

Delegated Report

Planning Ref: 26/00520/HOU

Applicant: Riann Jordan

Ward: Cadeby Carlton M Bosworth & Shackerstone



Hinckley & Bosworth
Borough Council

Site: 36 Barton Road Market Bosworth Nuneaton

Proposal: Demolition of existing conservatory and replacement single storey rear extension. Addition of external render and timber cladding 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. The application seeks full planning consent for the construction of a single-storey rear extension at 36 Barton Road, Market Bosworth.
- 2.2. To accommodate the proposed single-storey extension the existing conservatory would be demolished with a new brick wall being constructed in line with the built form of the existing bedroom 'Bed 1', en-suite and kitchen. The existing hipped roof to both the conservatory and existing kitchen would further be replaced with a flat roof form measuring 3.00 metres in height (excluding the proposed 0.50 metre roof lantern). Alterations to the fenestration include the insertion of a full length opening to the principal elevation serving the living room and the enlargement of the sidelight to the front personal door. A set of sliding doors and full-length window would sit to the rear of the extension with a roof lantern atop of, the existing opening serving 'bed 1' would be enlarged and two openings inserted to the north-western (side) elevation.
- 2.3. A mix of external materials are proposed throughout the scheme including smooth off-white render and timber cladding to external walls, single ply membrane to the flat roof and new anthracite grey uPVC or aluminium doors and windows throughout with matching surrounds.
- 2.4. Additional works include the construction of a retaining wall to the rear amenity space and to the side access to create a sunken patio due to the sites varied land levels and the installation of a flue to the main roofscape.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of Market Bosworth in a single row of detached residential properties occupying large plots on the north-eastern side of Barton Road. It occupies an elevated position in relation to the highway and is set-back from it by approximately 25.00 metres. It is a two-storey split level detached house with gable fronted main roof and a single-storey mid-level section with low profiled dual-pitched gable sided roof form extending from its southeast side elevation. A small white uPVC conservatory is attached to the rear elevation of this section. Steps lead from the driveway to the mid-level front entrance door.
- 3.2. The dwelling is constructed of red rustic facing bricks, red/brown plain hanging tile cladding, large grey interlocking roof tiles and white uPVC windows. In addition to the integral garage there are a minimum of three other off-street parking spaces available along with turning space within the site frontage on the tarmacadam

surfaced double width garage forecourt and long driveway. To the rear there is an enclosed garden providing approximately 380 square metres of private amenity space.

- 3.3. Barton Road is a main road into the village, and this section comprises detached dwellings of varying scale, size and individual appearance with a mix of both traditional and contemporary styling. The street scene predominantly consists of red facing brick.

4. Relevant planning history

76/01209/4M

- Erection of one dwelling with access
- Planning Permission
- 28.09.1976

05/00528/FUL

- Extensions and alterations to dwelling
- Planning Permission
- 15.07.2005

23/00972/HOU

- Single storey front extension, rear extension and other alterations to dwelling
- Planning Permission
- 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.
- 5.2. Following the publications, no representations have been received.

6. Consultation

6.1. Market Bosworth Parish Council:

- Object to the application as the plans are unclear and that the proposal is overdevelopment.

7. Policy

7.1. Market Bosworth Neighbourhood Plan (MBNP) (2020-2039)

- Policy DC1: Design Codes
- Policy CE1: All new development within Market Bosworth

7.2. Core Strategy (2009)

- Policy 7: Key Rural Centres
- Policy 11: Key Rural Centres Stand Alone

7.3. Site Allocations and Development Management Policies (SADMP) (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 DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.4. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2026)
- Planning Practice Guidance (PPG)

7.5. Other relevant guidance

- Good Design Guide (GDG) (2020)
- National Design Guide (NDG) (2019)
- Leicestershire Highways Design Guide (LHDG) (2024)
- Market Bosworth Design Codes (MBDC) (2023)

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 area
- Impact upon neighbouring residential amenity
- Impact upon highway safety

Design and impact upon the character of the area

- 8.2 Policy DP3(1) of the NPPF confirms that development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets. This should not preclude innovation or change where appropriate, especially where an increased scale or density of development is justified in accordance with Policies L2 and L3 of the NPPF.
- 8.3 To create well-designed places, Policy DP3(2) of the NPPF states that development proposals should also reflect aspects of a number of principles, as appropriate to the nature of the development and its location.
- 8.4 Policy DP3 (3) of the NPPF states that development proposals should be refused if, without clear justification, they conflict with Policy DP3 (1) or relevant aspects of the principles in Policy DP3 (2), or with any explicit design standards set out in the development plan (including those in locally specific policies, guides, codes or masterplans). Substantial weight should be given to compliance with relevant development plan policies when assessing the design quality of proposals.
- 8.5 Policy DP3(4) of the NPPF highlights that the principles set out in the Design and Placemaking Planning Practice Guidance should be used to inform how this policy is applied in the absence of locally produced design policies, guides, codes or masterplans.
- 8.3 Policy DM10 of the adopted SADMP states that developments will be permitted where they complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.4 Policy DC1 of the MBNP seeks to ensure that development proposals must demonstrate how they contribute positively to their character area in this case 'D – Suburban Residential Design Codes' and will be supported where they are in conformity with the essential design considerations for the relevant character area, the general design principles set out in the Market Bosworth Design Codes 2023 and other Neighbourhood Plan policies as applicable.
- 8.5 Policy CE1 of the MBNP seeks to ensure that all new development within Market Bosworth should be in keeping with its Character Area with regards to scale, layout

and materials to retain local distinctiveness and create a sense of place. Where new development would be visible from an adjacent Character Area it should be sensitive to the principal characteristics of that area. Innovative or outstanding design will be supported if it raises the overall quality of the Character Area.

- 8.6 Concerns have been received from the Parish regarding overdevelopment.
- 8.7 The proposed extension and retaining wall are minor additions which would be predominantly screened from a public realm by virtue of their scale and positioning to the rear, with the proposed extension notably being of a reduced scale in comparison to the existing conservatory. It is observed that a section of the roof lantern would protrude past the existing ridge of the single-storey element, but it would be to a low level as to have a negligible impact upon the existing dwelling and street scene. In light of the above, the proposal would not constitute to overdevelopment.
- 8.8 The main publicly visible alterations consist of the addition of render and timber cladding to the dwellings external walls. Barton Road is a main road into the village, and this section predominantly consists of red facing brick, therefore the incorporation of render to the street scene would undoubtedly appear incongruous and stark; this would further be exasperated by the removal of the existing red brick in its entirety. For this reason amendments were requested for the removal of the render. However, whilst the addition of render is regrettable, the application site benefits from planning permission for a similar quantum of render via planning permission 23/00972/HOU. The applicant therefore has a “fall-back position”.
- 8.9 It has been established in law that a fall-back is an important material consideration in the decision-making process. The “fall-back position” refers to what development could take place if planning permission under an application currently being considered is not granted. Where a fall-back development is possible decision-makers must be satisfied this is a “real prospect” in order for it to be a material consideration. There is extensive case law regarding “real prospects”, whether a fall-back is realistic is based on the individual merits of the site/development.
- 8.10 When asked to remove the render the agent confirmed that if not approved the applicant would seek to vary the previous scheme to reduce the proposed extensions to mirror the current as such it remains a realistic fall-back position and is a material consideration which outweighs conflict with Policy DM10 of the adopted SADMP, Policy DP3 of the NPPF and Policies DC1 and CE1 of the MBNP. Should the current application be refused there is a realistic prospect that the previous scheme would be implemented and render introduced into the street scene, the impacts of which would be identical. Overall, the proposal is therefore considered to be acceptable in these site-specific circumstances.

Impact upon neighbouring residential amenity

- 8.11 Policy P3(1) of the NPPF states that development proposals should be appropriate for their location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, whether these effects are on or off-site; and whether this is as a result of the development itself or the product of preexisting conditions in its vicinity. In assessing the potential effects of pollution, consideration should be given to the potential sensitivity of the site, and its intended occupiers and users, as well as that of the environment and population in the surrounding area (including where certain groups could be particularly vulnerable to its effects, such as children and older people).
- 8.6 In accordance with Policy P3 (2) of the NPPF, development proposals should therefore:

- (a) Provide healthy living conditions for occupiers and users in terms of adequate access to light and avoiding exposure to levels of air, noise, artificial light or other sources of pollution which could have an unacceptable adverse effect on health and the quality of life. Where necessary suitable mitigation measures should be incorporated to secure acceptable living conditions;
 - (b) Not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers, or unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site. Adverse impacts of this nature should be avoided where possible, or else mitigated to an acceptable degree. Where possible, opportunities should be taken to reduce pollution affecting the wider area (such as through traffic and travel management or improved external lighting);
 - (c) Sustain and contribute to compliance with relevant limit values or national objectives and targets for air pollutants including PM2.5. Development proposals should take account of Air Quality Management Areas and be consistent with the objectives of relevant Air Quality Action Plans, Clean Air Plans and Local Air Quality Strategies;
 - (d) Mitigate and reduce to a minimum potential adverse impacts resulting from noise, not result in levels of noise exposure which would have a significant observed adverse effect, and maintain the character of tranquil areas (those areas that have remained relatively undisturbed by noise from human sources and are prized for their recreational and amenity value for this reason);
 - (e) Limit any adverse impact from artificial light on local amenity, intrinsically dark landscapes (those areas entirely, or largely, uninterrupted by artificial light) and nature; and
- 8.12 Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings.
- 8.13 The proposed rear extension would be single-storey and would not protrude past the existing dwellings built form as to not result in the loss of light to adjacent neighbouring dwellings 34 and 38 Barton Road. Two new openings are proposed to the dwellings existing north-western (side) elevation, nonetheless, the ground-floor window would be screened from view and an obscure glazing condition is considered reasonable and necessary to the first-floor window due to its proposed use as an en-suite and positioning adjacent to the dormer window of no.38.
- 8.14 In light of the above, subject to conditions the proposal would comply with Policy DM10 of the adopted SADMP and Policy P3 of the NPPF.

Impact upon highway safety

- 8.15 Section 15 of the NPPF promotes sustainable transport. Policy TR2 of the NPPF states that development should be located where it can support sustainable patterns of movement, enable good accessibility for different users and make the most of existing and proposed transport infrastructure, development proposals should reflect the following principles, taking into account the vision for the site, the type of development and its location:
- 8.16 Ultimately, development should not be prevented or refused on highways grounds if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement in accordance with Policy TR6 (4) of the NPPF.

- 8.17 Policy DM17 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety. Policy DM18 of the SADMP requires new development to provide an appropriate/justified level of parking provision.
- 8.18 All proposals for new development and changes of use should reflect the highway design standards that are set out in the most up to date guidance adopted by the relevant highway authority. Currently this is the Leicestershire Highway Design Guide (LHDG) (2024).
- 8.19 In addition to the proposed integral garage that would remain available for such use, there are already a minimum of three off-street parking spaces available along with turning space within the site frontage on the tarmacadam surfaced double width garage forecourt and long driveway. This level of provision would be adequate to serve the existing/resulting two bedroomed dwelling in accordance with Policies DM17 and DM18 of the adopted SADMP, Policies TR4 and TR6 of the NPPF and the LHDG.

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.

10. Conclusion

- 10.1 Overall whilst the proposal conflicts with Policy DM10 of the adopted SADMP, Policy DP3 of the NPPF and Policies DC1 and CE1 of the MBNP, the aforementioned realistic fall-back position is a material consideration which outweighs said conflict.
- 10.2 It is considered that the proposed development should therefore be recommended for approval subject to the below conditions and informatives.

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 materials to be used externally shall accord with the approved application form, as received by the Local Planning Authority on the 8th June 2026, with the exception of the timber cladding which should accord with the deposited sample as received by the Local Planning Authority on the 17th September 2026.

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), Policies DC1 and CE1 of the Market Bosworth Neighbourhood Plan (2020-2039) and Policy DP3 of the National Planning Policy Framework (2026).

3. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:
 - Site Plans, Drg No. 23 / 64 05A as received by the Local Planning Authority on the 8th June 2026.
 - Proposed Plans & Elevations, Drg No. 23 / 64 25D as received by the Local Planning Authority on the 27th August 2026.

Reason: To ensure a satisfactory form of development in accordance with Policies DM10, DM17 and DM18 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), Policies DC1 and CE1 of the Market Bosworth Neighbourhood Plan (2020-2039) and Policies DP3, P3, TR2 and TR6 of the National Planning Policy Framework (2026).

4. The window to the first-floor north-eastern (side) elevation serving the utility shall be fitted with obscure glazing to a minimum of level 3 of the Pilkington scale. Once so provided the window(s) 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), and Policy P3 of the National Planning Policy Framework (2026).

11.3 Notes to applicant

- a) 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.