

Delegated Report

Planning Reference: 25/01194/HOU
Applicant(s): Mrs Jo Fores
Ward: Cadeby Carlton and Market
Bosworth with Shackerstone



Hinckley & Bosworth
Borough Council

Application Site: Cherry Tree Cottage, Bosworth Road, Congerstone

Proposal: Demolition of the existing conservatory, erection of a front dormer, first floor extension to increase the ridge height, installation of a pitched roof to the garage and associated works.

Case Officer: Gwion Russell (Planning Officer)

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions detailed at the end of this report.

2. Planning Application Description

2.1. This householder application seeks permission for the demolition of an existing conservatory; erection of two front-facing dual-pitched dormers; increase in ridge and eaves heights to facilitate first-floor accommodation; replacement pitched roof to the existing detached garage and chimney stack at Cherry Tree Cottage, Congerstone.

2.2. The proposal includes removal of the uPVC conservatory and extensions to the dwelling, including two front dormers and a first-floor extension increasing internal floor area from 67m² to 92m². From the front elevation, the eaves height would increase from 2.2m to 2.8m, and the maximum roof height would increase from 5.2m to 7.1m.

2.3. The detached rear garage would be altered by replacing the flat roof with a pitched roof, achieving a maximum height of 3.1m. The proposed dormers (2.2m high, 2m wide) would be finished in render to match the main dwelling. The scheme also includes a central two-storey windowed gable, a brick chimney stack and uPVC fenestration. Associated internal alterations would result in a three-bedroom dwelling.

2.4. A previous planning application (Ref: **24/01135/HOU**) was sought for a first-floor extension and installation of a pitched roof to garage and refused for the following reasons:

1) The proposal fails to demonstrate that it would not harm protected species and their habitats through the failure to provide a Preliminary Roost Assessment (PRA). The extent that protected species, and their habitats may be affected by the proposed

development and any required mitigation cannot be established. The proposal is therefore contrary to Policies DM6 and of the adopted Site Allocations and Development Management Policies DPD (2016), Paragraph 99 of Part IV of the ODPM Circular 06/2005 and the NPPF (2024).

2) By virtue of its design, lack of architectural detailing, height and fenestration, the development would result in an uncharacteristic and incongruous form of development that neither complements nor enhances the character of the application site or the surrounding area. The development is therefore contrary to Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016) the general principles of the Councils Good Design Guide and the overarching principles of the NPPF (2024).

3. Description of the Site and the Surrounding Area

- 3.1. The application site is located at Cherry Tree Cottage, along Bosworth Road and within the settlement boundary of Congerstone.
- 3.2. The application site comprises a detached four-bedroomed dormer bungalow constructed in the early 1980s. The dwelling is traditionally finished in dark red brick and forms part of a pair of near-identical properties, sharing a broadly similar design and scale with its adjacent neighbour, but not identical.
- 3.3. The principal elevation features two bay windows positioned symmetrically at either side of the central entrance. The central front dormer is mono-pitched, providing additional accommodation at first-floor level. To the rear, the dwelling incorporates a flat-roof dormer and spans the rear elevation. A detached flat-roof garage is positioned set back towards the rear of the residential curtilage, accessed via the driveway to the side of the dwelling.
- 3.4. Bosworth Road, at the southeast boundary of Congerstone, is an unclassified road and features a short linear arrangement of mainly detached houses and cottages of varied age and design. The property does not sit within the Congerstone Conservation Area. The site is within walking distance of the village centre, which includes various residential units and community facilities.

4. Relevant Planning History

24/01135/HOU

- First floor extension and installation of a pitched roof to garage
- Refused
- 13.05.2025

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.

6. Consultation

6.1. There have been no objections from the following consultees:

- LCC's Ecology Unit
- Congerstone Parish Council

6.2. No further responses have been received.

7. Policy

7.1. Core Strategy (2009):

- Policy 12: Rural Villages

7.2. Site Allocations and Development Management Policies Development Plan Document (SADMP) (2016):

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.3. National Planning Policies and Guidance:

- National Planning Policy Framework (NPPF) (2024)
- National Design Guide (2019)
- Planning Practice Guidance (PPG)

7.4. Other Relevant Guidance:

- Hinckley and Bosworth Borough Council – The Good Design Guide (2020)
- Leicestershire Highway Design Guide (LHDG) (2024)

8. Appraisal

8.1. Extensions 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
- Impact upon residential amenity
- Impact upon parking provision and highway safety

Design and Impact upon the Character of the Area

- 8.2. The Good Design Guide advises that roof extensions should, where possible, be located to the rear to reduce street scene impacts. The proposed first-floor expansion and increased roof height are substantial, in principle, and would not be exclusively isolated to the rear of the property, however they would remain proportionate to the main dwelling.
- 8.3. Although the increased roof ridge height by 1.9m and overall increase in massing would alter the roof line and street scene character along Bosworth Road, the varied character and massing of surrounding properties mitigate the change to the character and appearance of the street scene.
- 8.4. The adjacent property to the east, Holly Cottage, is also a dormer bungalow with a comparatively high eaves level. The property to its west, is a dormer bungalow, similar in design to the existing dwelling.
- 8.5. The proposed eaves and ridge heights, along with the scale and siting of both principal dormers, are considered proportionate and consistent with nearby properties and the wider street scene. The proposed dual-pitched roof reflects the roofscape along Bosworth Road, where dual-pitched roofs dominate the street scene. Whilst the central projecting gable is not a prevailing feature along Bosworth Road, it is not considered to cause significant harm to the character and appearance of the site and wider street scene. The proposal would therefore accord with the established variety in scale, massing and design and would complement the surrounding area with regard to scale, mass, design and materials in accordance with policy DM10.
- 8.6. The proposed windows follow a symmetrical and well-proportioned pattern, with matching materials and proportions. Whilst the fenestration proposed at the rear elevation is inconsistent in terms of scale and pattern, it would not be visible from the public realm. The consistent use of facing brick window detailing reflects the original design of the dwelling.
- 8.7. By virtue of the above the proposal respects the character of the existing dwelling and complements the character of the street scene and surrounding area, and is therefore in accordance with Policy DM10 of the SADMP and the Good Design Guide.

Impact upon Residential Amenity

- 8.8. No element of the proposal breaches a 45-degree line from any neighbouring window.
- 8.9. The increased ridge and eaves heights may result in minimal loss of light to adjacent properties during early mornings and late afternoon. However, given that neighbouring gardens are all south facing with ample sunlight during the day, the impact would not be significant.
- 8.10. The proposal does not introduce any dominant or overbearing blank elevations with direct invisibility of neighbouring side windows. As such, the proposals would not impact upon neighbouring properties by way of oppressive development.

- 8.11. To comply with the Good Design Guide, dwellings with three or more bedrooms should also provide a minimum of 80m² of private outdoor amenity space with a minimum length of 7m. The proposals retain private outdoor amenity space not exceeding 8m in depth and 110m² in total area, which is compliant with the Good Design Guide.
- 8.12. By virtue of the above the proposal does not result in any adverse overbearing or overshadowing impacts or any overlooking or loss of privacy to the neighbouring properties and therefore is considered to be in accordance with Policy DM10 of the SADMP and the Good Design Guide.

Impact upon Parking Provision and Highway Safety

- 8.13. The proposals would see the loss of a bedroom and result in a three-bedroomed property. It is considered that there is already adequate off-street parking for the dwelling and that the proposal does not create an unacceptable impact on highway safety or the road network. Therefore, the scheme is regarded as in accordance with Policies DM17 and DM18 of the SADMP and the LHDG.

Impact upon Ecology

- 8.14. During the initial consultation period, Leicestershire County Council Ecology objected to the proposals on ecology grounds and requested a Preliminary Roost Assessment. Additional ecological information confirmed that features such as hanging tiles and gaps would not provide suitable bat roosting opportunities. Previous concerns were also addressed, and no further surveys are required. A biodiversity enhancement (e.g. bird box) should be secured in line with NPPF and Policy DM6, with details to be shown on plans and this would be secured by condition.

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. Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission to be granted, subject to the imposition of appropriate conditions.

11. Recommendation

11.1 **Grant planning permission** subject to:

- Planning conditions detailed at the end of this report.

11.2 Conditions

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 received by the Local Planning Authority as follows:

- Application Form – received by the Local Planning Authority on 12/12/25
- Proposed Plans and Elevations - Drg No. 5052-002F - received by the Local Planning Authority on 15/05/26
- Proposed Street Scene and Block Plan - Drg No. 5052-003E - received by the Local Planning Authority on 15/05/26

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. Within three months of the date of this decision, a biodiversity enhancement scheme is required to be submitted and approved in writing by the Local Planning Authority (LPA). Enhancements shall include (but not be limited to) at least one integrated/woodcrete bird box, specifying the make/model and their locations. Any enhancement measures need to be shown on all relevant submitted plans. All works shall proceed strictly in accordance with the approved scheme.

Reason: To ensure a satisfactory form of development in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

a. **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.
2. The property may be suitable for roosting bats, which are protected by law from harm. The applicant should ensure that all contractors and individuals working on the property are aware of this possibility, as works must cease if bats are found during the course of the works whilst advice from a bat ecologist is obtained.