

Delegated Report

Planning Ref: 23/00372/HOU

Applicant: Mrs Kathryn Greenfield

Ward: Cadeby Carlton M Bosworth & Shackerstone

Site: 22 St Catherines Avenue Market Bosworth Leicestershire



Hinckley & Bosworth
Borough Council

Proposal: First floor side extension over existing garage.

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 first floor side extension over an existing garage attached to a dwelling, 22 St Catherine's Avenue, Market Bosworth.
- 2.2. The proposed first floor extension would have a width of 3.8 metres and depth of 6.3 metres with a dual pitched gable sided roof form with an eaves height of approximately 4.3 metres and ridge height of approximately 6.9 metres. It would be constructed above the footprint of an existing garage attached to the side elevation. It is proposed to be constructed with contrasting grey rendered walls, matching red brick detailing and matching concrete roof tiles and windows.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of Market Bosworth on a residential estate and at the turning head of a small cul-de-sac on an extensive corner plot. It is a two storey detached house with gable sided main roof form. It has a front porch with a dual pitched roof, single storey side attachments (including garage), with dual pitched roof forms and a single storey rear extension with a lean-to roof form. It is constructed with red facing bricks, brown concrete interlocking roof tiles and pale green UPVC windows and doors. A number of extensions to the dwelling have recently been granted planning permission and remain extant. In addition to the garage there is off-street parking for another three cars within the site frontage on the concrete block paved driveway and additional concrete and loose stone hard standing. The extensive corner plot widens to provide approximately 1000 square metres of private amenity space at the rear.
- 3.2. The application dwelling is the only two storey dwelling at this end of St Catherines Avenue. There are detached bungalows either side of the site to the south and east and predominantly either bungalows or dormer bungalows within the vicinity in the wider street scene. Within the wider street scene there are examples of part brick/part rendered (white/cream) dwellings. There are two storey semi-detached dwellings to the west on Spinney Hill.

4. Relevant planning history

22/00700/HOU

- Two storey side extension, single storey side/rear extensions, front porch and other alterations
- Permitted
- 22.09.2022

22/00395/HOU

- Two storey side extension, single storey rear extensions and front porch
- Permitted
- 20.06.2022

78/00437/4M

- Garage and lounge extension
- Permitted
- 31.03.1978

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. Market Bosworth Parish Council raise objections to the proposal on the grounds that it represents further property overscale.

7. Policy

- 7.1. Market Bosworth Neighbourhood Plan (MBNP) 2014-2026 (2015)
- Policy CE1: Character and Environment
- 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. 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 parking provision

Design and impact upon the character of the area

- 8.2 Policy CE1 of the 'made' MBNP requires 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. The application dwelling is identified as lying within Character Area D: Suburban Residential in the MBNP where Policy CE1b requires that any new development should pay particular regard to existing roof lines.
- 8.3 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.
- 8.4 The Council's adopted Good Design Guide provides further advice in respect of the siting and design of house extensions and 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.'*
- 8.5 The proposed first floor side extension would have only a very marginally subordinate eaves height of 4.3 metres and marginally subordinate ridge height of 6.9 metres and would be set back only very slightly from the main front elevation by virtue of being constructed over an existing garage. Notwithstanding this degree of conflict with the adopted design guidance for two storey side extensions, the proposal would have a clearly subordinate width of 3.8 metres, less than half that of the existing dwelling and in this particular case, a subordinate height and greater set back is not considered to be critical to the overall resulting design and appearance of the dwelling within the wider street scene. The two storey red brick application dwelling occupies a corner plot and is set back from the two neighbouring bungalows either and constructed on a different orientation and building line. In addition, the proposed use of contrasting grey rendered walls in the construction of the proposal (to match that previously approved for the two storey extension to the opposite side), would provide a clear contrast in terms of scale, design and appearance to the neighbouring bungalows and would ensure that the original dwelling remains visually dominant whilst not being overly prominent or dominant within the wider street scene. There are a number of examples of part rendered/part brick dwellings within the street scene, albeit the render is white or cream in colour. As such, it is considered that neither the design with appropriately proportioned windows nor the proposed use of contrasting grey rendered walls would have any significant adverse visual impacts on the character or appearance of the application dwelling or wider street scene.
- 8.6 Market Bosworth Parish Council object to the proposal on the grounds that it represents further property overscale. However, the proposal would be a clearly subordinate addition to the existing dwelling in its own right and even if taken together with the other previously approved extensions would not result in a dwelling that would over-dominate the street scene or would overdevelop the extensive corner plot occupied by the application dwelling.
- 8.7 By virtue of the siting, scale, mass and design of the proposed extension together with the proposed use of matching and contrasting external materials to create a satisfactory appearance, the scheme would result in a subordinate extension that would respect and complement the scale, character and appearance of the existing

dwelling and varied wider street scene. Approximately 1000 square metres of private amenity space would be retained within the rear garden and would be adequate to serve the resulting four bedroomed dwelling. Notwithstanding the objection received, the proposal is therefore considered to be in accordance with Policies CE1a and CE1b 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

- 8.8 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.
- 8.9 The neighbouring dwelling to the south (No. 21) is a detached bungalow on a different orientation to the application dwelling. There are no principal habitable room windows facing the application site, only obscurely glazed windows. The proposed first floor extension would be constructed entirely to the side and would not project beyond either the front or rear elevations of No. 21. The nearest part of No. 21 attached to its rear corner is a lean-to porch type structure rather than any principal habitable room. By virtue of the siting of the extension to the north side of No. 21, its scale, design and existing screening provided by the 2 metres high solid timber panel fencing along the side boundary, the proposal would not result in any significant adverse overbearing or overshadowing impacts on No. 21 or loss of outlook to any significant windows. There are no windows proposed in the side elevation of the proposal and therefore it would not result in any significant adverse impacts on the privacy of the neighbouring occupiers from potential overlooking.
- 8.10 The proposal would not have any adverse impacts on the residential amenity or privacy of the occupiers of any other neighbouring properties by virtue of its siting, scale, design and substantial separation distances.
- 8.11 By virtue of the siting, scale, design and separation distances, the proposed extension would not result in any significant adverse overbearing or overshadowing impacts on the residential amenity of, or loss of privacy to, any neighbouring properties and 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 neighbouring properties.

Impact upon parking provision

- 8.12 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.13 In addition to the existing garage that would remain available for such use or storage, there are already three off-street car parking spaces available to serve the dwelling within the site frontage on the concrete block paved driveway and additional concrete and loose stone hardstanding. The current proposal and previously approved additional extensions would have no impact on the existing parking provision.
- 8.14 The proposal would result in the addition of a fourth bedroom but the retention of at least three off-street parking spaces would be adequate to serve the resulting four bedroom dwelling and be in accordance with Policy DM18 of the adopted SADMP and the local highway authority guidance 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 is for an extension and alteration to 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. By virtue of the siting, scale, mass and design of the proposed extension together with the proposed use of matching and contrasting external materials to create a satisfactory appearance, the proposal would respect and complement the scale, character and appearance of the existing dwelling and varied wider street scene. Notwithstanding the objection received from Market Bosworth Parish Council, it is considered that the proposal would not over-dominate the existing dwelling, be overly prominent in the wider street scene or result in overdevelopment of the extensive plot. By virtue of the siting, scale, design and separation distances, the proposal would not result in any significant adverse impacts on the residential amenity or privacy of any neighbouring properties. Adequate off-street parking of at least three spaces and private amenity space of approximately 1000 square metres would be retained within the site to serve the resulting four bedroomed dwelling. The proposal is considered to be in accordance with Policy CE1 of the 'made' MBNP, Policies DM1, DM10 and DM18 of the adopted SADMP and the principles of the adopted Good Design Guide and is 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 and Proposed Block Plan Drawing No. 22/04 04a and Proposed Floor Plans and Elevations Drawing No. 22/04 11c received by the local planning authority on 18 April 2023.

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 external materials details provided within the submitted Planning Application Form and on the approved Proposed Elevations Drawing No. 22/04 11c received by the local planning authority on 18 April 2023 and shall match the corresponding materials of the existing dwelling where stated.

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).

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.