

Delegated Report

Planning Ref: 23/00807/HOU

Applicant: Mrs Rebecca Rumble

Ward: Ambien

Site: 36 Station Road, Stoke Golding

Proposal: Part two storey and single storey side extension, rear extension, patio and retaining wall and alteration to dwelling.



Hinckley & Bosworth
Borough Council

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 is for a part two storey and single storey side extension, rear extension, patio and retaining wall and alteration to dwelling.

3. Description of the site and surrounding area

- 3.1. The property is located on a plot set off Station Road, Stoke Golding and is within the Conservation Area. The plot is set back from Station Road significantly and is accessed via a track. The site is well screen on the boundaries, and is located in proximity to Bosworth Battlefield. A new dwelling has been approved within the plot, between the existing dwelling and Station Road.

4. Relevant planning history

23/00483/FUL

Proposed new 5 bedroom house to part of the existing garden land of 36 Station Road, Stoke Golding
Planning permission
20.07.2023

22/00589/OUT

Erection of 1no. detached dwelling house (Outline Application - All Matters Reserved)
Outline planning approval
22.09.2022

19/00900/OUT

Erection of one dwelling (outline - all matters reserved)
Outline planning approval
08.10.2019

5. Publicity

- 5.1. The application has been publicised by sending letters to neighbours, a site notice has been posted within the vicinity of the site and a press notice has been published in the Hinckley Times.
- 5.2. No comments have been received.

6. Consultation

- 6.1. Stoke Golding Parish Council: Concerns surrounding impacts on neighbouring properties.

- 6.2. Battlefield Trust: Comments recommending that an assessment of the impacts on the battlefield is conducted.
- 6.3. LCC Highways: No objections.
- 6.4. Conservation Area Officer: No objections, conditions requested, comments and assessment included within the body of this report.
- 6.5. LCC Ecology: No objections, conditions recommended.

7. Policy

7.1. Site Allocations and Development Management Policies DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- 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

7.2. National Planning Policies and Guidance

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

7.3. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)

7.4 Stoke Golding Neighbourhood Plan

- Policy SG10: Locally Important Views
- Policy SG15: Design

8. Appraisal

8.1. Key Issues

- Design and impact upon the character of the Conservation area
- Impact upon neighbouring residential amenity
- Impact upon highway safety
- Ecology

Design and impact upon the character of the Conservation area

- 8.2. 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.
- 8.3. Policy SG10 of the Stoke Golding Neighbourhood Plan relates to Locally important views, the policy seeks ensure development is designed in a sensitive nature as to not impact on vistas and locally important views.
- 8.4. Policy SG15 of the Stoke Golding Neighbourhood Plan relates to Design and seeks to retain the character of buildings within Stoke Golding whilst also ensuring that it is kept within the character of the area, and having no significant impacts on neighbouring amenity.

- 8.5. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 8.6. Section 16 of the National Planning Policy Framework (NPPF) provides the national policy on conserving and enhancing the historic environment. Paragraphs 199-202 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 to have clear and convincing justification, and for that harm to be weighed against the public benefits of a proposal.
- 8.7. Policies DM11 and DM12 of the Site Allocations and Development Management Policies (SADMP) Development Plan Document seek to protect and enhance the historic environment and heritage assets. Policy DM12 requires all development proposals to accord with Policy DM10: Development and Design. Policy DM12 also states that development proposals should ensure the significance of a conservation area is preserved and enhanced, and that proposals which adversely affect the Bosworth Battlefield or its setting should be wholly exceptional and accompanied by clear and convincing justification.
- 8.8. The Stoke Golding Conservation Area Appraisal (SGCAA) identifies the key characteristics of the building style, scale, detailing, and boundary treatments within the conservation area.
- 8.9. The Borough Council's Good Design Guide (2019) also identifies design objectives for the settlement of Stoke Golding to retain its key characteristics, in particular:
- 8.10. Protecting the setting of the canal and battlefield site, particularly through the integrity of farmsteads and dispersed built form on the main approaches. The proposal and its impact upon the significance on heritage assets. The proposal seeks to erect a part two storey and single storey side extension incorporating a garage, a rear extension, patio and retaining wall and alterations to 36 Station Road.
- 8.11. The proposed extensions to the dwelling and hard landscaping to the rear do not extend into the registered battlefield so there would be no direct physical impact upon battlefield archaeology due to their proposed siting. The footprint of the extensions is considerable, but due to the relatively low height of the extensions maintaining the scale of the host dwelling, and the form, architectural detailing and construction materials matching that of the host dwelling it is considered that the resulting development would preserve the character and appearance of no.36 Station Road, reflect the built form within the wider conservation area as well as being a respectful presence within the battlefield's setting.
- 8.12. The wide garage door within the side extension could potentially be considered an incongruous feature upon the front elevation of the building, but given the extensive distance from garage to the conservation street scene at Station Road the visual impact from this feature would be isolated to the application site only. A timber effect finish to the door could mitigate its visual impact, with details of this finish incorporated into a pre-commencement construction materials condition.
- 8.13. The Stoke Golding Neighbourhood Plan identifies locally important views including a view from the Ashby Canal towpath back towards the settlement, with this view allowing for an appreciation of the topography of the area and the significance of Crown Hill, with its role at the ending of the registered Battle of Bosworth Field (1485), significant heritage assets including the grade I listed building the Church of St Margaret, and existing built form from various periods of time situated along the northern edge of the settlement. Due to the position of the existing dwelling, scale of

the proposed extensions, varied topography, and presence of existing built form and established vegetation it is considered that the proposed development would not be a prominent or detracting visible presence from the Canal towpath and as such would have no more than a negligible and not adverse effect upon locally important views.

- 8.14. The siting, form, and appearance of the proposed extensions and alterations to 36 Station Road would respect the character and appearance of the Stoke Golding Conservation Area and the extended dwelling would remain a neutral presence within the immediate setting of the registered Battle of Bosworth Field. Consequently, the proposal would preserve the significance of these two designated heritage assets so it complies with Policies DM10, DM11 and DM12 the SADMP, section 16 of the NPPF, and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Policies SG10 and SG15 of the Stoke Golding Neighbourhood Plan (2022).

Impact upon neighbouring residential amenity

- 8.15. Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy and/or amenity of nearby residents and occupiers of adjacent buildings.
- 8.16. Policy SG15 of the Stoke Golding Neighbourhood Plan relates to Design and seeks to retain the character of buildings within Stoke Golding whilst also ensuring that it is kept within the character of the area, and having no significant impacts on neighbouring amenity.
- 8.17. It is considered that the proposed extensions and alterations would not cause detrimental impacts on the residential amenity of neighbouring properties, when considering the scale of the extensions, the size of the existing plot, the existing well established boundary treatments and distance from neighbouring properties.
- 8.18. The proposals are also not considered to cause detrimental impacts upon the approved dwelling (23/00483/FUL), when considering the existing first floor windows on the front elevation, and the newly proposed first floor windows. It is not considered to cause significant impacts on neighbouring amenity in terms of loss of light, loss of privacy or overbearing impacts.
- 8.19. The proposals can therefore be considered to be in accordance with Policy DM10 of the SADMP and Policy SG15 of the Stoke Golding Neighbourhood Plan.

Impact upon highway safety

- 8.20. Policy DM17 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety. Policy DM18 of the SADMP requires new development to provide an appropriate/justified level of parking provision.
- 8.21. The proposal does not seek to increase the number of bedrooms at the property, but seeks to increase the sizes of the existing bedrooms. There is no loss of car parking at the site and a significant amount is afforded to the site frontage and through the proposed garage. LCC Highways were consulted as part of the consultation process of this application and no objections were received due to no impact on the highway or highway safety. Therefore it is considered that the proposal would be in accordance with Policies DM17 and DM18 of the adopted

SADMP.

Ecology

- 8.22. Policy DM6 of the adopted SADMP confirms that development proposals must demonstrate how they conserve and enhance features of nature conservation and geological value including proposals for their long term future management.
- 8.23. LCC Ecology were consulted on the application and confirmed that they are satisfied with the details submitted within the Ecological appraisal and they hold no objections to the scheme subject to planning conditions, which have been included within this report.
- 8.24. As such it is considered that subject to conditions, the proposal is in accordance with Policy DM6 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.
- 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. The proposal seeks permission for a part two storey and single storey side extension, rear extension, patio and retaining wall and alteration to dwelling. The proposal is deemed acceptable due to the limited adverse impacts upon the character of the Conservation area, neighbouring residential amenity and highway safety.
- 10.2. It is considered that the proposed development would be in accordance with Policies DM10, DM11, DM12, DM17 and DM18 of the adopted SADMP and Policies SG10 of the Stoke Golding Neighbourhood Plan.

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

Design and Access & Planning Statement
Ecological Appraisal
Site Location Plan
Proposed Block Plan Drg No. 23-23-04
Proposed Site Plan Drg No. 30
Proposed Site Plan Drg No. 40
Proposed Driveway Elevation Drg No. 41
Proposed Plans and Elevations Drg No. 31

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) and Policy SG15 of the Stoke Golding Neighbourhood Plan.

3. The development hereby permitted shall not be occupied until such time as details of the hard and soft landscaping and boundary treatments are submitted to and approved by the Local Planning Authority.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1, DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), and to ensure important views are protected in accordance with Policy SG10 of the Stoke Golding Neighbourhood Plan.

4. The development hereby permitted shall not be occupied until such time as details of the materials for the construction and external elevations of the extensions are submitted to and approved by the Local Planning Authority.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1, DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and Policy SG15 of the Stoke Golding Neighbourhood Plan.

5. Prior to commencement of the hereby approved development, a walkover survey of the site shall be submitted to and approved by the Local Planning Authority, in consideration of neighbouring wildlife. This includes the badger sett on the North East boundary of the property (which is approximately 40

metres away from the furthest point where development will take place). The survey shall involve walking the site, inspecting for evidence of badger activity including setts and other field signs such as footprints, latrines, feeding scrapes and hairs. Details of the findings of the walkover survey should include any predicted impacts potentially arising from development of the site and recommendations given for impact avoidance, minimisation and mitigation.

Reason: To ensure the safeguarding, mitigation or compensation of wildlife habitats in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

6. Prior to commencement of the hereby approved development details of the proposed biodiversity enhancements, included within the applicants Ecology Appraisal, which should be illustrated on a drawing/plan specifying the locations, make and model shall be submitted to and approved by the Local Planning Authority. These enhancements will include 1 bat roost tube and 2 swift nest boxes.

Reason: To ensure the safeguarding, mitigation or compensation of wildlife habitats in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11.3 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 buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.