

Delegated Report

Planning Ref: 23/01140/HOU

Applicant: Mr S Assinder

Ward: Twycross Sheepy & Witherley



Hinckley & Bosworth
Borough Council

Site: The Folly 3 Main Road Twycross

Proposal: Demolition of conservatory, erection of single storey rear extension 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. This householder application seeks planning permission for a single storey rear extension and associated and other alterations to a dwelling, The Folly 3 Main Road, Twycross.

2.2. The proposed single storey rear extension would have an 'L' shaped footprint and extend to a maximum of 5.85 metres in depth from the main rear elevation adjoining the side of an existing single storey rear projection of slightly less depth. It would extend for a maximum width of 8 metres. It would have a dual pitched gabled roof design with subordinate eaves and ridge heights to those of the main roof of the dwelling. Other alterations proposed include alterations to the internal layout of rooms and associated alterations to external fenestration and the conversion of an external store to an internal toilet. It is proposed that the works would be carried out using matching corresponding external materials as the existing dwelling. The proposal would involve the demolition of an existing white uPVC conservatory from the same position on the rear elevation.

3. Description of the site and surrounding area

3.1. The application dwelling is located within the settlement boundary of Twycross. It is outside of, but adjacent to, the boundary of the Twycross Conservation Area and located to the rear (southwest) of a listed building, Twycross House School. It is a plain fronted late 20th detached bungalow with a dual pitched gable sided main roof form and a subordinate rear projection with dual pitched rear gable and white uPVC rear conservatory with similar roof form. It is constructed of plain red facing bricks, grey interlocking concrete roof tiles and white uPVC windows. The site frontage provides three parking spaces on loose stone surfaced hard-standing and is enclosed by a 2 metres high brick wall. The rear garden provides approximately 400 square metres of private amenity space and is enclosed by 2 metres high fencing and hedgerow to the side boundaries and has an open aspect to the open paddocks to the rear and fields beyond. Located to the rear of the school it has no highway frontage but is accessed along a long shared private drive off Main Road to the west of the school. There is a separate detached dwelling to the west.

4. Relevant planning history

00/00195/FUL

- Extensions to dwelling
- Permitted
- 14.04.2000

99/01077/FUL

- Extension to dwelling
- Permitted
- 24.01.2000

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 consultations.

6. Consultation

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

7. Policy

7.1. Core Strategy (2009)

- No relevant policies

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

- Twycross Conservation Area (TCA) Appraisal and Map (2007)
- 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 dwelling, the setting of the nearby listed building and the adjacent/wider Twycross Conservation Area
- Impact upon neighbouring residential amenity
- Impact upon parking provision

Design and impact upon the character of the dwelling, the setting of the nearby listed building and the adjacent/wider Twycross Conservation Area

- 8.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on the local planning authority when determining applications for development which affects a listed building or its setting to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural and historic interest which it possesses. 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 (2023) 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 Policies DM11 and DM12 of the SADMP seek to protect and enhance the historic environment and heritage assets. All proposals for development affecting the setting of listed buildings will only be permitted where it is demonstrated that the proposals are compatible with the significance of the building and its setting. Policy DM12 also states that development proposals should ensure the significance of a conservation area is preserved and enhanced.
- 8.5 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.
- 8.6 The Council's adopted Good Design Guide provides further advice in respect of the siting and design of house extensions and states 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.'*
- 8.7 3 Main Road is a late-20th century bungalow located outside of, but adjacent to, the boundary of the Twycross Conservation Area. Its scale, form and appearance do not follow the traditional characteristics of the conservation area and as such it has a neutral visual impact on the conservation area and makes no contribution to its significance. The application dwelling is located to the south-west of a listed building, Twycross House School, which is a grand red brick house dating to 1703, now in use as a school. Given the intervening distance and buildings and the position of 3 Main Road to the rear and away from the principal elevations of the listed building, the application dwelling is considered to be a neutral presence within its wider setting.
- 8.8 The proposal seeks to remove an existing white uPVC conservatory from the rear elevation of the bungalow and replace it with a slightly larger brick and tile extension. The proposed single storey rear extension would have an 'L' shaped footprint and extend to an appropriate maximum depth of 5.85 metres from the main rear elevation and would be constructed off the side elevation of an existing single storey rear projection of slightly less depth. It would extend for an appropriate maximum width of 8 metres and have a clearly subordinate footprint to the existing

dwelling. It would have a similar and appropriate dual pitched gabled roof design as the main roof and have subordinate eaves and ridge heights to those of the main roof. Other alterations proposed include alterations to the internal layout of rooms and associated alterations to external fenestration and the conversion of an external store to an internal toilet. The extension and alterations would be constructed with matching corresponding external materials and with appropriately proportioned fenestration to respect and complement that of the existing bungalow and ensure a satisfactory and uniform appearance.

- 8.9 By virtue of the siting to the rear, clearly subordinate single storey scale, appropriate design and the proposed use of matching corresponding external materials in its construction, the proposal would respect the character and appearance of the existing dwelling. By virtue of the intervening distance and buildings and the position of 3 Main Road to the rear and away from the principal elevations of the listed building, the proposal would have a neutral presence within its wider setting and a neutral visual impact on the adjacent/wider Twycross Conservation Area. Consequently, the proposal would preserve the significance of the Twycross Conservation Area and be compatible with the significance of Twycross House School and its setting. The proposal is therefore considered to be in accordance with Policies DM10, DM11 and DM12 of the SADMP, section 16 of the NPPF and the statutory duties of sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

Impact upon neighbouring residential amenity

- 8.10 Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy and/or amenity of nearby residents and occupiers of adjacent buildings.
- 8.11 By virtue of its siting to the rear and single storey scale together with separation distances and effective existing boundary screening to/from the neighbouring dwelling, the proposal would have no significant adverse impacts on the residential amenity or privacy of the neighbouring occupiers. The proposal would therefore be in accordance with Policy DM10 of the adopted SADMP. No objections to the scheme 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 The proposal would not result in the provision of any additional bedroom space or have any impact upon the existing off-street parking provision of three spaces serving the existing/resulting three bedroomed dwelling on the loose stone surfaced site frontage. This level of provision would remain adequate to serve the existing/resulting dwelling and the proposal would therefore be in accordance with Policy DM18 of the adopted SADMP and current local highway 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 is for an extension and alterations to an existing dwelling within the settlement boundary of Twycross 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, design and subject to the proposed use of matching corresponding external materials in its construction, the proposal would respect and complement the character and appearance of the existing dwelling. By virtue of the intervening distance and buildings and its position relative to the nearby listed building, the proposal would have a neutral presence within its wider setting and the adjacent/wider Twycross Conservation Area. Consequently, the proposal would preserve the significance of the Twycross Conservation Area and be compatible with the significance of Twycross House School and its setting. By virtue of its siting, scale, design, separation distances and effective existing boundary screening, the proposal would have no significant adverse impacts on the residential amenity or privacy of the neighbouring occupiers. Adequate off-street parking of three spaces and ample private amenity space of approximately 400 square metres would be retained within the site to serve the existing/resulting dwelling. The proposal is considered to be in accordance with Policies DM1, DM10, DM11, DM12 and DM18 of the adopted SADMP, the general principles of the adopted Good Design Guide, section 16 of the NPPF (2023) and the statutory duty of Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 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: Location Plan and Proposed Block Plan Drawing No. PL-01A and Proposed Floor Plans and Elevations Drawing No. PL-03B received by the local planning authority on 28 November 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 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.