Hinckley & Bosworth Borough Council

A Borough to be proud of

Town and Country Planning Act 1990

REFUSAL OF PLANNING PERMISSION

Name and Address of Applicant
Mr M Ketcher
White Gate Farm
Mythe Lane
Witherley
Atherstone
Leicestershire
CV9 3NU

Name and Address of Agent (if any)
Mr Robert Williams
Aldermill
Sheepy Road
Atherstone
Warks
CV9 3AH

Part I - Particulars of Application

Date of Application	**Application No.**
14 October 2008	08/00995/FUL

Particulars and location of development:

EXTENSION AND ALTERATIONS TO REMODEL EXISTING DWELLING INCLUDING A NEW BRICK OUTER SKIN

White Gate Farm Mythe Lane Witherley Atherstone Leicestershire

Part II - Particulars of decision

In pursuance of its powers under the Town and Country Planning Act 1990, the Hinckley and Bosworth Borough Council refuses to permit the carrying out of the development referred to in Part I hereof for the following reason(s) :-

1. The proposed extensions and alterations will result in a significant amount of demolition of the existing dwelling and substantial new building including a new brick skin over the remnants of existing brickwork which will result in development tantamount to a new dwelling in this countryside location, which would be detrimental to the appearance and character of the rural location and contrary to Policy NE5 and RES10 of the adopted Hinckley & Bosworth Local Plan, and Planning Policy Statement 7 (Sustainable Development in Rural Areas).

2. The approval of this proposal would set a precedent for the consideration of further applications of a similar nature, to which the Local Planning Authority would also object but which would consequently be difficult to resist.

3. In the opinion of the Local Planning Authority, the design of the proposed extensions and alterations in terms of the large front gable, gablets and bargeboards are not features in keeping with traditional rural farmhouses in the local area creating an incongruous form of development out of character with an isolated rural location and not in accordance with policy BE1 of the adopted Hinckley and Bosworth Local Plan.

4. In the opinion of the Local Planning Authority the change of use of this substantial area of agricultural land to domestic curtilage represents an unjustified visual encroachment into the countryside that would have a detrimental effect on the appearance and character of this rural location. The proposal is contrary to policy NE5 of the adopted Hinckley and Bosworth Local Plan which seeks to protect such areas of countryside for their own sake.

Continued 08/00995/FUL

NOTES TO APPLICANT :-

1. The applicant should be aware that a biodiversity survey will be required in relation to bats and birds should a further application for extensions and alterations be submitted.

2. List of plans used in the determination of this application:-
Drawing 000/00/04/A, 198/28/03
site location plans

3. An amended proposal involving more modest alterations and extensions as well as retention of more of the fabric of the existing dwelling might be considered more favourably by the Local Planning Authority.

4. The applicant is reminded that the planning permission (3998/1971) for the present dwelling contains an agricultural occupancy tie and a condition that the planning permission for the current dwelling is for the benefit of the applicant (Mr Florendine) and does not run with the land.

T. M Prowse

TREVOR PROWSE
PROPER OFFICER OF THE COUNCIL

Date :5 January 2009