

Delegated Report

Planning Ref: 23/00659/HOU

Applicant: Mr D. Jones

Ward: Ratby Bagworth and Thornton



Hinckley & Bosworth
Borough Council

Site: Ashleigh Merrylees Road Thornton Leicestershire

Proposal: Two storey front, side and rear extensions, single storey rear extension, detached triple garage

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 full planning permission for the remodelling and restyling of, and extensions and alterations to, a dwelling known as Ashleigh, Merrylees Road, Thornton. The proposals include two storey front, side and rear extensions, a single storey rear extension, a detached triple garage with games room above. The main roof ridge and eaves heights would remain as existing.
- 2.2. The proposed two storey front extension would extend 1.5 metres forward of the existing dwelling and for its full 8.3 metres width. It would provide twin two storey bay windows with full height four pane feature glazed windows and dual pitched roof gables over with Oak framing, either side of a new central entrance porch with lean-to tiled roof. It would have the same eaves and ridge heights as the existing main roof. The amended proposed two storey side extension would be set back from the main front elevation by 0.6 metres, have a width of 5.5 metres and a depth of 7.94 metres to be flush with the existing main rear elevation of the dwelling. It would have the same eaves height as the main roof but a lower ridge height. It would provide an under-croft drive through vehicular access at ground floor and pillar supports to provide a bedroom at first floor. The front elevation would have a full height three pane feature glazed window with dual pitched roof gable over with Oak framing and a frameless glass balcony. There would be a similar feature window to its rear elevation with a frameless glass Juliette balcony.
- 2.3. The proposed two storey rear extension would extend 4 metres from the main rear elevation for a width of 4.2 metres. Another two storey corner infill extension would replace an existing single storey section attached to the rear elevation. This would have a width of 3.2 metres and depth of 3.7 metres to be flush with the existing main rear and north side elevations. Both would have dual pitched roof form with rear facing gables with similar eaves heights as the main roof and one with matching ridge height and one with lower ridge height as the main roof. The proposed single storey rear extension would extend 9.1 metres from the main rear elevation for a width of 6.4 metres flush with the existing north side elevation. It would have a dual pitched roof with rear facing gable with an eaves height of 2.4 metres and ridge height of 4.9 metres with full height feature glazed windows within Oak framing and roof lights.
- 2.4. The proposed triple garage/games room would be located to the rear of the dwelling and with its rear elevation adjacent to the southern boundary of the plot. It would have a width of 11.7 metres and a depth of 6.6 metres and a dual pitched gable sided roof form with an eaves height of 2.55 metres and ridge height of 6 metres. It would have three dormer windows with dual pitched gable fronted roof form to its

principal north facing front elevation and three up-and-overdoors with glazed top lights. The rear south facing elevation would have two ground floor windows and 3 x three pane roof lights. The garage forecourt would be surfaced in loose stones. The relocated front driveway would be surfaced in block paving. The site access would be re-located towards a central position within the site frontage. A new front boundary enclosure with double entrance gates is also proposed.

- 2.5. A range of non-specific external construction materials are proposed within the submitted plans including 'reclaimed' brick slips and smooth cast rendering to external walls, clay roof tiles, green Oak timber framing and steel grey uPVC doors and windows.
- 2.6. Amended plans have been submitted during the course of the application to provide a subordinate two storey side extension and retain the proportions of the existing dwelling within the street scene. By virtue of the nature of the amendments being a reduction and lack of any objections received, no re-consultations are considered to be necessary or have been undertaken in this case.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located in the countryside to the south of Thornton and within a ribbon development of dwellings within substantial elongated plots to the west side of Merrylees Road. It is a detached two storey house with gable sided main roof form, a lean-to canopy roof across its front elevation over twin ground floor square bay windows either side of a central entrance door, a narrower two storey rear range with dual pitched roof with rear facing gable and a single storey rear corner infill with lean-to roof. It has brick stacks to each side gable and cottage style windows. It is constructed with off-white/light cream rendered walls, slate main roof with red ridge tiles and grey concrete tiled lean-to roof at the rear and white uPVC window frames. There is a detached tandem flat roof garage/outbuilding to the south side and rear of the dwelling accessed by a long driveway from Merrylees Road of compacted aggregates. The garage/outbuilding would be demolished as part of the scheme.
- 3.2. There is a similarly scaled and designed two storey detached dwelling constructed of red bricks and slate roof with similar two storey and single storey rear ranges and detached outbuildings that extend deeper into its plot located adjacent to the south side boundary of the application site. The neighbouring dwelling to the north is a detached two storey house with hipped roof, a large rear conservatory and detached outbuildings that extend deeper into its plot located along the north side boundary of the application site. There are open fields to the west and east of the site.

4. Relevant planning history

21/01384/OUT

- Demolition of existing dwelling house, erection of two dwellings with double garage (outline- all matters reserved)
- Withdrawn
- 02.03.2022

22/00223/OUT

- Demolition of existing three-bedroom dwelling and erection of new dwelling (Outline Application - All Matters Reserved)
- Withdrawn

- 28.11.2022

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 objection has been received from the Environment Agency
- 6.2. No response has been received from Bagworth and Thornton 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 DM17: Highways and Transportation
 - Policy DM18: Vehicle Parking Standards
- 7.3. National Planning Policies and Guidance
 - National Planning Policy Framework (NPPF) (2021)
 - 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 the 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 highway safety and 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. 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.

- 8.3 In respect of front extensions, the adopted Good Design Guide states:

'If this type of development is proposed, it 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. 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.'

- 8.4 The proposed two storey front extension would be contained within the scale and mass of the existing dwelling having the same overall width and roof eaves and ridge heights. The formation of the 3.2 metres wide twin two storey bays would extend only 1.5 metres forward of the existing main front elevation and the mass would be broken up by the central recessed section above the new lean-to roof porch. As a result, it is considered that the front extension would not be excessive in its scale or mass in this case and would not be overly prominent in the street scene by virtue of being set back from the highway by over 30 metres and being roughly in line with dwellings either side. The proposed full height four pane feature glazed bay windows and dual pitched roof gables over with Oak framing would result in a contemporary remodelling of the front elevation of this traditionally styled dwelling which is currently in need of extensive modernisation. By virtue of its contemporary design, and subject to the proposed use of appropriate and high quality external construction materials which can be secured by condition, it is considered that the proposed front extension would enhance the character and appearance of the existing dwelling.

- 8.5 In respect of two storey side extensions, the adopted Good Design Guide states:

'Two storey side extensions should appear smaller in scale and massing in order to be subordinate to the main dwelling. Any proposal for a two storey side extension should be set down from the ridge of the existing house and set back from the front elevation.'

- 8.6 Amended plans have been received to set back the proposed two storey side extension 0.6 metres from the existing main front elevation and to lower its ridge height to reduce its scale and massing relative to the existing dwelling. This serves to break up the continuous ridge line of the original submission and to ensure that the scale and massing of the existing dwelling remains dominant. Notwithstanding that at 5.5 metres in width it would extend to over half of the width of the existing dwelling, by virtue of its set back, lower ridge height and smaller appropriately proportioned and similarly designed contemporary fenestration, it is considered that it would nevertheless still appear as a clearly subordinate addition to the scale and mass of the existing dwelling and is therefore considered to be acceptable in design terms.

- 8.7 In respect of rear extensions, the adopted Good Design Guide 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.'

- 8.8 The proposed two storey rear extensions would extend a further 4 metres from the main rear elevation for a width of 4.2 metres and the other would extend 3.7 metres for a width of 3.2 metres to infill a rear corner. One would have a matching ridge height as the main roof, the other lower, both would have similar eaves heights to their dual pitched rear facing gables. By virtue of their appropriate widths and depths they would appear as clearly subordinate additions to the rear elevation of

the resulting dwelling and being located to the rear would have no visual impact in the street scene. The proposed single storey rear extension would extend 9.1 metres from the main rear elevation which would more than double the depth of the existing dwelling. Notwithstanding this, by virtue of its appropriate width of 6.4 metres together with the dual pitched roof with an eaves height of 2.4 metres and ridge height of 4.9 metres it would nevertheless appear as a clearly subordinate addition to the rear elevation. The design of the proposed rear and side elevations continues the contemporary remodelling of the dwelling with full height feature glazed windows within Oak framing and the proposed use of appropriate and high quality external construction materials to ensure a uniform appearance.

- 8.9 In respect of garages, the adopted Good Design Guide states:
'Garages and car ports should generally be set back from the existing dwelling so as not to dominate the street scene.'
- 8.10 The proposed triple garage/games room would be located well to the rear of the dwelling where it would have no significant visual impact in the street scene. It would also be located well within the western boundary of the substantial plot where it would have no visual prominence from the surrounding countryside. It would be located at a similar depth as other outbuildings within neighbouring substantial plots to both the north and south, albeit with a greater footprint of 11.7 metres width and 6.6 metres depth and greater height at 6 metres to roof ridge. Notwithstanding its scale and mass, the proposed garaging would appear as a clearly subordinate ancillary detached outbuilding relative to the proposed dwelling and by virtue of its position within a substantial plot would not appear excessive in any respects. The garage would have three well-proportioned dormer windows with dual pitched gable fronted roof form to its principal elevation facing internally across the application site. Matching external construction materials are proposed to be used as on the main dwelling to ensure a uniform appearance. The replacement triple garage would visually enhance the site in comparison to the existing 19 metres long flat roof rendered tandem garage that would be demolished and would therefore be acceptable in design terms.
- 8.11 The site currently has an open frontage to Merrylees Road and a compacted aggregate driveway inside the southern boundary of the site frontage. The proposed scheme includes the relocation of the site access towards a more central position within the site frontage. The re-located driveway is proposed to be surfaced in block paving which would be an improvement compared to the appearance of the existing driveway. It is also intended to erect a new front boundary enclosure with double access gates but whilst acceptable in principle, as the submitted elevational details are not considered to be appropriate in this countryside location, a condition to require the further submission of elevational details and construction materials is considered to be necessary to ensure satisfactory development. Neighbouring plots are enclosed by a mix of timber ranch fencing and hedgerows but there are also low level red brick front boundary walls, brick gate pillars and iron gates in the vicinity.
- 8.12 As no specific/named external construction materials have been confirmed within the submitted documents, a condition to require representative samples of each to be submitted to the local planning authority for prior approval is considered to be reasonable and necessary in this case to ensure a high quality appearance.
- 8.13 Overall, the proposals would significantly increase the footprint of the dwelling but the amended scheme retains the dominant proportions of the original dwelling within the street scene and the various extensions and alterations would result in clearly subordinate additions to the dwelling which is small in relation to the substantial plot that it occupies. Much of the increased space would be to the rear elevation where it would not be visually prominent in the street scene or

surrounding countryside. The proposed contemporary re-modelling would clearly change the character and appearance of the existing dwelling. However, by virtue of the siting, scale and contemporary design, and subject to the proposed use of appropriate external construction materials to ensure a high quality and unified overall appearance, the amended proposals are considered to result in a well-proportioned dwelling that would respect the scale of the existing dwelling and would complement and enhance its design quality, character and appearance within the street scene, would not overdevelop the extensive plot that it occupies and would have no significant adverse visual impacts on the rural appearance or open character of the surrounding countryside. The proposed remodelling and extensions and alterations are therefore considered to be acceptable in design terms in this particular case and to be in accordance with Policies DM4 and DM10 of the adopted SADMP and the principles of the adopted Good Design Guide

Impact upon neighbouring residential amenity

- 8.14 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.
- 8.15 The adopted Good Design Guide states:
- 'The 45 degree rule is applied for planning applications for new extensions to existing properties which could result in the outlook from or daylight to a principal window to a habitable room being impacted upon. On a plan of the proposal, a projecting line is to be drawn from the nearest principal window to a habitable room that may be affected by the planning application towards the proposed building at an angle of 45 degrees. Habitable rooms include living rooms, bedrooms and kitchens but do not include rooms such as bathrooms, utility rooms, halls, landings or garages. The extension should not cross the 45 degree line.'*
- 8.16 The neighbouring two storey dwelling to the south (Charnwood) is set back from the application dwelling and set in from its near side boundary. It has a blank side gable facing the site. By virtue of its position to the south, its siting relative to the proposed extensions and adequate separation distances to the various elements of the scheme, the proposed extensions would not extend beyond any 45 degree line drawn from any principal habitable room windows or result in any significant adverse overbearing or overshadowing impacts on this neighbouring property. There are no first floor windows proposed in the south side elevation of the main dwelling facing Charnwood that would result in any adverse impacts on the privacy of the neighbouring occupiers from potential overlooking. However, the three proposed rooflights serving the games room above the triple garage would be adjacent to the south side boundary and offer direct views over neighbouring land to the south. As a result, it is considered to be reasonable and necessary to impose a condition to require these rooflights to be fitted with obscure glazing and to be non-openable, particularly as there are also openable windows serving the room within the north elevation.
- 8.17 The neighbouring dwelling to the north (Hasland) is a detached two storey house with a similar front building line to the existing application dwelling. By virtue of a large, hipped roof conservatory attached to its rear elevation it also has a similar rear building line at ground floor. The only rear elevation window at first floor is to its far side. It has two first floor windows in its south side elevation facing the application dwelling but these serve a bathroom and staircase rather than habitable rooms. The main body of the neighbouring dwelling is set off the near side boundary with the application dwelling by approximately 3 metres but there is a single storey side extension with dual pitched roof and a flat roof outbuilding both with blank side elevations that extend up to and along the near side boundary. The

proposed extensions would have a greater depth than the neighbouring dwelling, particularly at single storey height and would also extend closer to the north side boundary with Hasland but with a dual pitched roof form that slopes away from the boundary and therefore reduces impact. In addition, by virtue of the approximate 8 metres separation distance to the nearest rear extension from the centre-point of the rear elevation of the neighbouring conservatory, the proposals would not extend beyond a 45 degree line drawn from that point or from the first floor bedroom window or result in any significant adverse overbearing or overshadowing impacts on this neighbouring property. There are no first floor windows proposed in the north side elevation of the main dwelling facing Hasland that would result in any adverse impacts on the privacy of the neighbouring occupiers from potential overlooking. The three proposed dormer windows serving the proposed games room above the triple garage building would be set in from the north side boundary with Hasland by 10 metres and would face towards the rear elevation of detached outbuildings rather than directly towards any sensitive private amenity areas and therefore would not result in any significant loss of privacy to the neighbouring occupiers.

- 8.18 By virtue of the proposed relative siting, scales, design and separation distances, and subject to the use of obscure and fixed glazing where necessary, it is considered that the proposed remodelling and extensions and alterations would not result in any significant adverse impacts on the privacy or residential amenity of any neighbouring properties and that the proposals would therefore be in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide. No objections have been received from public consultation.

Impact upon highway safety and parking provision

- 8.19 Policy DM17 of the adopted SADMP supports development where there would be no significant adverse impact on highway safety. Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.20 The site access would be re-located towards a central position within the site frontage and with much wider visibility splays which would afford adequate and improved visibility over the wide grassed verges extending in both directions along Merrylees Road. It is therefore considered that the proposed re-location of the access would have no significant adverse impact on highway safety and be in accordance with Policy DM17 of the adopted SADMP.
- 8.21 The substantial plot would provide extensive off-street parking and turning facilities within the triple garage, extensive loose stone surfaced forecourt area and on the new block paved 30 metres long driveway. This level of provision would be more than adequate to serve the resulting three bedroomed dwelling and the proposals are therefore considered to 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. Notwithstanding the countryside location, the proposals relate to extensions and alterations to an existing dwelling 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. The proposed contemporary re-modelling would clearly change the character and appearance of the existing dwelling. However, by virtue of the siting, scale and design, and subject to the proposed use of appropriate external construction materials to ensure a high quality and unified overall appearance, the amended proposals are considered to respect the scale and complement and enhance the design quality, character and appearance of the existing dwelling, would not overdevelop the substantial plot that it occupies and would have no significant adverse visual impacts on the rural appearance or open character of the surrounding countryside. By virtue of the relative siting, scales, design and separation distances, and subject to the use of obscure and fixed glazing where necessary, it is considered that the proposed remodelling and extensions and alterations would not result in any significant adverse impacts on the privacy or residential amenity of any neighbouring properties. More than adequate off-street parking and private amenity space would be retained within the site and the relocated access would have no adverse impacts on highway safety. The proposals are considered to be in accordance with Policies DM1, DM4, DM10 DM17 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 received by the local planning authority on 4 July 2023, Proposed Ground Floor Plan Drawing No. DJ2023/05 Rev A, Proposed First Floor Plan Drawing No. DJ2023/06 Rev A, Proposed Roof Plan Drawing No. DJ2023/04 Rev A, Proposed Front Elevation Drawing No. DJ2023/07 Rev A, Proposed Rear Elevation Drawing No. DJ2023/08 Rev A, Proposed (South) Side Elevation Drawing No. DJ2023/09 Rev A, Proposed (North) Side Elevation Drawing No. DJ2023/10, Proposed Triple Garage Floor Plans and Front and Rear Elevations Drawing No. DJ2023/12 and Proposed Triple Garage Roof Plan and Side Elevations Drawing No. DJ2023/13 received by the local planning authority on 14 August 2023, and Proposed Block Plan Drawing No. DJ2023/11 Rev C received by the local planning authority on 25 August 2023.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1, DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. Notwithstanding the submitted details, 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 dwelling, detached triple garage and front boundary wall 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 in accordance with Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. Notwithstanding the submitted details, prior to the erection of any front/highway boundary enclosure, full elevational details and construction materials shall first have been submitted to and approved in writing by the local planning authority. The front/highway boundary enclosure shall then be constructed in full accordance with the approved details.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) as the submitted details are considered to have a significant detrimental effect on the character of the site and surrounding area.

5. The detached triple garage/games room building hereby permitted shall only be used for purposes ancillary to the residential occupation of Ashleigh, Merrylees Road, Thornton and shall not be occupied, sold or separately leased or let as an independent unit of residential accommodation.

Reason: To ensure compatible use and that the detached building hereby permitted is not occupied as an independent unit of accommodation which may have additional impacts in accordance with Policies DM1, DM4, DM10, DM17 and DM18 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

6. Notwithstanding the submitted details, the roof light windows proposed in the rear (south) roof elevation of the detached triple garage/games room hereby permitted (facing Charnwood and Barn Hills House) shall be fitted with obscure glazing to a minimum of level 3 of the Pilkington scale and non-openable. Once so provided the roof light windows 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 buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.