DELEGATED REPORT

Recommendation Made: 5 September 2011

Reference:- 11/00556/FUL **Parish:- Market Bosworth Parish Council**

Applicant:- Mr O Shephard
c/o Agent

Location:- 23 Shenton Lane Market Bosworth Nuneaton Leicestershire CV13 0LA

Proposal:- EXTENSIONS AND ALTERATIONS TO DWELLING.

Introduction:-

This application seeks full planning permission for the erection of a two part extension to the rear of this detached dwelling house.

The dwelling is constructed from red brick and plain grey tiles.

A similar scheme for a two part, two storey extension seeing the continuation of the existing dwelling was refused earlier on in the year under planning reference 10/00751/FUL.

The previous application was refused because its scale, mass, appearance and siting would create a visually dominant and incongruous extension that would result in an adverse impact on the visual appearance of the dwelling itself and the wider street scene, contrary to the requirements of Policy BE1 of the adopted Hinckley and Bosworth Local Plan and the Supplementary Planning Guidance on House Extensions.

Furthermore its scale, mass and siting was also considered to have an overbearing and unacceptable adverse impact on the amenities of the occupiers of no. 21 Shenton Lane, contrary to the requirements of Policy BE1 of the adopted Hinckley and Bosworth Local Plan and the Supplementary Planning Guidance on House Extensions.

Planning History:

10/00751/FUL – Extensions and alterations to dwelling – Refused on 12/01/2011
82/01057/4 – Kitchen bathroom extension and the erection of a detached garage – Approved on 27/01/1983

Consultations:-

No objections have been received from:

The Head of Community Services (Land Drainage)
Market Bosworth Parish Council

No objection subject to condition has been received from:

The Directorate of Chief Executive (Ecology)

Development Plan Policies:-

Adopted Local Plan

The site lies within the settlement boundary of Market Bosworth as defined in the adopted Hinckley and Bosworth Local Plan.

Policy BE1 - Design and Siting of the Development

Supplementary Planning Guidance: House Extensions Design Guidance (SPG)

Appraisal:-

The main considerations in respect of this application are the principle of development, the impact of the proposed extension on the character and appearance of the existing dwelling and on the amenities of the occupiers of neighbouring properties.

The Principle of Development

The site is located within the settlement boundary of Market Bosworth, as defined in the Adopted Hinckley and Bosworth Local Plan Proposals Map; therefore there is a presumption in favour of development subject to all other planning matters being appropriately addressed

Impact on existing dwelling

Unlike the previously refused scheme, the extension on the north side of the rear elevation has been broken down into two elements.

To the north elevation a two storey hipped roof element will be inset 1.5 metres from the boundary where the ridge height is 0.7 metres lower than ridge on the main house. This element will extend out from the existing rear elevation by 4.6 metres.

To the south elevation, the second element includes a hipped single storey element which is inset 0.5 metres from the boundary. This element will extend out from the existing rear elevation by 6.4 metres at ground floor and 10 metres at first floor.

By breaking down the extension into two subordinate elements, the two storey element on this side of the rear elevation has been reduced in overall scale and mass so that the visual composition of the extension in relation to the main house is considered to respect its character.

The proposal has overcome the previous issue of having a blank section of side elevation on the rear extension which is open to views to the south west of the site along Shenton Lane by breaking its outward appearance into two elements. The first floor level above the existing WC and utility will be inset 0.3 metres with a well designed and proportionate dormer window. The central pitched roof adjoins a hipped pyramid reflecting the hipped form of the main house. The two adjoining elements create a balanced appearance to the existing dwelling.

Having a central element on the side elevation that is inset with a set forward canopy followed by a hipped element coherently breaks up what is a large scale extension, overcoming the previously monotonous elevational design. The existing windows on the side elevation of the main house are of poor design and do not match those on the rest of the dwelling. The fenestration details of the proposed extension are considered to be satisfactory.

It is considered the revised design of the proposed elements to the extension respects the scale and character of the existing dwelling.

Impact on street scene

Due to the siting of the dwelling which is positioned forward of neighbouring properties, the proposed extensions will be clearly viewable from both the Cemetery and further along Shenton Lane in front of No. 19 and No. 21. The sympathetically designed extension (as discussed above) will sit comfortably to the existing dwelling. It is considered mass, scale and design of the proposed extension would not be detrimental to the visual character of the wider street scene and therefore not contrary to BE1 of the Local Plan.

Impact on amenities

Due to the driveway and No. 25 being off-set from the boundary line by approximately 2 metres, it is not considered the south facing side of the proposal would adversely affect the amenities of that property.

No. 21 Shenton Lane is located to the north and east of the application property and is a detached bungalow. A previous amenity issue under 10/00751/FUL was the impact of the proposed north facing side extension on the front elevation window of the neighbour's bungalow that serves a bedroom (habitable room).

With regards to the north facing side of the proposed extension, the two storey element projects 3.5 metres from the furthest point of the existing rear elevation wall and the single storey element extends 4.6 metres.

By virtue of the extensions revised design, reduced mass and the off-set distance from the common boundary line, it is considered this revised scheme will not have an oppressive impact or unduly overwhelm the neighbouring bungalow or its front garden area. The proposed first floor bedroom window on the rear elevation will not directly overlook the neighbouring front garden area or dwelling and therefore no material loss of privacy will result.

Despite the proposed extension being due south of the neighbouring bungalow where a shadow will be cast towards the bungalow, the existing arrangement is such that a shadow is cast at the current time. It is considered the off-set distances from the boundary of 1.5 metres for the two storey element and 0.5 metres for the single storey element, these distances effectively mitigate the amount of shadow cast towards the bungalow as not to result in a significant loss of light or overshadowing over and above that that already exists.

Although the proposed extension exceeds the guidance contained in the SPG by 1.5 metres with respect to both the single and two storey elements, given the design of the extension, its position inset off from the boundary and the height of the existing boundary treatment, it is not expected that this will have an adverse impact on the amenities of the occupiers of the neighbouring properties.

Impact on ecology

The ecology report submitted was considered satisfactory. It is pointed out that there is evidence of minor use by a single brown long-eared bat was found in the main roof. The Directorate of Chief Executive (Ecology) has no objection to the proposals subject to the suggested mitigation measures being implemented and therefore a condition has been included in the recommendation.

Highways

The proposal will result in the creation of a fourth bedroom. Given the size of the driveway over 30 metres in length and parking space at the rear there is sufficient amount of space within the site to provide parking for at least three vehicles.

Conclusion

This revised proposal would respect the scale and character of the existing dwelling and street scene and would not adversely affect the amenities of the occupiers of neighbouring properties. The application is considered to be in accordance with Policy BE1 of the Local Plan and is therefore recommended for approval subject to conditions.

RECOMMENDATION:- Permit subject to the following conditions:-

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below, it is considered that subject to compliance with the conditions attached to this permission, the proposed development by virtue of the scale, mass and design of the proposed extension would not detrimentally impact on the amenities of neighbouring residents or the character and appearance of the existing dwelling and street scene and would be in accordance with the development plan.

Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

2 The materials to be used on the external elevations of the proposed extension and alteration shall match the corresponding materials of the existing dwelling unless previously agreed in writing with the Local Planning Authority.

3 The development shall be implemented in accordance with the recommendations and mitigation measures contained in sections 10.3 to 11.7 and drawing PFC/10/02/02A of the ecological survey carried out by Ecolocation dated 29 October 2010.

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

Drawing - 602-MS.03 - Received on 27/07/2011
Drawing - 602-MS.04 - Received on 27/07/2011
Drawing - 602-MS.05 - Received on 27/07/2011

Reasons :-

1 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2 To ensure that the development has a satisfactory external appearance to accord with Policy BE1 of the adopted Hinckley & Bosworth Local Plan.

3 To ensure the adequate protection of bats and nested birds to accord with Planning Policy Statement 9: Biodiversity and Geological Conservation.

4 For the avoidance of doubt and in the interests of proper planning.

Notes to Applicant:-

1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3 As from 6 April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

4 All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

5 This permission does not convey any authority to enter onto land or into any building not within the control of the applicant except for the circumstances provided for in The Party Wall etc Act 1996.

Contact Officer:- Kevin Roeton Ext 5919