

Delegated Report

Planning Ref: 23/00889/HOU

Applicant: Mr and Mrs M Lea

Ward: Cadeby Carlton Market Bosworth & Shackerstone

Site: Cottage Farm Insleys Lane Shackerstone 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 and associated alterations to a dwelling, Cottage Farm, Insleys Lane, Shackerstone.

2.2. The proposed single storey rear extension would extend 4 metres in depth from an existing two storey rear range and to the same 6 metres width. It would have a part hipped pitched roof with a flat roof and central raised hipped glazed roof lantern behind. The pitched roof would have an eaves height of 2.1 metres and maximum height of 3.2 metres. It would be constructed with matching corresponding external materials and would have cottage style double doors/windows to match the existing fenestration proportions and style of the dwelling. The application includes the associated raising of the height of the two first floor rear elevation gable windows to avoid the new pitched roof, relocation of the existing timber pergola and external patio area.

2.3. A Heritage Statement has been submitted to support the application, although this refers to a different roof design to that submitted with the application.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the settlement boundary of the rural hamlet of Shackerstone and within the Shackerstone Conservation Area. It is a two storey detached period cottage with a dual pitched gable sided roof form and a two storey rear range with dual pitched rear gabled roof forming an 'L' shaped footprint. There are three eyebrow windows to the first floor front elevation and an open timber framed canopy front porch with dual pitched tiled roof. The dwelling is constructed with rustic red facing bricks, grey plain clay roof tiles and white cottage style timber windows and has three red brick chimney stacks to the main roof. There is a detached dual pitched roof double garage set back to the side and rear of the dwelling accessed by a 22 metres long block paved driveway with double solid timber plank security gates. The extensive plot provides ample off-street parking and private amenity space to serve the dwelling and is well screened by mature hedgerows and solid close boarded fencing.

4. Relevant planning history

04/00552/FUL

- Conversion of existing ancillary buildings to form separate dwelling
- Permitted
- 17.08.2004

97/00518/FUL

- Extension to dwelling
- Permitted
- 03.07.1997

86/00357/4

- Erection of rear extension
- Permitted
- 10.06.1986

79/00818/4

- Change of use of agricultural horticultural land and woodyard to residential garden
- Permitted
- 26.06.1979

79/00695/4M

- Alterations and extensions to dwelling
- Permitted
- 15.05.1979

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 response has been received from Shackerstone 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

- Shackerstone Conservation Area (SCA) Appraisal and Map (2009)
- 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 of the dwelling and Shackerstone Conservation Area
- Impact upon neighbouring residential amenity
- Impact upon parking provision

Design and impact upon the character of the dwelling and Shackerstone 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 Shackerstone 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 including conservation areas and national and locally important heritage assets and should ensure the significance of a conservation area is preserved and enhanced. 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.

8.6 The Council's adopted Good Design Guide provides further advice in respect of the siting and design of house extensions and states that:

'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 Cottage Farm is a small historic cottage with wheelhouse that likely dates from the early-19th century. It has a domestic scale and appearance which includes the locally distinctive eyebrow dormer windows which were typical of Gopsall Estate which the farm formed part of. The house is of historic and architectural interest and it contributes positively to the character and appearance and thus significance of the Shackerstone Conservation Area. The Shackerstone Conservation Area Appraisal (SCAA) (2009) identifies the property as an important historic building. The property has been extended to the rear with a two storey extension perpendicular to the original house and extending into a rear courtyard. Despite being a relatively modern addition, the existing extension sits comfortably off the rear and compliments the character and appearance of the original house.
- 8.8 The proposed single storey rear extension would extend 4 metres in depth from the existing two storey rear gable range and to the same 6 metres width and would be clearly subordinate to the existing dwelling in terms of its footprint. It would have a part hipped pitched roof with a flat central roof and raised hipped glazed roof lantern. The pitched roof would have an eaves height of 2.1 metres and a clearly subordinate maximum height of 3.2 metres. The extension would be constructed with matching corresponding external materials of red brick, plain clay tiles for the pitched sections of the roof, a single cottage style window into the garden and French doors to the rear which would match the fenestration proportions and style of the existing cottage and ensure a satisfactory and uniform appearance.
- 8.9 Notwithstanding the part modern flat roof design and roof lantern, the rear extension would be generally traditional in form and character and constructed of traditional materials and would be located at the rear and fully screened from the surrounding area within a well enclosed rear garden. The proposal would therefore have no significant adverse visual impacts on the character or appearance of the application dwelling or the surrounding area. The application includes the associated raising of the height of the two first floor rear elevation gable windows to avoid the new pitched roof, relocation of the existing timber pergola and external patio area. These are also located at the rear and would therefore have no significant adverse visual impacts on the character or appearance of the surrounding area
- 8.10 Overall, it is considered that by virtue of the siting, scale, design and the proposed use of matching external materials, it is considered that the proposal would have a neutral impact on and respect and complement the scale, character and appearance of the existing dwelling and surrounding area, and would therefore preserve the character and appearance and thus significance of the Shackerstone Conservation Area in accordance with Policy 13 of the adopted Core Strategy, Policies DM10, DM11 and DM12 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 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- Impact upon neighbouring residential amenity
- 8.11 Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy and/or amenity of nearby residents and occupiers of adjacent buildings.
- 8.12 By virtue of the siting and single storey scale of the proposal together with separation distances and existing screening to/from any neighbouring properties, the proposal would have no significant adverse impacts on the residential amenity of privacy of the occupiers of any neighbouring properties. The proposal would therefore be in accordance with Policy DM10 of the adopted SADMP. No objections to the scheme 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 proposal would not result in the provision of any additional bedroom space or have any impact upon the existing off-street parking provision of a minimum of five spaces serving the dwelling within the garage and on the 22 metres long block paved driveway. This level of provision would remain adequate to serve the existing/resulting dwelling and the proposal would therefore be in accordance with Policy DM18 of the adopted SADMP and current local highway 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 is for an extension and alterations to an existing dwelling within the settlement boundary of Shackerstone 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 the siting, scale, design and the proposed use of matching external materials in its construction, it is considered that the proposal would respect and complement the scale, character and appearance of the existing dwelling and would have a neutral impact on and therefore preserve the character and appearance and thus significance of the Shackerstone Conservation Area. By virtue of the siting and single storey scale of the proposal together with separation distances and existing screening to/from any neighbouring properties, the proposal would have no significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. Adequate off-street parking of five spaces and ample private amenity space would be retained within the site to serve the existing/resulting dwelling. The proposal is 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 Drawing Ref. 21.4041, Proposed Floor Plans Drawing No. 21.4041.11 Rev C and Proposed Site and Roof Plan and Proposed Elevations Drawing No. 21.4041.10 Rev B received by the local planning authority on 7 September 2023.

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. The materials to be used on the external elevations of the proposed extension and alteration shall match the corresponding materials of the existing dwelling.

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 buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.