

Delegated Report

Planning Ref: 24/00307/HOU

Applicant: Hannah Wyatt

Ward: Cadeby Carlton Market Bosworth & Shackerstone

Site: 45 Main Street Barton In The Beans Leicestershire



Hinckley & Bosworth
Borough Council

Proposal: First floor extension including rear balcony and alterations 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 loft conversion including the construction of a first floor flat roof dormer extension to the rear roof elevation, the formation of a first floor rear balcony with glazed balustrade above an existing flat roof section, the installation of two roof lights in the front roof elevation and other alterations to a dwelling, 45 Main Street, Barton in the Beans.
- 2.2. The proposed first floor flat roof dormer extension would extend across the full width of the rear roof elevation other than being set in 0.3 metres from the side edges of the roof. It would have a flat roof design with a subordinate height of 5.1 metres compared to the 5.6 metres high main roof ridge and two sets of full height glazing/bi-fold doors in its rear elevation. It is proposed to be constructed with vertical Beechwood timber effect cladding to its walls and matching cream UPVC windows/doors to match those of the existing dwelling. The first floor balcony over the existing flat roof section at the rear of the dwelling would be enclosed by a glazed balustrade of 1.1 metres in height above the floor level and an obscurely glazed 1.8 metres high privacy screen to the western side included on an amended plan. The only alteration proposed to the front elevation is the installation of two roof lights at a sill height of 1.75 metres above the first floor level. Other alterations include the provision of additional full height glazing to the rear ground floor elevation. No increase in the height of the existing roof ridge is proposed.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located outside of but adjacent to the southern edge of the settlement boundary of Barton in the Beans and is therefore in the countryside. It is a detached dual fronted bungalow with gable sided roof form and centrally positioned dual pitched gable fronted enclosed entrance porch. To the rear there is a single storey section with flat roof and raised glazed roof lanterns. It is constructed of red multi facing bricks including brick corbel detailing to eaves and roof verges, plain grey concrete roof tiles and cream uPVC windows. The large rear garden is enclosed by hedgerows other than a chain link fence to the rear boundary/grassed paddock. It has two off-street parking spaces, one on tarmac surfacing to the front and one on the block paved drive at the rear.
- 3.2. The application dwelling is set back from the public highway to the rear of a pair of semi-detached two storey houses (also owned by the applicant) and a residential barn conversion of two dwellings which lie either side to the north. To the east there is a garage block and residential garden serving the barn conversions and residential development beyond that which extends much deeper to the south. To the west there are residential gardens and grassed paddocks and to the south of the site there are large agricultural buildings and agricultural fields.

4. Relevant planning history

None.

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 response has been received from Shackerstone Parish Council.

7. Policy

7.1. Core Strategy (2009)

- No relevant policies

7.2. 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

7.3. 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)
- Local Highway Authority Design Guide

8. Appraisal

8.1. Notwithstanding its countryside location, 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 DM4 of the adopted SADMP allows extension of existing buildings in the countryside which lead to an enhancement of the immediate setting and where it does not have a significant adverse effect on the appearance and open character of the countryside.

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 The Council's adopted Good Design Guide states that:

'Wherever possible, locate roof extensions to the rear of properties to minimise potential impact on the street scene. Dormer windows will be considered in the context of impact upon the character of the building and on neighbours' amenity and should reflect the window pattern of the dwelling. Material selection, and scale of window opening and position within the roofscape is critical in the success of dormers.'

'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.' and,

'Flat roofs on extensions will not normally be considered appropriate where they do not form part of the original design of the house, however in some circumstances where they are not visible from the public realm and the use of a flat roof may result in a reduced visual impact, they may be considered acceptable, particularly if designed with a contemporary aesthetic style.'

- 8.5 The proposed loft conversion would retain the existing 2.6 metres eaves height and 5.6 metres ridge height of the main dual pitched roof. The proposed first floor dormer extension would be located to the rear elevation where it would not be an overly prominent feature or result in any significant adverse visual impacts on the character or appearance of the street scene or surrounding area, particularly given the back-land position of the application dwelling and its significant setback from the public highway. It would be set in by 0.3 metres from each side roof edge which would enable the definition of the side gables of the existing roof to maintain their visual dominance. The contemporary flat roof design would reflect that of the single storey section to the rear elevation of the bungalow that would form the proposed first floor balcony and by virtue of the clearly subordinate height of 5.1 metres, 0.5 metres lower than the existing roof ridge, the proposal would respect the scale of the existing dwelling and not overwhelm it.
- 8.6 The proposed full height glazing/bi-fold doors to the rear elevations of both the first floor dormer extension and the existing single storey rear extension, together with the glazed balcony balustrade and the proposed use of vertical Beechwood timber effect cladding to the dormer walls and matching cream UPVC windows/doors throughout, would result in a more contemporary but nevertheless acceptable design and a unified appearance to the rear elevation. From the wider countryside to the south the proposal would be viewed against, and in the context of, the existing main dual pitched roof of the application dwelling and neighbouring development and therefore would not be an overly prominent feature or result in any significant adverse visual impacts on the open character or rural appearance of the surrounding countryside.
- 8.7 The only alteration proposed to the front elevation is the installation of two relatively small roof lights at a sill height of 1.75 metres above the first floor level. By virtue of their appropriate small size and position high on the roof slope they would not result in any significant adverse visual impacts on the application dwelling, street scene or surrounding area.
- 8.8 By virtue of the siting, scale, design and the proposed use of appropriate complementary and matching external materials in the construction, 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 Policies DM4 and DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 8.9 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.
- 8.10 The rear gardens of the two storey houses located to the northwest extend partially along the western side of the application bungalow. By virtue of its position to the rear of the main roof, subordinate height, flat roof design and relatively small scale, it is considered that the proposed dormer extension would not result in any significant adverse overbearing or overshadowing impacts upon these neighbouring dwellings or their gardens. Whilst slightly further to the rear, the proposed first floor balcony would nevertheless enable diagonal views from it into these rear gardens and, in the case of the nearest (No. 45A), at close proximity (2.5 metres). To mitigate this amended plans have been submitted to include the erection of a 1.8 metres high obscurely glazed privacy screen to the west side of the proposed balcony. It is considered that this would adequately protect the privacy of these neighbouring occupiers from potential overlooking.
- 8.11 The remainder of the proposed first floor balcony would look directly into the applicant's own garden and along a shared access track to the larger scale (workshop?) building to the south. The existing 2.5 metres high continuous hedgerow along the eastern side of the track, and at a separation distance from the proposed first floor balcony of approximately 14 metres, would adequately maintain the privacy of the neighbouring residential garden beyond.
- 8.12 By virtue of the siting, scale, amended design, with the inclusion of a west side privacy screen panel, separation distances and hedgerow screening it is considered that the proposals would not result in any significant adverse impacts on the privacy or residential amenity of the occupiers of any neighbouring dwellings. The proposals would therefore 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

- 8.13 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.14 The application dwelling currently has two off-street parking spaces, one on tarmacadam surfacing to the front and one on the block paved drive at the rear. This provision would be unaffected by the proposals and remain available. This level of existing/retained off-street parking provision would be adequate to serve the resulting three bedroomed dwelling in accordance with local highway authority design guide standards. The proposals are therefore considered to be in accordance with Policy DM18 of the adopted SADMP.

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 the 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 the siting, scale, design and the proposed use of appropriate complementary and matching external materials in the construction, 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 the siting, scale, amended design, separation distances and hedgerow screening it is considered that the proposals would not result in any significant adverse impacts on the privacy or residential amenity of the occupiers of any neighbouring dwellings. Adequate off-street parking and more than adequate private amenity space would be retained within the site to serve the resulting three bedroomed dwelling. The proposals are considered to be in accordance with Policies DM1, DM4, DM10 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 Block Plan Drawing No. 24 20/05 received by the local planning authority on 10 April 2024 and Proposed Floor Plans and Proposed Elevations Drawing No. 24 20/04 Rev C received by the local planning authority on 7 May 2024.

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 hereby permitted shall be in accordance with the external materials details submitted on the approved Proposed Elevations Drawing No. 24 20/04 Rev C received by the local planning authority on 7 May 2024 and shall match the corresponding materials of the existing dwelling where stated.

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 proposed roof lights hereby permitted shall have a sill height of a minimum of 1.75 metres above the finished first floor level of the rooms that they serve as confirmed by email from the agent dated 7 May 2024. Once so provided the roof lights shall be permanently maintained as such at all times thereafter.

Reason: To safeguard the privacy and amenity of neighbouring dwellings from potential overlooking in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. Prior to first use of the first floor balcony area hereby permitted, a privacy side screen of obscurely glazed solid panels to a minimum of level 3 of the Pilkington scale and minimum height of 1.8 metres above the upper surface of the balcony area shall be erected along the west side of the balcony in accordance with the details submitted on the approved Proposed Elevations Drawing No. 24 20/04 Rev C received by the local planning authority on 7 May 2024 and once so installed, the balcony privacy side screen shall be permanently maintained as such at all times thereafter.

Reason: To safeguard the privacy and amenity of neighbouring dwellings from potential overlooking in accordance with Policy DM10 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.