

Delegated Report

Planning Ref: 23/00828/FUL
Applicant: Mr & Mrs J Freeman
Ward: Barlestone Nailstone and Osbaston



Hinckley & Bosworth
Borough Council

Site: Heath Lodge Farm, Bagworth Road, Newbold Heath

Proposal: Single storey annexe to be used as ancillary accommodation to Heath Lodge Farmhouse.

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 seeks full planning permission for a single storey annexe to be used as ancillary accommodation to Heath Lodge Farmhouse. It is understood from the application forms and from email correspondence with the agent that the annexe will be home to an elderly relative and that there will be some shared facilities with the host dwelling.
- 2.2. The single storey building is a mobile home, comprising of two bedrooms in addition to an office and a large open plan living, dining area. The building measures 16.7m by 6.7m. It has a pitched roof, with the roof ridge height at 3.7m and the eaves at 2.9m.
- 2.3. No details have been provided in regard to the proposed materials. The 'Floor Plans and Elevations' document, received 11/09/2023, shows the dwellinghouse will be finished with cladding.

3. Description of the Site and Surrounding Area

- 3.1. The application site is located off Bagworth Drive, to the north of Newbold Vernon. It lies within the grounds of the main farmhouse, with a cluster of several agricultural buildings to the north and west and the main farmhouse to the east some 25 metres from the proposed building.
- 3.2. The surrounding area comprises of approximately 120 hectares of farmland. It lies within the open countryside and outside any defined settlement boundary.
- 3.3. The nearest residential dwellings are over 500m away. There is ample parking on the site which is accessed by a 150m driveway and screened by mature trees and hedging.

4. Relevant Planning History

- 4.1. None.

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 comments received.

6. Consultation

- HBBC Pollution – No objection.
- HBBC Waste – No objection.
- HBBC Drainage – No objection.
- LCC Highways – No objection.

7. Policy

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

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM4: Safeguarding the Countryside and Settlement Separation
- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.2. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2012)
- Planning Practice Guidance (PPG)

7.3. Other relevant guidance

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

7.4. The Newbold Verdon Neighbourhood Plan remains in draft form.

8. Appraisal

8.1. Key Issues

- Assessment against strategic planning policies
- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact upon highway safety
- Previous conditions

Assessment against strategic planning policies

8.2. Notwithstanding that the application site is located in the countryside; the NPPF and Policy DM1 of the Site Allocations and Development Management Policies (SADMP) provide a presumption in favour of sustainable development. Policy DM4 of the SADMP sets out the circumstances in which development would be considered sustainable within the countryside, these are:

- a) Where the building is for outdoor sport and recreation
- b) Where it involves the change of use or extension of an existing building
- c) Where it significantly contributes to economic growth, job creation and/or diversification of rural businesses
- d) Where it relates to stand alone renewable energy developments; and
- e) Where it relates to the provision of accommodation for a rural worker

The proposal does not meet any of these circumstances and so is not supported by Policy DM4. The proposal is therefore considered unacceptable in principle. This does not mean though that the proposal cannot be sustainable or that permission

should be refused. Compliance with the other relevant sections of Policy DM4 of the SADMP will be assessed further in the following section.

Design and impact upon the character of the area

- 8.3. Policy 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. Policy DM4 of the SADMP seeks to protect the safeguard the countryside and requires development to not have a significant adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside.
- 8.4. Policy DM4 of the SADMP allows for sustainable development in the countryside where it meets specific criteria. Criterion i) is most relevant and this requires that the development represents no significant adverse effects to the intrinsic value, beauty, open character and landscape character of the countryside location.
- 8.5. The proposed building will not be visible from the street scene and is screened by existing vegetation to the front boundary. It is located between the farmhouse and the farm buildings and does not extend development into the open countryside. The building though is a mobile home and the site would not only be considered unacceptable for a permanent new dwellings but a permanent building of this type would also not be considered appropriate.
- 8.6. Criterion ii – v of Policy DM4 of the SADMP would not be relevant to this application as the proposal would not undermine the separation between settlements, not create or exacerbate ribbon development and is not located in the Green Wedge or the National Forest.
- 8.7. It is not considered that the proposed development would complement or enhance the character of the surrounding area as required by Policy DM10. Officers are mindful though that the application has been submitted as an annexe to the main farmhouse to be occupied by a family member – the mother of one of the applicants.
- 8.8. It is considered important that the proposal would not result in the provision of a new independent permanent dwelling in the countryside – something that would not have been granted given the detrimental effect that a new independent dwelling would have on the character and appearance of the site and surrounding area through the intensification of use of the site.
- 8.9. In order that the application does not lead to the permanent siting of the structure a condition is attached limiting the permission to a period of three years.
- 8.10. Although this is not in accordance with Policy DM4 and Policy DM10 of the SADMP it is also considered that providing a home close to relatives is something that should be supported where possible providing that it does result in any significant degree of conflict with national or local planning policies. On balance, and subject to conditions regarding the temporary permission and the ancillary nature of the mobile home, it is considered that the proposal is acceptable with regard to its impact on the character and appearance of the site and surrounding area.

Impact upon neighbouring residential amenity

- 8.11. Policy DM10 of the SADMP states that proposals should not adversely affect the occupiers of the neighbouring properties. The nearest neighbouring property is over 500m away.
- 8.12. It is not considered that there would be any adverse or overbearing impact on the amenity of the occupiers of the neighbouring dwellings and therefore the proposal is considered to comply with Policy DM10 of the SADMP.

Impact upon highway safety

- 8.13. Policy DM18 of the SADMP states that proposals should ensure that there is adequate provision for on and off street parking for residents and visitors and there is no impact upon highway safety.
- 8.14. LCC Highways have stated that the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe.
- 8.15. Therefore the proposal would comply with Policies DM17 and DM18 of the 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 in the consideration of this application. The Committee must also ensure the same when determining this planning application.
- 9.3. There are no known equality implications arising directly from this development.

10. Conclusion

- 10.1. Subject to the conditions outlined above and detailed below the proposal would have no significant or permanent detrimental effect on the character of the existing dwelling and surrounding area. It would retain and provide adequate private amenity and would not adversely affect the amenities of the occupiers of neighbouring properties. Subject to conditions the application is considered to be therefore, on balance, acceptable and is 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 51 of 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:
- Block Plan (Received on 11/09/2023)
 - Site Location Plan (Received on 11/09/2023)

- Floor Plans and Elevation Drg No Rev E (Received on 11/09/2023)

Reason: To ensure a satisfactory impact of the development to accord with Policies DM1 and DM10 of the adopted Site Allocations and development Management Policies Development Plan Document.

3. The building hereby permitted shall be removed and the land restored to its former condition on or before 30 November 2026 unless a further planning permission has been granted by the Local Planning Authority. The land shall be returned to its former condition within a period of 6 months from the date of cessation.

Reason: The site of the permission is outside any area where planning permission would normally be forthcoming for residential development and is permitted only as a temporary dwelling used as an annexe to the host dwelling. The form of construction of the building makes it unsuitable for a permanent permission and a temporary permission enables the Local Planning Authority to review the position at the end of this period in accordance with Policies DM1, DM4, and DM10 of the Site Allocations and Development Management Policies Development Plan Document.

4. The annexe hereby permitted should be used as ancillary accommodation to the dwelling known as Heath Lodge Farm and shall not be occupied as an independent unit of residential accommodation.

Reason: To ensure the annexe is not occupied as an independent unit of accommodation which may have additional impacts in accordance with Policies DM10, DM17 and DM18 of the adopted Site Allocations and Development Management Policies Development Plan Document.

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.
2. Planning Permission does not give you approval to work on the public highway. Therefore, prior to carrying out any works on the public highway you must ensure all necessary licences/permits/agreements are in place. For further information, please telephone 0116 305 0001. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.