

Delegated Report

Planning Ref: 25/00545/HOU
Applicant: Mr Shawn Condon
Ward: Barlestone Nailstone And Osbaston



Hinckley & Bosworth
Borough Council

Site: Bluebell Cottage Yew Tree Farm Occupation Road

Proposal: Single storey side and rear extensions and loft conversion including dormer windows to the side elevations.

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 application seeks full planning permission for a single-storey side and rear extension including dormer windows to the side elevations at Bluebell Cottage, Yew Tree Farm, Occupation Road, Nailstone.
- 2.2. The proposed single-storey rear extension would project outwards from the existing rear elevation by 6.19 metres for a width of 5.32 metres. It would have a dual-pitched rear facing gable form which would measure 2.56 metres to the eaves and 5.49 metres to the ridge. A set of three bi-fold doors and apex window would sit to the rear elevation with two windows to the north-east side elevation atop of which would sit a dual-pitched dormer with a three pane window (also mirrored to the south-east side elevation). Further amendments to the rear include the addition of a glazed panel door to the side of the proposed utility window.
- 2.3. The proposed single-storey side extension would project outwards from the existing side elevation by 1.10 metre for a width of 2.35 metres. It would have a mono-pitched form which would measure 2.43 metres to the eaves and 3.14 metres to the ridge. A door would sit to the south-east side elevation.
- 2.4. The proposed external materials would match those of the existing with the exception of aluminium to the doors and grey metal to the faces of the dormers.
- 2.5. The application has been revised since its submission to remove dormers from the original structure and replace them with roof lights.

3. Description of the site and surrounding area

- 3.1. The application site relates to a detached residential bungalow situated within the countryside and partially within the Nailstone Conservation Area. The dwelling was approved under application reference 13/00995/FUL and was subject to a complete re-build. The site is set back from the highway by way of being set well into the Yew Tree Farm complex.
- 3.2. The application dwelling has a hipped/pitched form and is characterised by red brick to the walls, slate tiles to the roof and off-white uPVC to the openings with a timber door. The sites frontage is enclosed by a 1.00 metre high wall constructed out of matching brick to the main dwelling with 2.00 metre high close boarded timber fencing to either side boundary and 1.00 metre high open timber fence to the rear providing views to the surrounding open countryside.

4. Relevant planning history

07/00747/FUL

- Conversion of farmhouse and farm buildings into three dwellings and erection of two new dwellings
- Planning Permission
- 30.08.2007

10/00757/FUL

- Conversion of farm buildings into dwelling and erection of two new dwellings
- Planning Permission
- 02.12.2010

13/00995/FUL

- Conversion of Farm Buildings into Dwelling and Erection of Two New Dwellings
- Planning Permission
- 23.01.2014

17/00511/HOU

- Erection of new dwelling including access and parking arrangements, demolition of barns as necessary (revised scheme 13/00995/FUL)
- Planning Permission
- 20.07.2017

18/01218/CONDIT

- Variation of Condition 2 of planning permission reference 17/01293/FUL to enable the development to be implemented in accordance with amended plans (amendments to elevations)
- Planning Permission
- 24.01.2019

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. One letter of support has been received which is summarised below;
 - The extensions and conversion will be in keeping with other homes in the area and be a positive addition.

6. Consultation

6.1. Nailstone Parish Council;

'Following the PC meeting of 25/6/25 Cllrs voted to submit a comment of support for this application, based on the dormer windows being garden facing, the design being in keeping with neighbouring properties and the development increasing the useable size of the house.'

6.2. LCC Ecology;

'No objection (for recommended conditions or informatives- see below)

REASON FOR RECOMMENDATION:

There has been a review of applicant submitted information and Leicestershire County Ecology comments (30/07/2025) with updated comments below.

- The applicant has supplied photographs of the interior attic, exterior roof, flashing, soffits and brickwork. From the photographs dated (31/07/2025) the building appears to be in excellent condition. There are no slipped tiles, missing mortar or gaps in the flashing in addition, the roof void is well lit with skylights. In combination, this makes the dwelling unfavourable for bats to roost and no further surveys are required.*
- The applicant has also supplied photographs dated (31/07/2025) of the land surrounding the dwelling which mainly consist of hard standing and short mown amenity grassland. This offers very limited terrestrial habitat to support GCN, and no further surveys are required. However, as a precaution a series of Reasonable Avoidance Measures (RAMs) will be required. Please see recommended Conditions.*

BNG Specific.

- The application is exempt from Mandatory BNG as it is a 'Householder application'*

ANY RECOMMENDED CONDITIONS TO BE APPLIED:

- GCN RAMs - All materials associated with the carrying out of the development hereby approved shall be stored off the ground (for example on pallets) throughout the course of the development, including prior to the commencement of development, and all spoil/waste materials shall be removed from the site at the end of each working day, or stored in a skip.'*

6.3. HBBC Conservation Officer:

- No comments have been received.

7. Policy

7.1. Core Strategy (2009)

- Policy 12: Rural Villages

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 DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.3. National Planning Policies and Guidance

- Planning (Listed Building and Conservation Areas) Act 1990
- National Planning Policy Framework (NPPF) (2024)
- Planning Practice Guidance (PPG)

7.4. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)
- Leicestershire Highways Design Guide (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 and appearance of the dwelling, the Nailstone Conservation Area and the wider countryside
- Impact upon neighbouring residential amenity
- Impact upon parking provision and highway safety
- Impact upon ecology

Design and impact upon the character and appearance of the dwelling, the Nailstone Conservation Area and the wider countryside

- 8.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a general duty in the exercise of planning functions stating that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 8.3 Section 16 of the National Planning Policy Framework (NPPF) provides the national policy on conserving and enhancing the historic environment. Paragraphs 212-215 of the NPPF require great weight to be given to the conservation of designated heritage assets when considering the impact of a proposed development on its significance, for any harm to the significance of a designated heritage asset, including from development within its setting, to have clear and convincing justification, and for that harm to be weighed against the public benefits of a proposal.
- 8.4 Policy DM4(i) of the SADMP states that development in the countryside will be considered sustainable where it does not have a significant adverse effect on the intrinsic value, beauty, open character, and landscape character of the countryside.
- 8.5 Policy DM10 of the SADMP seeks to ensure that new development should complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.6 Policies DM11 and DM12 of the SADMP seek to protect and enhance the historic environment. Development proposals should ensure the significance of a conservation area is preserved and enhanced.
- 8.7 The Nailstone Conservation Area (NCA) map (2015) identifies Bluebell Cottage as being a 'negative' area within the NCA, the building is therefore considered to make a minor negative contribution to the character and appearance, and thus significance, of the conservation area.
- 8.8 This application seeks full planning permission for a single-storey side and rear extension including dormer windows to the side elevations at Bluebell Cottage, Yew Tree Farm, Occupation Road, Nailstone.
- 8.9 A comment of support has been received that the extensions and conversion will be in keeping with other homes in the area and be a positive addition.

- 8.10 The Council's Good Design Guide states 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.'* And that;

'The use of sensitive materials is particularly significant in the case of listed buildings or for proposals within conservation areas. Care should be given to the selection of the type, colour and size of bricks, roof tiles, mortar colour, lintels, sills and heads. Planning conditions to specify a palette of materials will be utilised where considered appropriate.'

- 8.11 The proposed single-storey rear extension would project outwards from the existing rear elevation by 6.19 metres for a width of 5.32 metres, having a modestly scaled rectangular plan form and footprint. It would have a dual pitched rear facing gable form with an eaves height of 2.56 metres and a ridge height of 5.32 metres mirroring those of the existing dwelling, appearing to be a clearly subordinate addition. In this case as it would be only single storey and sited entirely to the rear where it would not be a prominent feature within the street scene it is considered to have a largely neutral effect on the setting of NCA and the intrinsic value, beauty, open character and landscape character of the countryside. Furthermore, the extension would comprise slate to the roof, red facing brick to the walls, with two windows to the north-east side elevation and the addition of a glazed panel door to the side of the proposed utility window all sensitive to the existing dwelling. Full height glazing to the rear elevation is proposed resulting in a more contemporary but nevertheless acceptable design.

- 8.12 The Council's Good Design Guide states that *'side extensions should appear smaller in scale and massing in order to be subordinate to the main building.'*

- 8.13 The proposed single-storey side extension would project outwards from the existing side elevation by 1.10 metre for a width of 2.35 metres. It would have a mono-pitched form which would measure 2.43 metres to the eaves and 3.14 metres to the ridge. It would be set back from the principle elevation of the dwelling, and the adjacent highway along with being screened by the buildings within the Yew Tree Farm complex, whilst comprising slate to the roof, red facing brick to the walls. The proposed extension is therefore considered to have a largely neutral effect on the setting of NCA and the intrinsic value, beauty, open character and landscape character of the countryside.

- 8.14 The Council's Good Design Guide states that *'Roof extensions are a well-used methodology for extending internal space but can be prominent over a wider area due to their higher scale compared with their neighbours. Some key guidelines are:*

- *Wherever possible, locate roof extensions to the rear of properties to minimise potential impact on the streetscene.*
- *Dormer windows, which allow for additional headroom within roof spaces can be appropriate in certain situations, however these will be considered in the context of impact upon the character of the building and on neighbours' amenity.*
- *Material selection, and scale of window opening and position within the roofscape is critical in the success of dormers. Dormers to fronts of properties will only be acceptable where this is a prevailing feature of the surrounding context.'* and in respect to conversions that;

'The roofline is often one of the most visually prominent parts of an agricultural building in the landscape. A key characteristic feature of agricultural buildings is a long, unbroken, roof profile. It should retain this character. In general: Avoid

features such as dormer windows. Not only are these domestic in appearance but significantly alter the shape and profile of the roofline.

- 8.15 The proposed loft conversion includes the formation of two dual-pitched roof dormer windows to the side of the rear roof elevation. Whilst not a barn conversion, due to the dwellings appearance and immediate surrounding conversions with the Yew Tree Farm complex which form part of the sites setting amendments have been sought to limit the dormers to the side of the rear elevation only to retain the character of the application dwelling and surroundings. The dormers would not exceed the height of the extension or main dwelling whilst being of a modest scale appearing to be a subordinate addition to the roof elevation as to not over dominate. Notwithstanding that neither the application dwelling nor its immediate neighbours have existing dormers, they are not an alien feature within the wider NCA. It is therefore considered that the proposal would not have any significant adverse impacts on the setting of NCA and the intrinsic value, beauty, open character and landscape character of the countryside.
- 8.16 Overall, the extensions are appropriately sited, is of a very modest scale, and are of a design and construction materials, the proposals would respect and complement the scale, character and appearance of the existing dwelling and would result in a neutral impact upon the character and appearance of the NCA thus preserving its significance and would protect the intrinsic value, beauty, open character and landscape character of the countryside. It is considered that the proposals would also have no adverse impacts upon the key important view identified in the Nailstone Conservation Area Appraisal/Map from Occupation Road (view 7). The proposals are therefore considered to be in accordance with Policies DM4, DM10, DM11 and DM12 of the adopted SADMP, the principles of the Council's Good Design Guide, Section 16 of the NPPF, and the statutory duties of Section 72 of the Planning (Conservation Areas and Listed Buildings) Act 1990.

Impact upon neighbouring residential amenity

- 8.17 Policy DM10 of the SADMP states that proposals should not adversely affect the occupiers of the neighboring properties.
- 8.18 The Council's Good Design Guide states that *'Dormer windows, which allow for additional headroom within roof spaces can be appropriate in certain situations, however these will be considered in the context of impact upon the character of the building and on neighbours' amenity.'*
- 8.19 To the south-east of the site sits, Yew Tree Farmhouse. Due to the dwellings sitting 4.32 metres in front of the application dwelling with the main structures adjacent to the proposal being a detached garage and stable/store the proposals would have no adverse impact upon Yew Tree Farmhouse in terms of loss of light. A dormer window is proposed to face directly into the site. It is noted that this area is not the main primary amenity space for the occupiers, nevertheless in order to protect the occupier/owners privacy an obscure glazing condition is considered necessary to mitigate any adverse impacts.
- 8.20 The Council's Good Design Guide states that *"Habitable rooms within rear elevations of neighbouring properties should never be less than 21m apart."*
- 8.21 To the north-west of the site sits, Mill Barn, Yew Tree Farm. The proposals would be situated 21.49 metres from Mill Barn, whilst hosting a modest projection not bearing an impact upon the occupiers/owners in terms of loss of light. A dormer window is, however again proposed to face directly into the site which would provide direct views to the site further exasperated by the land levels significantly sloping to the north-west. So, whilst the separation distance is considered

appropriate given the further factors an obscure glazing condition is considered necessary to mitigate any adverse impacts.

- 8.22 By virtue of the above, subject to the implementation of the obscure glazing conditions the proposals are considered to be in accordance with Policy DM10 of the SADMP and the Council's Good Design Guide. No objections have been received from any neighbouring properties.

Impact upon parking provision and highway safety

- 8.23 Section 9 of the NPPF promotes sustainable transport. Paragraph 115 of the NPPF states that planning decisions should ensure that developments provide appropriate opportunities to promote sustainable transport modes, given the type of development and its location and a safe and suitable access to the site for all users. Any proposal should ensure that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 8.24 Ultimately, development should not be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe, in accordance with Paragraph 116 of the NPPF.
- 8.25 Policy DM17 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety.
- 8.26 Policy DM18 of the SADMP requires new development to provide an appropriate/justified level of parking provision.
- 8.27 The Leicestershire Highway Design Guide seeks to ensure that dwellings with three bedrooms provide an off-street parking provision for a minimum of two vehicles.
- 8.28 The proposed scheme of extensions would see the addition of two further bedrooms, increasing the dwelling to host three bedrooms in total. The application site has an abundance of hard surfaced off-street parking space to serve the existing/resulting dwelling. By virtue of the above, the proposals would retain more than adequate parking provision to serve the site and would not impact highway safety in accordance with Policies DM17 and DM18 of the SADMP and the Leicestershire Highway Design Guide.

Impact upon ecology

- 8.29 Policy DM6 of the SADMP 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.

On site features should be retained, buffered and managed favourably to maintain their ecological value, connectivity and functionality in the long-term. The removal or damage of such features shall only be acceptable where it can be demonstrated the proposal will result in no net loss of biodiversity and where the integrity of local ecological networks can be secured.

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 not is feasible.

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

- 8.30 In reference to Paragraph 99 of Part IV of the ODPM Circular 06/2005 *"It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may have not been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances."*
- 8.31 The proposed development includes breaking into the existing roof voids impacting on soffits, tiles and brickwork whilst being surrounded by good habitat connectivity with several great crested newt (GCN) pounds within 250 metres of the site. As such, this habitat could provide suitable foraging and good connectivity routes for bats and great crested newts, and the submission of a Preliminary Roost Assessment (PRA) with scope for GCN during construction was requested by LCC Ecology.
- 8.32 Whilst a PRA was not submitted, on the 30th June supporting photographs were supplied by the agent and subsequently forwarded over to LCC Ecology for their review. On the 31st July LCC Ecology confirmed that the building appears to be in excellent condition. There are no slipped tiles, missing mortar or gaps in the flashing in addition, the roof void is well lit with skylights. In combination, this makes the dwelling unfavourable for bats to roost and no further surveys are required. The land surrounding the dwelling mainly consist of hard standing and short mown amenity grassland. This offers very limited terrestrial habitat to support GCN, and no further surveys are required. As result the original holding objection was removed, subject to a series of Reasonable Avoidance Measures (RAMs) condition being imposed.
- 8.33 By virtue of the above, subject to conditions, the development would accord with Policy DM6 of the 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. The proposals are considered acceptable as they would respect and complement the scale, character and appearance of the existing dwelling and would result in a neutral impact upon the character and appearance of the Nailstone Conservation Area thus preserving its significance, not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties and a more than adequate off-street parking and turning and private amenity space would be retained within the substantial plot to serve the resulting three bedroomed dwelling. The proposals are considered to be in accordance with Policies DM1, DM4, DM6, DM10, DM11, DM12, DM17 and DM18 of the adopted SADMP, the general principles of the Council's Good Design Guide, section 16 of the NPPF (2024) and the statutory duty of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and are 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 3rd June 2025.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM4, DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), the general principles of the adopted Good Design Guide, section 16 of the NPPF (2024) and the statutory duty of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

- Site Location Plan as received by the Local Planning Authority on the 3rd June 2025.
- Proposed Ground Floor Plan and Proposed First Floor Plan, Drg No. 2025-10679-03D
- Proposed Site Plan, Proposed Front, Side and Rear Elevations, Drg No. 2025-10679-02B
as received by the Local Planning Authority on the 30th July 2025.

Reason: To ensure a satisfactory form of development in accordance with Policies DM4, DM10, DM11, DM12, DM17 and DM18 of the adopted Site

Allocations and Development Management Policies Development Plan Document (2016), the general principles of the adopted Good Design Guide, section 16 of the NPPF (2024) and the statutory duty of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4. Prior to being brought into use the new dormers windows within the master bedroom shall be fitted with obscure glazing to a minimum of level 3 of the Pilkington scale. Once so provided the windows shall be permanently maintained at all times thereafter.

Reason: To safeguard the privacy and amenity of neighbouring dwellings from potential overlooking in accordance with Policy DM10 of the adopted Site Allocations and Development Management Plan Document (2016).

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) The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242. Further information is also available on the Mining Remediation Authority website at: Mining Remediation Authority - GOV.UK