

Delegated Report

Planning Ref: 23/00436/HOU

Applicant: Mr Lee Hudson

Ward: Cadeby Carlton Market Bosworth & Shackerstone

Site: 3 Cadeby Court Sutton Lane Cadeby Leicestershire



Hinckley & Bosworth
Borough Council

Proposal: Single storey rear extension

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 the construction of a single storey rear extension to a dwelling, 3 Cadeby Court, Sutton Lane, Cadeby.
- 2.2. The proposed single storey rear extension would extend to a depth of 4 metres from the main rear elevation for a width of 8.5 metres and be set in from both side elevations by 5.5 metres. It would have a contemporary parapet wall/flat roof design to a height of 2.9 metres and have extensive full height glazing to the rear elevation and two concealed raised glazed hipped roof lanterns. It would be constructed with facing bricks to match those of the existing dwelling.

3. Description of the site and surrounding area

- 3.1. The application site lies in the countryside to the south east of the rural hamlet of Cadeby. The application dwelling, 3 Cadeby Court, forms part of a recent residential development of 8 dwellings. The dwellings are arranged in a square around a large central courtyard with vehicle circulation, parking and central landscaping. The scheme has been designed to resemble a 2½ storey farmhouse (the application dwelling) with almost continuous two storey and single storey courtyard barns to respect the rural location and character of the site. The dwellings are designed with rectangular or 'L' shaped footprints and plain front and rear building lines with sympathetic features and fenestration and high quality construction materials.
- 3.2. 3 Cadeby Court occupies the northeast corner of the development with an 'L' shaped footprint and is a 2½ storey dwelling designed in a farmhouse style with a gable sided main roof form, dual pitched roof half dormer windows to the front and rear elevations, brick chimney stacks to each side gable, brick corbelled eaves, brick verge detailing, soldier headers and stone cills. It is constructed of red multi rustic facing bricks, red/brown plain clay roof tiles and light green painted timber window frames and patio doors and a natural stained timber front door. To the rear there is a large 'L' shaped garden enclosed by 2 metres high solid close boarded timber fencing and a tall tree screen to the rear (east) beyond the boundary fence.

4. Relevant planning history

None.

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

7.3. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2021)
- Planning Practice Guidance (PPG)

7.4. 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 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.

8.3. 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. The Council's adopted Good Design Guide provides further advice in respect of the siting and design of house extensions and 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.' and,

'Flat roofs on extensions will not normally be considered appropriate where they do not form part of the original design of the house, however in some circumstances where they are not visible from the public realm and the use of a flat roof may result in a reduced visual impact, they may be considered acceptable, particularly if designed with a contemporary aesthetic style.'

8.4 The proposed single storey rear extension would extend to an appropriate depth of 4 metres from the main rear elevation and for an appropriate width of 8.5 metres and be set in from both side elevations by 5.5 metres. It would have a contemporary parapet wall/flat roof design to a height of 2.9 metres and have extensive full height glazing to the rear elevation and two concealed raised glazed hipped roof lanterns. Notwithstanding that the proposed parapet wall/flat roof is not a feature of the existing dwelling, in this case, it would be sited entirely to the rear in a well enclosed rear garden where it would be adequately screened from the surrounding area/countryside and would not be a prominent feature. By virtue of its clearly subordinate footprint, single storey scale and contemporary flat roof design, the proposal would be in general accordance with the design principles of the adopted Good Design Guide. It would be constructed with facing bricks to match those of the existing dwelling together with extensive full height glazing to its rear elevation that would reflect the contemporary design.

8.5 Notwithstanding its parapet wall/flat roof design, by virtue of its siting to the rear, clearly subordinate single storey scale, acceptable contemporary design and the proposed use of matching external materials, the proposal is considered to respect and complement the scale, character and appearance of the existing dwelling and would have no adverse visual impacts on the character or appearance of the surrounding area or countryside by virtue of its enclosure and screening. The proposal is therefore considered to be in accordance with Policies DM4 and DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.

Impact upon neighbouring residential amenity

8.6 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.

8.7 By virtue of its siting well within (6.5 metres) the boundaries of the site, layout, single storey scale and flat roof design together with separation distances and adequate screening of neighbouring rear gardens by existing 2 metres high solid close boarded timber fencing, the proposal would not result in any adverse overbearing or overshadowing impacts on any neighbouring dwellings or result in any loss of privacy to any neighbouring occupiers. The proposal is therefore considered to be in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide.

Impact upon parking provision

8.8 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.

8.9 The proposal does not increase the number of bedrooms to the dwelling. There are up to six off-street parking spaces available within the block paved site frontage. This existing provision would be unaffected by the proposal and would remain

adequate to serve the existing/resulting dwelling 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. Notwithstanding its location outside of any settlement boundary and therefore within designated countryside, the proposal is for an extension and alteration 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. Notwithstanding its parapet wall/flat roof design, by virtue of its siting to the rear, single storey scale, contemporary modern design and the proposed use of matching external materials, the proposal is considered to respect and complement the scale, character and appearance of the existing dwelling and would have no adverse visual impacts on the character or appearance of the surrounding area or countryside by virtue of its adequate enclosure and screening. By virtue of the siting, single storey scale, design, separation distances and screening by existing boundary fencing the proposal would not result in any adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. Adequate off-street parking for up to six vehicles and adequate private amenity space of over 550 square metres would be retained within the site to serve the dwelling. The proposal is considered to be in accordance with Policies DM1, DM4, DM10 and DM18 of the adopted SADMP and the general 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: Location Plan at scale 1:1250, Streetwise Block/Site Plan at scale 1:500, Proposed (part) Ground Floor Plan at scale 1:50, Proposed (part) Rear Elevation at scale 1:50 and Proposed (part) Side Elevations at scale 1:50 received by the local planning authority on 13 June 2023.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1, DM4 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 extension and alteration 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 buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.