

## Item No. 1

### Application Reference Number P/21/1079/2

<b>Application Type:</b>	Householder	<b>Date Valid:</b>	29/6/2021
<b>Applicant:</b>	Mr and Mrs Tandon		
<b>Proposal:</b>	Erection of two storey side extension and associated internal alterations. New detached garage and carport building and new access gate		
<b>Location:</b>	The Spinneys Brand Lane Woodhouse Eaves LE12 8TY		
<b>Parish:</b>	Woodhouse	<b>Ward:</b>	Forest Bradgate
<b>Case Officer:</b>	Lewis Marshall	<b>Tel No:</b>	07714 846497

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## Background

This application has been brought to plans committee as it has been called in by Cllr Snartt for the following reasons:

- The proposed design conflicts with policies CS2 and CS14
- Potential harm to and loss of trees
- Impact on neighbouring amenity
- There are both objections against and in support for the application and believe it is right that it be determined by the Plans Committee

## Description of the Application Site

The site contains a large detached dwelling built in the Arts and Crafts style believed to date from 1901. The Spinneys is a large detached house situated in grounds at the end of a long drive off Brand Lane. It has an irregular shape on plan consisting of the family rooms at the north end and the service rooms at the south end, partly arranged around an open yard, now enclosed, with a late C20 conservatory adjoining the west side. Externally, the building is faced with brick, rendered or painted, all in white, with roughcast render between the sections of applied timber-framing. The dressings are of ashlar stone, and the roof covering of Swithland slate laid in diminishing courses is from the nearby Swithland quarry. The building was grade II listed in July 2019 following the submission of an application to demolish the building and replace it with a new dwelling.

The site is one of a number of large houses that make up The Brand area of the Woodhouse Eaves Conservation area. The site is heavily wooded and, as such, the building cannot be seen from Brand Lane or any other public vantage points. Trees across the site frontage to Brand Lane are protected by tree preservation order. The nearest un-associated dwelling is its former coach house now under different ownership and occupied independently on its south-east side. The site is located in the countryside outside of the defined settlement limits of Woodhouse Eaves and lies outside of the National Forest.

## **Description of the Proposal**

The application seeks planning permission for the demolition of part of the existing dwelling and conservatory and construction of a two storey side extension with detached garage and access gate. A separate application for listed building consent for the proposed alterations to the main house and grade II listed building is considered under application reference P/21/1155/2. The proposed extension seeks to replace part of an existing later service wing and C20 upvc conservatory with a modernist contemporary interventionist wing to contrast the irregular, informal and picturesque style of the original house. The proposal also includes some reconfiguration of the space internally to provide an addition that is suitable for modern day single unit family living. The proposal also includes the construction of a detached double car port and single garage building within the gardens to the front of the existing building and the installation of a five bar metal gate at the sites entrance from Brand Lane.

## **Development Plan Policies**

### Charnwood Local Plan Core Strategy (adopted 9 November 2015)

*Policy CS1 – Development Strategy* – Sets out a growth hierarchy for the borough that sequentially guides development towards the most sustainable settlements. This identifies Burton on the Wolds as an “other” settlement, (4<sup>th</sup> in a hierarchy of 5) where small scale development within limits to development is supported.

*Policy CS2 – High Quality Design* – requires developments to make a positive contribution to Charnwood, reinforcing a sense of place. Development should respect and enhance the character of the area, having regard to scale, massing, height, landscape, layout, materials and access, and protect the amenity of people who live or work nearby.

*Policy CS 11 Landscape and Countryside* - seeks to protect the character of the landscape and countryside. It requires new development to protect landscape character, reinforce sense of place and local distinctiveness, tranquillity and to maintain separate identities of settlements.

*Policy CS13 Biodiversity and Geodiversity* - seeks to conserve and enhance the natural environment and expects development proposals to consider and take account of the impacts on biodiversity and geodiversity, particularly with regard to recognised features.

*Policy CS14 - Heritage* - sets out to conserve and enhance our historic assets for their own value and the community, environmental and economic contribution they make.

*Policy CS16 Sustainable Construction and Energy* - supports sustainable design and construction techniques.

*Policy CS25 Presumption in favour of sustainable development* - echoes the sentiments of the National Planning Policy Framework in terms of sustainable development.

Borough of Charnwood Local Plan (adopted 12 January 2004) (saved policies)

Where they have not been superseded by Core Strategy policies previous Local Plan policies remain part of the development plan. In relation to this proposal the relevant ones are:

*Policy ST/2 Limits to Development* – this policy sets out limits to development for settlements within Charnwood.

*Policy CT/1 General Principles for areas of countryside* - This policy defines which types of development are acceptable in principle within areas of countryside.

*Policy CT/2 – Development in the Countryside* – Sets out how development that is within the countryside will be assessed to ensure there is no harm to the rural character of the area.

*Policy EV/1 Design* - This seeks to ensure a high standard of design and developments which respect the character of the area, nearby occupiers, and which are compatible in mass, scale, layout, whilst using landforms and other natural features. Developments should meet the needs of all groups and create safe places for people.

*Policy TR/18 Parking in New Development* - This seeks to set the maximum standards by which development should provide for off street car parking.

*Policy H/17 – extensions to dwellings* – states that planning permission will be granted provided the development meets specific criteria relating to the scale, mass, design and use of materials with the original dwelling etc.

The Woodhouse Neighbourhood Plan 2020- 2036 (Submission version February 2021)

Charnwood Borough Council has published its decision statement to hold a referendum on the Woodhouse Neighbourhood Plan on 28<sup>th</sup> October 2021. National guidance states that where the local planning authority has issued a decision statement (as set out under Regulation 18 of the Neighbourhood Planning (General) Regulations 2012) detailing its intention to send a neighbourhood plan to referendum, that plan can be given significant weight in decision-making, so far as the plan is material to the application. The policies relevant in the determination of the application are;

*Policy H3: Limits to Development* - Development proposals will be supported on the sites within the Limits to Development as shown in Figure 4 (below) where the proposal complies with the policies in this Neighbourhood Plan. Land outside the defined Limits to Development will be treated as open countryside, where

development will be carefully controlled in line with local and national strategic planning policies.

*Policy H6: Design Standards* - All commercial and residential development, including one or more houses, replacement dwellings and extensions, should have regard for the Village Design Statements (Appendix 5). Extensions will follow a consistent design approach in the use of materials, fenestration and the roofline to the building. Materials should be chosen to complement the design of the development and add to the quality or character of the surrounding within the Parish. However, contemporary and innovative materials and design will be supported where positive improvement can be robustly demonstrated without detracting from the historic context;

*Policy Env 3: Protection Of Sites Of Natural Environment Significance* – The sites mapped here (Figure 14) have been identified as being of local significance or higher for their natural environment features. They are ecologically important in their own right, make a contribution to carbon sequestration, and are locally valued. Development proposals affecting these sites will only be supported where the need for, and benefits of, the development in that location clearly outweigh the impact on the site and the identified features. If development cannot be avoided or adequately mitigated then planning permission should be refused.

*Policy Env 4: Biodiversity, Woodland, Trees And Hedgerows, And Habitat Connectivity*- Proposals for new development should incorporate measures for the protection and enhancement of local biodiversity

### **Other material considerations**

#### The National Planning Policy Framework (July 2021)

The NPPF sets out the government's view of what sustainable development means. It is a material consideration in planning decisions and contains a presumption in favour of sustainable development. For planning decisions this means approving proposals that comply with an up to date development plan without delay. If the Development Plan is silent or policies most relevant to determining the application are out of date permission should be granted unless protective policies within the NPPF give a clear reason for refusal or any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the National Planning Policy Framework as a whole.

The National Planning Policy Framework policy guidance of particular relevance to this proposal includes:

#### *Section 12: Requiring well-designed places.*

The National Planning Policy Framework recognises that good design is a key aspect of sustainable development and that high quality and inclusive design should be planned for positively

*Section 14: Meeting the challenge of climate change, flooding and coastal change*

New development should help reduce greenhouse gas emissions and energy efficiency improvements in buildings should be actively supported. It should also take account of layout, landform, building orientation, massing and landscaping to minimise energy consumption and renewable and low carbon energy development should be maximised.

*Section 16 – Conserving and Enhancing the Historic Environment*

In determining applications local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. Where a development proposal will lead to less than substantial harm to the significance of the heritage asset, the harm should be weighed against the public benefit,

Planning Practice Guidance

This national document provides additional guidance to ensure the effective implementation of the planning policy set out in the National Planning Policy Framework.

National Design Guide

This document sets out the Government's design guidance to support the NPPF.

Design Supplementary Planning Document (January 2020)

This document sets out the Borough Council's expectations in terms of securing high quality design in all new development. Schemes should respond well to local character, have positive impacts on the environment and be adaptable to meet future needs and provide spaces and buildings that help improve people's quality of life.

Leicestershire Highways Design Guide

The Leicestershire Highways Design Guide deals with parking, highways and transportation infrastructure for new developments. It replaces the former 6C's Guidance.

The Environmental Impact Assessment Regulations set out the parameters, procedures and Regulatory detail associated with the screening, scoping and preparation of an Environmental Statement and consideration of significant

Woodhouse Eaves Conservation Area Character Appraisal

The TCPA Listed Building and Conservation Areas Act 1990

Section 66 of the Town and Country Planning (Listed Building and Conservation Areas) Act 1990 requires that special regard shall be had for preserving and enhancing listed buildings and their settings. Section 72 requires that special attention shall be had for preserving or enhancing the character and/or appearance of the conservation area.

## Conservation of Habitat and Species Regulations 2010 (as amended)

The Council as local planning authority is obliged in considering whether to grant planning permission to have regard to the requirements of the Habitats Directive and Habitats Regulations in so far as they may be affected by the grant of permission. Where the prohibitions in the Regulations will be offended (for example where European Protected Species will be disturbed by the development) then the Council is obliged to consider the likelihood of a licence being subsequently issued by Natural England.

## Equality Act 2010

Section 149 places a statutory duty on public authorities in the exercise of their functions to have due regard to the need to eliminate discrimination and advance equality.

## The Draft Charnwood Local Plan 2021-37

The Draft Charnwood Local Plan is at an early stage in its preparation and underwent a six-week pre-submission consultation period that ran from Monday July 12 until Monday August 23, 2021. This document carries only very limited weight at this time.

## **Consultation Responses**

The table below sets out the responses that have been received from consultees with regard to the application. Please note that these can be read in full on the Council's website [www.charnwood.gov.uk](http://www.charnwood.gov.uk)

<b>Consultee</b>	<b>Response</b>
Charnwood Design and Conservation	<p>Supports the application and overall concludes that the harm to the listed building is minor and less than substantial, which is outweighed by the public benefits which in this case are;</p> <ul style="list-style-type: none"><li>• Attend to the significant deterioration of the building fabric, thus ensuring its long-term future.</li><li>• Upgrade and extend the living accommodation to promote its longevity as a single-family occupation dwellinghouse and preserve its significance as a heritage asset for the future.</li><li>• Take account of the desirability of sustaining and enhancing the significance of heritage assets, continuing their viable use consistent with their conservation.</li></ul> <p>With regard to Woodhouse Eaves Conservation Area, it is considered that the proposals will at least preserve (with the potential to enhance) the character and</p>

	appearance of the conservation area.
Woodhouse Parish Council	<ul style="list-style-type: none"> <li>• The listed feature such as wood panelling and staircase should be protected.</li> <li>• Not confident that sympathetic alterations will be made due to history of applications on the site</li> <li>• The listed building should remain as the dominant feature on the site</li> <li>• Scale and design of the extensions must not overwhelm the original Arts and Crafts building or interfere with its narrative – extensions seem to be extensive.</li> <li>• Objects to the flat roof extension to the front which is unattractive</li> <li>• No objection to two small trees nearest the house but request that measures are taken to protect remaining trees.</li> </ul>
Ward Councillor Snartt	<ul style="list-style-type: none"> <li>• The proposed design conflicts with policies CS2 and CS14</li> <li>• Potential harm to and loss of trees</li> <li>• Impact on neighbouring amenity</li> <li>• There are both objections against and support for the application and believe it is right that it be determined by the Plans Committee</li> </ul>
Historic England	Does not wish to offer any comments. Suggest that the Local Planning Authority seek the views of your specialist conservation and archaeological advisers, as relevant.
The Victorian Society	The proposed extensions are entirely out of keeping with the character of the property, and would have a highly deleterious impact on the integrity of this fine, virtually unaltered, house

### Other Comments Received

7 letters of objection have been received from local residents. The list below summarises the areas of concern that have been raised by residents with regard to the application. Please note that residents' comments can be read in full on the Council's website [www.charnwood.gov.uk](http://www.charnwood.gov.uk)

- Poor design which is out of character with the existing building and the conservation area
- Irreversible harm to features, character and significance to the listed building
- Removal of trees and loss of privacy
- Harm to ecology
- Impact of traffic and building work on the immediate area
- Distance of the proposed garage from the house impractical

7 letters of support have been received from local residents. The list below summarises the areas of support for the application.

- The proposals which respect the original core of the Arts and Crafts house whilst removing and replacing later alterations and extensions with a high quality and replacement.
- Later additions to be removed detract from the building and replace with one extension which will be an improvement to the existing.
- The building cannot be seen and will not have any impact on the surrounding area
- Removal of non-native trees will be of benefit
- Proposals will vastly increase the energy efficiency of this building
- Listed status does not preclude development
- Substantial investment in the property will secure its long term future as a family home.

### **Planning History**

The following planning history is that which is most recent and relevant to the proposal:

P/19/0952/2 - Demolition of existing detached dwelling and construction of new six bedroom detached dwelling. This application was refused.

### **Consideration of the Planning Issues**

The starting point for decision making on all planning applications is that they must be made in accordance with the adopted Development Plan unless material considerations indicate otherwise. The most relevant policies for the determination of this application are listed above and are contained within the Development Plan for Charnwood which comprises the Charnwood Local Plan 2011-2028 Core Strategy (2015), those “saved” policies within the Borough of Charnwood Local Plan 1991-2026 (2004) which have not been superseded by the Core Strategy. It is acknowledged that several of these plans are over 5 years old; therefore it is important to take account of changing circumstances affecting the area, or any relevant changes in national policy. With the exception of those policies which relate to the supply of housing, the relevant policies listed above are up to date and compliant with national advice. Accordingly there is no reason to reduce the weight given to them, in this regard.

The main issues are considered to be:

- The principle of the proposed development;
- Visual and Landscape Impact
- Design and Amenity
- Heritage
- Other matters



## **Principle of the proposed development**

The starting point for decision making on all planning applications is that they must be made in accordance with the adopted development plan unless material considerations indicate otherwise. The development plan for Charnwood comprises the Core Strategy and those saved policies within the Local Plan which have not been superseded by the Core Strategy.

The vision for the Borough as set out in the Charnwood Local Plan 2011-2028 Core Strategy (2015) confirms that by the end of the plan period Charnwood will be one of the most desirable places to live, work and visit in the East Midlands. To achieve this development will have been managed to improve the economy, quality of life and the environment.

The site is located in the countryside as defined by saved policy ST/2. Extensions to existing dwellings are not restricted by this policy providing they accord with the other relevant policies of the development plan. The application therefore falls to be considered in terms of its design, impact on the landscape, heritage assets, impact on amenity and ecology.

## **Visual and Landscape Impact**

Policy CS11 seeks to protect the character of our landscape and countryside by requiring new development to protect landscape character and to reinforce sense of place and local distinctiveness by taking account of local Landscape Character Assessment. Saved Policy CT2 of the Borough of Charnwood Local Plan also seeks to protect areas of countryside from development whereby it would harm the character and appearance of the countryside. Only where development accords with CT/1 is policy CT/2 engaged. As the development proposed is in accordance with CT/1, Policy CT/2 is engaged.

The site is located within a site that is densely screened from Brand Lane and cannot be seen from any other vantage points. Any impact is therefore limited to the immediate site and its setting. The immediate setting is characterised by the presence of the large dwelling and its established gardens which is bound by mature trees. The proposal to extend and build within this setting would not erode or harm this character or the character of the countryside generally. Accordingly, it is considered the application accords with policies CT/1, CT/2 and CS11.

## **Design and Amenity**

Local plan policies CS2 and EV/1 seek to require high quality design to create places where people would wish to live through design that responds positively to its context. Policies CS2 and EV/1 also require that new development respects and enhances the character of the area in terms of scale, density, massing, height, landscape, layout, materials and access arrangements. Section 12 of the National Planning Policy Framework states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve and good design is a key aspect of sustainable development, creates better places

in which to live and work. Paragraph 130 of the National Planning Policy Framework states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Policy H6 of the Neighbourhood Plan states that contemporary and innovative materials and design will be supported where positive improvement can be robustly demonstrated without detracting from the historic context.

In terms of the demolition of the existing later additions, the proposal would return the proportions of this wing of the house to its original design. The proposed extension would subsequently be more visually distinct from the house through the use of the link glazing, and bronze wrapping around to create distinct lines of old and new. The contrast between the original building and the contemporary extension forms a well-established interventionist architectural approach to design and evolution of historic buildings and there is no objection in principle to this approach.

In terms of scale and proportion of the proposed extension, it is considered that the extension when read against the most principal elevations of the building (front and rear), it would represent a subservient addition which allows for the original existing historic building to remain the most dominant feature on the site.

In terms of the proposed outbuilding, this is situated within a wooded enclave away from the main house and is proposed to be constructed in a traditional style with timber and slate to reflect the woodland setting and the era of the original house. There is no concern with this approach to the design of the outbuilding.

Concerns have been raised that the proposal would result in the loss of privacy to the occupiers of the nearest dwelling, The Coach House on its south eastern side. The distance of the proposed extension to the coach house at its nearest point is approximately 22m. When taking into account the predominantly side facing relationship of the two dwellings and the fact that the private garden area of The Coach House is situated out of view and obscured by the building itself, it is not considered that there would be any material loss of privacy to the occupiers of this dwelling. Whilst the proposal includes the removal of trees within the site to provide more space and light to the proposed extension, it is not considered that the removal of the trees proposed would lead to uninterrupted views between properties. Accordingly, it is not considered that the proposal would result in an unacceptable detrimental impact with regards to residential amenity.

For the reasons set out above, it is considered overall that the application would deliver a scheme of which the design accords with Policy CS2, EV/1, H/17, H6 and the Design Guide.

### **Heritage**

Policy CS14 of the Core Strategy seeks to conserve heritage assets and their settings. Paragraph 190 of the National Planning Policy Framework states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise.

The site is not identified within the Woodhouse Neighbourhood Plan as a heritage asset and as such is not subject to any specific heritage policies within the neighbourhood plan.

In the case of determining planning applications, Section 66 of the Town and Country Planning (Listed building and Conservation areas) Act 1990 requires that special regard shall be had for preserving and enhancing listed buildings and their settings. Section 72 requires that special attention shall be had for preserving or enhancing the character and/or appearance of the conservation area.

#### Woodhouse Eaves Conservation Area

The Spinneys is located in an area known as The Brand, within the boundary of the Woodhouse Eaves Conservation Area. The backdrop of Charnwood Forest forms a vital part of Woodhouse Eaves and a major part of the conservation area comprises the woodland and meadows surrounding The Brand. At the time of the preparation of the Conservation Area Character Appraisal for Woodhouse Eaves, the section of the conservation area where The Spinneys is located could only be carried out by observation from the roads and not from any part of the private estates. Thus, most of the individual important large houses were not fully described and the Character Appraisal acknowledges that there may be important elements which have not been appraised.

Since the preparation of the Character Appraisal, the importance and significance of the large houses has been recognised and The Spinneys is considered to be one of the most important of these. The building is acknowledged to be an extremely fine example of the Arts & Crafts style of architecture, with the majority of the original details still intact, both externally and internally. It is recognised that The Spinneys does not necessarily contribute to the street scene but it does contribute to the wider historic evolution of the landscape of this part of the conservation area, as well as contributing to the grounds of the house, which form part of the conservation area. Given the extended building would ensure its retention as a large single dwelling, it is considered that the development as proposed, and the building in its evolved form would ensure the contribution it makes to the conservation area is preserved. Furthermore, the building is completely screened and its visual contribution to the conservation would remain unchanged, therefore in this regard it would also preserve the character and appearance of the conservation area.

It is considered that the proposal would at least preserve the character and appearance of the conservation area and would contribute towards the evolution of this house and the contribution it makes to the conservation area with a high quality contrasting statement piece of architecture.

#### The Listed Building and its setting

The building appears on the 1903 ordinance survey map and is thought to be of Edwardian construction in a distinctive Arts and Crafts style.

Many original features exist both internally and externally, including a mullioned main entrance, sweeping staircase, wooden panelling and parquet flooring which contribute to its historic significance. Full records of the building's internal and

external features that remain are set out within Historic England's Listing Inspectors Report and within the submitted Heritage Statement. It is therefore acknowledged that The Spinneys represents a rare and exciting discovery of a building with true historic and architectural significance and all efforts should be made to secure its future.

A key aspect to consider in respect of the listed building is the proposed partial demolition of the service wing and the C20 conservatory. It is clear from studying the original architect's plans, that the garages, stores and external staircase to the south of the building are later modifications and additions. The existing conservatory is a late 20<sup>th</sup> century installation that is of very poor quality and is an unsympathetic addition to the original building. The removal of the conservatory and the small external staircase flight would be a positive aspect of the proposals and would be considered to improve the appearance and character of the building. The later extensions to the house included a 1<sup>st</sup> floor Study accessed via an extension to the staircase landing, built over a ground floor Store. Although these are not built at the same time as the original Arts & Crafts building and are not of the same build quality, they are part of the history and development of the house and represent a time in the history of the house when additional accommodation was required to suit the needs of the owners at that time. As such, the removal of these elements would be considered to result in harm. The level of this harm is considered to be less than substantial and at the low end of the scale but, nevertheless, this has to be balanced against any public benefit in the overall planning balance.

In terms of the proposed extensions it should be noted that most historic buildings reflect the cumulative changes of different ownership and these themselves can add to the special interest of the listed building, reflecting social and individual values and needs. As previously stated the partial demolition involves the removal of later 20<sup>th</sup> century additions to the house which, although of a certain value, the removal of these elements is not considered to significantly impact on the original Arts & Crafts house - the more utilitarian servants areas are still retained in part by the relatively unaltered services wing. Similarly, the proposed extension is located at the area where the later additions have taken place and although relatively large, the extension is set back and is not considered to over-dominate, remaining subservient to the listed building. Whilst the recent listing of the building has introduced a much greater degree of control, it does not restrict the stylistic or architectural approach to any future extensions.

The proposal is considered to be a well-proportioned and well-informed response to the existing heritage assets and, provided that the detailing is carefully considered and high quality materials are specified (all of which can be conditioned), it is considered that it has the potential to be an exciting piece of 21<sup>st</sup> century architecture. The design approach of the proposal is considered to be a successful contemporary interventionist approach that still very much conserves the original building's Arts & Crafts architecture whilst giving a new lease of life to what are considered to be lesser quality sections of the building and to the overall building fabric.

In terms of the proposed garage outbuilding, due to the distance and degree of natural screening, together with the sensitive traditional approach to the design and

use of materials, it is not considered that this proposed building would have any impact on the setting of the listed building. The proposed metal five bar gate would provide security for the occupiers and would represent a modest sympathetic design appropriate to style of the original house and to the frontage and wider character of Brand Lane.

In accordance with section 66 and 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, it is considered that the proposal would preserve the listed building and its setting which affected by the application. It is also considered that in accordance with section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the proposal would preserve the character and appearance of the Woodhouse Eaves conservation area.

The overall harm identified in respect of the above mentioned heritage assets is considered to be very minor and less than substantial. In accordance with Paragraph 202 of the NPPF, where there is less than substantial harm to a heritage asset, this should be weighed against the public benefits of the proposal. This assessment is set out in the conclusion and planning balance below.

#### Other Matters

In terms of highway safety and parking, it is considered that the proposals would not increase parking requirement in accordance with policy TR/18 or the Leicestershire Highways Design Guide nor would it increase the use of the access as it is proposed to remain as a single family unit. Concerns have been raised that construction traffic could result in harm or danger due to the narrowness and limited visibility of the access. However, the safety of the access for construction traffic is a matter dealt with under the Construction Phase Health and Safety Plan covered by the CDM Regulations 2015 and would be in place prior to construction and would consider such issues.

In respect of flooding, the site is not located within flood zone 1 and therefore not at high risk of flooding. The applicant has a responsibility under the building regulations to ensure any additional surface water is disposed of on-site via suitable methods without resulting in any increase run off to neighbouring properties.

Policy CS13 seeks to conserve and enhance the natural environment with regard to biodiversity and ecological habitats. The application is supported by a protected species survey. Overall the habitats within the site were considered to be of limited ecological value, with only small areas considered to have the potential to support protected/notable faunal species (as per those listed in the submitted survey). The removal of a small number of trees and hedgerow habitats would not cause significant impact and potential enhancements could be made as part of the detailed design of the development (integrated bird and bat boxes).

Subject to the imposition of a condition requiring a scheme of ecological mitigation, which can also be secured by way of a landscaping scheme also to be agreed, it is considered that the proposal accords with policy CS13 and the National Planning Policy Framework in respect of biodiversity and ecology.

A Leicestershire County Council TPO protects a block of trees to the east fronting Brand Lane and a perimeter tree belt to the southern boundary. None of these trees will be affected. The site is covered by the Woodhouse Eaves Conservation Area and it is accepted that the proposed loss of five trees within the site will not impact the character and appearance of the conservation area. The losses will only be noticeable within the inner visual envelope of the land adjacent to the dwelling. It is recommended that replacement trees be planted of which details shall first be submitted and agreed by way of a planning condition.

### **Conclusion and Planning Balance**

For the reasons set out above, it is considered the proposal would not result in any landscape harm or harm to the character and appearance of the countryside. The proposal would preserve the amenity of those that live nearby and would represent an appropriate design response to the existing building.

It is considered that the development would cause minor and less than substantial harm to the significance of heritage assets (the listed building and its setting). However in accordance with paragraph 202 of the National Planning Policy Framework, it is considered that the public benefits of the proposal when considered overall outweigh the less than substantial harm. The public benefits are acknowledged to be the creation of a more sustainable dwelling in the long term and ephemeral construction jobs during the construction process. Adapting the building to suit modern day living will ensure its longevity as a single occupation dwelling house and therefore preserve its significance as a heritage asset for the future, which is given positive weight. These benefits are given positive weight and outweigh the harm which has been identified to the designated heritage asset, that being the listed building and its setting. There would be no harm to the character and appearance of the conservation area.

Overall the application is therefore recommended for approval subject to conditions.

### **RECOMMENDATION:-**

This planning permission is granted subject to the following Conditions and Reasons why they are imposed

1.	The development, hereby permitted, shall be begun not later than 3 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 Section 51 of the Planning and Compulsory Purchase Act 2004.
2.	The development hereby permitted shall be carried out in accordance with the following approved plans:

	<p>20.209.S01.09 A  20.209.S03.10 A  20.209.S03.01  20.209.S03.02  20.209.S03.03  20.209.S03.04  20.209.S03.05  20.209.S03.06  20.209.S03.07  20.209.S03.08  20.209.S03.11  20.209.S03.12</p> <p>REASON: To provide certainty and define the terms of the permission</p>
3.	<p>Prior to the commencement of development, samples of all materials, together with large scale drawings of key components, windows, doors, roof lights, roof eaves and verges shall be submitted and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details.</p> <p>REASON: To ensure the satisfactory appearance and finish of the development in accordance with policy CS2, EV1, H17 and CS14</p>
4.	<p>No development, including site works, shall begin until a landscaping scheme, to include those details specified below, has been submitted to and agreed in writing by the local planning authority:</p> <ul style="list-style-type: none"> <li>i) the treatment proposed for all ground surfaces, including hard areas;</li> <li>ii) full details of tree planting;</li> <li>iii) planting schedules, noting the species, sizes, numbers and densities of plants;</li> <li>iv) finished levels or contours;</li> <li>v) any structures to be erected or constructed (including boundary treatments or enclosures); and</li> <li>vi) functional services above and below ground</li> </ul> <p>REASON: To make sure that a satisfactory landscaping scheme for the development is agreed in accordance with policy CS2, CS14 and CS13 of the Core Strategy</p>
5.	<p>No development, including site works, shall begin until the trees to be retained within the application site have been protected, in a manner previously agreed in writing by the local planning authority. The trees shall be protected in the agreed manner for the duration of building operations on the application site.</p> <p>REASON: The trees and hedgerows are an important feature in the area and this condition is imposed to make sure that they are properly protected while building works take place on the site in accordance with policies CS2, CS11 and CS13</p>

6.	<p>No development approved by this planning permission shall commence until an Ecological Mitigation Strategy is submitted that accords with the recommendations contained within Section 5 of the submitted and approved Protected Species Survey by CBE Consulting. The development shall thereafter be carried out in accordance with the approved mitigation measures, completed prior to occupation of the approved extension and retained as such in perpetuity.</p> <p>REASON: to mitigate the impacts of the development during the construction phase and over the lifetime of the development in accordance with Policy CS13 of the Core Strategy and to ensure that there is no net loss of biodiversity on site.</p>
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Informative Note(s):

1. Planning Permission has been granted for this development because the Council has determined that it is generally in accordance with the terms of Development Plan policies CS1, CS2, CS11, CS13, CS14, CS16, CS25, ST/2, CT/1, CT/2, EV/1 and TR/18. There are no other issues arising that would indicate that planning permission should be refused.
2. The Local Planning Authority has acted pro-actively through early engagement with the Applicant at the pre-application stage and throughout the consideration of this planning application. This has led to improvements with regards the development scheme in order to secure a sustainable form of development in line with the requirements of Paragraph 38 of the National Planning Policy Framework (2021), in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 and in accordance with the Town and Country Planning (Listed buildings and Conservation areas) Act 1990.



