

Delegated Report

Planning Reference 25/00545/FUL
Applicant(s) Mrs Natalie Hopper
Ward Newbold Verdon with Desford and Peckleton



Hinckley & Bosworth
Borough Council

Application Site The Spinneys, Lindridge Lane, Desford

Proposal Upward extension; three dormers; front porch extension; alterations.

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 planning application seeks full planning permission for the upward extension of an ancillary outbuilding located at The Spinneys, Longridge Lane, resulting in a 1.5-storey outbuilding and increase in right height of 40cm. The extension also includes the erection of three dormers along the principal roof pitch and a flat-roof porch at the principal elevation, expanding the footprint of the building by 5.6m². The building would maintain light-rendered elevations with grey cladding along the dormers.

2.2. New fenestration includes a 2.4m wide bifold door at the southern elevation, standard casement windows associated with the three dormers and a new front entry door at the porch elevation. The outbuilding would serve a recreational room, kitchen and W.C. at ground floor and offices and bathroom at first floor. The application cover letter states that the building will continue to serve an ancillary and incidental purpose to the enjoyment of the main dwellinghouse and business 'Tropical Birdland' and would therefore be a suis generis use.

3. Description of the Site and the Surrounding Area

- 3.1. The Spinneys is an enclosed residential site of approximately 2,000m², located to the west of 'Tropical Birdland', an active commercial visitor attraction bird sanctuary.
- 3.2. The site is outside the Desford settlement area and its conservation area, and no element of the site is within close proximity to a listed building. Given the countryside location, there is no discernible unique character to the area.
- 3.3. The application outbuilding forms part of a wider residential complex comprising a variety of buildings, including the main residential dwelling. The 'sui generis' outbuilding is situated well within the site and has no visibility from the public realm; this is largely due to the topography and enclosed nature of the site, the presence of intervening buildings and vegetation, and its substantial separation from the main highway.

4. Relevant Planning History

25/00950/HOU

- Increase height of existing outbuilding to provide additional storey, including three dormers to the front elevation and a new porch
- Not determined
- 12.06.2026

12/00011/FUL

- Extension and alterations to dwelling
- Withdrawn
- 14.03.2012

00/00057/FUL

- Extension to house
- Permitted
- 17.02.2000

00/00058/FUL

- Upgrading and extension to building
- Permitted
- 17.02.2000

91/00945/4

- Erection of toilet block
- Permitted
- 19.11.1991

84/01108/4

- New vehicular access
- Permitted
- 22.01.1985

84/00587/4

- Bedroom and bathroom extensions to bungalow
- Permitted
- 30.07.1984

84/00115/4

- Use of site as a commercial aviary for breeding and sale of birds
- Permitted
- 27.03.1984

75/00439/4M

- Erection of bungalow
- Permitted
- 19.06.1975

5. Publicity

5.1 The application has been publicised by sending out letters to local residents. A site notice was also posted within the surrounding area.

5.2 No responses have been received.

6. Consultation

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

- Hinckley & Bosworth Borough Council ('HBBC')'s Drainage Department
- HBBC's Environmental Health Department
- HBBC's Waste Management Department
- LCC's Ecology Department
- Forestry Commission
- Desford Parish Council

6.2 No further responses have been received.

7. Policy

7.1 Core Strategy (2009):

- Policy 8: Key Rural Centres relating to Leicester

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

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM4: Development in the Countryside
- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.3 Desford Neighbourhood Plan 2018 – 2036 ('DNP') (2021):

- Policy H7: Housing Design
- Policy E1: Existing Employment Use
- Policy E2: Support for New Employment Opportunities
- Policy F1: Retention of Existing Community Facilities
- Policy F2: New or Improved Community Facilities

7.4 National Planning Policies and Guidance:

- National Planning Policy Framework ('NPPF') (2026)
- National Design Guide ('NDG') (2019)
- Planning Practice Guidance ('PPG')

7.5 Other Relevant Local Authority Guidance:

- Good Design Guide ('GDG') (2020)
- Leicestershire Highway Design Guide ('LHDG') (2024)

8. Appraisal

8.1. The key issues in respect of this application would therefore be:

- Principle of development
- Design and impact upon the character of the area
- Impact upon residential amenity
- Impact upon parking provision and highway safety

Principle of Development

- 8.2. NPPF (2026) stated that decisions on development proposals should apply a presumption in favour of sustainable development. This means, outside settlements, Policy S5 of the NPPF should be applied.
- 8.3. Pertinent to this application, Policy S5 (c) states that any reuse, extension, alteration or replacement of an existing building outside settlement boundaries would be supported, provided that the existing building is of permanent and substantial construction, is lawful in planning terms, and any extension or alteration will not result in a disproportionate increase in size compared to the existing building.
- 8.4. The building in question is currently used as staff premises; this was evident on a site visit as the main 'living space' featured sofas, furniture and computers surrounding the room to suggest its use as a staff room. The applicant maintains there is a mixed use with the building also being used for incidental purposes to the dwellinghouse. At the northern section of the building is a small utility-sized room, accessed externally, which provides bird care facilities. These factors suggest the building is not currently utilised as an independent dwelling and remains ancillary to the main residential dwelling and business. The building is of permanent and substantial construction and is lawful in planning terms, as assessed further below, the extension is also not disproportionate in size compared to the existing building satisfying Policy S5 above.
- 8.5. Policy DM4 (b) of the SADMP (2016) states development in the countryside will be considered sustainable where the proposal involves the change of use, re-use or extension of existing buildings which lead to the enhancement of the immediate setting.
- 8.6. Policy E1 of the Desford Neighbourhood Plan (DNP) states Development proposals that result in the loss of, or have a significant adverse impact on, an existing employment use will not be permitted unless it can be demonstrated that:
- a) The building has not been in active use for the past 6 months; and
 - b) The commercial premises or land in question has no potential for either reoccupation or redevelopment for employment-generating uses as demonstrated through the results both of a full valuation report and a marketing campaign lasting for a continuous period of at least 6 months.

In this instance, the proposed outbuilding would be used by staff in association with the existing business operating from the site. The proposal would therefore not result in the loss of an existing employment use or adversely affect the site's employment function. Rather, it would support the continued

operation of the existing business and associated employment. The proposal is therefore considered to accord with Policy E1 of the DNP.

- 8.7. Policy E2 states new employment development will be required to:
- a) Fall within the planned settlement boundary for the village of Desford, unless it relates to small scale leisure or tourism activities, or other forms of commercial/employment related development appropriate to a countryside location or there are exceptional circumstances, or are sited in existing buildings or on areas of previously developed land in sustainable locations;
 - b) Be of a size and scale not adversely affecting the character, infrastructure and environment of the Parish itself and the neighbourhood plan area, including the countryside;
 - c) Not involve the loss of dwellings;
 - d) Not increase noise levels or light pollution or introduce any pollution to an extent that they would unacceptably disturb occupants of nearby residential property;
 - e) Not generate unacceptable levels of traffic movement;
 - f) Contribute to the character and vitality of the local area;
 - g) Be well integrated into and complement existing businesses.

The development would fall outside of the settlement boundary however relates in part to Tropical Birdland which is identified as a tourism business. The development would not result in the loss of a dwelling and as set out below in the report complies with the other requirements of Policy E2.

- 8.8. Policy F1 of the DNP states Development leading to the loss of an existing community facility will not be supported unless it can be demonstrated that:
- a) There is no longer any need or demand for the existing community facility;
 - or
 - b) The existing community facility is, demonstrably, no longer economically viable; or
 - c) The proposal makes alternative provision for the relocation of the existing community facility to an equally or more appropriate and accessible location within the Parish which complies with the other general policies of the Neighbourhood Plan.

The community facilities and amenities covered by this policy include Tropical Birdland sanctuary.

The proposal does not include the loss of an existing community facility and, by default, complies with Policy F1 of the DNP.

- 8.9. Policy F2 proposals that improve the quality and/or range of community facilities, will be supported provided that the development:
- a) Meets the design criteria stated in Policy H6 where appropriate

- b) Does not harm highway safety;
- c) Will not generate a need for parking that cannot be adequately catered for;
- d) Is of a scale appropriate to the needs of the locality and conveniently accessible for residents of the parish wishing to walk or cycle; and
- e) Takes into full account the needs of people with disabilities.

As set out later in the report the proposal complies with the above criterion and whilst limited, there are improvements to the community facility in compliance with Policy F2.

- 8.10. For the avoidance of doubt and owing to the scale and type of accommodation proposed which could facilitate independent occupation of the unit, a condition is recommended requiring that the building remains ancillary to the main dwelling and business.
- 8.11. Overall, the proposal is acceptable in principle and would support the continued operation of the existing business. Subject to an ancillary use condition, the development is considered to broadly accord with Policies S5 of the NPPF (2026), DM4 of the SADMP and Policies E1, E2, F1 and F2 of the DNP.

Design and Impact upon the Character of the Area

- 8.12. Policy DM10 of the Council's SADMP (2016) states that development will be permitted providing that it complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and the use and application of building materials respects the materials of existing, adjoining/neighbouring buildings and the local area generally.
- 8.13. NPPF Policy DP3(1) confirms that development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets.
- 8.14. There is no specific guidance on outbuilding alterations within the Council's Good Design Guide, however, the guidance, which relates to householder extensions should still apply, which supports extensions which are subordinate to their host building.
- 8.15. Public views of the proposal form a dominant aspect of this assessment. The sloping topography of the site and siting/positioning of the outbuilding in question toward the southeast corner of the plot screen the building

significantly from public view. Furthermore, there is gated access which allow pedestrians and vehicular access further restricting views. As such, public harm is negligible.

- 8.16. The three dormers proposed along the principal roofline are not considered strong design by the LPA, however it's important to note they face inward and result in minimal visual harm to the wider area. The proposal follows an originally submitted application, where the dimensions of the dormers were reduced, and set-back position incorporated. As such, they are visually less intrusive and more subordinate to the dominant roofline.
- 8.17. The flat roof element of the porch is contrary to Good Design Guidance, especially as it is located at the principal frontage of the building. The flat-roof looks unsightly, harshly angular and lacks design consideration, however, this element is acceptable on balance as it is not visible from the public realm (the only views of the flat-roof element would be from the residential complex), is modest in scale and considering the varied design of the surrounding buildings
- 8.18. The proposed use of light-coloured render does not present as a design contrast within the wider site, given the main residential dwelling's external render finish and the general variety nearby.
- 8.19. Raising the roof's ridge line from 5.6m to 6m would not result in detrimental harm to the nearby area, given the context of the site.
- 8.3 By virtue of the above, the proposal is in accordance with Policy DM10 of the SADMP and the Good Design Guide.

Impact upon residential amenity

- 8.4 In accordance with NPPF Policy P3(2)(a) and (b), development proposals should provide healthy living conditions for occupiers and users in terms of adequate access to light and avoiding exposure to levels of air, noise, artificial light or other sources of pollution which could have an unacceptable adverse effect on health and the quality of life.
- 8.5 Policy DM10 of the SADMP states proposals would be permitted providing that the following requirements are met: a) It would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting, air quality (including odour), noise, vibration and visual intrusion.
- 8.6 The alterations pose no further residential harm to nearby residential properties, given the substantial separation distance.

- 8.7 The dormers would result in minor loss of privacy for the south and east facing windows along the main residential unit of The Spinneys, given the building is incidental to this dwelling it would not result in harm. The south-facing 2.4m wide bifold door would not result in loss of privacy for neighbouring residential properties.
- 8.8 No element of the proposal would result in loss of light or oppressive development for any nearby residential unit or the host residential unit itself, this is largely given the separation distance of 12m from the main dwelling.
- 8.9 As such, for these reasons, subject to a condition requiring the building remains ancillary to The Spinneys, the scheme is considered to comply with Policy DM10 of the SADMP, the Good Design Guide and Policy P3(2) of the NPPF.

Impact upon parking provision and highway safety

- 8.2 Policy DM17 of the SADMP states that development proposals need to demonstrate that there is not a significant adverse impact upon highway safety, and that the residual cumulative impacts of development on the transport network are not severe.
- 8.3 All proposals for new development and changes of use should reflect the highway design standards that are set out in the most up to date guidance adopted by the relevant highway authority (currently this is the Leicestershire Highway Design Guide (LHDG)) (2024).
- 8.4 Policy DM18 of the SADMP requires developments to demonstrate an adequate level of off-street parking provision. Any reduction below minimum standards will require robust justification.
- 8.5 The proposal would see no additional bedroom provision. The Spinneys is a substantial site with a footprint of 2,000m²; the majority of which is covered by loose-stone gravelled. This does not consider the large off-street parking available for the patrons of 'Tropical Birdland'. As such, it would be unreasonable to assume that the expansion of the application outbuilding would result in a detrimental impact on parking.

Impact upon ecology

- 8.6 As part of the consultation process LCC Ecology requested a Preliminary Roost Assessment. This was subsequently provided by the applicant and

satisfied the holding objection posed. As such, a condition secures the installation of necessary bird boxes, as per LCC Ecology advice.

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.

9.4 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

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 12/06/26
- Proposed Elevations and Plans - Drg No. A2132 P004B - received by the Local Planning Authority on 15/09/26

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. The materials to be used on the external elevations of the proposed extensions and alterations shall match the materials detailed on the hereby approved Application Form and Proposed Elevations - Drg No. A2132 P004B.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. No development shall take place until a biodiversity enhancement scheme has been submitted to and approved in writing by the LPA. Enhancements shall include (but is not limited to) at least one woodcrete/integrated bat box, the make/model and their locations. Any enhancement measures need to be shown on all relevant submitted plans. All works are to 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).

5. The outbuilding shall be used solely for purposes incidental and ancillary to the residential use of the host dwellinghouse at The Spinneys, Lindridge Lane and business use by Tropical Bird Land. It shall not at any time be occupied,

let, sold or otherwise disposed of as a self-contained residential unit or separate business unit.

Reason: To ensure the outbuilding remains ancillary to the host dwelling and business and does not result in the creation of an independent residential unit or business, in the interests of protecting character and appearance of the area, neighbouring amenity and maintaining an appropriate standard of development, in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

a. Notes to Applicant(s)

1. Development Low Risk Area - Standing Advice

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

Standing Advice valid from 1st January 2025 until 31st December 2026.

2. 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.

3. Surface water should be managed by sustainable methods, preferably those which disperse runoff by infiltration into the ground strata: i.e. soakaways, pervious paving, filter drains, swales, etc. and the minimisation of paved area, subject to satisfactory porosity test results and the site being free from a contaminated ground legacy. If the ground strata are insufficiently permeable to avoid discharging some surface water off-site, flow attenuation methods should be employed, either alone or in combination with infiltration systems and/or rainwater harvesting systems.

Any proposed access drives, parking and turning areas, paths and patios should be constructed in a permeable paving system, with or without attenuation storage, depending on ground strata permeability. On low-permeability sites surface water dispersal may be augmented by piped land drains, installed in the foundations of the paving, discharging to an approved outlet (See Environment Agency guidance on the permeable surfacing of front gardens).

