

Delegated Report

Planning Ref: 25/00293/HOU

Applicant: Mr And Mrs Jolene Hopkins

Ward: Barlestone Nailstone And Osbaston



Hinckley & Bosworth
Borough Council

Site: The Chestnuts Lount Road Osbaston

Proposal: Two storey rear extension, single storey rear and side extension and addition of oak framed canopy and cladding to front elevation

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

- 2.1. The application seeks full planning consent for a two-storey rear extension, single storey rear and side extension, and oak framed canopy porch at The Chestnuts, Lount Road, Osbaston.
- 2.2. The proposed canopy porch would project outwards from the existing front elevation by 1.54 metres and would have a width of 3.17 metres. It would have a pitched roof form which would have a ridge height of 3.82 metres and an eaves height of 3.82 metres.
- 2.3. The proposed single-storey rear extension would project outwards from the existing rear elevation by 1.97 metres and would have a width of 8.66 metres. It would have a hipped roof form which would have a ridge height of 3.58 metres and an eaves 2.38 metres.
- 2.4. The proposed single-storey side extension would project outwards from the existing side elevation by 1.66 metres and would have a width of 9.91 metres. It would have a hipped roof form which would have a ridge height of 3.58 metres and an eaves 2.38 metres.
- 2.5. The proposed two-storey rear extension would project outwards from the existing rear elevation by 2.06 metres and would have a width of 8.66 metres. It would have a hipped roof form which would have a ridge height of 8.34 metres with eaves that would replicate those of the existing dwelling.
- 2.6. Additional alterations include the replacement of the window serving the utility to the side elevation to a door, the addition of a window to the first floor rear elevation hosting the master bedroom and the addition of two sets of bi-fold doors to the rear elevation of the single-storey extensions. The fenestration is to be replaced throughout and is to vary in design with minor alterations to their scale and position. The existing porch, single storey extension and conservatory to the rear are to be demolished.
- 2.7. The proposed external materials would match those of the existing dwelling with the exception of the use of oak timber to the canopy porch, frieze and single storey rear extension and Aluminium PPC to the doors.
- 2.8. Amendments have been sought during the application process in the interests of good design.

3. Description of the site and surrounding area

- 3.1. The application site relates to a two-storey detached residential dwelling situated outside of the settlement boundary of Osbaston. The dwelling has a hipped roof form and is compromised by the use of cream render to the walls, brown tiles to the roof and white uPVC to the openings. To the west of the main dwelling sits a detached double garage surrounded by 0.02 hectares of hardstanding suitable to provide the dwelling with a more than adequate off-street parking provision.
- 3.2. The site can be accessed to the south of Lount Road and accommodates a generous 0.52 hectares consisting of a mixture of residential curtilage and agricultural land. The agricultural fields can be seen to extend around the site with the other residential dwellings down Lount Road being placed sporadically. There is no defined character within the area.
- 3.3. A public footpath (from Ashby Road to Osbaston Lodge Farm) is present to the

4. Relevant planning history

76/00996/4M

- Demolition of outbuildings and erection of kitchen
- Planning Permission
- 05.08.1976

81/00608/4

- Erection of a double garage
- Planning Permission
- 08.06.1981

94/00793/FUL

- Extensions and alterations
- Planning Permission
- 28.10.1994

97/00372/FUL

- Extension to dwelling
- Planning Permission
- 30.05.1997

03/00230/FUL

- Erection of stables
- Planning Permission
- 28.04.2003

06/01131/FUL

- Extensions and alterations to dwelling
- Planning Permission
- 15.11.2006

07/00808/FUL

- Remodelling of existing dwelling
- Planning Permission
- 08.08.2007

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 comments have been received.

6. Consultation

- 6.1. Osbaston Parish Council:
- No comments have been received.

7. Policy

- 7.1. Core Strategy (2009)
- None relevant.
- 7.2. Site Allocations and Development Management Policies DPD (2016)
- Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM4: Safeguarding the Countryside and Settlement Separation
 - Policy DM6: Enhancement of Biodiversity and Geological Interest
 - Policy DM10: Development and Design
 - Policy DM18: Vehicle Parking Standards
- 7.3. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2024)
 - Planning Practice Guidance (PPG)
- 7.4. Other relevant guidance
- Good Design Guide (2020)
 - National Design Guide (2019)

8. Appraisal

- 8.1. Key Issues
- Design and impact upon the character of the area
 - Impact upon neighbouring residential amenity
 - Impact upon parking provision
 - Impact upon ecology

Design and impact upon the character of the area

- 8.2. Policy DM4 of the Site Allocations and Development Management Policies DPD requires that proposed development protects the countryside's intrinsic value, beauty, open character and landscape character. Development in the countryside

will only be considered sustainable where the extension of the existing buildings leads to the enhancement of the immediate setting.

- 8.3 Policy DM10 of the Site Allocations and Development Management Policies DPD 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.
- 8.4 The application seeks full planning consent for a two-storey rear extension, single storey rear and side extension, and oak framed canopy porch at The Chestnuts, Lount Road, Osbaston.
- 8.5 The Councils Good Design Guide seeks to ensure that *“extensions to the front of properties are unlikely to be acceptable as they will be visually prominent within the streetscene. 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 The proposed canopy porch extension to above the main entrance would replace the existing hipped roof porch at the site. This aspect of the development is considered to be minor, bearing no significant impact upon the character of the existing dwelling or surrounding area.
- 8.7 The Councils Good Design Guide seeks to ensure 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.”*
- 8.8 The Councils Good Design Guide seeks to ensure that *“side extensions should appear smaller in scale and massing in order to be subordinate to the main building.”*
- 8.9 The proposed single-storey side/rear extensions would replace the existing conservatory and kitchen/utility at the site. It would be set back generously (3.20 metres) from the front elevation and extend for a width of only 1.65 metres from the main side elevation, retaining an appropriate gap of 1.20 metres to the side boundary to retain on of the accesses to the rear garden. It would extend for a total depth of 9.91 metres, including an appropriate depth of 3.71 metres from the main rear elevation, and for an appropriate total width of 10.30 metres from the existing living room to the rear elevation up to the eastern side boundary. It would have a hipped roof design which would be characteristic of the existing dwelling with a clearly subordinate height of 3.15 metres that would not be overly prominent or result in any significant adverse visual impacts on the character or appearance of the application dwelling or wider street scene in this case.
- 8.10 The proposed two-storey rear extension would sit above the proposed rear single storey element and would replicate its width not extending past either side elevation. It would project outwards from the existing first floor elevation by 2.06 metres and would have a ridge and eaves height which would replicate those of the existing dwelling appearing to be a subordinate addition.
- 8.11 Elements of the proposal would be visible from public vantage points on Lount Road and from the public footpath (from Ashby Road to Osbaston Lodge Farm) however, they would only be glimpses and would be predominantly from afar due to the public footpaths set back distance from the site. Therefore, by way of its

appropriate design this element of the proposal would not have an adverse impact upon the character of the area.

- 8.12 The Councils Good Design Guide states that *“Fenestration, including the scale, rhythm, proportions and elements of detail used for window and door openings plays a critical role in the success of housing design. In the case of residential extensions, care should be taken to ensure that the existing horizontal and vertical rhythm together with the proportion of openings is either reflected or complemented.”*
- 8.13 Additional alterations include the replacement of the window serving the utility to the side elevation to a door, the addition of a window to the first floor rear elevation hosting the master bedroom and the addition of two sets of bi-fold doors to the rear elevation of the single-storey extensions. The fenestration is to be replaced throughout and is to vary in design with minor alterations to their scale and position, the replacement fenestration is nonetheless to appear to be a complementary and not an unfamiliar addition to the dwelling.
- 8.14 The proposed external materials would match those of the existing dwelling with the exception of the use of oak timber to the canopy porch, frieze and single storey rear extension and Aluminium PPC to the doors. These additions would, however, appear to be a complementary addition and are not considered to bear a significant impact upon the character of the area.
- 8.15 By virtue of their siting, scale and the proposed use of matching corresponding external materials in the construction to ensure a uniform appearance, it is considered that the proposals would be acceptable in design terms and would respect and complement the scale, character and appearance of the existing dwelling whilst not resulting 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 Policies DM4 and DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 8.16 Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy or amenity of nearby residents and occupiers of adjacent buildings and the amenity of occupiers of the proposed development would not be adversely affected by activities within the vicinity of the site.
- 8.17 The proposals would be set 37.01 metres away from the nearest neighbouring dwelling and would host no significant alterations to the existing fenestration (per the design). The proposal would therefore have no adverse impacts on the privacy or residential amenity of the occupiers of the neighbouring dwelling and would 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 highway safety

- 8.18 Policy DM18 of the Site Allocations and Development Management Policies DPD seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.19 The Leicestershire Highways Design Guide (2024) seeks to ensure that a dwelling hosting four or more bedrooms provides a minimum off-street parking provision for three vehicles.

- 8.20 The Council's Good Design Guide seeks to ensure that *"Front extensions should not result in the loss of existing parking spaces where it would impact on the street scene."*
- 8.21 The proposed scheme of extensions would not increase the number of bedrooms at the dwelling but would result in the loss of space to the site's frontage by way of the proposed construction of a timber canopy porch. Notwithstanding this, by way of the proposals sitting upon the existing porch's footprint, and the presence of a detached double garage and 0.02 hectares of hardstanding at the site the parking provision would not be impacted and would remain adequate to serve the existing/resulting four bedroomed dwelling.
- 8.22 By virtue of the above, the application complies with Policy DM18 of the SADMP and the Leicestershire Highways Design Guide (2024).

Impact upon ecology

- 8.23 Policy DM6 of the Site Allocations and Development Management Policies DPD states that proposals must demonstrate how they conserve and enhance features of nature conservation and geological value including proposals for their long term future management.

Proposals which are likely to result in the loss or deterioration of an irreplaceable habitat would only be acceptable where:

- e) The need and benefits of the development in that location clearly
- f) It has been adequately demonstrated that the irreplaceable habitat
- g) Appropriate compensation measures are provided on site wherever possible and off site where this is not feasible.

If the harm cannot be prevented, adequately mitigated against or appropriate compensation measures provided, planning permission will be refused.

- 8.24 The site is surrounded by a vast amount of landscaping providing a good connectivity and foraging opportunities for bats and is also situated within a "Swift Alert" zone. A Preliminary Roost Assessment (PRA) was, therefore submitted to the Local Planning Authority upon submission of the application. The PRA states that the building has negligible bat roosting potential and no evidence was found to indicate the presence of bats and that there was no evidence of access to the internal roof space by birds. Notwithstanding the findings, as a basic biodiversity enhancement, a single bat box and single bird box has been included within the development as per the recommendations in Section 5 of the submitted ecology survey (Bat Survey submitted to the Local Planning Authority on the 20th March 2025).
- 8.25 Further to the above, a tree is also to be removed as part of the development. The identified tree is a classified "C" quality tree (a tree of low quality and value that can only be retained in the short term (.e, 5-15 years) and that has little landscape impact due to poor form or condition) and as per the recommendations in Section 3 of the submitted Tree Survey (submitted to the Local Planning Authority on the 20th March 2025) even though the tree to be removed is of a low amenity value replacement planting should be carried out to adequately mitigate the loss upon the biodiversity, character of the area and wider countryside. A replacement planting plan was therefore submitted to the Local Planning Authority on the 20th May 2025, showing the proposed location of the tree to replace the Apple tree (1).

- 8.26 The extensions are not considered to impact the further trees at the site as demonstrated with Section 4.1 of the submitted Tree Survey (submitted to the Local Planning Authority on the 20th March 2025), nevertheless the necessary mitigations should be taken which are outlined within the Tree Survey and within the conditions at the end of the report.
- 8.27 By virtue of the above, subject to the development being implemented in strict accordance with the implemented conditions, it is considered that this would ensure that the proposal would not result in any significant adverse impacts, either during or post construction, on the long term viability or biodiversity or visual amenity value of the important trees. The proposal would therefore accord with Policy DM6 of the adopted SADMP.

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.

10. Conclusion

- 10.1. Notwithstanding the location of the dwelling outside of any settlement boundary and therefore within designated countryside, the proposal is an extension 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 proposed development has been assessed, and the Local Planning Authority can conclude that the proposed development would complement the character and appearance of the host dwelling or the rural appearance/open character of the surrounding countryside, would not cause any adverse impacts upon the visual amenity of the surrounding area or the neighbouring amenity of occupants surrounding the application site or to trees, roosting bats or birds.
- 10.3. On this basis, the proposal is therefore considered to be in accordance with Policy DM1, DM4, DM6 and DM10, DM18 of the Site Allocations and Development Management Policies DPD and the general principles of the Councils Good Design Guide. The proposal 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 materials to be used externally shall accord with the approved application form, as received by the Local Planning Authority on the 20th March 2025.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM1, DM4 and DM10 of the Site Allocations and Development Management Policies DPD (2016).

3. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

- Proposed Block & Location Plans, Drg No. 115
 - Tree Survey
 - Bat Survey
- All as received by the Local Planning Authority on the 20th March 2025.
- Proposed Floor Plans, Drg No. 2024-29 110 Rev C
- As received by the Local Planning Authority on the 2nd May 2025.
- Proposed Elevations, Drg No. 2024-29 111 Rev D
- Both as received by the Local Planning Authority on the 20th May 2025.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1, DM4, DM6 and DM10, DM18 of the Site Allocations and Development Management Policies DPD (2016).

4. A replacement apple tree shall be planted no later than the first planting seasons following first use of the extensions hereby approved. Thereafter the tree shall be retained and maintained for a period of five years. If the tree to be retained is removed, uprooted or destroyed or dies, a replacement shall be planted at the same place.

Reason: To ensure that the a replacement tree is planted and retained in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

5. No fires should be lit within 6.00 metres of the furthest extent of the canopy of any tree to be retained as part of the approved scheme.

Reason: To ensure that the works are carried out in a way that safeguards the health and amenity of the tree in accordance with Policy DM6 and DM10 the Site Allocations and Development Management Policies DPD and paragraph 136 of the NPPF.

11.3 Notes to applicant

- a) 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.
- b) It is a criminal offence to damage or destroy a bat roost. Therefore, if the tree is mature and has hollow cavities and / or is covered with ivy, or has suitable places in which bats might roost, we recommend that it be surveyed for bats before any work is carried out to the tree. All birds, their nests and eggs are protected by the Wildlife and Countryside Act. We recommend that work to trees is done outside the bird-nesting season - i.e between the end of August and beginning March. If work to the tree is to be undertaken during the bird breeding season, we recommend that a suitably qualified ecologist surveys the tree for nesting birds. If nesting birds are present, work must be postponed until the young have left the nest.
- c) It is necessary, when carrying out works to tree(s) to be aware of the WILDLIFE AND COUNTRYSIDE ACT, 1981, whereby it is an offence for any person who intentionally takes, damages or destroys the nest of any wild bird, while the nest is in use or being built, or takes or destroys any eggs of such wild bird. The times when birds are nesting is generally between the months of March to September inclusive.