**DELEGATED REPORT**

**Recommendation Made: 2 December 2008**

**Reference:- 08/01019/FUL** **Parish:- Shackerstone Parish Council**

**Applicant:- Mr E E Thompson**
**Folly Foot Lodge**
**Tuckiers Holt**
**Snarestone**

**Location:- 30 Main Road Bilstone Nuneaton Leicestershire CV13 6NG**

**Proposal:- ERECTION OF 1 NO. DWELLING**

**Introduction:-**

This application follows on from an outline application (05/00251/OUT), which was refused on 15th June 2005 on the grounds it did not comply with local plan policies RES5, NE5 and NE9 (NE9 is not longer in use).

The application site, land adjacent 30 Main Road, Bilstone is located in a small rural hamlet in the open countryside and outside the limits of development.

The application site is formed from the residential curtilage of a 200 year old cottage with incorporates features typical of dwellings within the Gopsall Estate; features such as window brows. Dwellings under two storeys with windows incorporated into the roofline are also common features within the site area. The application site lies on the southern boundary of 30 Main Road.

The site is level and has an area of 420 sq m with an existing access off Main Road. The eastern site boundary is screened from the property to the rear, Mill Wheel Cottage by large conifers spanning the length of the boundary. A sparse hedge and trees partially screen the site from the private drive, which runs to Mill Wheel Cottage along the southern elevation.

Planning permission is sought for a detached, two storey, 4 bedroom dwelling with a rear parking area and 0.9 metre high front boundary wall. The dwelling incorporates a first floor projecting rear gable and includes brickwork detailing over windows and includes windows with pitched roof detailing into the main roofline on the front elevation. The front elevation also includes a projecting pitched roof over the front door.

Planning History
05/00251/OUT- Erection of one dwelling- refused- 15.06.05

**Consultations:-**

The County Council Highways officer supports the proposal in principle on the following conditions;
- Adequate drainage shall be provided prior to development and maintained
- No boundary treatment fronting the highway boundary will exceed 0.9 metres in height
- The access and turning space should be surfaced with a hard bound material for at least 5 metres behind the highway boundary.

The highway officer also notes that a brick built pier on the southern side of the access should be amended to stand at below 0.9 metres.

Local Authority Environmental Services comments that the following should be adhered to;
- Ground Strata suitability for soakaway drainage should ascertained prior to development and approved by Building Control
- The soakaway should be constructed as a brick or concrete lined chamber with suitable access for maintenance

- Design and construction of the soakaway should be approved by Building Control.
- Access drives, parking and turning areas should be constructed in a pervious paving system

Comments have been received from a County Council Archaeologist who advised there is a likelihood that buried archaeological remains will be affected by the development. Due to this likelihood a condition requiring a programme of archaeological work with a written scheme of investigation should be implemented and submitted and approved in writing by the Local Authority.

Comments have been received from a County Council Ecologist who advised that bats have been recorded in the vicinity and if any mature trees were to be removed, an ecological survey would be required. Also all construction related materials should be kept within the application site to prevent damage to nearby ecological important sites.

An objection has been received from Shackerstone Parish Council with opposition based on the following reason;
- The application is contrary to local plan policies preventing new housing outside settlement boundaries unless there are special circumstances. Bilstone does not have a settlement boundary and no special case has been made.

An objection has been received from the property opposite the application site, 27 Main Road in regards to the following;
- Not in keeping with locality as no other neighbouring cottages have PVC doors or windows or more than 3 bedrooms.
- The front outlook would be further spoilt by the proposal
- Photographs provided with the application indicting properties typical to the area do not highlight typical design features predominate in the area.

An objection has been received from 25 Main Road in regards to the following;
- The new access to the property would be unsafe
- The property would detract from the appeal of the village
- Construction would create issues of mud on the road and create a health and safety risk

An objection has also been received from Mill Wheel Lodge which raised the same concerns as above with the addition of;
- Overlooking
- The site is dangerous and unsightly and further planning should not be granted on grounds of health and safety

**Development Plan Policies:-**

Hinckley and Bosworth Local Plan
- BE1 (Design and siting of development)
- NE5 (Development in the Countryside)
- RES5 (Residential proposals on unallocated sites)

New Residential Development SPG

**Appraisal:-**

The proposed dwelling is located on the same site as the refused Outline application in 2005 and as such the development would be outside the settlement boundary and contrary to local plan policy RES5. The applicant has not demonstrated any special circumstances which may allow development outside a settlement boundary and as such the proposal is contrary to local plan policy NE5.

Local plan policy BE1 requires that development complements the surrounding area with regards to scale, layout, density, mass, design, materials and architectural features.
The proposed dwelling is adjacent to an existing cottage with significant architectural interest with features such as window brows and chimneys. The proposed dwelling does not include either of these features. The dwelling does include windows with pitched roof detailed on the first floor windows which may initially appear to mirror other properties in the hamlet. However similar windows in other cottages

in the area are incorporated into the roof unlike the proposed dwelling. The proposal does include brick detailing over ground floor windows but cumulatively the proposed dwelling will not complement the areas architectural features.

As highlighted by an objector the majority of properties in the area (including the adjacent cottage) are three bedroom and stand at 1½ storeys. Where local properties do reach 2 storeys they include first windows either incorporated into the roof or standing at roof line. The proposed dwelling is a two storey four bedroom property and will not complement the area in regards to scale or mass and would appear incongruous with the locality.

The windows of the proposed dwelling will be constructed from PVC and whilst there are examples of this elsewhere in the hamlet this is not an ideal material for the area and as such would be inappropriate.

Overall, the proposal is considered to be unacceptable, as it does not meet the principles of Policies BE1, NE5 and RES5 of the Hinckley & Bosworth Borough Council Local Plan.

**RECOMMENDATION :- REFUSE, for the following reasons :-**

**Reasons :-**

1 In the opinion of the Local Authority the proposal would constitute an undesirable extension and consolidation of residential development on land within open countryside, to the detriment of visual and rural amenity contrary to policies RES5 and NE5 of the adopted Hinckley and Bosworth Local Plan.

2 In the opinion of the Local Planning Authority the design and scale of this two storey dwelling in this countryside location would represent an unsympathetic and a visually intrusive form of development, out of keeping with the appearance and character of the locality. Therefore the proposal does not accord with Policies BE1 and NE5 of the adopted Hinckley & Bosworth Borough Council Local Plan.

3 The approval of this proposal would set a precedent for the consideration of further applications of a similar nature, to which the Local Planning Authority would also object, but which would consequently be difficult to resist.

**Notes to Applicant:-**

1 List of plans used in the determination of this application:-
Proposed elevations and floor plan- Drawing 1

**Contact Officer:-** David Kiernan Ext 5898