

Delegated Report

Planning Ref: 24/00806/HOU

Applicant: Mr Max North

Ward: Ratby Bagworth and Thornton



Hinckley & Bosworth
Borough Council

Site: 60 Main Street Ratby Leicestershire

Proposal: Two storey and single storey rear extension with enlarged rear box dormer to roof.

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 a two storey and a single storey extension to the rear of a dwelling along with the widening of an existing flat roof rear dormer window to 60 Main Street, Ratby.
- 2.2. The proposed extensions would be located to the rear of the dwelling and infill a rear corner. The two storey section would extend from the south elevation of an existing two storey rear extension. It would extend 3 metres in width across the rear elevation with a depth of 3 metres to provide a dressing room to the existing main bedroom. It would have a dual pitched gable sided roof form with matching eaves height as the main roof and a subordinate ridge height. The proposed single storey rear extension would extend 3.2 metres in depth from the main rear elevation flush with the main south side elevation and extend for a width of 7.4 metres across the rear elevation to join the existing two storey rear extension and infill the rear corner. This would have a contemporary flat roof design to a height of 2.74 metres with a raised hipped glazed roof lantern and bi-fold doors and windows to the rear elevation. The proposals include the widening of the existing flat roof rear dormer window by approximately 2.7 metres to a total width of approximately 6.5 metres and to the same height and flat roof design, much of which would sit behind the proposed two storey extension. Other than the rear elevation of the single storey extension which would have complementary anthracite aluminium bi-fold doors and windows and vertical timber cladding to the external wall, the remainder of the proposed extensions and alterations would be constructed in matching corresponding external materials as the existing dwelling.
- 2.3. An amended plan has been submitted to address officer concerns of potential overlooking from a first floor window. In view of the nature of the amendment and lack of any objections received from original public consultations, 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 within the settlement boundary of Ratby and within the Ratby Conservation Area. It occupies a back-land plot to the east of main Street behind other dwellings and 'Sills Yard'. It is a two storey detached house with white rendered walls, gable sided main roof form with slate covering and white uPVC windows. It has a plain front elevation other than a dual pitched open canopy roof porch supported by a dark grey stained timber frame mounted on red brick plinths with canted blue copings. Front elevation windows have dark grey painted concrete lintels above and canted blue copings to sills. It has a two storey rear

extension with dual pitched roof forming a rear gable with external timber framed balcony, a single storey extension with lean-to roof form and a flat roof dormer window. The extensive rear garden has an elevated ground level in comparison to the dwelling and is enclosed by red brick walls and solid close boarded timber fencing of varying heights. The dwelling is served by a detached red brick double garage with dark grey doors and dual pitched gable sided roof form with slate covering to the front and side of the dwelling and a tarmacadam surfaced site frontage providing additional off-street parking and turning space.

- 3.2. There is a Grade II* listed building, the Church of St Philip and St James at some distance to the north east of the site whose grounds/graveyard extends beyond the eastern boundary of the application site. There are allotment gardens and the village library to the north of the application site. There is a pedestrian access from Main Street via Sills Yard along the southern boundary of the application site leading to a grassed paddock to the east and a residential garden beyond the pedestrian access to the south.

4. Relevant planning history

02/01118/FUL

- Two storey extension to cottage and detached triple garage
- Refused
- 22.11.2002

03/00087/FUL

- Two storey extension and alterations to cottage and detached triple garage (revised scheme)
- Permitted
- 12.03.2003

03/00917/FUL

- Extensions and alterations to cottage and garage
- Permitted
- 29.09.2003

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 and a notice was displayed in the local press.
- 5.2. No responses have been received as a result of public consultation.

6. Consultation

- 6.1. No response has been received from Ratby Parish Council.

7. Policy

- 7.1. Core Strategy (2009)
- Policy 8: Key Rural Centres Relating to Leicester
- 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 DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets
- Policy DM18: Vehicle Parking Standards

7.3. National Planning Policies and Guidance

- Planning (Listed Buildings and Conservation Areas) Act 1990
- National Planning Policy Framework (NPPF) (2023)
- Planning Practice Guidance (PPG)

7.4. Other relevant guidance

- Ratby Conservation Area Appraisal and Map (2014)
- Good Design Guide (2020)
- National Design Guide (2019)
- Local Highway Authority Design Guide

8. Appraisal

8.1. Extensions and alterations to existing dwellings 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 and appearance of the dwelling and the Ratby Conservation Area
- Impact upon neighbouring residential amenity
- Impact upon parking provision

Design and impact upon the character and appearance of the dwelling and the Ratby Conservation Area

8.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

8.3 Section 16 of the NPPF provides the national policy on conserving and enhancing the historic environment. Paragraphs 205-208 of the NPPF require great weight to be given to the conservation of designated heritage assets when considering the impact of a proposed development on its significance, for any harm to the significance of a designated heritage asset to have clear and convincing justification, and for that harm to be weighed against the public benefits of a proposal.

8.4 Policy 8 of the adopted Core Strategy requires new development in Ratby to respect the character and appearance of the Ratby Conservation Area by incorporating locally distinctive features of the conservation area into the development.

8.5 Policies DM11 and DM12 of the SADMP seek to protect and enhance the historic environment and heritage assets. Development proposals should ensure the significance of a conservation area is preserved and enhanced. All development proposals will need to accord with Policy DM10 of the adopted SADMP. 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 various forms of house extensions and in respect of rear extensions 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.'

- 8.6 Historic Ordnance Survey mapping suggests that the application dwelling may date back to at least the late-19th century, but it has subsequently been significantly extended and adapted over time and as such it is now considered to be of no particular historic or architectural interest. This lack of heritage interest, accompanied by the back land position of the building behind existing traditional buildings (situated upon the Main Street frontage and identified as important local buildings) and the historic yard (Sills Yard) results in the application property being identified as a neutral presence within the Ratby Conservation Area Appraisal Map.
- 8.7 An important view from Sills Yard of the Grade II* listed Church of St Philip and St James to be protected is identified on the Appraisal Map looking northeast between the application dwelling and its detached garaging but this would be unaffected by the proposed extensions and alterations by virtue of their siting to the rear elevation.
- 8.8 The two storey part of the proposed rear extension would extend from the south side elevation of an existing two storey rear extension of greater depth and height. By virtue of its proposed 3 metres width and 3 metres depth and appropriate subordinate dual pitched gable sided roof form with the same eaves height but lower ridge height, it would appear as a clearly subordinate addition to the existing dwelling and would not be a visually prominent structure within the surrounding Ratby Conservation Area. It would have appropriately proportioned fenestration and be constructed in matching white render, matching plain grey roof tiles and matching windows to ensure a uniform appearance.
- 8.9 The proposed single storey rear extension would infill the rear corner of the dwelling. It would extend for an appropriate depth of 3.2 metres from the main rear elevation flush with its main side elevation and for an appropriate width of 7.4 metres across the rear elevation to join the existing two storey rear extension. By virtue of its width, depth and height, the proposal would appear as a clearly subordinate addition to the existing dwelling. Notwithstanding that flat roofs do not form part of the original design of the dwelling, the proposal would have a contemporary design and appearance, be single storey in scale to a height of only 2.74 metres, would be located entirely to the rear elevation and on a lower ground level compared to the height of the rear garden where it would not be visually prominent within the surrounding Ratby Conservation Area. The acceptable contemporary design includes full height anthracite aluminium framed glazed bi-fold doors and window to the rear elevation and a raised hipped glazed roof lantern. The proposal would be constructed in matching render to the main side elevation and with contrasting but nevertheless sympathetic vertical timber cladding to the rear elevation that would reflect the more contemporary design and result in an acceptable appearance.
- 8.10 The proposals include the widening of an existing flat roof rear dormer window by approximately 2.7 metres to a total width of approximately 6.5 metres. Whilst flat roof dormer windows do not generally result in attractive development, this is a part existing structure and the extension would have a subordinate height to the main roof ridge. In addition, in this particular case the majority of the dormer extension would sit between the main rear roof elevation and the new dual pitched roof of the proposed two storey rear extension where it would not be visually prominent within the surrounding Ratby Conservation Area. It would be constructed in matching white render to its walls to ensure a uniform appearance.
- 8.11 By virtue of their siting, scale, amended design and the proposed use of matching and appropriate contrasting but sympathetic external materials in their construction

to ensure a satisfactory and uniform appearance, it is considered that the proposals would respect and complement the scale, character and appearance of the existing dwelling and would have no adverse visual impacts upon the surrounding area. It is considered that by virtue of their siting, scale, design, appearance and screening that the proposals would have a neutral impact on the character and appearance of the Ratby Conservation Area and therefore would preserve its significance. The proposals are therefore considered to be in accordance with Policies DM10, DM11 and DM12 of the adopted SADMP, the general principles of the Council's adopted Good Design Guide, section 16 of the NPPF (2023) and the statutory duty of Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

Impact upon neighbouring residential amenity

- 8.12 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.
- 8.13 By virtue of their siting, scale, amended design and separation distances, it is considered that the proposals would not result in any significant adverse overbearing or overshadowing impacts on the residential amenities of any neighbouring occupiers or, subject to the proposed use of obscure and fixed glazing to the new first floor side elevation window, result in any significant loss of privacy to any neighbouring occupiers from potential direct overlooking. The proposals are therefore considered to be in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide. No objections to the proposals have been received from any neighbouring occupiers.

Impact upon parking provision

- 8.14 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.15 The site currently provides a minimum of four off-street parking spaces and turning space to serve the existing four bedroomed dwelling within the existing detached double garaging and on the tarmac surfaced forecourt and site frontage. The proposals would not result in the provision of any additional bedrooms but would provide some additional floorspace for a dressing room to the main bedroom. The local highway authority design guide suggests that dwellings of three bedrooms or more should be provided with three off-street parking spaces. The proposals would not impact upon the existing off-street parking and turning provision which would remain adequate to serve the existing/resulting dwelling. The proposals would therefore 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. The proposal relates to extensions and alterations to an existing dwelling within the settlement boundary of Ratby 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, amended design and the proposed use of matching and appropriate contrasting but sympathetic external materials in their construction to ensure a satisfactory and uniform appearance, it is considered that the proposals would respect and complement the scale, character and appearance of the existing dwelling and would have no adverse visual impacts upon the surrounding area. It is considered that by virtue of their siting, scale, design, appearance and screening that the proposals would have a neutral impact on the character and appearance of the Ratby Conservation Area and therefore would preserve its significance. By virtue of their siting, scale, design and separation distances and subject to the proposed use of obscure and fixed glazing where necessary, the proposals would not result in any significant adverse impacts on the residential amenities or privacy of any neighbouring occupiers. Adequate off-street parking for a minimum of four vehicles and more than adequate private amenity space of approximately 400 square metres would be retained within the site to serve the existing/resulting four bedroomed dwelling. The proposals are therefore considered to be in accordance with Policies DM1, DM10, DM11, DM12 and DM18 of the adopted SADMP, the general principles of the Council's adopted Good Design Guide, section 16 of the NPPF (2023) and the statutory duty of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 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 and Proposed Block Plan Drawing No. 164-03 Rev 0 received by the local planning authority on 21 August 2024 and Proposed Floor Plans and Elevations Drawing No. 164-02 Rev A received by the local planning authority on 17 September 2024.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1, DM10, DM11 and DM12 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 external materials details provided within the submitted Planning Application form and the approved Proposed Elevations Drawing No. 164-02 Rev A received by the local planning authority on 17 September 2024 and shall match the corresponding materials of the existing dwelling.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM10 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. The first floor dressing room window in the south side elevation of the two storey extension hereby permitted shall be fitted with obscure glazing to a minimum of level 3 of the Pilkington scale and non-openable in accordance with the approved Proposed Elevations Drawing No. 164-02 Rev A received by the local planning authority on 17 September 2024. Once so provided, the window shall be permanently maintained as such at all times thereafter.

Reason: To safeguard the privacy and amenity of the neighbouring dwelling 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 building.control@blaby.gov.uk or call 0116 272 7533.