

Delegated Report

Planning Ref: 24/00042/HOU

Applicant: Mrs Hutton

Ward: Cadeby Carlton M Bosworth & Shackerstone

Site: 17 Stanley Road Market Bosworth Nuneaton



Hinckley & Bosworth
Borough Council

Proposal: Demolition of existing garage and erection of two-storey side extension

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 planning application seeks full planning permission for the demolition of an existing garage to facilitate the provision of a two-storey side extension at 17 Stanley Road, Market Bosworth.

2.2. The two-storey side extension externally measures 3m in width by 6.5m in depth. The scheme utilises a gable-ended pitched roof to match the design of the roof of the existing dwelling. The roof to the extension has a ridge height of 6.8m, and an eaves height of 4.0m. The scheme utilises roof and brick materials to match the existing dwelling.

2.3. Originally the application featured a roof that matched the ridge and eaves height of the existing dwelling, and the extension was in line with the existing front elevation of the two-storey elements of the dwelling. These elements have since been revised in accordance with the Good Design Guide, following concerns raised by the Planning Officer.

3. Description of the Site and the Surrounding Area

3.1. The application site is located to the south of, but within the identified settlement boundary of Market Bosworth, which is classified as a Key Rural Centre Stand Alone with the adopted Core Strategy (2009).

3.2. The application site is also located within Character Area D of the Market Bosworth Neighbourhood Plan (MBNP) (2015), which is defined by detached and semi-detached two-storey dwellings that are set back from the pavement within well proportioned, uniform plots. Garages and driveways also contribute to the suburban residential land character of the area.

3.3. The application site consists of a two-storey, three-bedroom, detached dwellinghouse that has a mono-pitch front protrusion that covers the majority of the front elevation. The site also features a single storey attached garage that is set back from the front elevation of the property. The property is constructed with a red brick finish and concrete roof tiles.

3.4. The application site is located on the eastern side of Stanley Road on a slight bend before the public highway heads in a south-westerly direction. Stanley Road is an adopted, but unclassified, public highway that is subject to a 30mph speed limit. Stanley Road is wholly residential in character, and the application site is wholly surrounded by residential dwellings.

- 3.5. Residential properties along Stanley Road are typically two-storey in massing and are constructed with a red brick finish and concrete roof tiles. Many residential properties on the side of Stanley Road feature flat-roofed front protrusions that typically include attached garages.

4. Relevant Planning History

- 4.1 N/A.

5. Publicity

- 5.1 The application has been publicised by sending out letters to local residents.

- 5.2 No responses have been received.

6. Consultation

- 6.1 There have been no objections from the following consultants:

- Market Bosworth Parish Council

- 6.2 Whilst Market Bosworth Parish Council did not object to the planning application, they have expressed concerns regarding the scheme's impact on the availability of off-street vehicular parking.

- 6.3 The Local Highway Authority have referred to standing advice.

- 6.4 No further responses have been received.

7. Policy

- 7.1 Core Strategy (2009):

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

- 7.2 Site Allocations and Development Management Policies Development Plan Document (SADMP) (2016):

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

- 7.3 Market Bosworth Neighbourhood Plan 2014 – 2026 (MBNP) (2015):

- Policy CE1: Character and Environment

- 7.4 National Planning Policies and Guidance:

- National Planning Policy Framework (NPPF) (December 2023)
- Planning Practice Guidance (PPG)
- National Design Guide (2019)

- 7.5 Other Relevant Guidance:

- Good Design Guide (2020)
- Leicestershire Highway Design Guide (LHDG) (2022)

8. Appraisal

8.1. Extensions 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.
- Impact upon residential amenity.
- Impact upon parking provision and highway safety.

Design and Impact upon the Character of the Area

8.2 Section 12 of the NPPF confirms that good design is a key aspect of sustainable development, and the creation of high quality, beautiful, and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 135 of the NPPF details the six national policy requirements of development to ensure the creation of well-designed and beautiful places.

8.3 Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

8.4 Policy DM10(c) of the 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.

8.5 Policy CE1(a) of the MBNP requires all new development within Market Bosworth to be in keeping with its identified character area with regards to scale, layout, and materials to retain local distinctiveness and create a sense of place.

8.6 In accordance with the Good Design Guide, 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 elevation 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 0.5m in both directions).

8.7 Following amendments to the development, as requested by the Planning Officer, the scheme is now set back from the front elevation of the main two-storey element of the property by 0.5m in accordance with the Good Design Guide. Whilst the ridge height of the proposal is not 0.5m less than the ridge height of the main dwelling, it is noted that the side extension is still set down from the main roof of the property and it utilises the same roof pitch. Given the above, it is considered that this set down is acceptable in these site-specific circumstances.

8.8 The development replaces the existing single storey garage, and the side extension does not extend beyond the rear elevation of the main dwelling. Therefore, the size, scale, and volume of the development is considered to be acceptable.

8.9 The scheme utilises matching materials to the existing dwelling and by virtue of the scale, size, and volume of the development, the proposal respects the character of the existing dwelling and surrounding area and is in accordance with Policy DM10 of the SADMP, and the Good Design Guide.

Impact upon Residential Amenity

- 8.10 Paragraph 135(f) of the NPPF requires planning policies and decisions to ensure that developments create places that are safe, inclusive, and accessible, which promote health and well-being, and a high standard of amenity for existing and future users.
- 8.11 Policy DM10(a) and (b) of the SADMP states development will be permitted provided that it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting and noise and that the amenity of occupiers would not be adversely affected by activities within the vicinity of the site.
- 8.12 The Good Design Guide requires the way buildings to relate to each other, and their orientation and separation distances, to provide and protect acceptable levels of amenity.
- 8.13 The Good Design Guide recommends that a principal window to a habitable room should ideally be no less than 8m from the blank side of a single storey neighbouring property, rising to 14m for a two-storey property. In addition, the separation distance between two principal windows to habitable windows should be a minimum of 21m.
- 8.14 However, the Good Design Guide also states that, *“An exception to this rule is in an urban location where it may be acceptable to have a reduced distance where issues of amenity and overlooking are dealt with by good design.”* Notwithstanding this, these separation distances are the minimum standards that are required, and every application will be assessed on its own merits depending on the individual characteristics of the site such as orientation, ground levels, window positions, garden size, and shape.
- 8.15 The development proposes no changes to its northern side elevation, nor does it propose any extension beyond the rear elevation of the existing dwelling. Therefore, the scheme is unlikely to result in any loss of privacy or overlooking impacts, nor any overbearing or loss of light impacts to the neighbouring property to the north, 15 Stanley Road, or to the east, 15 Northumberland Avenue.
- 8.16 On the other side of the site, there are no windows on the first floor of this southern side elevation. Therefore, the extension is not considered to result in any overlooking or loss of privacy to the residential amenity of 19 Stanley Road. Whilst two-storey blank side elevations have the potential to result in harm to neighbouring residential impact as a result of their overbearing impact, due to the siting of the two properties, this scheme is not considered to result in any significant adverse impacts to the amenity of 19 Stanley Road.
- 8.17 Furthermore, the scheme does not protrude as far to the south of the site as the existing footprint of the garage. On the contrary, the proposal is 1.7m narrower than the existing garage, which reduces the impact of the scheme on neighbouring amenity.
- 8.18 However, it is noted that there is a window on the northern side elevation of 19 Stanley Road. Nevertheless, this is not considered to be a principal window to a habitable room and therefore this proposal's impact on this window is unlikely to result in significant harm to the neighbour's residential amenity.

- 8.19 To comply with the Good Design Guide, three-bedroom houses must also provide a minimum of 80sqm of private outdoor amenity space with a minimum length of 7m.
- 8.20 It is considered that the proposal retains sufficient private outdoor amenity space in accordance with the Good Design Guide.
- 8.21 By virtue of these factors and the fact that there have been no objections to the scheme, the proposal is considered to result in any significant harm to the residential amenity of neighbours in accordance with Policy DM10 of the SADMP and the Good Design Guide.

Impact upon Parking Provision and Highway Safety

- 8.22 Section 9 of the NPPF promotes sustainable transport. Paragraph 114 of the NPPF states that planning decisions should ensure that developments provide appropriate opportunities to promote sustainable transport modes, given the type of development and its location and a safe and suitable access to the site for all users. Any proposal should ensure that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 8.23 Ultimately, development should not be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe, in accordance with Paragraph 115 of the NPPF.
- 8.24 Policy DM17 of the SADMP supports development that makes best use of public transport, provides safe walking and cycling access to facilities, does not have an adverse impact upon highway safety. 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)).
- 8.25 Policy DM18 of the SADMP requires developments to demonstrate an adequate level of off-street parking provision.
- 8.26 Paragraph 3.151 (Quantum) of Part 3 of the LHDG requires three off-street vehicle parking spaces for four-bedroom dwellings. Paragraph 3.165 (Dimensions) of Part 3 of the LHDG requires minimum parking sizes to be 2.4m x 5.5m, and an additional 0.5m in width is required the parking space is bounded by a wall, fence, hedge, line of trees or other similar obstructions on one side. This width increases to 1m if the parking space is bounded on both sides.
- 8.27 The scheme utilises and makes no amendments to the existing access to the site. Ultimately, it is not considered that this extension is likely to result in an intensification of the use of the site. Given the above, and the fact that it is an existing access, the Local Planning Authority considers the access to be acceptable in these site-specific circumstances.
- 8.28 The scheme provides two off-street parking spaces, which is in accordance with Paragraph 3.151 of Part 3 of the LHDG. These spaces have also increased in size within this application to comply with Paragraph 3.165 of Part 3 of the LHDG. Whilst there are no turning facilities within this development, it is noted that this is existing parking provision for an existing dwelling. As a result, and given that the scheme is

unlikely to result in an intensification of the use of the site, this is off-street parking provision is considered to be acceptable in these site-specific circumstances.

- 8.29 In light of the above, it is considered that the proposal does not create an unacceptable impact on highway safety or the road network. Therefore, the scheme is regarded as in accordance with Policies DM17 and DM18 of the SADMP, 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.

- 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 Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission to be granted, subject to the imposition of appropriate 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 received by the Local Planning Authority as follows:

- Existing Block Plan (submitted: 16.01.2024).
- Existing Elevations and Floor Plans (submitted: 16.01.2024).
- Proposed Plans and Elevations (281 PL-05B) (submitted: 21.02.2024).
- Proposed Site Plan (281 PL-04B) (submitted: 21.02.2024).
- Site Location and Block Plan 281 (PL-01A) (submitted: 21.02.2024).

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 extension and alteration shall match the corresponding materials of the existing dwelling.

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

a. **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.