

Delegated Report

Planning Ref: 25/00341/HOU
Applicant: Mr & Mrs T & J Dwyer
Ward: Twycross Sheepy & Witherley



Hinckley & Bosworth
Borough Council

Site: 1 Kennel Cottages From Ashby Road B4116 To Gopsall Estate
Via Kennel Cottages Gopsall

Proposal: Erection of car port

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 the erection of a car port at 1 Kennel Cottage, Gopsall.
- 2.2. The proposed car port would measure 3.10 metres in width and 8.10 metres in depth. It would have a dual pitched roof which would measure 5.08 metres to the ridge and 3.12 metres to the eaves. It would be constructed of a timber frame with brick piers and brown concrete tiles to the roof.

3. Description of the site and surrounding area

- 3.1. The application dwelling is a two-storey detached dwelling located within the countryside. The application site sits on a private gated road which is accessed via Ashby Road (B4116). The private road provides access for the residential dwellings 1 and 2 Kennels Cottages and Gopsall Hall Farm and campsite. No.1 is situated approximately 1.75 kilometres from Twycross.
- 3.2. There is no uniform character within the area.

4. Relevant planning history

21/00069/HOU

- 1.5 storey side, two storey side, two storey rear extensions, dormer windows and a detached garage
- Planning Permission
- 14.04.2021

23/00071/HOU

- Front canopy porch, rear extension and double garage to the side with associated works
- Planning Permission
- 16.03.2023

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. Twycross Parish Council:

- No comments have been received.

6.2. LCC Ecology:

“The proposed works consist of a large car port between two dwellings.

Although the surrounding habitat is mainly open countryside, the works appears to be sited on existing hard standing and do not tie into the existing dwelling.

As such, the works are likely to have minimal impact on ecology and no ecological surveys are required.

We have no objection.”

6.3. Natural England:

“Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes. Natural England’s generic advice on other natural environment issues is set out at Annex A.”

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 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

- Assessment against strategic planning policies

- Design and impact upon the character of the area and the countryside
- Impact upon neighbouring residential amenity
- Impact upon parking provision

Assessment against strategic planning policies

- 8.2 Notwithstanding that the application site is located in the countryside; the NPPF and Policy DM1 of the Site Allocations and Development Management Policies (SADMP) provide a presumption in favour of sustainable development. Policy DM4 of the SADMP sets out the circumstances in which development would be considered sustainable within the countryside, such as a householder application which leads to the enhancement of the immediate setting and does not impact upon the intrinsic value of the open character of the countryside.
- 8.3 This application proposes the erection of a car port to an existing dwelling and therefore is a sustainable development within the countryside and acceptable in principle. Compliance with the relevant sections of Policy DM4 of the SADMP will be assessed further in the following section.

Design and impact upon the character of the area

- 8.4 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.
- 8.5 Policy DM4 of the SADMP allows for sustainable development in the countryside where it meets specific criteria. Criterion b) allows for development where it is for the extension of the existing buildings which lead to the enhancement of the immediate setting and therefore the proposal is acceptable subject to 5 sub-criteria that must be also met. Criterion i) is most relevant and requires that the development represents no significant adverse effects to the intrinsic value, beauty, open character and landscape character of the countryside location.
- 8.6 The application seeks full planning consent for the erection of a car port at 1 Kennel Cottage, Gopsall.
- 8.7 The car port would be located to the north-west side of the main dwelling. It would be set away from the existing north-west side elevation by 0.75 metres and would be set back from the principle elevation by 5.18 metres. It would feature a dual-pitched roof measuring 5.08 metres to the ridge and 3.12 metres to the eaves, being set down from the ridge of the main dwelling by 1.80 metres. It would be constructed of a timber frame with brick piers and brown concrete tiles to the roof.
- 8.8 Notwithstanding that the carport would be of a significant height to accommodate the applicant's motorhome, by virtue of the location of the proposal, it being set back from the track by approximately 5.65 metres and the main highway by 347.43 metres, it is considered that the proposal would not result in any adverse impacts on the rural and open character of the surrounding countryside.
- 8.9 Criterion ii – v of Policy DM4 of the SADMP would not be relevant to this application as the proposal would not undermine the separation between settlements, not create or exacerbate ribbon development and is not located in the Green Wedge or the National Forest.
- 8.10 In light of the above, it is considered that the proposal would complement the character of the existing dwelling and surrounding area/countryside and therefore complies with Policies DM4 and DM10 of the SADMP.

Impact upon neighbouring residential amenity

- 8.11 Policy DM10 of the SADMP seeks to ensure that developments will have no significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings.
- 8.12 The only neighbouring dwelling (2 Kennel Cottage) lies to the north-west of the site and occupies a similarly substantial plot to that of the application dwelling. The proposed carport would be situated 0.98 metres to the immediate side elevation of no.2, would not extend forward of its front or rear elevation and would remain modestly below that of its main ridge height. A window is observed to the north-west side elevation of no.2, it however, hosts a non-habitable room and by virtue of the car ports open frame nature there is not considered to be any adverse impacts upon the owners/occupiers of no.2 in regard to loss of light or overlooking.
- 8.13 The proposed development would therefore satisfy Policy DM10 of the SADMP in this regard.

Impact upon parking provision

- 8.14 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.15 The existing private drive provides safe access to the site from the public highway on Ashby Road to the west and would be unaffected. The extensive plot provides ample space for off-street parking and turning within the site. The proposal would therefore be in accordance with Policy DM18 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. The proposed development is for a property located within the countryside. As such, there is a presumption in favour of sustainable development under Policy DM1 of the SADMP, as long as the proposal is in accordance with the relevant policies of the SADMP.

- 10.1 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 and would not cause any adverse impacts upon the visual amenity of the surrounding area or the neighbouring amenity of occupants surrounding the application site. It would neither have any adverse impacts upon the parking provision at the site.
- 10.2 On this basis, the proposal is therefore considered to be in accordance with Policy DM1, DM4, DM10 and DM18 of the Site Allocations and Development Management 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 31st March 2025.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policy DM1, DM4, DM10 and DM18 of the Site Allocations and Development Management and the general principles of the Councils Good Design Guide.

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, Drg No. PL-01
 - Existing and Proposed, Drg No. PL-02
- Both as received by the Local Planning Authority on the 31st March 2025.

Reason: To ensure a satisfactory form of development in accordance with Policy DM1, DM4, DM10 and DM18 of the Site Allocations and Development Management and the general principles of the Councils Good Design Guide.

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.

