DELEGATED REPORT

Recommendation Made: 27 April 2009

Reference:- 09/00095/FUL **Parish:- Shackerstone Parish Council**

Applicant:- Mr T Wright
The Gables
Twycross Road
Bilstone
Warks

Location:- The Gables Twycross Road Bilstone Nuneaton Leicestershire

Proposal:- EXTENSIONS AND ALTERATIONS TO DWELLING

Introduction:-

An application to extend this dwelling was approved in 2008, this application is for amendments to the approved scheme for the erection of a single and two storey rear extension on the rear of this substantial agricultural dwelling, built in the 1980's, and for the re-roofing of the dwelling. The amendments to the approved scheme include an enlarged two storey rear gable extension, a raised roof height on the rear single storey element and a porch to the front elevation.

The site is located in the village of Bilstone which has no limits to development.

A bat survey has been submitted with the application which has confirmed the presence of a bat and suggests that a further survey and mitigation be completed later in the year.

History;

08/00964/FUL Extensions and Alterations to dwelling Approved 27.11.08

89/00212 Retention of dwelling without occupancy restriction Refused 20.6.89

This application was submitted because the occupant wanted to sell the property but could not due to the agricultural tie. The applicant still resides in the property and comply with the condition.

83/00068/4 Erection of an agricultural dwelling Approved 26.04.83

The decision contains an agricultural tie.

81/01250/4 Erection of ag. dwelling (outline) Approved 23.03.82

Consultations:-

No objections received from;

Head of Community Services (Land Drainage)
Head of Community Services(Pollution)

LCC Ecology have commented that an emergent Bat Survey should be carried out in accordance with the recommendations within the original survey.

Development Plan Policies:-

Local Plan Policies

The site is within the countryside as there is no settlement boundary for Bilstone as defined in the adopted Hinckley and Bosworth Local Plan proposals map.

Policy BE1 considers the design and siting of the development, in terms of the effect on the character of the area, amenities of neighbours and highway safety.

Policy NE5 states that the countryside will be protected for its own sake. However, planning permission will be granted for built and other forms of development provided that it is either: important to the local economy and cannot be provided within or adjacent to an existing settlement; is for the change of use, re-use or extension of existing buildings; and only where it does not have an adverse effect on the appearance or character of the landscape, is in keeping with the scale and character of the existing buildings and general surroundings, will not generate traffic likely to exceed the capacity of the highway network or impair road safety and is effectively screened by landscaping.

Policy T5 requires all new development to achieve the relevant highway standards and vehicle requirements contained within the County Council's highway design guidance.

The Councils Adopted Supplementary Planning Guidance on House Extensions provides a series of design standards that extensions to dwellings should achieve.

Appraisal:-

The main differences between this and the previously approved application in 2008 are that the proposed rear gable extension has been increased in depth by 1 metre, the height of the roof to the single storey element has been increased in height, this will also be visible from the front, and a porch has been added to the front elevation.

The dwelling is a large detached building located in a large plot. The main two storey proposal is to be erected on the rear of a detached dwelling, there are no close neighbours to the site (the nearest neighbour to the north east is 35 metres away) so there are no overlooking or overshadowing issues created by the proposal. The changes to the roof of the single storey element and porch will be visible from the road through the access, however, the overall appearance of the dwelling from the street is not significantly affected by the proposal. There are no issues with regard to scale and design, there is no additional requirement for parking.

The Director of Community Services (Ecology) has recommended refusal until a further survey for bats has been submitted. However, the situation exists that the previous approval could be built without the need for a further survey to be carried out. In the circumstances it is suggested that the need for a survey and mitigation be conditioned to be carried out prior to any works on the extension approved being undertaken. In any case bat roosts are protected by the Wildlife and Countryside Act and the standard note to applicant refers to that.

Conclusion

As the main extension is to the rear, it is not visible from any public vantage point, there are no detrimental impacts on visual amenity or the countryside location. The extensions visible from the street are in keeping in scale and are not significantly detrimental in order that the application should be recommended for refusal.

RECOMMENDATION :- Permit subject to the following conditions :-

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below, it is considered that subject to compliance with the conditions attached to this permission, the proposed development consisting of extensions to an existing

dwelling in the countryside and would not have an adverse effect on the character or appearance of the existing dwelling or the surrounding area or be detrimental to neighbouring properties.
Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1, NE5 and T5

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

2 The materials to be used on the external elevations of the proposed extension and alteration shall match the corresponding materials of the existing dwelling unless previously agreed in writing with the Local Planning Authority.

3 No development shall take place until a further bat emergence survey has been carried out and the report submitted to the Local Planning Authority for approval. Any mitigation measures identified in the further survey shall also be carried out in a manner to be agreed in writing with the Local Planning Authority prior to the works hereby approved being commenced.

Reasons :-

1 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2 To ensure that the development has a satisfactory external appearance to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.

3 This condition is necessary to ensure that proper steps are taken to safeguard the bat(s) within the existing roofspace during the course of development.

Notes to Applicant:-

1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3. As from 6th April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

4. All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

5 The applicant is reminded that the existing dwelling has an agricultural occupancy condition.

6 List of plans used in the determination of this application:-
Drawings 01, 06a, 07a and 16

Contact Officer:- Louise Forman Ext 5682