

Delegated Report

Planning Ref: 24/00458/HOU

Applicant: Scott McCue

Ward: Markfield Stanton & Fieldhead



Hinckley & Bosworth
Borough Council

Site: 19 Ratby Lane Markfield Leicestershire

Proposal: Two storey side extension, single storey rear extension, loft conversion with new roof and rear dormer and other alterations to dwelling

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 construction of a two storey side extension, single storey rear extension, a loft conversion with higher roof ridge and a box dormer window to the rear roof elevation and other alterations including a lean-to canopy roof across the front elevation of a dwelling, 19 Ratby Lane, Markfield.
- 2.2. The proposed two storey side extension would be constructed flush with the front elevation at ground floor but set back at first floor by 0.8 metres. It would have matching eaves height as the main roof, a ridge height of 8.05 metres and a gable sided roof form with a pitch to match that of the proposed new main roof. It would have a width of just over 2.8 metres and extend up to the side boundary. It would extend 7.25 metres in depth at ground floor and 6.4 metres at first floor to be flush with the main rear elevation of the existing dwelling. It is proposed that the existing walls and those of the proposed extensions would be constructed with smooth painted off-white render other than for the side gable facing No. 17 which would be matching facing bricks.
- 2.3. The main roof ridge would be increased by 0.3 metres to a new height of 8.35 metres and with a slightly steeper pitch as a result of the eaves remaining at the existing height. The proposed new main roof and proposed side extension roof would be constructed with new smooth grey concrete roof tiles which would replace the original existing roof slates. The proposed flat roof box dormer on the new rear roof elevation to serve the proposed loft conversion would have a width of 5.3 metres and be set in slightly from both side roof edges. It would be set back slightly from the rear wall plate and have a height of 2.5 metres to be level with the new main roof ridge and have a maximum depth of 3.4 metres. The dormer is proposed to be constructed with light grey horizontal Cedral cladding to complement the colour of the new grey roof tiles together with grey uPVC or aluminium windows to match all other replacement windows throughout. A front roof light is proposed to provide additional light and through ventilation to the new loft space.
- 2.4. The proposed single storey rear extension would extend almost 6 metres in depth from the main original rear elevation and for a width of 8 metres across the rear elevation. It would have a contemporary flat roof design with two flat glazed lanterns concealed by a parapet roof to a height of 3.15 metres and two large, glazed panels in the rear elevation. Other alterations proposed include the construction of a lean-to canopy roof to a height of 3.3 metres across the front elevation over the ground floor bay window and porch area together with alterations to and replacement of existing windows.

- 2.5. An amended plan has been submitted to confirm external materials details and address a minor design issue. By virtue of the nature of the amendments, no re-consultations are considered to be necessary or have been undertaken.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of Markfield in a residential area. It is a two storey detached house with a dual pitched gable sided roof form. It has a ground floor bay window with flat roof above and a dual pitched roof gable fronted entrance porch to the front elevation. It has a garage attached to the north side elevation with a stepped brick parapet wall concealing a flat roof and a glazed conservatory with a shallow lean-to roof extending across the full width of its rear elevation. The application dwelling is constructed with dark red/brown facing bricks with white mortar to the front elevation and off-white painted render to all other elevations, original roof slates and white uPVC windows. It has a brick chimney stack to the south side elevation and soldier headers to windows. The rear conservatory has dark stained timber framed windows. In addition to the garage there are three further off-street parking spaces on the tarmac driveway and loose stone surfacing within the site frontage. There is a large well enclosed rear garden with mature planting screening neighbouring properties to the rear.
- 3.2. The application dwelling is located within a row of traditionally styled two storey detached dwellings of similar heights but varying appearance and the wider street scene provides much greater variation in scale, design, age, style and appearance with facing bricks, different coloured renders, and both slate and concrete roof tiles as common materials.

4. Relevant planning history

79/00986/4M

- Erection of storm porch
- Permitted
- 05.07.1979

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. No responses have been received as a result of public consultation.

6. Consultation

- 6.1. No objections have been received from Groby 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 DM10: Development and Design
 - Policy DM18: Vehicle Parking Standards
- 7.3. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2023)
 - Planning Practice Guidance (PPG)

7.4. Other relevant guidance

- Good Design Guide (GDG) (2020)
- National Design Guide (2019)
- Local Highway Authority Design Guide

8. Appraisal

8.1. Extensions 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 area
- Impact upon neighbouring residential amenity
- Impact upon parking provision

Design and impact upon the character of the area

8.2 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.

8.3 The Council's 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 (the minimum distance for this should be 0.5 metres in both directions) unless in design terms this in itself would create an imbalance in the overall design of the property.' and, *'In assessing the merit of the planning application, consideration will be given to the impact on local character created by reducing the space between buildings.'*

8.4 The proposed two storey side extension would be constructed flush with the front elevation at ground floor but set back at first floor by 0.8 metres. It would have matching eaves height as the main roof and, by virtue of the first floor set back, a clearly subordinate ridge height of 8.05 metres (relative to the proposed new main roof ridge at 8.35 metres). It would have an appropriate gable sided roof form with a pitch to match that of the proposed new main roof. It would have an appropriate width of just over 2.8 metres, half the width of the existing house. It would extend to an appropriate depth of 7.25 metres at ground floor and 6.4 metres at first floor to be flush with the main rear elevation of the existing dwelling. By virtue of its width and height the proposal would appear as a clearly subordinate addition to the existing dwelling in terms of its scale and mass. Notwithstanding that the proposal would extend up to the side boundary of the site, by virtue of the proposed set back at first floor, clearly subordinate roof height, and No. 17 being set off the side boundary by approximately 0.5 metres, no potential terracing effect would result in this case and the detached character of this row of dwellings would be maintained. It is proposed that the existing walls and those of the proposed extensions would be constructed with smooth painted off-white render other than for the side gable facing No. 17 which would be of matching facing bricks. A new shallow depth lean-to canopy roof to a height of 3.3 metres is proposed across the front elevation above the ground floor bay window and existing front porch and side extension which would add interest to the front elevation and integrate the proposed side extension to the existing dwelling. There are a number of similar features on other

dwellings within the street scene and therefore it would not be uncharacteristic of the surrounding area.

- 8.5 The proposal includes a loft conversion and seeks to raise the main roof ridge height and roof pitch of the existing dwelling, with the eaves height remaining the same. There are already variations in the roof scape of Ratby Lane by virtue of the variation in the designs and roof forms of dwellings in the vicinity. By virtue of this and the proposed modest increase of only 0.3 metres in the ridge height (to 8.35 metres in total) and no proposed increase in the eaves height, it is considered that the proposal would not appear out of scale or character with neighbouring dwellings or have any significant adverse visual impacts on the character or appearance of the surrounding area. The proposed new main roof and proposed side extension roof would be constructed with new smooth grey concrete roof tiles which would replace the original existing roof slates but would complement the more contemporary appearance of the resulting dwelling. It is considered that the proposed external materials would ensure a satisfactory and unified appearance and would complement the variety of design and appearance of neighbouring dwellings within the existing wider street scene.

- 8.6 The Council's adopted Good Design Guide states:

- 8.7 *'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.'*

- 8.8 Whilst box roof dormer windows do not generally result in attractive development, they are widespread throughout the Borough on rear roof elevations. In this case, the proposed box roof dormer window to serve the proposed loft conversion would be located on the rear roof slope with a flat roof height of 2.5 metres to be just below the proposed new main ridge tiles. It would have a width of 5.3 metres and be set in slightly from both main side elevations and have a maximum depth of 3.4 metres. By virtue of its siting to the rear and flat roof design the dormer would not be overly prominent within the street scene and therefore would not result in any significant adverse visual impacts on the character or appearance of the surrounding area. It is proposed to be constructed with light grey horizontal Cedral cladding to soften its appearance against the proposed similar colour new grey roof tiles together with grey uPVC or aluminium windows to match all other replacement windows throughout. The contrasting size of the two rear elevation windows within the dormer does not reflect the size or pattern of the existing windows at first floor below but reflects the use of the internal loft space. By virtue of them being to the rear roof slope this is not considered to be unacceptable in design terms in this case. A roof light is proposed to the front roof elevation to provide additional light and through ventilation to the new loft space. Whilst not characteristic of the street scene, by virtue of its size it is considered that it would not result in any significant adverse visual impacts.

- 8.9 The Council's 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.' 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.'

- 8.10 The proposed single storey rear extension would extend almost 6 metres in depth from the main original rear elevation and for a width of 8 metres across almost the full width of the rear elevation. It would have a contemporary flat roof design with two flat glazed lanterns concealed by a parapet roof to a height of 3.15 metres. By virtue of its depth and width, the proposed rear extension would result in a substantial increase in the ground floor footprint of the existing dwelling but this would not be unlike similar single storey flat roof extensions to the rear of neighbouring dwellings to both the south and further north of the site. Notwithstanding its footprint, by virtue of its single storey scale and flat roof design, the proposal would, nevertheless, appear as a clearly subordinate addition to the existing dwelling and would not overdevelop this large plot. The design of the proposal includes wide full height glazed grey aluminium sliding doors and the use of smooth off-white rendered walls in its construction to reflect its contemporary flat roof design and the proposed more contemporary overall appearance of the resulting dwelling. By virtue of its single storey scale and siting entirely to the rear, the proposal would not be visually prominent from within the street scene or any public areas. The proposal is therefore considered to be in accordance with the general design principles of the adopted Good Design Guide in this case.

- 8.11 By virtue of their siting, scale, design and subject to the proposed use of appropriate external materials to ensure a unified appearance, it is considered that the proposed extensions and alterations would respect and complement the scale, character and appearance of the existing dwelling and the surrounding area. The proposals are therefore considered to be acceptable in design terms and in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 8.12 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. The adopted GDG 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.'

- 8.13 The neighbouring dwelling to the north (No. 17) is a two storey detached house with gable sided roof form and is set off the side boundary with the application site by approximately 0.5 metres. By virtue of the siting adjacent to and in line with the blank near side gable of No. 17, the proposed two storey side extension and dormer window loft conversion would not result in any significant adverse overbearing or overshadowing impacts on any neighbouring windows or the residential amenity of the occupiers of No. 17. Notwithstanding its additional depth, by virtue of its siting 1 metre inside the boundary and adjacent to the blank side and rear elevations of the single storey range of outbuildings extending from the rear elevation of No. 17, the proposed single storey flat roof rear extension would not result in any significant adverse overbearing or overshadowing impacts on any neighbouring windows or

the residential amenity of the occupiers of No. 17. There are no side elevation windows proposed that would result in any loss of privacy to the neighbouring occupiers of No. 17 from potential direct overlooking.

- 8.14 The neighbouring dwelling to the south (No. 21) is a two storey detached house with gable sided roof form and only a landing window at first floor in the near side gable elevation facing the application site. It is set off the side boundary with the application site by approximately 3 metres with a monopitch roofed garage between. By virtue of the proposed dormer window loft conversion being to the north and in line with the side gable of No. 21 and the separation distance of over 3 metres between, it would not result in any significant adverse overbearing or overshadowing impacts on any neighbouring windows or the residential amenity of the occupiers of No. 21. Notwithstanding that it would extend along the side boundary with No. 21 for a depth of 6 metres, the proposed rear extension would be located to the north, be only single storey in scale and have a flat roof design to a height of only 3.15 metres. In addition, by virtue of the depth and width of the existing single storey conservatory attached to the rear elevation of No. 21, the proposed rear extension would not extend beyond a 45 degree line drawn from the centre-point of the rear elevation windows of the neighbouring conservatory. It is therefore considered that the proposed single storey flat roof rear extension would not result in any significant adverse overbearing or overshadowing impacts on any neighbouring windows or the residential amenity of the occupiers of No. 21. There are no side elevation windows proposed that would result in any loss of privacy to the neighbouring occupiers of No. 21 from potential direct overlooking.
- 8.15 The windows in the rear elevation of the proposed dormer would be 21 metres inside the rear garden boundary and therefore would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of the neighbouring dwelling to the east (1a Jacqueline Road).
- 8.16 By virtue of their siting, scale, design, screening and separation distances it is considered that the proposed extensions and alterations 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 general principles of the adopted Good Design Guide. No objections have been received from any neighbouring properties.

Impact upon parking provision

- 8.17 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.18 The proposals would result in an additional (fourth) bedroom to the dwelling. Notwithstanding that the proposals would also result in a garage with sub-standard dimensions to be counted as a parking space, there are currently three additional off-street car parking spaces on the 9 metres long tarmac surfaced driveway and loose stone surfacing within the site frontage and these would be unaffected by the proposals. This level of retained existing provision would be adequate to serve the resulting four bedroomed dwelling and therefore the proposals are considered to be in accordance with Policy DM18 of the adopted SADMP and the local highway authority design guidance.

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 located within the settlement boundary of Markfield 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 subject to the proposed use of appropriate external materials to ensure a unified appearance, it is considered that the proposed extensions and alterations would respect and complement the scale, character and appearance of the existing dwelling and the surrounding area. By virtue of their siting, scale, design, screening and separation distances it is considered that the proposed extensions and alterations would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. The proposals would retain adequate private rear amenity space of approximately 140 square metres and adequate off-street parking provision of three spaces to serve the resulting four bedroom dwelling. The proposals are considered to be in accordance with Policies DM1, DM10 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: Site Location Plan, Proposed Site Plan and Proposed Floor Plans and Proposed Elevations and Section Drawing No. 2024/9441/2 Rev A received by the local planning authority on 19 June 2024.

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

3. The materials to be used on the external elevations of the proposed extensions and alterations hereby permitted shall be in accordance with the materials details and specifications submitted on the approved Proposed Elevations Drawing No. 2024/9441/02 Rev A received by the local planning authority on 19 June 2024.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. The flat roof of the rear extension hereby permitted shall not at any time be used as a balcony or sitting out area neither shall any balustrade, railings, wall or other means of enclosure be erected on any part of the flat roof.

Reason: To protect the residential amenity and privacy of neighbouring properties in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016)

11.3 Notes to applicant

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at building.control@blaby.gov.uk or call 0116 272 7533.