

Delegated Report

Planning Ref: 23/01161/HOU

Applicant: Mr & Mrs Tudge

Ward: Newbold Verdon with Desford & Peckleton



Hinckley & Bosworth
Borough Council

Site: 4 Polebrook Mews Spinney Drive Botcheston Leicestershire

Proposal: Two storey side and front extensions and alterations to dwelling

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 two storey side and front extensions and external alterations to a dwelling, 4 Polebrook Mews, Spinney Drive, Botcheston.

2.2. The proposed two storey front extension would extend 4.8 metres from the front elevation at ground floor, partly above an existing single storey extension, and 7.2 metres from the front elevation at first floor. It would have a width of 5.8 metres and a dual pitched roof forming a front gable with matching eaves and ridge heights as the main roof of the dwelling. The proposed two storey side extension would extend 3.2 metres in width from the existing side elevation, partly above an existing single storey extension, and for a depth of 5.2 metres. It would have a dual pitched roof forming a side gable with matching eaves and ridge heights as the main roof of the dwelling. The front corner between the two storey extensions would be infilled with a single storey extension measuring 4 metres in depth and 2.2 metres in width with a flat roof to a height of 3 metres and a first floor balcony area above enclosed by a glazed balustrade.

3. Description of the site and surrounding area

3.1. The application dwelling is located in the countryside to the northeast of Botcheston and on the northern edge of a residential estate. It is a two storey end terraced house (of three) with a rectangular original footprint of 19.5 metres length and shallow 5.5 metres depth and a dual pitched gable sided main roof form. It has single storey extensions to its front elevation with lean-to roof form and a single storey side extension with dual pitched roof form. There is a detached double garage with dual pitched gable fronted roof form set back to the side end rear. The dwelling and garage are constructed with red multi rustic facing bricks, red Roman interlocking concrete roof tiles and dark brown uPVC windows. In addition to the double garage there is additional off-street parking on extensive block paved hardstanding to the garage forecourt and on the long tarmac surfaced driveway. There is a substantial rear garden providing ample private amenity space.

3.2. The application dwelling occupies a secluded plot at the end of a shared private driveway serving three terraced dwellings which lie to the southeast. It is well screened from the shared driveway by tall hedgerows and planting along its' front garden boundary and by a number of dual pitched roof detached garages serving and set well forward of the neighbouring dwellings. To the southwest there is an open field, to the northeast a golf course screened by mature trees and hedgerows and to the northwest additional land comprising a grassed paddock with the applicant's stables, menage and tennis court.

4. Relevant planning history

97/00187/FUL

- Single storey front extensions to dwelling
- Permitted
- 22.04.1997

14/00416/HOU

- Extensions and alterations to dwelling
- Permitted
- 19.06.2014

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.

5.2. No responses have been received as a result of public consultation.

6. Consultation

6.1. No response has been received from Desford Parish Council.

7. Policy

7.1. Desford Neighbourhood Plan (DNP) 2018-2036 (2021)

- Policy H7: Housing Design

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 DM4: Safeguarding the Countryside and Settlement Separation
- Policy DM10: Development and Design
- Policy DM18: Vehicle Parking Standards

7.4. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2023)
- 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. Notwithstanding the countryside location outside of any settlement boundary, extensions and alterations 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 and surrounding countryside
- Impact upon neighbouring residential amenity
- Impact upon parking provision

Design and impact upon the character of the area and surrounding countryside

- 8.2 Policy H7 of the 'made' DNP requires that the design principles of extensions seek to enhance the local distinctiveness and character of the area in which they are situated and not disrupt the visual amenities of the street scene or impact negatively on any significant wider landscape views.
- 8.3 Policy DM4 of the adopted SADMP states that to protect its intrinsic value, beauty, open character and landscape character, the countryside will first and foremost be safeguarded from unsustainable development. The policy goes on to list a number of categories of development that would be considered sustainable in the countryside. These include proposals for the extension and alteration of existing buildings which lead to an enhancement of the immediate setting and where, amongst other matters, the proposal does not have a significant adverse effect on the appearance and open character of the countryside.
- 8.4 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 house extensions.
- 8.5 The adopted Good Design Guide 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 unless in design terms this in itself would create an imbalance in the overall design of the property.'* and,
- 'Two-storey extensions to the front of properties are unlikely to be acceptable especially in relation to semi-detached and terraced properties as they will be visually prominent within the street scene. If this type of development is proposed, it should 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. In addition, the proposal should not normally extend beyond the front elevation by more than 2 metres and not cover more than 50% of the front elevation.'*
- 8.6 In this case the proposed two storey side extension would be set forward of the existing front elevation rather than being set back and would have matching eaves and ridge heights as the existing dwelling along with a matching but offset dual pitched gable sided roof form. The proposed two storey front extension would extend up to 7.2 metres from the front elevation and have a dual pitched roof with matching eaves and ridge heights as the main roof of the dwelling but with a perpendicular main ridge forming a front gable with appropriate roof pitch. Whilst not subordinate in height and extending well forward of the main front elevation, in this particular case, the proposals would not be visually prominent in any street scene by virtue of the secluded nature of this end terraced plot. In addition, the proposed extensions would be clearly subordinate to the existing dwelling in terms of their width and footprint such that it is considered that the conflict identified with the adopted design guide is not critical in this particular case.

- 8.7 The proposed front extension would have a blank southeast side elevation which would provide a visual end stop to the terrace. The other elevations would have large, glazed panels at both ground and first floor along with a first floor balcony with glazed balustrade resulting in a more contemporary, but nevertheless acceptable, design. A satisfactory and unified appearance with the existing dwelling would be achieved through the proposed use of matching external materials and brick window detailing.
- 8.8 The proposals do not fully conform to the detailed requirements of the adopted Good Design Guide in terms of height and set back but would be clearly subordinate to the existing dwelling in terms of their width and footprint. By virtue of the position of this secluded end plot, the siting, scale and design of the proposed extensions and the proposed use of matching corresponding external materials to ensure a satisfactory and unified appearance, it is considered that the conflict with the design guide identified is not critical in this particular case and that the proposals would nevertheless respect and complement the scale, character and appearance of the existing dwelling and neighbouring development and would not result in any significant adverse visual impacts on the rural appearance or open character of the surrounding countryside. The proposals are therefore considered to be in accordance with Policy H7 of the 'made' DNP, Policies DM4 and DM10 of the adopted SADMP and the overall general principles of the adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 8.9 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.
- 8.10 The proposed two storey front extension would extend up to 7.2 metres from the main front elevation but at a separation distance to the common side boundary with the adjoining dwelling of over 14.5 metres and with a blank southeast side facing elevation. By virtue of its siting relative to the neighbouring dwellings, its scale and design, it is considered that the proposed front and side extensions and alterations 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. The proposed first floor balcony would face towards the applicant's grassed paddock and menage rather than to any neighbouring residential properties. The proposals are therefore considered to be in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide. No objections have been received from any neighbouring properties.

Impact upon parking provision

- 8.11 Policy H7 of the 'made' DNP seeks that adequate off-road parking should be provided as a minimum of two car parking spaces for dwellings of three bedrooms or less and three spaces for dwellings of four bedrooms or more. Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.12 It is not clear from the submitted plans how many bedrooms the existing dwelling has. The proposed extensions would provide one additional bedroom and two en-suite facilities at first floor. Notwithstanding this, the site already provides more than adequate off-street parking to serve the existing and resulting dwelling within the double garage, on the double width and double length block paved and tarmac surfaced garage forecourt and with additional parking space available on the long tarmac driveway. This provision would be unaffected and this level

of provision would remain more than adequate to serve the existing and resulting dwelling. The proposals would therefore be in accordance with Policy H7 of the 'made' DNP, Policy DM18 of the adopted SADMP and the local highway authority design 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. Notwithstanding the location of the dwelling outside of any settlement boundary and therefore within designated countryside, the proposals are for extensions and alterations to an existing dwelling within an established residential curtilage and therefore there is a general presumption in favour of sustainable development as set out in Policies DM1 and DM4 of the adopted SADMP and the overarching principles of the NPPF.

10.2. The proposals do not fully conform to the detailed requirements of the adopted Good Design Guide but would be clearly subordinate to the existing dwelling in terms of their width and footprint. By virtue of the position of this secluded end plot, the siting, scale and design of the proposed extensions and the proposed use of matching corresponding external materials to ensure a satisfactory and unified appearance, it is considered that the conflict with the design guide identified is not critical in this particular case and that the proposals would nevertheless respect and complement the scale, character and appearance of the existing dwelling and neighbouring development and would not result in any significant adverse visual impacts on the rural appearance or open character of the surrounding countryside. By virtue of the siting, scale, design and separation distances, it is considered that the proposed extensions and alterations would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring dwellings. More than adequate off-street parking and turning spaces for a minimum of four vehicles would be maintained within the site along with substantial private rear amenity

space. The proposals are considered to be in accordance with Policy H7 of the 'made' DNP, Policies DM1, DM4, DM10 and DM18 of the adopted SADMP and the general 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: Site Location Plan at scale 1:1250, Proposed Block Plan at scale 1:500 received by the local planning authority on 15 December 2023 and Proposed Floor Plans Drawing No. 3B and Proposed Elevations Drawing No. 4B received by the local planning authority on 2 January 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 extensions and alterations hereby permitted 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).

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.