of section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 and is 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

11.3 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 materials to be used externally shall accord with the approved application form, as received by the Local Planning Authority on the 2nd April 2024.

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).

3. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

Proposed Plans and Elevations, Drg No. 2024-01-PL-02 as received by the Local Planning Authority on the 2nd April 2024.

Reason: To ensure a satisfactory form of development in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11.4 Notes to applicant

- a) 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.