

Delegated Report

Planning Ref: 22/00703/HOU

Applicant: Mrs Elaine Thorpe

Ward: Cadeby Carlton Market Bosworth & Shackerstone

Site: 269 Station Road Market Bosworth Leicestershire



Hinckley & Bosworth
Borough Council

Proposal: Conversion of and alterations to detached double carport to habitable space

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 the conversion of, and alterations to, a detached carport into habitable space.

2.2. The proposal includes the construction of four external walls to the existing steel framed and dual pitched slate roofed car port which is open to three sides with blockwork, insulation and external horizontal composite cladding (to match the colour of the timber cladding to the existing dwelling) along with the insertion of doors and windows to provide a habitable space. The proposal would comprise a living/bedroom area, kitchen and toilet/wet-room.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the settlement boundary of Market Bosworth to the south side of Station Road. It is a semi-detached bungalow with hipped roof form constructed with dark stained horizontal timber clad walls, large feature brick chimney stack, slate roof and white uPVC windows. The car port is located close to and forward of the front elevation adjacent to a shared access drive located to the east serving a number of other similarly designed and styled semi-detached timber clad bungalows. The car port is constructed with a steel frame and dual pitched slate covered roof. The east side adjacent to the shared access is infilled by vertical timber boarding. The site frontage is enclosed to the west and north (highway) boundary by well-established 2 metres high hedgerows and is surfaced in loose stones providing off-street parking for a minimum of three vehicles in addition to the car port. The rear garden provides approximately 180 square metres of private amenity space.

4. Relevant planning history

The planning history of the site suggests that the car port that is the subject of this application does not benefit from any formal planning permission. Notwithstanding this, there is clear evidence that the structure was erected at some time between May 2012 and October 2015 and would therefore be immune from any potential planning enforcement action for its removal.

92/00471/4

- Erection of detached garage
- Refused
- 23.06.1992

91/00459/4

- Erection of detached garage
- Refused
- 30.07.1991

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. One response has been received as a result of public consultation objecting to the application on the following grounds:
- 1) additional dwelling with increased parking demand and reduced provision
 - 2) new dwelling would infringe on privacy of existing dwelling and vice versa
 - 3) forward of building line resulting in more urban look in a semi-rural location
 - 4) would change the approach to the town which is important to its heritage
 - 5) out of character with neighbouring properties
 - 6) conversion is too small to provide decent modern housing space

6. Consultation

- 6.1. Market Bosworth Parish Council object to the application on the following grounds:
- 1) new/additional dwelling would overpower existing dwelling and adversely affect neighbours privacy by overlooking contrary to Policy DM10
 - 2) would change the approach to the town which is important to its heritage contrary to Policy DM11
 - 3) out of character with neighbouring properties contrary to Policies CE1 and CE1a
 - 4) conversion is below Government housing space standards guidance
 - 5) would reduce available parking space
 - 6) overdevelopment of the site and insufficient amenity space for both dwellings
 - 7) incompatible with design and layout of existing buildings
 - 8) lack of private space, grossly overlooked

7. Policy

- 7.1. Market Bosworth Neighbourhood Plan (MBNP) 2014-2026 (2015)
- Policy CE1: Character and Environment
 - Policy CE3: Important Views and Vistas
- 7.2. Core Strategy (2009)
- No relevant policies
- 7.3. 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
- 7.4. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2021)
 - Planning Practice Guidance (PPG)

7.5. Other relevant guidance

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

8. Appraisal

8.1. Conversion of, and alterations to, existing ancillary domestic buildings within the residential curtilage of dwellings located 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 CE1a of the 'made' MBNP states 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. Policy CE1b states that any new development within Character Area D should pay particular regard to existing rooflines. Policy CE3 relates to important views and vistas and states that new development will not be supported if it has a significantly adverse impact on an important view or vista.

8.3 Policy DM10 of the adopted SADMP requires new development to complement or enhance the character of the surrounding area with regard to design, materials and architectural features and for building materials 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.

8.4 Objections to the application have been received on the grounds that the proposal would create a new/additional dwelling that would result in overdevelopment of the site contrary to the design and layout of the surrounding area, would impinge on the privacy of the existing and proposed dwelling and neighbouring dwellings and that it would have insufficient internal habitable space, private amenity space and off-street parking space.

8.5 Notwithstanding these objections received, this is a householder planning application for development of an annexe to be used as ancillary accommodation to the residential occupation of the main bungalow and within the residential curtilage of an existing dwelling. The application cannot be used to obtain full planning permission for a separate dwelling or for subdivision of the existing residential curtilage. Therefore, these grounds for objection are not relevant to the current proposal. The annexe would share the existing retained amenity and off-street parking facilities of the main dwelling.

8.6 Objections to the application have been received on the grounds that the proposal would be out of character with neighbouring properties, would urbanise its semi-rural location and would harm the important view approaching the town from the west.

8.7 The application dwelling is located in Character Area D as identified in the 'made' MBNP. The application relates to an existing car port structure that would not be extended in either footprint or height and therefore its roofline, single storey scale and mass would remain unchanged. The proposed alterations include the use of sympathetic external materials including horizontal composite cladding to match the

colour of the locally distinctive dark stained horizontal timber cladding to the existing bungalow and neighbouring bungalows. The existing slate covered dual pitched roof which matches that of the existing and neighbouring bungalows would be retained. The structure is well screened from the highway approach and important view identified along Station Road from the west by existing well maintained and established 2 metres high hedgerows such that only the existing slate roof is visible and against a background of other built development. The text within the MBNP indicates that the importance of the view approaching the town relates predominantly to the openness and undeveloped nature of the north side of Station Road allowing an appreciation of the countryside setting rather than to the built form to the south.

- 8.8 Notwithstanding the objections received, by virtue of the ancillary residential conversion nature of the proposal, its design and proposed use of sympathetic external materials for the alterations together with existing screening, it is considered that the proposal would respect and complement the scale, character and locally distinctive appearance of the existing dwelling, neighbouring dwellings and the wider street scene and would have no significant adverse visual impacts on the important view identified along Station Road from the west. The proposal is therefore considered to be in accordance with Policies CE1a, CE1b and CE3 of the 'made' MBNP, Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 8.9 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.
- 8.10 Objections to the application have been received on the grounds that it would adversely affect the residential amenity and privacy of neighbouring properties.
- 8.11 The existing structure would not be extended in footprint or height and therefore would have a neutral impact on neighbouring properties in terms of its scale and mass. The adjoining dwelling to the west (No. 271) is a similarly designed and styled semi-detached bungalow to the application dwelling. The car port is set inside the common side boundary of the front gardens by 8.5 metres and is well screened from No. 271 by a well maintained and established 2 metres high continuous hedgerow.
- 8.12 The neighbouring dwelling to the east (No. 255) is located on the far side of the shared vehicular access, approximately 8.5 metres away from the car port. The side elevation facing this dwelling is already infilled with solid vertical timber boarding. The proposal would result in solid horizontal composite cladding with no windows proposed in the east side elevation facing No. 255 and therefore the proposal would not result in any significant/additional adverse impacts on the residential amenity or privacy of the occupiers of No. 255.
- 8.13 The proposed alterations include new openings that face the applicant's dwelling, across the site frontage towards the side boundary hedgerow and the highway boundary hedgerow. No proposed openings face directly towards the private amenity space or significant windows of any neighbouring properties therefore the proposal would not result in any loss of privacy as a result of potential overlooking. The use of the building would be in keeping with the residential occupation of the existing dwelling and therefore its use would not result in any significant adverse impacts on the residential amenity of neighbouring properties
- 8.14 The proposal is for conversion and alteration of an existing structure without extension of the footprint or height and by virtue of its proposed ancillary residential

use, siting, design and separation distances would not result in any significant adverse impacts on the residential amenity or privacy of any neighbouring properties. The proposal would therefore be in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide. No objections have been received from any immediate neighbouring properties.

Impact upon parking provision

- 8.15 Objections to the application have been received on the grounds that it would result in additional parking demand but reduced parking provision.
- 8.16 The proposal would result in the creation of an additional bedroom and the loss of a car port parking space within the site. Notwithstanding this, the remaining site frontage, which measures up to 13 metres in width and 13 metres in depth and is surfaced in loose stone hard-standing, could provide off-street parking for a minimum of three vehicles to serve the resulting dwelling. This level of provision is considered to be adequate to serve a dwelling of this size and in accordance with Policy DM18 of the adopted SADMP and the local highway authority design guide.

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 conversion and alteration of an existing ancillary building within the residential curtilage of an existing dwelling within the settlement boundary of Market Bosworth 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. Notwithstanding the objections received, for the reasons given in the report above, it is considered that the proposal would respect the scale, character and appearance of the existing dwelling and by virtue of being an existing structure, well screened from Station Road by the well maintained and established 2 metres high solid

hedgerows would not have any significant adverse visual impacts on the character or appearance of the wider street scene or impinge on the important view approaching Market Bosworth from the west. By virtue of the siting, scale, design and separation distances, the proposals would not result in any significant adverse overbearing or overshadowing impacts or result in any significant loss of privacy to the occupiers of any neighbouring properties. Adequate off-street parking of a minimum of three spaces and private amenity space of approximately 180 square metres would be retained within the site. The proposals are considered to be in accordance with Policies CE1a, CE1b and CE3 of the 'made' MBNP, Policies DM1, DM10 and DM18 of the adopted SADMP and the 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 Ref: TQRQM22193115706458, Block Plan Drawing No. 2212/02, Parking Plan Drawing No. 2212/06, Proposed Ground Floor Plan Drawing No. 2212/04 and Proposed Elevations Drawing No. 2212/05 received by the local planning authority on 25 July 2022.

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 conversion and alterations shall match the corresponding materials of the existing dwelling in accordance with the approved Proposed Elevations Drawing No. 2212/05 received by the local planning authority on 25 July 2022.

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 car port conversion to habitable space hereby permitted shall be used as ancillary accommodation to the dwelling known as 269 Station Road, Market Bosworth and shall not at any time be occupied as an independent unit of residential accommodation.

Reason: To ensure the former car port is not occupied as an independent unit of accommodation which may have additional impacts and be assessed differently in accordance with Policies DM1, DM10, DM17 and DM18 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.