

Delegated Report

Planning Ref: 24/00879/HOU

Applicant: Mr J Looker

Ward: Cadeby Carlton Market Bosworth & Shackerstone

Site: Beech Court Rectory Lane Cadeby Leicestershire



Hinckley & Bosworth
Borough Council

Proposal: First floor front extension, front dormer window, front porch, two storey rear extension, single storey rear extension, conversion of existing garage, new brick slips and render and new detached garage/storage building

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 first floor front extension, a front dormer window, a front porch, a two storey rear extension, a single storey rear extension, a detached garage/store and external alterations to a dwelling, Beech House, Rectory Lane, Cadeby.
- 2.2. The proposed first floor front extension would have a width of 5.2 metres and depth of 1.23 metres and a dual pitched roof with matching eaves height as the main roof and a subordinate ridge height. It would result in a second forward projecting gable of similar proportions to the one that already exists. A new centrally positioned open oak framed dual pitched canopy roof with an eaves height of 2.1 metres and ridge height of 3.7 metres is proposed to be constructed between them having a width of 3.35 metres and depth of 1.1 metres. A dual pitched roof gable fronted dormer window is proposed to the front roof elevation of the existing double garage and would have a width of 2.1 metres and height to ridge of 2.3 metres. Other external alterations are proposed including changes to fenestration and the use of facing brick slips and render.
- 2.3. The proposed two storey rear extension would extend up to 7.4 metres in depth from the main rear elevation flush with the northeast side elevation and for a width of 7.75 metres with a dual pitched rear gabled roof with matching eaves and ridge as the main roof. It would have contemporary style full height glazing on the rear elevation to both the ground and first floor (with glazed Juliette balcony) and the gable infill. A single storey extension with a depth of 4.1 metres would extend from the side of this for a further 9.75 metres across the remainder of the rear elevation to be flush with the southwest side elevation. This would have a flat roof form with two glazed roof lanterns and a parapet roof to a height of 3.4 metres and full height glazed doors/windows to its rear elevation.
- 2.4. The proposed conversion of the existing attached double garage to living accommodation would include the replacement of the existing garage door with a new window and infill facing brickwork. The proposed detached double garage/store would be located forward of but to the side of the dwelling and perpendicular to the front elevation. The garage would have a width of 6.45 metres and depth of 7 metres. It would have a dual pitched gable fronted roof form with an eaves height of 2.25 metres and a main ridge of 4.85 metres. The amended narrower store attached at the rear would have a reduced width of 6.15 metres and marginally lower ridge height of 4.7 metres. It is proposed to be constructed with matching facing bricks, plain roof tiles and have vertical timber plank doors.

- 2.5. A variety of non-specific external materials are proposed in the construction including plain roof tiles, facing bricks (brick slips) and render, Residence 9 or similar windows (white to front and side elevations and charcoal grey to rear elevation), Oak frame to the canopy porch and lead detail to the dormer window.
- 2.6. This is a resubmitted scheme to that approved under extant planning permission reference 23/00997/HOU. It differs from the approved scheme by virtue of the added conversion of the existing double garage to living accommodation, the addition of a detached double garage/store and alterations to external construction materials.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of the rural hamlet of Cadeby and within the Cadeby Conservation Area. It is a mid-late 20th century two storey detached house with gable sided main roof form with two brick chimney stacks, and a double garage with up and over door and similar roof form attached to its southwest side elevation. It has a two storey forward projection with subordinate dual pitched gable fronted roof form, a lean-to roof across the remainder of the front elevation linking to the roof of the attached garage. There is a single storey lean to section to the rear elevation and the base of a former conservatory. It is constructed with red facing bricks, plain grey roof tiles and white uPVC windows. It is set well back from the highway behind red brick boundary entrance walls with grey copings and black double iron railing gates and 2 metres high laurel hedgerows. There is an abundance of parking and turning available on the large area of loose stone hard standing within the extensive site frontage. The enclosed rear garden provides ample private amenity space.
- 3.2. There is a two storey detached period house (The Grange) to the southwest also fronting Rectory Road, a two storey detached period house at distance to the southeast (The Rectory) with mature landscaping/trees between, a belt of mature trees to the northeast between the site and the A447 Ashby Road and a grassed paddock opposite to the northwest.

4. Relevant planning history

07/00727/FUL

- Erection of conservatory
- Permitted
- 08.08.2007

10/00731/FUL

- Extension and alterations to dwelling, erection of boundary wall and gates and alterations to access
- Permitted
- 22.12.2010

11/00059/FUL

- Extension and alterations to dwelling, erection of boundary wall and gates and alterations to access
- Permitted
- 24.03.2011

20/00114/HOU

- Single storey rear extension and first floor front extension, render and brick slips to external elevations of property and canopy porch to front
- Permitted
- 30.03.2020

23/00997/HOU

- First floor front extension, two storey rear extension, single storey rear extension and associated works and external alterations to dwelling (re-submission of 20/00114/HOU)
- Permitted
- 30.11.2023

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 Cadeby Parish Council.

7. Policy

- 7.1. Core Strategy (2009)
- Policy 13: Rural Hamlets
- 7.2. Site Allocations and Development Management Policies (SADMP) 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
- Planning (Listed Buildings and Conservation Areas) Act 1990
 - National Planning Policy Framework (NPPF) (2023)
 - Planning Practice Guidance (PPG)
- 7.4. Other relevant guidance
- Cadeby Conservation Area Appraisal (CCAA) and Map (2007)
 - Good Design Guide (2020)
 - National Design Guide (2019)
 - Local Highway Authority Design Guide

8. Appraisal

- 8.1. Extensions and alterations to existing domestic properties within settlement boundaries 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 Cadeby Conservation Area
- Impact upon neighbouring residential amenity
- Impact upon parking provision
- Biodiversity

Design and impact upon the character and appearance of the dwelling and Cadeby Conservation Area

- 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 a conservation area.
- 8.3 Section 16 of the National Planning Policy Framework (NPPF) provides the national policy on conserving and enhancing the historic environment. Paragraphs 199-202 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.
- 8.4 Policy 13 of the adopted Core Strategy requires new development to respect the character and appearance of the Cadeby Conservation Area by incorporating locally distinctive features of the conservation area into the development.
- 8.5 Policies DM11 and DM12 of the SADMP seek to protect and enhance the historic environment and should ensure the significance of a conservation area is preserved and enhanced.
- 8.6 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 states:

'Two-storey extensions to the front of properties should take the form of the existing building, mirroring the roof pitch, replicate or have lower eaves height and the ridge should be below the existing ridge height. In addition, the proposal should not normally extend beyond the front elevation by more than 2 metres and not cover more than 50% of the front elevation.' and,

'Wherever possible, locate roof extensions to the rear of properties to minimise potential impact on the street scene. Dormer windows, which allow for additional headroom within roof spaces can be appropriate in certain situations, however these 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. Dormers to fronts of properties will only be acceptable where this is a prevailing feature of the surrounding context.' and,

'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.'

- 8.7 The Cadeby Conservation Area Appraisal (CCAA) (2007) provides general conservation area guidance. The CCAA states that to maintain the distinctive character and appearance of the conservation area it will be necessary to ensure new development contributes positively to the character and appearance of the conservation area regarding siting, scale, design and materials used.
- 8.8 The character of Cadeby is primarily derived from the agricultural origins of the settlement. This can be identified from the open views of the countryside between buildings, the preponderance of woodland trees within and adjacent to the settlement and a number of former and existing farm buildings. Beech Court is located within the grounds of the former Rectory with this being identified as a key space within the Cadeby Conservation Area Appraisal (CCAA) (2007). There are also a number of mature trees located at the front of the site along Rectory Lane and a thick band of mature trees between the site and Ashby Road. Glimpses of the site are offered between the trees and these views are identified as being important in the CCAA. Beech Court itself was constructed in the 1970s and is of no particular historical or architectural interest. The property is therefore considered to make a neutral contribution to the significance of the conservation area.
- 8.9 The proposed first floor front extension would extend only 1.23 metres forward of the main front elevation and have a clearly subordinate width of 5.2 metres, less than half the 13 metres width of the existing main dwelling. It would have a dual pitched roof with matching eaves height as the main roof and a clearly subordinate ridge height and would result in a second forward projecting gable of similar form, design and proportions to the one that already exists on the front elevation. As such the proposal would be fully in accordance with the principles of the adopted Good Design Guide in respect of front extensions. A new centrally positioned open oak framed dual pitched canopy roof of appropriate proportions with a depth of only 1.1 metres, a width of 3.4 metres and clearly subordinate eaves height of 2.1 metres and ridge height of 3.7 metres would be constructed between the two gables. This together with appropriately proportioned fenestration alterations would result in a well-balanced, design to the front elevation which would respect the character of the dwelling and the wider surrounding area. The proposed conversion of the existing attached double garage to living accommodation would include the replacement of the existing garage door with a new window of appropriate style and proportions to match the other windows on the front elevation along with matching infill facing brickwork to ensure an appropriate and uniform appearance.
- 8.10 A dual pitched roof gable fronted dormer window is proposed to the front roof elevation of the existing double garage and would have a width of 2.1 metres and height to ridge of 2.3 metres. By virtue of its scale and design the dormer would sit comfortably within the roof slope and not over-dominate it. Notwithstanding that neither the application dwelling nor its one immediate neighbour have existing dormers, they are not an alien feature within the wider Cadeby Conservation Area and are prevalent on the front elevations of dwellings in Main Street and Wood Lane just 90 metres to the southwest of the site. It is therefore considered that the proposal would not have any significant adverse impacts on the character of the application dwelling or the wider surrounding area and would therefore be acceptable in design terms in this case.
- 8.11 The proposed two storey rear extension would extend up to a maximum of 7.4 metres in depth from the main rear elevation flush with the northeast side elevation and for a width of 7.75 metres with an appropriate dual pitched rear gabled roof form with matching eaves and ridge heights as the main roof. By virtue of its gable

width, the proposal would still appear as a subordinate addition compared to the scale and mass of the existing dwelling/main roof. It would have contemporary style full height glazing on the rear elevation to both the ground and first floor (with glazed Juliette balcony) and the gable infill. A single storey extension with an appropriate depth of 4.1 metres would extend from the side of this for a further 9.75 metres across the remainder of the rear elevation displacing the existing conservatory to be flush with the southwest side elevation of the existing garage. This would also have a contemporary parapet/flat roof design to a clearly subordinate height of 3.4 metres and full height glazing to the rear elevation. The rear extensions represent a substantial increase in the mass and footprint of the dwelling but the resulting dwelling would not appear out of scale with the substantial plot in which it is located. By virtue of their siting entirely to the rear, subordinate scale and contemporary design together with existing screening provided by the mature tree screens to the northeast and south, the rear extensions would not be visually prominent within any street scene and would not result in any adverse impacts on the character or appearance of the application dwelling, which has no historic or architectural interest, or the wider Cadeby Conservation Area.

- 8.12 The adopted Good Design Guide suggests that: *'Garages and car ports should generally be set back from the existing dwelling so as not to dominate the street scene.'*
- 8.13 The proposed detached double garage/store would be located forward of but to the side of the dwelling and perpendicular to the front elevation with access from the existing loose stone surfaced parking area within the site frontage. The garage would have an appropriate width of 6.45 metres and depth of 7 metres to accommodate two vehicles. It would have an appropriate dual pitched gable fronted roof form with an eaves height of 2.25 metres and a main ridge of 4.85 metres. The amended narrower store attached at the rear would have a reduced width of 6.15 metres and marginally lower ridge height of 4.7 metres which along with two tax windows help to break up the mass and expanse of the building. Notwithstanding its size and position forward of the dwelling, it would be offset to the side and set back from the highway boundary by over 10 metres with a good degree of screening by mature boundary hedgerows and trees between. As a result, it is considered that the garage/store would not over-dominate the dwelling or the plot or result in any discernible reduction in the extent or visual qualities of the key green space surrounding the application dwelling identified within the CCAA or have any significant adverse impacts upon the character or appearance of the street scene or the wider Cadeby Conservation Area. Matching facing bricks, plain grey roof tiles and traditionally styled vertical timber plank doors are proposed in its construction to ensure an appropriate and uniform appearance.
- 8.14 Beech Court has been constructed in red facing bricks. It is proposed to re-face this with a combination of brick slips to the front and rear elevations and render to both side elevations. The existing windows are proposed to be replaced with casement style windows (white to front and side elevations and charcoal grey to rear elevation). The brick slip finish would be consistent with the existing facing brick walls, and whilst the use of render is not prevalent on buildings situated on Rectory Lane its use is more common elsewhere within the conservation area. Given the orientation of the side elevations of Beech Court their visibility from Rectory Lane is quite limited, so it is considered that the use of render on the side elevations would not harm the appearance of the host dwelling or the wider conservation area in this instance. The prevalent buildings materials in the village are red bricks of various tones, occasionally broken by render, and timber framed or timber effect casement style windows, which gives a continuity of appearance. The proposed re-facing of the walls of the existing property and construction materials for the extensions

would maintain this continuity of appearance so the proposals are considered acceptable in principle.

- 8.15 However, as no specific external materials have been submitted with the application, a condition to require further, more specific details of these to be submitted and approved prior to the commencement of development would be reasonable and necessary in this case to ensure a satisfactory and unified appearance to the dwelling and that the character and appearance of the wider Cadeby Conservation Area is preserved.
- 8.16 Overall, it is considered that by virtue of their siting, scale, form, design and architectural detailing, and subject to the use of appropriate external materials which can be secured by condition, the proposals would respect and complement the scale, character and appearance of the existing dwelling and would result in a neutral impact upon the character and appearance of the Cadeby Conservation Area thus preserving its significance. It is considered that the proposals would also have no adverse impacts upon the key space in which Beech Court is located or any of the important views identified in the Cadeby Conservation Area Appraisal/Map. The proposals are therefore considered to be in accordance with Policies DM10, DM11 and DM12 of the adopted SADMP, the principles of the adopted Good Design Guide, Section 16 of the NPPF, and the statutory duties of Section 72 of the Planning (Conservation Areas and Listed Buildings) Act 1990.

Impact upon neighbouring residential amenity

- 8.17 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.
- 8.18 The neighbouring dwelling to the southwest (The Grange) is a two storey detached period house occupying a similar front and rear building line to the application dwelling and is set inside the side boundary by approximately 6 metres. The proposed single storey rear extension would extend an additional 4 metres to the rear but by virtue of the separation distance and its single storey scale with a parapet wall height of only 3.4 metres, together with existing boundary screening, the proposal would not result in any significant adverse overbearing or overshadowing impacts on The Grange. The proposed two storey section would extend slightly further in overall depth but would be set inside the side boundary by 11 metres and therefore would not result in any significant adverse overbearing or overshadowing impacts on The Grange to the southwest. There are no windows proposed in the extensions that would result in any significant loss of privacy to the occupiers of The Grange from potential direct overlooking, the only opening above ground floor level being a high level roof light in the two storey rear extension.
- 8.19 The new rear elevation windows would face towards the rear garden boundary with The Rectory but at a more than adequate separation distance of approximately 26 metres and with mature landscaping between therefore the proposals would not result in any significant adverse overbearing or overshadowing impacts or loss of privacy to the neighbouring occupiers of The Rectory to the southeast.
- 8.20 By virtue of their siting, scale, design, separation distances and existing screening, it is considered that the proposals would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties and that they are therefore in accordance with Policy DM10 of the adopted SADMP and the principles of the adopted Good Design Guide. No objections to the proposals have been received from the occupiers of any neighbouring properties.

Impact upon parking provision

- 8.21 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.22 There is an abundance of off street parking and turning available on the large area of loose stone hard standing within the extensive site frontage. The existing double garage is to be converted to additional living accommodation but the proposals include a replacement double garage which would ensure more than adequate off-street parking and turning space would be retained within the site to serve the resulting five bedroomed dwelling. The proposals would therefore be in accordance with Policy DM18 of the adopted SADMP and the local highway authority design guide.

Biodiversity

- 8.23 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. The proposals relate to extensions and alterations to an existing dwelling within the settlement boundary of Cadeby where there is a general presumption in favour of sustainable development as set out in Policy DM1 of the adopted SADMP and the overarching principles of the NPPF.
- 10.2. By virtue of their siting, scale, form, design and architectural detailing, and subject to the use of appropriate external materials which can be secured by condition, the proposals would respect and complement the scale, character and appearance of the existing dwelling and would result in a neutral impact upon the character and

appearance of the Cadeby Conservation Area thus preserving its significance. By virtue of their siting, scale, design, separation distances and existing screening, it is considered that the proposals would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. More than adequate off-street parking and turning and private amenity space would be retained within the substantial plot to serve the resulting five bedroomed dwelling. The proposals are considered to be in accordance with Policy 13 of the adopted Core Strategy, Policies DM1, 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 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 DGADL Job Ref: 19.3681, Proposed Front Elevation and Northeast Side Elevation Drawing No. 19.3681.28 Rev A (Sheet 2 of 6), Proposed Rear Elevation and Southwest Side Elevation Drawing No. 19.3681.29 Rev A (Sheet 3 of 6), Proposed Ground Floor Plan Drawing No. 19.3681.30 Rev A (Sheet 4 of 6) and Proposed First Floor Plan Drawing No. 19.3681.31 (Sheet 5 of 6) received by the local planning authority on 16 September 2024 and Proposed Block Plan and Proposed Site and Roof Plan Drawing No. 19.3681.27 Rev A (Sheet 1 of 6) and Proposed Garage/Store Floor Plan and Elevations Drawing No. 19.3681.32 Rev B (sheet 6 of 6) received by the local planning authority on 7 November 2024.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1, DM10 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016)

3. No development above foundation level shall commence on site until representative samples of the types and colours of materials to be used on the external elevations of the existing dwelling, the extensions and alterations and detached garage/store hereby permitted have been deposited with and approved in writing by the local planning authority, and the scheme shall be implemented in accordance with those approved materials.

Reason: To ensure that the development has a satisfactory appearance in the interests of visual amenity and to preserve or enhance the character and appearance of the Cadeby Conservation Area in accordance with Policies

DM10 and DM12 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.