

Delegated Report

Planning Ref: 24/00567/HOU

Applicant: Mr & Mrs Hurst

Ward: Barlestone Nailstone and Osbaston



Hinckley & Bosworth
Borough Council

Site: 69 Church Road Nailstone Leicestershire

Proposal: Single storey and first floor rear extensions

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 and first floor rear extension to a dwelling, 69 Church Road, Nailstone.

2.2. The proposed single storey rear extension would replace an existing conservatory with the same footprint of approximately 2.2 metres in depth and 5 metres in width and would have a lean-to roof form with an eaves height of approximately 2.5 metres and maximum height of approximately 3.5 metres. The proposed first floor rear extension would be constructed adjacent to the single storey extension above an existing single storey rear extension with a cat-slide roof form. It would have a similar depth of approximately 2.2 metres and width of approximately 6.2 metres which would extend beyond the main side elevation by 2 metres above the existing structure. It would have a dual pitched roof form with an eaves height of approximately 5.3 metres and a ridge height of approximately 7 metres. It is proposed that the extensions would be constructed with off-white rendered walls, matching slate roof and white aluminium windows to match the colour of the existing uPVC windows.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the settlement boundary of Nailstone and within the Nailstone Conservation Area at the junction of Church Road and Main Street. It is a two storey detached house with gable sided main roof form, a double garage with flat roof extending from the west side elevation, a two storey rear extension with hipped roof form, a rear conservatory with hipped roof form and a rear extension with rear dormer and cat-slide roof form that partly extends beyond the main west side elevation with a main eaves height front facing wall and consequently appears above the flat roof of the garage. The original front elevation has attractive symmetry with four pairs of windows (including small gables above those at first floor), either side of a central open porch of low level brick wall and white painted timber spindles supporting a gable fronted canopy roof. There are stone lintels above the front elevation windows and brick chimneys above each of the side gables. The dwelling is constructed of red facing bricks, slate roof with red ridge tiles and white uPVC windows. Other than the open driveway the highway boundary is enclosed by a 2 metres high hedgerow. The dwelling is set back from the highway with a majority of the site frontage surfaced in tarmac providing off-street parking for three vehicles in addition to the double garage. There is a large rear garden well enclosed by mature planting around the boundaries. There are two storey dwellings of traditional design and style and varying appearance either side of the site.

4. Relevant planning history

89/00272/4

- Extension to existing house
- Permitted
- 04.04.1989

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 objections has been received from Nailstone Parish Council.

7. Policy

7.1. Core Strategy (2009)

- Policy 12: Rural Villages

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

- Nailstone Conservation Area Appraisal and Map (NCAA) (2015)
- Good Design Guide (2020)
- National Design Guide (2019)
- Local Highway Authority Design Guide

8. Appraisal

8.1. Extensions and alterations to existing dwellings 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 significance of Nailstone Conservation Area
- Impact upon neighbouring residential amenity
- Impact upon parking provision

Design and impact upon the character and appearance of the dwelling and significance of Nailstone 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 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. All development proposals will need to accord with Policy DM10 of the adopted SADMP. 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:
- '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.'*
- 8.5 The application dwelling is an attractive early-20th century dwelling located within the Nailstone Conservation Area. The original dwelling is of some architectural interest and some limited historic interest, however, its overall appearance has been compromised by a range of unsympathetic extensions and alterations. These are predominantly to the rear elevation where their visual impact upon the wider character and appearance of the conservation area is negligible. However, there is also a double garage with an uncharacteristic flat roof form extending from the west side elevation and a rear extension with a cat-slide roof and main eaves height front facing wall that extends beyond the west side elevation that is visible above the flat roof of the garage. Both are a visual presence from the highway and are considered to have a minor detrimental effect upon the visual qualities of the conservation area street scene.
- 8.6 The proposals include the replacement of the rear conservatory with a contemporary style single storey rear extension with lean-to roof, patio doors/windows and three roof lights and the replacement of the existing cat slide roof and rear dormer with a contemporary style first floor extension with a dual pitched roof with rear gable and patio doors/windows at both ground and first floor, all on the same footprint as the existing structures. The proposals would be constructed in contrasting off-white render to the red facing brick of the existing dwelling in order to avoid mismatched brickwork but would have matching slate roof and white aluminium windows to match the colour of the existing uPVC windows. No alterations are proposed to the architecturally interesting front elevation of the dwelling which would remain intact and the dominant presence on the plot.
- 8.7 The proposed first floor extension would result in a large two storey extension of the same eaves and ridge heights as the main roof but this would be above an existing structure and is not considered to be significantly out of scale with the existing

dwelling or the large plot that it occupies. It would also be predominantly to the rear elevation and in a well enclosed rear garden with mature landscaping to the boundaries where it would not be overly prominent from public areas. The visual effects of the proposed first floor rear extension upon the wider conservation area would be limited to the addition of a pitched roof above the main eaves height front facing wall of the existing structure that extends beyond the west side elevation and the rendering of the external walls of the extension which would contrast with the red facing brick construction of the existing dwelling. Notwithstanding that this also results in an awkward design feature (as does what already exists), the addition of a dual pitched roof is a more prevalent roof form within the conservation area and the extent of the visual change resulting from the proposal would be relatively limited due to the set back of the proposal by approximately 5.6 metres from the main front elevation and to the rear corner of the dwelling behind the already uncharacteristic flat roof of the double garage. The proposed single storey extension would be entirely subordinate to the existing dwelling and by virtue of its siting to the rear would result in no visual impacts on the conservation area. Notwithstanding the location of the site within the Nailstone Conservation Area and the proposed contemporary design and appearance of the extensions, by virtue of their siting predominantly to the rear elevation the proposals are considered to be acceptable in design terms in this case.

- 8.8 On balance, by virtue of their siting, scale, design and the proposed use of matching and contrasting but satisfactory external materials in the construction to ensure an acceptable appearance, it is considered that the proposals would respect and complement the scale, character and appearance of the existing dwelling and would have no adverse impacts upon the wider varied street scene. It is considered that the proposals would result in a neutral impact on the character and appearance of the Nailstone Conservation Area and thus would preserve its significance. The proposals are therefore considered to be in accordance with Policies DM10, DM11 and DM12 of the adopted SADMP, the general principles of the Council's adopted Good Design Guide, section 16 of the NPPF (2023) and the statutory duty of Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

Impact upon neighbouring residential amenity

- 8.9 Policy DM10 of the adopted SADMP and the adopted 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 By virtue of their siting, scale, modest depth, screening and separation distances of 5 metres to the side elevations of the dwellings either side and separation distance of 21 metres to the rear garden boundary which is enclosed by tall mature landscaping, it is considered that the proposals would not result in any significant adverse overbearing or overshadowing impacts on the residential amenities of any neighbouring occupiers or result in any significant loss of privacy to any neighbouring occupiers from potential direct overlooking. The proposals are therefore considered to be in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide. No objections to the proposals have been received from any neighbouring occupiers.

Impact upon parking provision

- 8.11 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.12 The proposals would not result in the provision of any additional bedrooms which would remain at three but would provide additional floorspace and en-suite facilities to create a master bedroom. The local highway authority design guide suggests that

dwelling of three bedrooms should be provided with three off-street parking spaces. The site currently provides up to five off-street parking spaces within the double garage and on the tarmac surfaced site frontage which would be unaffected by the proposals and would remain more than adequate to serve the existing/resulting three bedroomed dwelling. The proposals would therefore be in accordance with Policy DM18 of the adopted SADMP and the local highway authority design guide standards.

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 proposal relates to extensions and alterations to an existing dwelling within the settlement boundary of Nailstone 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, design and the proposed use of matching and contrasting but satisfactory external materials in the construction to ensure an acceptable appearance, it is considered that the proposals would respect and complement the scale, character and appearance of the existing dwelling and would have no adverse impacts upon the wider varied street scene. It is considered that the proposals would result in a neutral impact on the character and appearance of the Nailstone Conservation Area and thus would preserve its significance. By virtue of their siting, scale, modest depth, screening and separation distances, it is considered that the proposals would not result in any significant adverse impacts on the residential amenities or privacy of the occupiers of any neighbouring dwellings. More than adequate off-street parking for up to five cars and private amenity space of 400 square metres would be retained within the site to serve the existing/resulting three bedroomed dwelling. The proposals are therefore considered to be in accordance with Policies DM1, DM10, DM11, DM12 and DM18 of the adopted

SADMP, the general principles of the Council's 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: Site Location Plan and Block Plan Drawing No. 24/16 - 04 and Proposed Floor Plans and Elevations Drawing No. 24/16 - 02D received by the local planning authority on 7 June 2024.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1, DM10, DM11 and DM12 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 extensions and alterations shall match the corresponding materials of the existing dwelling along with off-white render as detailed within the submitted Planning Application form and on the approved Proposed Elevations Drawing No. 24/16 - 02D received by the local planning authority on 7 June 2024.

Reason: To ensure that the development has a satisfactory external appearance 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 building.control@blaby.gov.uk or call 0116 272 7533.