

Item No:**Application Reference Number: P/23/0521/2**

Application Type:	Householder	Date Valid:	21.03.2023
Applicant:	Mr M Barton		
Proposal:	Erection of single storey extension to rear of dwelling.		
Location:	8 Wishbone Lane Mountsorrel Leicestershire LE12 7FA		
Parish:	Mountsorrel	Ward:	Quorn & Mountsorrel Castle
Case Officer:	Lydia Bailey	Tel No:	01509 634815

1. Background

- 1.1 This application is referred to Plans Committee in accordance with the Council's scheme of delegation embedded within Section 8.2 of the Constitution.

2. Description of the application site

- 2.1 The application site is a 1.5 storey property on the south-westerly side of Wishbone Lane in Mountsorrel. The site is on a residential street with residential properties bordering the north-eastern, eastern and south-western boundaries.
- 2.2 Permitted development rights to extend the dwelling have previously been removed.
- 2.3 The dwelling has a conservatory to the side and the rear, a driveway to the side providing off-road parking for the dwelling and a medium sized garden to the rear. The dwelling has a single garage.

3. Description of the proposal

- 3.1 The application is seeking planning permission for the erection of a single storey rear extension to the dwelling to accommodate a kitchen. The extension would project 2.0m from the rear elevation of the original dwelling with a width of 3.45m and will have a flat roof with a height of 3.0m.
- 3.2 Materials to match the existing dwelling will be used.

4. Development Plan Policies

4.1 The Development Plan comprises the Charnwood Local Plan Core Strategy (adopted 9 November 2015), The Minerals and Waste Local Plan (2019) and the Borough of Charnwood Local Plan (adopted 12 January 2004) (saved policies).

4.2 The policies applicable to this application are as follows:

[Charnwood Local Plan Core Strategy](#)

- Policy CS2 – High Quality Design

[Borough of Charnwood Local Plan \(adopted 12 January 2004\) \(saved policies\)](#)

Where they have not been superseded by Core Strategy policies previous Local Plan policies remain part of the Development Plan. In relation to this proposal the relevant ones are:

- Policy EV/1 – Design
- Policy H/17 – Extensions to Dwellings

5. Other material considerations

[The National Planning Policy Framework \(NPPF 2021\)](#)

5.1 The NPPF policy guidance of particular relevance to this proposal includes:

- Section 2: Achieving sustainable development
- Section 8: Promoting healthy and safe communities
- Section 12: Requiring well-designed places.

[Planning Practice Guidance](#)

5.2 This national document provides additional guidance to ensure the effective implementation of the planning policy set out in the National Planning Policy Framework. The sets out relevant guidance on aspects of flooding, air quality, noise, design, the setting and significance of heritage assets, landscape, contaminated land, Community Infrastructure Levy, transport assessments and travel plans.

[National Design Guide](#)

5.3 This is a document created by Government which seeks to inspire higher standards of design quality in all new development.

[Design Supplementary Planning Document \(SPD\) \(January 2020\)](#)

5.4 This document sets out the Borough Council's expectations in terms of securing high quality design in all new development. Schemes should respond well to local character, have positive impacts on the environment and be adaptable to meet future needs and provide spaces and buildings that help improve people's quality of life.

Equality Act 2010

- 5.5 Section 149 places a statutory duty on public authorities in the exercise of their functions to have due regard to the need to eliminate discrimination and advance equality.

[The Draft Charnwood Local Plan 2021-37](#)

- 5.6 This document sets out the Council's strategic and detailed policies for the Borough over the period 2021-37. The Local Plan was submitted for examination in December 2021 with hearings concluding in February 2023. It is anticipated that the Inspectors will issue a letter setting out the requirement for main modifications to be made to make the plan sound. These modifications will be published for six weeks of public consultation so that the responses can assist the Inspectors in preparing their final report. The precise timings of these events are dictated by the Inspectors although, subject to their report, it is anticipated the Local Plan will be adopted by the Council in Autumn 2023.

In accordance with NPPF paragraph 48, the relevant emerging policies in the plan may be given weight in determining applications, according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater weight it may be given);
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);
- c) the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

The following policies are considered applicable to this application, and the weight they can be assigned is addressed in the 'Planning Considerations' part of this report:

- Policy DS5: High Quality Design

6. Relevant Planning History

Reference	Description	Decision & Date
P/14/2396/2	Erection of 2 dwellings and detached double garage.	Granted – 20.02.2015
P/16/2480/2	Erection of conservatory to rear of dwelling.	Granted – 12.12.2016

Permitted development rights for the dwelling were removed under Condition 3 of P/14/2396/2. No enlargement, improvement or another alteration (including additional windows) of the dwelling shall be carried out without permission from the Local Planning Authority to ensure that there is no harm to the overall character and appearance of the area.

7. Responses of Consultees and Other Comments Received

- 7.1 The table below sets out the responses that have been received from consultees with regard to the application. Please note that these can be read in full on the Council's website www.charnwood.gov.uk

Ward Councillor and Parish Council Response	
Mountsorrel Parish Council	<ul style="list-style-type: none">No objections

8. Consideration of the Planning Issues

- 8.1 The starting point for decision making on all planning applications is that they must be made in accordance with the adopted Development Plan unless material considerations indicate otherwise. The most relevant policies for the determination of this application are listed above and are contained within the Development Plan for Charnwood which comprises the Core Strategy (2015) and those "saved" policies within the Borough of Charnwood Local Plan 1991-2026 (2004) which have not been superseded by the Core Strategy (2011-2028).
- 8.2 The Core Strategy and Charnwood Local Plan are over 5 years old, and it is important to take account of changing circumstances affecting the area, or any relevant changes in national policy. The relevant policies listed above are up to date and compliant with national guidance and as such that there is no reason for them to be given reduced weight.
- 8.3 The main planning considerations applicable to this application are considered to be:
- Impact on design and street scene
 - Impact on residential amenity

9. Key Issues

Impact on design and street scene

- 9.1 Policy CS2 of the Core Strategy requires new developments to respect and enhance the character of the area and saved policies H/17 and EV/1 of the Local Plan support development that is of a design, scale, layout and mass compatible with the locality, and which uses materials appropriate to the locality. These policies generally accord with the NPPF and National Design Guide. As a result, it is not considered that there is a need to reduce the weight that should be given to them.
- 9.2 Policy DS5 of the Emerging Local Plan addresses design and requires development to respect and enhance the character of the area, having regard to scale, density, massing, height, landscape, layout, materials. The plan is at an advanced stage, the policy accords strongly with the NPPF and it is considered there are no unresolved objections to this policy thus far. It therefore is considered to carry moderate weight.

- 9.3 The existing dwelling is of brick construction with distinctive horizontal brick band detailing to the front and rear. The proposed extension is located to the rear of the property and will fall flush with the north-eastern (side) elevation of the existing property, adjacent to the driveway. Therefore, the extension will only have limited visibility from the street scene and so the flat roof design, differing from the pitched roof arrangement of the existing house, will have little to no impact on the street scene. The flat roof will align with the existing band detail of the dwelling. The extension will be constructed of materials and window lintels to match the existing dwelling and will re-use existing windows and doors where possible. Its appearance is considered to be acceptable with regards to its design, scale and form.
- 9.4 As outlined in Section 6, permitted development rights to extend the property have been removed to ensure that works do not result in development that is out of keeping with the character and appearance of the dwelling. It is considered that the proposed works are harmonious with the character of the existing dwelling and so would not prove detrimental to the overall appearance of the dwelling.
- 9.5 It is considered a proposal that complied with NPPF, National Design Guide, Policy CS2 of Charnwood Core Strategy, Policies EV/1 and H/17 of the Local Plan, emerging Policy DS5 of the Draft Charnwood Local Plan 2021-2037 and the Charnwood Design SPD would be achieved.

Impact on Residential Amenity

- 9.5 Policy CS2 of the Core Strategy, Policies EV/1 and H/17 of the Local Plan and emerging Policy DS5 of the Draft Local Plan seek to secure high quality design that does not impact on the amenity of adjacent properties or create poor standards of amenity for future occupiers. The Charnwood Design SPD (2020) also provides spacing standards and guidance to ensure an adequate level of amenity is achieved.

Impact on 10 Wishbone Lane

- 9.6 No.10 is separated from the application site by both No.8 and No.10's driveways and is the closest neighbouring property to the development. The closest fenestrations are on the rear elevation of No.10, which do not face the extension, and the side elevation facing the proposed extension is a flank, windowless wall. Therefore, the privacy of residents of No.10 and the application site will not be reduced as a result of the development. For the same reasons, and given the single storey nature of the proposed extension, there would also be no loss of light, loss of outlook or an overbearing impact to neighbouring main habitable room windows.

Impact on other properties

- 9.7 The siting of the development is not considered to have any significant impact on any further properties due to the distance that they are located from the proposal.

Impact on occupier amenity

- 9.8 The proposal will not result in a sub-par standard of occupier amenity. The garden will be reduced in size but sufficient outdoor amenity space will be retained.

- 9.9 No comments have been received from residents of neighbouring properties to express concerns related to the proposed extension.
- 9.10 The proposal would, therefore, comply with the provisions of policy CS2 of Charnwood Core Strategy, policies EV/1 and H/17 of the Adopted Local Plan, emerging policy DS5 of the Draft Local Plan, along with NPPF, National Design Guidance and the guidance set out in the Design SPD to protect residential amenity.

10. Conclusion

- 10.1 In summary, the proposed development is considered to be acceptable in its design and appearance, and impact on the street scene. The proposal is not considered detrimental to occupier or neighbour amenity.
- 10.2 It is considered that the proposed development complies with Policy CS2 of the Charnwood Local Plan 2011-2028 Core Strategy, “saved” Policies EV/1 and H/17 of the Borough of Charnwood Local Plan (2004), and Emerging Policy DS5 of the Draft Charnwood Local Plan 2021-2037. Additionally, the proposed development would be considered compliant with the Design SPD of Charnwood Borough Council (2020) and the relevant provisions of the National Planning Policy Framework (NPPF) and the National Design Guide.
- 10.3 It is therefore recommended that planning permission should be granted, subject to conditions.

11. Recommendation

That planning permission is granted subject to the following conditions:

1. The development, hereby permitted, shall be begun not later than 3 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 Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development, hereby permitted, shall be carried out in accordance with the following approved plans:

- Application Form (including materials) – Received 21 March 2023
- Proposed Elevations and Location Plan (including materials, Drawing Number ‘22/26.04’) – Received 21 March 2023
- Proposed Ground Floor and Site Plan (Drawing Number ‘22/26.03’) – Received 21 March 2023

REASON: To define the terms of the planning permission and to ensure the satisfactory appearance of the completed development and to comply with Policies

CS2 of the Charnwood Local Plan 2011-2028 Core Strategy, “saved” Policies EV/1 and H/17 of the Borough of Charnwood Local Plan (2004) and Emerging Policy DS5 of the Draft Charnwood Local Plan 2021-2037.

APPLICATION SITE

