

Delegated Report

Planning Ref: 24/01062/HOU

Applicant: Mrs Victoria Barrett

Ward: Barlestone Nailstone And Osbaston



Hinckley & Bosworth
Borough Council

Site: 2 The Oval Nailstone Nuneaton

Proposal: Canopy porch, two storey and single storey rear extension, loft conversion, detached outbuilding and associated works

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 canopy porch, two-storey and single storey rear extension, loft conversion, detached outbuilding and associated works at 2 The Oval, Nailstone.
- 2.2. The proposed canopy porch extension would project outwards from the existing principle elevation of the dwelling by 1.02 metres and would host a width of 1.85 metres. It would host a pitched form which would measure 3.36 metres to the ridge and 2.06 metres to the eaves. The proposal would include the demolition of the existing flat roof porch at the site.
- 2.3. The proposed single storey rear extension would project outwards from the existing ground floor rear elevation of the dwelling by 4.05 metres and would host a depth of 6.12 metres. It would host a mono-pitched form which would measure 3.15 metres to the ridge and 2.45 metres to the eaves.
- 2.4. The proposed two storey rear extension would project outwards from the existing first floor rear elevation of the dwelling by 1.68 metres and would host a depth of 6.12 metres. It would host a pitched form which would measure 8.29 metres to the ridge and 5.20 metres to the eaves.
- 2.5. The proposed rear extension elements would include the demolition of the existing single storey conservatory at the site.
- 2.6. The proposed outbuilding would host a depth of 8.09 metres and a width of 2.04 metres. It would host a pitched form which would measure 3.67 metres to the ridge and 2.25 metres to the eaves. The proposal would include the demolition of the existing detached outbuilding at the site.
- 2.7. Additional alterations to the front elevation include the addition of two Velux windows and the introduction of a bay window design with hipped coverings to the existing ground floor openings.
- 2.8. Additional alterations to the rear elevation include the addition of three Velux windows (two to the single storey element and one to the two-storey element), the addition of a set of four bi-fold doors and reduction to the window hosting the lounge, the addition of two windows to the first floor element and one window to the loft element sitting to the pitch of the gable.
- 2.9. No additional openings are proposed to the side elevations.

- 2.10. The proposed external materials would include the use of red facing brick to the walls, brown interlocking tiles to the roof and white uPVC to the windows. A timber frame would be present to the proposed porch.
- 2.11. Amendments have been sought during the application process to seek to address issues raised during the course of the application in respect of loss of light to neighbouring dwellings and in the interests of good design. A re-consultation has been undertaken as part of this.

3. Description of the site and surrounding area

- 3.1. The application site relates to a two-storey terrace residential dwelling, situated within the settlement boundary of Nailstone which comprises the use of red brick to the walls, red interlocking tiles to the pitched roof and white uPVC to the windows.
- 3.2. A flat roofed porch sits to the principle elevation, to the south-east of which sits an integral shared access with 1 The Oval accessed from the public highway via a slim concrete pathway. To the south-east of the principle elevation sits a generous hardstanding suitable to host an off-street parking provision for at least two cars and to the north-east of the site sits a private rear amenity space which measures approximately 314.88 square metres in total.
- 3.3. The Oval comprises a residential development of two storey semi-detached properties situated around an open area of green space. The application dwelling is, however, sited just outside of the open green space and hosts a standard straight road form. The dwellings are all uniform in design, finish and scale.

4. Relevant planning history

- None relevant.

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. No comments have been received.

6. Consultation

- 6.1. Nailstone Parish Council:
"Nailstone Parish Council wishes to object to this proposal with especial regard to the proposed outbuilding. Cllrs resolved to make an objection based on the disproportionate size and scale of the outbuilding to the massing of the house."

7. Policy

- 7.1. Core Strategy (2009)
 - Policy 12: Rural Villages
- 7.2. Site Allocations and Development Management Policies DPD (2016)
 - Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM10: Development and Design

- Policy DM18: Vehicle Parking Standards
- 7.3. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2024)
 - Planning Practice Guidance (PPG)
- 7.4. Other relevant guidance
- Good Design Guide (2020)
 - National Design Guide (2019)

8. Appraisal

- 8.1. Key Issues
- 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

- 8.1 Policy DM10 of the adopted SADMP seeks to ensure that development complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features and the use and application of building materials respects the materials of existing, adjoining/neighbouring buildings and the area generally.
- 8.2 The application seeks full planning consent for the construction of a canopy porch, two-storey and single storey rear extension, loft conversion, detached outbuilding and associated works at 2 The Oval, Nailstone.
- 8.3 The Councils Good Design Guide seeks to ensure that front extensions *“take the form of the existing building, mirroring the roof pitch, replicate or have lower eaves height and the ridge should be below the existing ridge height.”*; and *“do not extend beyond the front elevation by more than 2 metres and not cover more than 50% of the front elevation.*
- 8.4 The proposed canopy porch extension would replace the existing flat roof porch at the site. It would be a minor addition which would project outwards from the existing principle elevation of the dwelling by 1.02 metres and would result in an approximate 3.00% extension. It would host a pitched form which is not a prevalent feature to the porches within The Oval, nevertheless, it is considered to be a complementary replacement when compared the existing flat roof form and would measure a modest 3.36 metres to the ridge and 2.06 metres to the eaves appearing to be a subordinate addition.
- 8.5 The Councils Good Design Guide seeks to ensure that *“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.”*; and
- 8.6 *“Where there are no public views into a site, a fully integrated two storey rear extension may be acceptable.”*
- 8.7 The proposed single storey rear extension would replace the existing conservatory at the site. It would project outwards from the existing ground floor rear elevation of the dwelling by 4.05 metres (1.58 metres larger than the existing conservatory) and would host a depth of 6.12 metres (0.95 metres larger than the existing conservatory). It would not be visible from The Oval due to the plots terrace form

and would be screened by existing structures and vegetation to the south-east not appearing visible from Main Street. It would host a mono-pitched form to complement the existing dwelling which would measure 3.15 metres to the ridge and 2.45 metres to the eaves.

- 8.8 The proposed two storey rear extension element would sit above the proposed single storey element replicating its width and would project outwards from the existing first floor elevation by 1.68 metres mirroring the projection of the pitched element observed to the north-west. The proposed ridge height would sit below those of the existing dwelling and the proposed eaves height would sit 0.59 metres above those of the existing dwelling. Whilst it is in the interests of good design for the eaves to replicate or sit below those of the existing dwelling given the loft conversion aspect of the application the un-subordinate eaves height is considered acceptable. Elements of the proposal would be visible from public vantage points on The Oval and Main Street, however, they would only be glimpses and by way of its appropriate design would not have an adverse impact upon the character of the area.
- 8.9 An objection in relation to the outbuildings size and scale has been received from Nailstone Parish Council.
- 8.10 The proposed outbuilding would replace the existing outbuilding at the site. It would host a depth of 8.09 metres and a width of 2.04 metres, a 43% increase in mass when compared to the existing outbuilding. The rear garden of the dwelling would still, however, provide a more than adequate useable private garden/amenity space to serve the dwelling and proposed, therefore, it is considered that the proposal would not result in any over development of the site. The proposal would be used as a store and would be detached from, but not remote from, the existing dwelling and would lie within its residential curtilage. The outbuilding would neither be viewable from a public vantage point and as so would not bear a significant impact upon the character of the area.
- 8.11 A condition has been considered appropriate to ensure that the outbuilding shall only be used for purposes ancillary to the residential occupation of the application dwelling known as 2 The Oval, Nailstone and shall not be occupied, sold or separately leased or let as an independent unit of residential accommodation.
- 8.12 Additional alterations to the front elevation include the addition of two Velux windows and the introduction of a bay window design with hipped coverings to the existing ground floor openings.
- 8.13 Additional alterations to the rear elevation include the addition of three Velux windows (two to the single storey element and one to the two-storey element), the addition of a set of four bi-fold doors and reduction to the window hosting the lounge, the addition of two windows to the first floor element and one window to the loft element sitting to the pitch of the gable.
- 8.14 No additional openings are proposed to the side elevations.
- 8.15 The proposed external materials would match those of the existing dwelling with the exception of a timber frame to the proposed porch. This addition is would, however, to be a complementary addition and is not considered to bear a significant impact upon the character of the area.
- 8.16 For the above reasons the proposals would not have an impact upon the character and appearance area. Consequently, the proposal complies with Policies DM1 and DM10 of the Site Allocations and Development Management Policies DPD and the general principles of the Councils Good Design Guide.

Impact upon neighbouring residential amenity

- 8.17 Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the amenity of nearby residents and occupiers of adjacent buildings and the amenity of occupiers of the proposed development would not be adversely affected by activities within the vicinity of the site.
- 8.18 The Councils Good Design Guide seeks to ensure that *“The 45 degree rule is applied for planning applications for new buildings and extensions to existing properties which might affect the outlook from or daylight to a neighbouring property. This rule ensures consistency and fairness between applicants and their neighbours.”*
- 8.19 To the north-west of the site sits 3 The Oval, a two-storey end terrace residential dwelling. The single storey element would project outwards from the existing rear elevation of the application dwelling by 4.05 metres. To ensure compliance with the Councils Good Design Guide the 45 degree rule has been applied to the centre of the nearest ground floor habitable window. The rule has concluded that the extension would not have an impact upon the outlook from or daylight to no.3. The two-storey element would not project further than the existing rear elevation of no.3 and would mirror its pitched form. No windows are proposed to this elevation.
- 8.20 To the south-east of the site sits 1 The Oval, a two-storey end terrace residential dwelling. The single storey and two storey element would not project further than the furthest existing rear elevation of no.1 and due to this there would be no adverse impacts upon no.1. No windows are proposed to this elevation.
- 8.21 The proposed outbuilding would be located flush to the south-east shared boundary line and would be set away approximately 7.67 metres from the rear elevation of the application dwelling. It would replace the existing outbuilding, however, on a significantly larger scale. An existing outbuilding that mirrors the scale of the existing outbuilding (to be demolished) sits within the curtilage of no.1 which would be set behind from the proposal, so by way of this and along with its set away distance and modest height of 3.67 metres there would be no overlooking or loss of privacy as a result of the development. No glazed openings are proposed.
- 8.22 The main alterations from the existing to the proposed porch would include an increase in projection by 0.42 metres and an increase in the ridge height by 0.96 metres, alongside the alteration in the roof form from a flat to a pitch. This aspect of the scheme would be screened by the existing building line of 3 The Oval to the north-west and existing vegetation to the south-east.
- 8.23 The addition of bay windows to the ground floor and Velux windows would be a minor alteration which would bear no impact due to their positioning.
- 8.24 By virtue of the above, the proposals would not result in any significant adverse overbearing or overshadowing impacts on any neighbouring properties or result in any significant adverse impacts from overlooking or loss of privacy to the occupiers of any neighbouring properties and are therefore considered to be in accordance with Policy DM10 of the adopted SADMP and the general principles of the Councils Good Design Guide.

Impact upon highway safety

- 8.25 Policy DM18 seeks to ensure that development would provide an appropriate level of parking provision, and that there would not be a significant adverse impact upon highway safety.

- 8.26 The Council's Good Design Guide seeks to ensure that *"Front extensions should not result in the loss of existing parking spaces where it would impact on the street scene."*
- 8.27 The Leicestershire Highways Design Guide (2023) seeks to ensure that *"a dwelling hosting four or more bedrooms provides a minimum off-street parking provision for three vehicles."*
- 8.28 The proposed scheme of extensions would alter the application dwelling from a three bedroom to a five bedroom dwelling. A generous hardstanding suitable to host an off-street parking provision for a minimum of two vehicles is to be retained at the site. The resulting space would be required to be accommodated on-street, which The Oval can be observed to provide sufficient room for.
- 8.29 The proposed porch canopy extension to the principle elevation would not have an impact upon the off-street parking provision at the site due to its minor scale.
- 8.30 By virtue of the above, there is not considered to be any impact upon the off-street parking provision complying with Policy DM18 of the SADMP and the Leicestershire Highways Design Guide (2023) in this regard.

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. The proposed development is for a property located within the settlement boundary of Nailstone. As such, there is a presumption in favour of sustainable development under Policy DM1 of the SADMP, as long as the proposal is in accordance with the relevant policies of the SADMP.
- 10.2 The proposed development has been assessed and the Local Planning Authority can conclude that the proposed development would complement the character and appearance of the host dwelling, and would not cause any adverse impacts upon the visual amenity of the surrounding area or the neighbouring amenity of occupants surrounding the application site. It would neither have any adverse impacts upon the parking provision at the site. On this basis, the proposal is therefore considered to be in accordance with DM1, DM10 and DM18 of the Site Allocations and Development Management Policies DPD and the general principles

of the Councils Good Design Guide. The proposal 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 materials to be used externally shall accord with the approved application form, as received by the Local Planning Authority on the 20th November 2024.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policy DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the general principles of the Councils Good Design Guide.

3. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

- Existing and Proposed Elevations, Floor Plans, and Site Location and Block Plan, Drg No. TO-01-03 Rev C as received by the Local Planning Authority on the 12th February 2025.

Reason: To ensure a satisfactory form of development in accordance with Policy DM1, DM10 and DM18 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the general principles of the Councils Good Design Guide.

4. The outbuilding hereby permitted shall only be used for purposes ancillary to the residential occupation of the application dwelling known as 2 The Oval, Nailstone and shall not be occupied, sold or separately leased or let as an independent unit of residential accommodation.

Reason: To ensure compatible use and that the building hereby permitted is not occupied as an independent unit of accommodation which may have additional impacts in accordance with Policies DM1, DM10 and DM18 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the general principles of the Councils Good Design Guide.

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.