



Ellie Jones LLB (Hons) MSc MRTPI

MPC

58 Spon Lane

Grendon

Nr Atherstone

Warwickshire

CV9 2PD

Phone: 01827 714452

Mobile: 07791 186925

Email: elliejones@macdonaldplanningconsultancy.com

The Planning Inspectorate
Temple Quay House
2 The Square
Bristol
BS1 6PN

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To The Planning Inspectorate

Householder Planning Appeal relating to a proposed single storey rear extension to replace existing timber fenced area at Owl Barn Brockey Farm Kirkby Road Barwell Leicester.

This letter accompanies the submission of a householder appeal made on behalf of Mr Hames and Miss A Croucher ("the Appellants"), against the decision of Hinckley and Bosworth Borough Council ("HBBC") to refuse an application for planning permission (planning ref: 24/00646/HOU) to erect a single storey rear extension to replace existing timber fenced area ("the Appeal Proposal") at Owl Barn, Brockey Farm ("the Appeal Site").

Introduction

The Appeal Proposal was validated by HBBC on 1st July 2024 and was assigned planning reference number 24/00646/HOU.

The Appeal Proposal was refused by Notice under delegated authority on 1st August 2024 for the following reasons:

- 1. By virtue of its overly domestic design and uncharacteristic right angled projection from the plain linear elevation, the proposal would result in an uncharacteristic, unsympathetic and incongruous addition that would fail to respect the simple historic layout of the former agricultural complex with its plain uncluttered elevations and would fail to either complement or enhance the rural character and appearance of the original residential barn conversion scheme or the wider courtyard development and would therefore be in clear conflict with Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), the Council's adopted Good*

Design Guide Supplementary Plan Document (2020) and the overarching design principles contained within Section 12 of the National Planning Policy Framework (Dec 2023).

2. *The approval of such an uncharacteristic, unsympathetic and incongruous extension projecting at a right angle from the plain linear elevations of the quadrangle of former agricultural buildings would set a precedent for the consideration of future similarly undesirable proposals that would subsequently be more difficult to resist and would result in further detrimental impacts upon the original rural character and appearance of the barn conversion scheme and wider site. This would be in clear conflict with Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), the Council's adopted Good Design Guide Supplementary Plan Document (2020) and the overarching design principles contained within Section 12 of the National Planning Policy Framework (Dec 2023).*

The Site

The Appeal Site is located within the countryside to north of Barwell. It relates to an existing single storey dwelling house, formerly an agricultural building, known as Owl Barn, Brockey Farm. The dwelling forms part of a wider barn conversion scheme which was granted planning permission in 2005.

Grounds of Appeal

The planning application was accompanied by a detailed Planning Statement prepared by MPC (hereafter referred to as the 'Planning Statement') which details the supporting case for the planning application. We do not propose to repeat the full detail of the Planning Statement in this Grounds of Appeal submission but request that the Planning Inspector give careful consideration to the arguments and detail set out within that document.

In response to the Notice of Decision and Officer Report prepared by HBBC we would like to supplement the arguments set out in the Planning Statement and respond to the reasons for refusal with the following additional points and commentary.

It is worth noting that no objection was received from any of the statutory consultees, no objection raised by Barwell Parish Council and no responses were received from neighbours following public consultation.

As stated in the Officer Report (copy provided at Appendix One) **"extensions and alterations to existing domestic properties are generally considered to be sustainable development in principle"** (para 8.1). The principle of development is not in dispute.

With reference to matters of scale and the choice of materials, the Officer Report acknowledges, the Appeal Proposal ***“would be a subordinate addition and is proposed to be constructed of matching corresponding external materials as the existing dwelling to ensure a unified appearance”*** (para 8.8).

In addressing HBBC's reasons for refusal, the main issues for consideration are:

- Whether, by virtue of its design and layout, the Appeal Proposal is overly domestic resulting in an uncharacteristic, unsympathetic and incongruous addition that would fail to respect the historic layout of the former agricultural complex and original barn conversion scheme (Reason for Refusal One).
- Whether the grant of planning permission would set a harmful precedent (Reason for Refusal Two).

Reason for Refusal One:

The host building and the wider farm complex were converted for domestic purposes following the grant of planning permission in 2005 (almost twenty years ago). The change of use from an agricultural building to a dwelling invariably introduces a more domestic appearance; the Appeal Site and wider farm complex now have an established residential character.

As highlighted by the photographic image provided on page 4 of the Planning Statement, historically, prior to its residential conversion in 2005, the appeal property had a large single storey barn adjoining it all the way along its rear (north side) elevation. The conversion scheme demolished the adjoining barn, rebuilt part of Owl Barn and subdivided the remaining buildings. Owl Barn was designed with an 'L' shaped footprint and layout as it currently exists on site today.

The Appeal Application comprises a single storey extension to the rear elevation of the property; it effectively adds a second right angle projection, altering the existing layout from an 'L' shape to a 'U' shaped formation. The position of the extension was purposefully chosen to be at the end of the barn to create the 'U' plan form, which is not an uncharacteristic layout for former traditional farmsteads such as this. Indeed, the wider farmstead is itself comprised of a farmhouse with a series of former two and single storey barns arranged in a 'U' shape formation, to complete three sides of the quadrangle. A 'U' shaped plan form is neither uncharacteristic nor incongruous to the former agricultural complex. The architectural design, fenestration detail, roof profile and choice of materials of the Appeal Proposal have each been chosen in order to correspond to the character of the existing right angle projection.

The wider farm complex is not uniform and each of the barn conversions (while part of a collective group) is individual. There are examples of single storey gable end projections at the respective corners of the quadrangle. This includes the existing 'L' shape formation of the host property but also the single storey projections positioned to either side of the main farmhouse.

The historic layout of the former complex has evolved over time and that is evident from the photography referenced earlier in this statement. Whilst it is acknowledged that the complex of barn conversions does have a traditional character, the Appeal Property and wider complex is neither a designated or non designated heritage asset. The Good Design SPD does not preclude extensions to barn conversions; it requires them to be high-quality, simple, unobtrusive, and to respect the plan-form of the building and group layout. For the reasons set out above and in the supporting Planning Statement it is contended the Appeal Proposal meets with these policy objectives.

Policy DM4 of the adopted SADMP supports the extension of existing buildings in the countryside in principle where this would result in an enhancement of the immediate setting, and requires that development in the countryside does not have an adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside. Policy DM10 of the SADMP seeks to ensure development complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.

By locating the extension to the rear elevation of the property, the principal elevation and character of the inner courtyard remain unaltered by the development.

The existing residential curtilage, detached outbuilding and undeveloped agricultural land stand between the rear of the property and the nearest public footpath to the north (rear side). The separation distance and intervening features (outbuildings and domestic garden) would limit views of the property; but in any case, when viewed in this context the extension would be read alongside the existing right angle projection at the opposing end of the barn and would not appear out of character with the established plan form. Arguably the extension would deliver a modest enhancement to the property and its wider setting when compared to the existing timber fences and storage area which currently conceal a large part of the barn. The proposal would not have a harmful impact on the property, wider complex, beauty or landscape character of the countryside in accordance with DM4 of the SADMP.

The existing property has only two bedrooms. The proposed extension provides much needed additional living space which can be used flexibly; and in the long term, provides a third bedroom as the Appellants' hope to add to their family. The design of the proposed development is simple with architectural details and materials chosen to match the existing building. The increase in

proposed habitable space is just 12.5m² which does not significantly alter the building's scale. As already referenced above, HBBC acknowledges the extension is subordinate to the host property with materials corresponding with the existing. The proposal does not cause conflict with DM10 of the SADMP.

Summing up, contrary to HBBC's reason for refusal, the scheme would not harm the character and appearance of the host property or its surroundings, and it would not cause conflict with the development plan when considered as a whole.

Other material planning considerations:

It is worth highlighting that since the property was originally converted from agricultural use to residential use in 2005, permitted development rights to convert agricultural buildings to dwellings under Class Q of The Town and Country Planning (General Permitted Development) (England) Order 2015 have been introduced. Class Q was refreshed on 30th April 2024 and it is now permissible under Class Q for a 4m, single storey, rear, extension to be added to barns proposed for residential conversion on existing areas of hardstanding.

Clearly the Appeal Proposal is already converted to residential use and it is not a Class Q conversion scheme. However, if the conversion were being considered under the current legislative framework, it is worth keeping in mind, that the type of single storey, rear extension which is being proposed here, which is on an area of existing hardstanding would be acceptable.

Reason for Refusal Two: setting a precedent

It is trite law that applications for planning permission should be determined in accordance with the development plan unless material considerations indicate otherwise. It is also well established that each planning application must be considered on its own individual merits. It is not appropriate to refuse development out of concern for future, unknown, proposals located nearby or otherwise.

The Planning Statement and above Grounds of Appeal set out the reasons why the Appeal Proposal is acceptable and well related to the host property and wider former farm complex. A planning case has been set out to support the particular merits of the scheme and any other application would be required to do the same.

The Inspector is respectfully invited to allow the appeal and to grant planning permission.

Yours faithfully,

Ellie Jones