

Delegated Report

Planning Ref: 23/01091/HOU
Applicant: Mr Daniel Elkerton
Ward: Twycross Sheepy & Witherley



Hinckley & Bosworth
Borough Council

Site: 2 Kennels Cottages, off Ashby Road (B4116) to Gopsall Estate, Twycross, Leicestershire

Proposal: Two storey side extension, first floor side extension, single storey rear extension and detached double garage

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 householder application seeks planning permission for the construction of a two storey side extension, first floor side extension, single storey rear extension and detached double garage to a dwelling, 2 Kennel Cottages, Ashby Road, Gopsall Estate, Twycross.
- 2.2. The proposed two storey side/front extension would be constructed within a front corner of the dwelling and would extend 5.4 metres in width and 4.8 metres in depth with a set back from the front gable of 0.5 metres. It would have a dual pitched gable fronted roof form with matching eaves and ridge heights as the main roof and a dual pitched roof side dormer window. The proposed first floor side extension would be constructed above an existing single storey structure. It would extend 3.2 metres in additional width at first floor and 8 metres in depth with an asymmetric gable sided roof form with low eaves and cat-slide roof to the front elevation and a dual pitched roof gable fronted dormer window. The rear elevation would have higher eaves to match the main roof and a dual pitched roof dormer window. The proposed single storey rear extension would extend 3.35 metres in depth from the main rear elevation and for a width of 10.8 metres. It would have a flat roof form with parapet wall to a height of 3.35 metres. A replacement open porch with dual pitched canopy roof supported by low level walls and timber frame is proposed to the front elevation. The proposed detached double garage would be sited forward of the dwelling within the site frontage and perpendicular to the front elevation. It would have a width of 7 metres (front/rear) and depth of 6 metres and a dual pitched gable sided roof form with an eaves height of 2.7 metres and ridge height of 5 metres. It is proposed that matching corresponding external materials would be used for the construction of all of the extensions and the detached double garage.
- 2.3. A Bat Emergence Survey Report including bat mitigation measures has been submitted to support the application.
- 2.4. Amended plans have been submitted to address scale and design issues raised during the course of the application by the planning case officer. Appropriate re-consultation on the amended plans has been undertaken.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located in the countryside to the north of Twycross and on a private security gated access road serving Gopsall Hall Farm off the east side of Ashby Road. It is a detached 1½ storey house with multiple gabled roof form. The 1½ storey front gable of the original cottage has been retained but the dwelling

has already been extended with a mix of 1½ storey and single storey extensions to both sides and to the rear. The dwelling is constructed with red rustic facing bricks, slate roof and white uPVC windows. Architectural detailing includes exposed rafters to the eaves, alternating blue and buff brick arched headers and blue brick sills to front elevation windows, black stained bargeboards and a tall red brick chimney stack. There is an open entrance porch on the front gable with dual pitched gabled roof supported by low level brick side walls and black stained timber frame.

- 3.2. The dwelling occupies a large plot with an extensive area of loose stone surfaced hard standing within the site frontage providing ample parking and turning space. There is a detached dual pitched roof brick and tile outbuilding within the large rear and side garden which is enclosed by a mix of 2 metres high close boarded timber fencing (east side boundary with neighbouring two storey house), 2 metres high field boundary hedgerow (west side boundary to agricultural field) and 1.5 metres high timber ranch fencing (rear/north boundary with agricultural field) and front/south boundary to the access road. Other than the neighbouring dwelling the site is surrounded by agricultural fields of Gopsall Hall Farm.

4. Relevant planning history

20/01023/HOU

- Two storey side extension, porch and external alterations
- Permitted
- 25.11.2020

24/00577/HOU

- Construction of new outbuilding/office including the demolition of existing outbuilding
- Permitted
- 29.08.2024

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 responses have been received as a result of public consultation.

6. Consultation

- 6.1. Leicestershire County Council (Ecology) raise no objection subject to a pre-commencement condition for the submission of a Method Statement for the implementation of the submitted bat mitigation measures for prior approval and an informative note in respect of the legal requirement for a European Protected Species Licence to be obtained prior to any works commencing.
- 6.2. No response has been received from Natural England.
- 6.3. No response has been received from Twycross Parish Council.

7. Policy

- 7.1. Core Strategy (2009)
- No relevant policies
- 7.2. Site Allocations and Development Management Policies (SADMP) 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 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)
- Local Highway Authority Design Guide

8. Appraisal

8.1. Notwithstanding its countryside location, extensions and alterations to existing domestic properties, including ancillary buildings, 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 of the dwelling and surrounding countryside
- Impact upon neighbouring residential amenity
- Impact upon parking provision
- Bats and Biodiversity

Design and impact upon the character of the dwelling and surrounding countryside

8.2 Policy DM4 of the adopted SADMP allows the extension of existing buildings in the countryside which lead to an enhancement of the immediate setting and where it does not have a significant adverse effect on the rural appearance and open character of the countryside. Policy DM10 of the adopted SADMP requires new development to complement or enhance the character of the surrounding area with regard to scale, layout, mass, design, materials and architectural features and for building material to respect existing/neighbouring buildings and the local area generally. The Council's adopted Good Design Guide provides further advice in respect of the siting and design of various forms of house extensions.

8.3 The Council's adopted Good Design Guide suggests that:

'Two storey side extensions should appear smaller in scale and massing in order to be subordinate to the main dwelling. Any proposal for a two storey side extension should be set down from the ridge of the existing house and set back from the front elevation (the minimum distance for this should be 0.5 metres in both directions) unless in design terms this in itself would create an imbalance in the overall design of the property.' and,

'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. Material selection, and scale of window opening and position within the roofscape is critical in the success of dormers.'

8.4 The existing dwelling is only 1½ storey in scale with already limited head room within the original first floor bedrooms. As a result, notwithstanding the adopted Good Design Guide, seeking extensions that would be subordinate in height to the

existing roofline is not practical in this particular case. In addition, given the isolated nature of the site within a private farm estate and the substantial plot that it occupies, this requirement is not considered to be particularly critical in design terms.

- 8.5 Both the proposed 1½ storey side/front extension and proposed first floor side extension would have matching ridge heights as the main roof but both would be set back from the original front gable by 0.5 metres and 1.6 metres respectively and have appropriate widths of 5.4 metres and 3.2 metres respectively when considered against that of the existing dwelling. The proposed 1½ storey side/front extension would have a characteristic dual pitched gable fronted roof form with matching eaves and ridge heights as the main roof and a dual pitched roof side dormer window with contemporary gable apex glazing that would be characteristic of the previous side extension. The proposed first floor side extension would extend for an appropriate depth of 8 metres to be flush with the main rear elevation and have an asymmetric gable sided roof form with low eaves and cat-slide roof to the front elevation. Rather than another (third) front gable, the amended plans would provide additional headroom within the front bedroom with a dual pitched gable fronted dormer set within the cat slide roof to the side of, and appearing subordinate to, the original front gable. By virtue of its scale and design the front dormer would sit comfortably within the roof slope and not over-dominate it. The rear elevation would have higher eaves to match that of the main roof and a much smaller dual pitched roof dormer window. Notwithstanding that dormer windows are not characteristic, it is considered that they would not detract visually from the already mixed character of the existing dwelling. The proposed replacement open canopy porch would extend only 1 metres forward of the front elevation gable and for an appropriate width of only 2.8 metres. It would have an appropriate dual pitched gable fronted roof with an eaves height of 2.1 metres and ridge height of 3.3 metres supported by low level brick walls and timber frame. By virtue of its scale and design it is considered that it would result in an appropriately proportioned entrance feature that would sit comfortably within the front elevation. The amended proposed side/front extensions are considered to respect the overall scale, mass and mixed character of the existing dwelling, would have no significant adverse impacts upon the open character or rural appearance of the surrounding countryside and are therefore acceptable in design terms.

- 8.6 In respect of rear extensions, the Council's adopted Good Design Guide suggests 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 also that,

'Flat roofs on extensions will not normally be considered appropriate where they do not form part of the original design of the house, however in some circumstances where they are not visible from the public realm and the use of a flat roof may result in a reduced visual impact, they may be considered acceptable, particularly if designed with a contemporary aesthetic style.'

- 8.7 The proposed single storey rear extension would extend to an appropriate depth of 3.35 metres from the rear elevation and for an appropriate width of 10.8 metres. Notwithstanding that it would have an uncharacteristic flat roof form, by virtue of its contemporary design with parapet wall and glazed bi-fold doors, its siting entirely to the rear and its clearly subordinate single storey scale to a height of only 3.35 metres, the proposal would not be a visually prominent structure or adversely affect the character or appearance of the application dwelling or the open character or rural appearance of the surrounding countryside.

- 8.8 In respect of garages, the Council's adopted Good Design Guide suggests that:
'Garages and car ports should generally be set back from the existing dwelling so as not to dominate the street scene.'
- 8.9 In this case, the proposed detached double garage would be located forward of the front elevation of the dwelling within the site frontage. However, it would have a similar siting, perpendicular orientation, ancillary scale and design as the existing detached double garage that serves the only other neighbouring dwelling, No.1 to the east, and therefore would not be uncharacteristic of neighbouring development. It would have an appropriate width of 7 metres and appropriate depth of 6 metres and an appropriate dual pitched gable sided roof form with an eaves height of 2.7 metres and clearly subordinate ridge height of 5 metres. As a result, it is considered that, notwithstanding its forward siting, the proposal would not have any significant adverse visual impacts upon the application site or the rural appearance or open character of the surrounding countryside.
- 8.10 The proposed use of matching corresponding external materials in the construction of the all the proposed extensions and alterations and detached double garage together with appropriately proportioned fenestration would ensure that the proposals would have a satisfactory appearance.
- 8.11 Notwithstanding the degree of conflict identified with the adopted GDG, by virtue of their siting, scale, amended design and appearance, the amended proposals are considered to be compatible with the size of the plot and would respect the scale, mixed character and appearance of the existing dwelling and neighbouring development and would not overwhelm the existing dwelling or result in any significant adverse visual impacts on the rural appearance or open character of the surrounding countryside. The proposals are therefore considered to be in accordance with Policies DM4 and DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.
- Impact upon neighbouring residential amenity
- 8.12 Policy DM10 of the adopted SADMP and the adopted Good Design Guide require that development would not have a significant adverse effect on the privacy and/or amenity of nearby residents and occupiers of adjacent buildings.
- 8.13 The only neighbouring dwelling (No. 1) is located within an adjoining substantial plot to the east of the site. It is a detached 1½ storey house with multi-gabled roof form that has been more sensitively extended with 1½ storey and single storey additions and a detached double garage with dual pitched gable sided roof form within its frontage and a detached outbuilding within its rear garden. It has three ground floor windows and a first floor window in its near side elevation facing the application site.
- 8.14 The proposed first floor side extension and single storey rear extension would extend to within 0.7 metres of the side boundary with No. 1 and extend for 8 metres in depth at 1½ storey height and a further 3.35 metres at single storey height. However, this would be to similar depths within the plot as the neighbouring dwelling and at a separation distance to the nearest side elevation of No. 1 of 4.5 metres. Therefore, it is considered that the proposals would not result in any significant adverse overbearing or overshadowing impacts upon the neighbouring dwelling. The main amenity areas to No. 1 being to the rear and far side of the dwelling. Only two ground floor windows are proposed in the near side east elevation facing directly towards No. 1 and these would not result in any significant loss of privacy to the neighbouring occupiers by virtue of the existing 2 metres high close boarded timber fencing that defines the boundary and protects the respective privacy of both occupiers. Two existing first floor bedroom windows in the near side elevation facing directly towards No. 1 would be removed. A condition can be

imposed to prevent the use of the flat roof of the proposed single storey rear extension as a balcony to protect the privacy and amenity of the neighbouring occupiers from any direct overlooking.

- 8.15 The rear wall of the proposed detached double garage would extend for 7 metres just inside the side boundary with No. 1 but at its closest point it would be approximately 7 metres forward of the neighbouring dwelling, would be offset from its main front elevation windows by over 5 metres and be approximately 10 metres from its nearest front corner. In addition, the proposal would have a roof that pitches away from the side boundary reducing visual impact.
- 8.16 By virtue of their siting, scale, amended design, separation distance and existing screening, it is considered that the proposals would have no significant adverse impacts on the residential amenity of the neighbouring occupiers or result in any significant loss of privacy. The proposals are therefore considered to be in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide. No objections have been received from the neighbouring occupiers.

Impact upon parking provision

- 8.17 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.18 The proposals would result in a four bedroomed house for which the local highway authority design guide would require the provision of a minimum of three off-street parking spaces. The proposed double garage and its loose stone surfaced forecourt and driveway would provide a minimum of four parking spaces along with ample turning space within the site. This level of provision would remain adequate to serve the resulting four bedroomed dwelling which in any case is located on a private access road and not on or near any public highway. The proposals would therefore be in accordance with Policy DM18 of the adopted SADMP and the local highway authority design guide standards.

Bats and Biodiversity

- 8.19 Policy DM6 of the adopted SADMP and the NPPF (2024) requires that development proposals demonstrate how they conserve and enhance features of nature conservation.
- 8.20 By virtue of the rural location of the site, a bat roost being found in an adjacent building previously (2022) and the proposals including extensive alterations to the existing roof, which may provide roosting features for bats, a Preliminary Roost Assessment and subsequent Bat Emergence Survey Report have been submitted to address the consultation response from Leicestershire County Council (Ecology) to inform the potential for the proposed development to impact on bats and their habitat. This found evidence of day roosts for a small number of two different species of bat and recommended a number of bat mitigation measures including the provision of a bat loft within the roof of the proposed detached garage, two integrated bat boxes within the new external wall of the proposed first floor side extension and the provision of a bat access under a main ridge tile of the dwelling.
- 8.21 Leicestershire County Council (Ecology) have assessed the Bat Emergence Survey Report and the suggested bat mitigation measures contained therein and raise no objection to the development subject to the imposition of a pre-commencement condition to require the submission of a Method Statement for the implementation of the approved bat mitigation measures for prior approval should planning permission be approved. Subject to the implementation of the recommended bat mitigation measures in accordance with the approved Method Statement, the proposals would

be in accordance with Policy DM6 of the adopted SADMP and the general principles of the NPPF (2024). As recommended, an informative note to applicant is also included in respect of the legal requirement for a European Protected Species Licence to be obtained prior to works commencing.

- 8.22 The proposal would be exempt from the biodiversity gain condition by virtue of being a householder application development within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order (2015).

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. Notwithstanding its countryside location outside of any settlement boundary, the proposals relate to extensions and alterations and an ancillary building to an existing dwelling within an established residential plot where there is a general presumption in favour of sustainable development as set out in Policy DM1 and DM4 of the adopted SADMP and the overarching principles of the NPPF (2024).

- 10.2. Notwithstanding the degree of conflict identified with the adopted GDG, by virtue of their siting, scale, amended design and subject to the proposed use of matching corresponding external materials to ensure a unified appearance, the amended proposals are considered to be compatible with the size of the plot and would respect the scale, mixed character and appearance of the existing dwelling and neighbouring development and would not result in any significant adverse visual impacts on the rural appearance or open character of the surrounding countryside. By virtue of their siting, scale, amended design, separation distance and existing screening and subject to no use of the flat roof as a balcony, it is considered that the proposals would have no significant adverse impacts on the residential amenity of the neighbouring occupiers or result in any significant loss of privacy. More than adequate off-street parking and turning and private amenity space would be retained

within the site to serve the resulting dwelling. Appropriate mitigation measures for the protection of bats and their habitat can now be conditioned. The amended proposals are considered to be in accordance with Policies DM1, DM4, DM6, DM10 and DM18 of the adopted SADMP and the general principles of the adopted Good Design Guide 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 development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows: Site Location Plan on Drawing No. 2KENNEL-PS23-01 received by the local planning authority on 16 November 2023 and Proposed Site Block Plan Drawing No. 2KENNEL- PS23-10 Rev D, Proposed Ground Floor Plan Drawing No. 2KENNEL- PS23-05 Rev D, Proposed First Floor Plan Drawing No. 2KENNEL- PS23-06 Rev D, Proposed Roof Plan Drawing No. 2KENNEL- PS23-07 Rev D, Proposed Front and Rear Elevations Drawing No. 2KENNEL- PS23-08 Rev E and Proposed Side Elevations Drawing No. 2KENNEL- PS23-09 Rev E received by the local planning authority on 28 November 2024.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1, DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. No demolition or development of the dwelling shall take place until a Method Statement for the implementation of the submitted bat mitigation measures has been submitted to and approved in writing by the local planning authority. The development hereby permitted shall then be carried out in strict accordance with the approved Method Statement and the bat mitigation measures detailed within pages 11 – 17 of the submitted Bat Emergence Survey Report by S. Christopher Smith dated and received by the local planning authority on 3 December 2024.

Reason: In order to protect the protected wildlife species and to enhance their habitats in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

4. The materials to be used on the external elevations of the proposed extensions and alterations and detached garage shall match the corresponding materials of the existing dwelling.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. The flat roof of the rear extension hereby permitted shall not at any time be used as a balcony or sitting out area neither shall any balustrade, railings, wall or other means of enclosure be erected on any part of the flat roof.

Reason: To protect the residential amenity and privacy of neighbouring property in accordance with Policy DM10 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 building.control@blaby.gov.uk or call 0116 272 7533.
2. This development will require a European Protected Species licence to make it lawful. You must be aware that to proceed with the development without first obtaining an EPS Licence could result in prosecution.