

Delegated Report

Planning Ref: 24/00966/HOU

Applicant: Mr & Mrs Sean Deignan

Ward: Cadeby Carlton Market Bosworth & Shackerstone

Site: 139 The Park Market Bosworth Leicestershire

Proposal: Single storey rear extension



Hinckley & Bosworth
Borough Council

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 to a dwelling, 139 The Park, Market Bosworth.

2.2. The proposed single storey rear extension would be 6.5 metres in depth and 2.8 metres in width. It would have a contemporary flat roof design to a height of 2.9 metres with an additional raised hipped glazed roof lantern. It would predominantly infill a rear corner to the dwelling and extend only 1.7 metres beyond the rear elevation of an existing two storey rear extension. Matching off-white render is proposed to the external walls along with a composite flat roof and contrasting grey aluminium window and door frames.

3. Description of the site and surrounding area

3.1. The application dwelling is located outside the settlement boundary of Market Bosworth in the countryside to the east but within a ribbon development of large, individually designed detached dwellings set within large plots on the north side of The Park. There are dwellings to the west and east of the site and open countryside to the north. The front gardens of the dwellings and the open landscaped parkland to the south lie within the Market Bosworth Conservation Area.

3.2. The application dwelling is a two storey detached house with hipped main roof form and two storey front gable that has been subject to a number of previous extension schemes to the front, side and rear elevations. It is constructed with a mix of light brown facing bricks (front and side elevations) and off-white rendered walls (rear elevation and rear extension), brindle plain clay roof tiles and white uPVC windows. In addition to the integral garage there is ample off-street parking and turning for numerous vehicles within the extensive hard surfaced site frontage. The plot provides in excess of 500 square metres of private amenity space at the rear.

4. Relevant planning history

19/00962/HOU

- First floor rear extension
- Permitted
- 22.11.2019

15/01293/HOU

- First floor rear extension
- Permitted
- 26.02.2016

09/00366/FUL

- Extensions and alterations to dwelling
- Permitted
- 13.07.2009

97/00202/FUL

- Dormer window
- Permitted
- 16.04.1997

92/00662/4

- Extension to dwelling
- Permitted
- 04.08.1992

87/00479/4

- Ground floor extension to provide new dining room entrance hall and double garage plus alterations to accommodate new kitchen
- Permitted
- 25.06.1987

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 responses have been received as a result of public consultation.

6. Consultation

- 6.1. No objection has been received from Market Bosworth Parish Council.
- 6.2. No response has been received from Bosworth Vision Planning Group.

7. Policy

- 7.1. Market Bosworth Neighbourhood Plan (MBNP) 2014-2026 (2024)
- Policy CE1: Character and Environment
- 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 DM11: Protecting and Enhancing the Historic Environment
 - Policy DM12: Heritage Assets
 - Policy DM18: Vehicle Parking Standards

7.4. National Planning Policies and Guidance

- Planning (Listed Buildings and Conservation Areas) Act 1990
- National Planning Policy Framework (NPPF) (2023)
- Planning Practice Guidance (PPG)

7.5. Other relevant guidance

- Market Bosworth Conservation Area Appraisal and Map (2014)
- 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 and appearance of the dwelling and surrounding countryside
- Design and impact upon the character and appearance of the Market Bosworth Conservation Area
- Impact upon neighbouring residential amenity
- Impact upon highway safety
- Biodiversity

Design and impact upon the character and appearance of the dwelling and surrounding countryside

8.2 Policy CE1 of the 'made' MBNP requires that all new development within Market Bosworth should be in keeping with its Character Area with regards to scale, layout and materials to retain local distinctiveness and create a sense of place. The application dwelling is identified as lying within Character Area D: Suburban Residential in the MBNP where Policy CE1b requires that any new development should pay particular regard to existing roof lines.

8.3 Policy DM4 of the adopted SADMP allows extension of existing buildings in the countryside which does not have a significant adverse effect on the appearance and open character of the countryside. 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 various forms of house extensions and 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.' 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.'

- 8.4 The application dwelling is located outside the settlement boundary of Market Bosworth in the countryside to the east but within a ribbon development of large, individually designed detached dwellings set within large plots on the north side of The Park. By virtue of its subordinate single storey scale, design and unified external appearance, the proposal would be viewed against the existing dwelling from the countryside to the north and by virtue of the separation distance of over 25 metres from the rear garden boundary the proposal would not appear prominent within the countryside or result in any significant adverse impacts on its rural appearance or open character. The proposal is therefore considered to be in accordance with Policy DM4 of the adopted SADMP.
- 8.5 The proposed single storey rear extension would be 6.5 metres in depth but only 2.8 metres in width and predominantly infill a rear corner such that it would extend only 1.7 metres in depth beyond the existing two storey rear extension to which it would be attached. Notwithstanding its more contemporary flat roof design to a height of only 2.9 metres, by virtue of its siting to the rear in a discreet corner, clearly subordinate single storey scale, contemporary aesthetic style and proposed use of matching off-white render to walls to ensure a unified appearance, the proposal would be acceptable in design terms in this case.
- 8.6 By virtue of the siting, scale, design and the proposed use of matching external materials to create a unified appearance, the proposal would result in a clearly subordinate extension that would respect and complement the scale, character and appearance of the existing dwelling and the varied and individual designs of neighbouring development and would have no adverse visual impacts upon the street scene or the surrounding countryside. In excess of 500 square metres of private amenity space would be retained within the rear garden and would remain more than adequate to serve the resulting dwelling. The proposal is therefore considered to be in accordance with Policies CE1a and CE1b of the 'made' MBNP, Policies DM4 and DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.

Design and impact upon the Market Bosworth Conservation Area

- 8.7 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 a conservation area. Section 16 of the National Planning Policy Framework (NPPF) (2023) provides the national policy on conserving and enhancing the historic environment. Paragraphs 205-208 of the NPPF require great weight to be given to the conservation of designated heritage assets when considering the impact of a proposed development on its significance, for any harm to the significance of a designated heritage asset to have clear and convincing justification, and for that harm to be weighed against the public benefits of a proposal. Policies DM11 and DM12 of the SADMP seek to protect and enhance the historic environment and heritage assets. Development proposals should ensure the significance of a conservation area is preserved and enhanced.
- 8.8 The front garden of the property (and all of the front gardens to the properties along The Park) is within the Market Bosworth Conservation Area. The majority of the front gardens include mature trees and include lawns, planting and a high amount of greenery giving them a verdant character that compliments the parkland located opposite and provides an extremely pleasant entrance to the village from The Park. As a result, the front gardens are identified as a key space with the Market Bosworth Conservation Area Appraisal (2014) and they make a positive contribution to the character and appearance and thus significance of the conservation area.
- 8.9 The proposed extension would be sited entirely to the rear (north) of the dwelling and be only single storey in scale with a flat roof to a height of only 2.9 metres and

therefore would not be visible from The Park to the south and the front elevation of the dwelling and site frontage would remain unaffected. As a result, the proposal would have a neutral impact on the character and visual appearance of the Market Bosworth Conservation Area and would therefore preserve its significance in accordance with Policies DM11 and DM12 of the adopted SADMP, Section 16 of the NPPF (2023) and the statutory duty of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Impact upon neighbouring residential amenity

- 8.10 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.
- 8.11 The neighbouring dwelling to the west (No. 137) is a two storey detached house that has been subject to substantial two storey and single storey extensions. These include a single storey glazed roof conservatory style structure that extends 1 metre inside the near side boundary and significantly further in depth than the rear elevation of the application dwelling and the proposed single storey extension. The proposal would also extend 1 metre inside the side boundary and adjacent to part of the neighbouring structure which has glazing to the near side elevation. However, by virtue of its single storey scale, flat roof design and 2 metres separation distance together with the intervening 2 metres high solid timber panel boundary fencing, the proposal would not result in any significant adverse overbearing or overshadowing impacts or result in any significant loss of privacy to either the neighbouring occupiers of No. 137 or No. 141 located to the east side.
- 8.12 By virtue of the siting, scale, design, existing screening and separation distances the proposal would not result in any significant adverse impacts on the residential amenity or privacy of any neighbouring properties and 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 site currently provides more than adequate off-street parking and turning space for numerous vehicles within the integral garage and on the extensive hard surfaced site frontage. The proposal would have a neutral impact on the existing parking provision within the site and the level of provision would be more than adequate to serve the existing/resulting dwelling and be in accordance with Policy DM18 of the adopted SADMP and the local highway authority design standards.

Biodiversity

- 8.15 The proposal would be exempt from the biodiversity gain condition by virtue of being a householder application development within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order (2015).

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 countryside location, the proposal is an extension to an existing dwelling that lies within a ribbon development of large detached residential properties set within large plots and where there is a general presumption in favour of sustainable development as set out in Policy DM1 and DM4 of the adopted SADMP and the overarching principles of the NPPF.
- 10.2. By virtue of the siting, scale, design and unified appearance, the proposal would respect and complement the scale, character and appearance of the existing dwelling and neighbouring development, would have no adverse visual impacts upon the surrounding countryside and would preserve the significance of the Market Bosworth Conservation Area. By virtue of the siting, scale, design, existing screening and separation distances the proposal would not result in any significant adverse impacts on the residential amenity or privacy of any neighbouring properties. More than adequate off-street parking and turning and private amenity space would be retained within the site to serve the resulting dwelling. The proposal is considered to be in accordance with Policies CE1a and CE1b of the MBNP, Policies DM1, DM4, DM10, DM11, DM12 and DM18 of the adopted SADMP, the general principles of the adopted Good Design Guide, Section 16 of the NPPF (2023) and the statutory duty of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 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 at scale 1:1250, Block Plan at scale 1:500, Proposed Ground Floor Plan Drawing No. 181024_PP1 and Proposed Elevations Drawing No. 18124_PP2 received by the local planning authority on 18 October 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 alteration hereby permitted shall be in accordance with the external materials details provided within the submitted Planning Application form 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).

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.