

Delegated Report

Planning Reference:
Applicant(s):
Ward:
Fieldhead

26/00452/HOU
Mr and Mrs S Clark
Markfield Stanton &



Hinckley & Bosworth
Borough Council

Application Site: **6 Farthing Wood Barn, Meadow Lane, Stanton Under Bardon**

Proposal: **Erection of a double garage**

Case Officer: **Gwion Russell (Planning Officer)**

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions detailed at the end of this report.

2. Planning Application Description

- 2.1. This householder planning application seeks planning permission for the erection of a double detached garage.
- 2.2. The garage would measure 6.29m in width by 6.29m in depth, covering a footprint of 40m²; it would have an eaves height of 2.6m and a ridge height of 4.25m. The front (west) elevation would include two roller shutter garage doors and a window and side access door to its north elevation. External materials would include timber cladding and plain roof tiles.
- 2.3. The garage would be sited to the southeast of the dwelling, adjacent to the property boundary and would include associated hardstanding to allow for vehicle entry.

3. Description of the Site and the Surrounding Area

- 3.1. The application site is located at Farthing Wood Barn, 6 Meadow Lane within the settlement boundary of Stanton-under-Bardon.
- 3.2. The application property comprises a two-storey, L-shaped property, set within a residential curtilage of 500m². It is a barn conversion farmhouse, which has been extended previously, and which is positioned to the north of the site and

benefits from a large wraparound privately enclosed turfed garden/driveway space. The property also benefits from a double carport to the southwest of the dwelling.

- 3.3. The property is part of a collection of residential barn conversion properties of similar scale and massing. The site is accessed by a private bridleway, with rural open land to the south and further residential properties to the west, east and north.
- 3.4. A public right of way is located to the south of the site linking the bridleway with the fields adjacent, which would be retained as part of the proposals. The site is within the boundary of both the National and Charnwood Forests.

4. Relevant Planning History

01/00081/FUL

- Extension to dwelling
- Permitted
- 26.02.2001

06/01189/FUL

- Extension and alterations to dwelling
- Permitted
- 28.11.2006

14/00544/FUL

- Construction of outdoor manège
- Permitted
- 31.07.2014

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. No responses have been received.

6. Consultation

- 6.1. There have been no objections from the following consultees:
 - Stanton Under Bardon Parish Council
 - LCC Ecology Unit
 - East Midlands Airport
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- LCC Highways

The application site includes PRow Footpath R19 where it coincides first with Meadow Lane and secondly with the access drive to this property. Both sections are relatively narrow and all users share the same road space. Therefore, construction vehicle drivers need to be aware there may be pedestrians present and to exercise extra caution when driving in or out of the development site. The location of the proposed works adjoins Public Footpath R23 but the submitted plans are clear that the intervening boundary is being retained so that PRow is not affected.

Noting the proposed work, the LHA is satisfied that the use and enjoyment of Public Footpaths R19 and R23 will not be significantly affected.

- Leicestershire Footpaths Association;

“I am making representations on behalf of Leicestershire Footpath Association. It is unclear from the site plan whether the footpath running along the southern boundary of the site will be affected by the proposed development. If the footpath is unaffected we have no objections. However, if the footpath is affected we object to the development. In the absence of a formal Diversion Order we expect it to be retained in its current location and in its current form. And if the development is approved we would not expect the availability and enjoyment of the path to be affected during the construction period.”

Officer note: The public footpath remains outside the site boundary and would not be affected by the proposals.

6.2. No further responses have been received.

6.3. The responses can be read in full on the Council's website.

7. Policy

7.1. Core Strategy (2009):

- Policy 21: National Forest
- Policy 22: Charnwood Forest

7.2. Site Allocations and Development Management Policies Development Plan Document (SADMP) (2016):

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.3. National Planning Policies and Guidance:

- National Planning Policy Framework (NPPF) (2024)
- National Design Guide (2019)
- Planning Practice Guidance (PPG)

7.4. Other Relevant Guidance:

- Hinckley and Bosworth Borough Council – The Good Design Guide (2020)
- Leicestershire Highway Design Guide (LHDG) (2024)

8. Appraisal

8.1. The proposed garage is an ancillary outbuilding and would be located within the residential curtilage of the property, and within the settlement boundary, and is therefore considered acceptable in principle. The key issues in respect of this application are therefore:

- Design and impact upon the character of the area
- Impact upon residential amenity
- Impact upon parking provision and highway safety

Design and Impact upon the Character of the Area

8.2. By virtue of the garage's proposed location to the rear of the dwelling and 63m from the nearest public highway, views of the proposal would only be available via glimpses from the PROW.

8.3. The context of the wider site comprises barn conversions and agricultural/residential properties of varying sizes, designs and materials. The proposed garage, by virtue of its scale and design, would complement the existing site and surrounding area.

8.4. The proposed scale of the proposal would be subordinate to the main dwelling. The modest 4.3m ridge height would not present an incongruous addition to the application site and wider area. This potential impact of the height is further

mitigated by the 6m clearance from the main dwelling and 10m separation distance from the west boundary.

- 8.5. By virtue of the above the proposal respects the character of the existing dwelling and surrounding area and is in accordance with Policy DM10 of the SADMP and the Good Design Guide.

Impact upon Residential Amenity

- 8.6. The nearest neighbouring residential property is sited approximately 21m from the proposed garage. Owing to the proposed location of the garage, the proposal would not result in unacceptable loss of light or overbearing impacts for the main dwelling or any neighbouring property.
- 8.7. By virtue of the above the proposal does not result in any adverse overbearing or overshadowing impacts or any overlooking or loss of privacy to the neighbouring properties and is in accordance with Policy DM10 of the SADMP and the Good Design Guide.

Impact upon Parking Provision and Highway Safety

- 8.8. The proposal would not impact the level of off-street parking for the associated dwelling.
- 8.9. The LHA has confirmed that the proposal would not significantly affect the enjoyment of footpaths R19 or R23. Informatives have been included in the decision notice to ensure that the footpaths are not impacted by the development.
- 8.10. Therefore, the scheme is regarded as in accordance with Policies DM17 and DM18 of the SADMP, and the LHDG.

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;
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- (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.

10. Conclusion

10.1. Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission to be granted, subject to the imposition of appropriate conditions.

11. Recommendation

11.1 **Grant planning permission** subject to:

- Planning conditions detailed at the end of this report.

11.2 Conditions

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 received by the Local Planning Authority as follows:

- Application Form
 - Proposed Elevations and Floor Plan - 26 4695 02 B
 - Proposed Block Plan, Site and Roof Plan - 26 4695 02 A
 - Site Location Plan - 26.4695
 - All received by the Local Planning Authority on 19/05/26
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Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

a. **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. Prior to construction, measures should be taken to ensure that users of the Public Right(s) of Way are not exposed to any elements of danger associated with construction works.
 3. A Public Right of Way must not be re-routed, encroached upon or obstructed in any way without authorisation. To do so may constitute an offence under the Highways Act 1980.
 4. Public Rights of Way must not be further enclosed in any way without undertaking discussions with the local Highway Authority (telephone 0116 305 0001).
 5. If the developer requires a Right of Way to be temporarily diverted, for a period of up to six months, to enable construction works to take place, an application should be made to networkmanagement@leics.gov.uk at least 12 weeks before the temporary diversion is required.
 6. Any damage caused to the surface of a Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Local Highway Authority.
 7. No new gates, stiles, fences or other structures affecting a Public Right of Way, of either a temporary or permanent nature, should be installed without the written consent of the Local Highway Authority. Unless a structure is authorised, it constitutes an unlawful obstruction of a Public Right of Way and Leicestershire County Council as Local Highway Authority may be obliged to require its immediate removal.
 8. Great Crested Newts are a species fully protected by law. There are several potential GCN breeding ponds nearby, therefore there is a small possibility that a newt, or small numbers of newts could be present on
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the site. The applicant should therefore exercise due care during implementation of the proposed development, ensuring that all contractors are aware of the possibility of finding great crested newts, and stored materials are carefully removed by hand. Work should cease if a great crested newt is found, and advice from a licensed ecologist should be sought.