

Delegated Report

Planning Ref: 24/00815/HOU

Applicant: Mr And Mrs Aughterlony

Ward: Cadeby Carlton M Bosworth & Shackerstone



Hinckley & Bosworth
Borough Council

Site: The Old Barn Mill Lane Bilstone

Proposal: Replacement (UPVC) windows and new window openings in upper side gable (south-east). New external lead flashing upon existing roof dormer. Roof extension (increase ridge, front and rear elevations and side gable heights) to provide new bedroom space - including 2 No. rooflight windows. Demolition of existing chimney above single storey duo-pitch roof.

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 to raise the height of the side single storey range of the Old Barn to create accommodation (bedroom space) within the enlarged roof space. This element of the proposed development will consist of the increase in height of front and rear elevations (from ground to proposed eaves) by approximately 0.95m and the increase of side gable (SE), from ground to ridge height, by approx.0.95m. The existing chimney stack that adjoins the SE side gable is also proposed to be enlarged and will protrude above the increase roof ridgeline by approx. 1.5m. The proposed external roof slope materials will use existing clay tiles (re-claimed during construction). The proposed elevation, side gable and chimney stack extensions will be constructed from re-claimed bricks and will match the existing dwelling.
- 2.2. This application also proposes the replacement of all existing windows (both timber and aluminium frames) with cream colour UPVC frames.
- 2.3. An existing brick built chimney, located above host dwelling's single storey element that protrudes from the rear elevation (NE facing) is proposed to be removed.
- 2.4. An existing dormer roof, that serves the dwelling's existing landing space, is proposed to remove existing upvc Barge board type cladding and its external sides and cheeks are proposed to be re-clad in lead flashing material.

3. Description of the site and surrounding area

- 3.1. The Old Barn is located within the Bilstone Conservation Area. It likely dates from the mid-19th century and is one of a small cluster of historic buildings located on Mill Lane. It is a simple L-shaped plan building and modestly scaled with dual pitched gabled roofs laid in clay tiles and constructed of red brick facing walls. Despite some more recent alterations, including the insertion of modern metal casement windows and a clad mono pitched roof dormer window on the rear elevation, overall, the building makes a positive contribution to the character and appearance and thus significance of the conservation area. The accompanying Bilstone Conservation Appraisal (2012) identifies the building as an unlisted building of local historic or architectural importance.

4. Relevant planning history

87/00008/4

- CONVERSION OF BARN COWSHED INTO DWELLING WITH GARAGE
- PER
- 27.01.1987

86/00442/4

- CONVERSION OF COW SHED TO DWELLING
- PER
- 03.06.1986

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 and a notice was displayed in the local press.

5.2.

6. Consultation

6.1. Shakerstone Parish Council - No comments received.

6.2. HBBC Conservation Officer - Summary of response: Considers the proposal will have a neutral impact on the character and appearance of The Old Barn and the wider Bilstone Conservation Area. The proposal will preserve the character and thus significance of the conservation area and it therefore complies with relevant sections National T&C Planning Act, NPPF and policies relevant design and heritage policies contained in the SADMP.

6.3. The Conservation Officer's detailed comments are included in the appraisal below.

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 DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets
- Policy DM18: Vehicle Parking Standards

7.2. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2023)
- Planning Practice Guidance (PPG)

7.3. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)
- Leicestershire Highway Design Guide (2021)

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

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, such as a householder application which leads to the enhancement of the immediate setting and does not impact upon the intrinsic value of the open character of the countryside. Compliance with the 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 DM4 of the SADMP seeks to approve development which represents no significant adverse effect to the intrinsic value, beauty, open character and landscape character of the countryside location.
- 8.4 Policy DM10 of the SADMP requires new development to complement or enhance the character of the surrounding area with regards to scale, layout, density, mass, design, materials and architectural features.
- 8.5 Policies DM11 and DM12 of the Site Allocations and Development Management Policies DPD seek to protect and enhance the historic environment and heritage assets. Development proposals should also ensure the significance of a conservation area is preserved and enhanced.
- 8.6 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act (1990) states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. Section 16 of the National Planning Policy Framework (NPPF) provides the national policy on conserving and enhancing the historic environment. Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation.
- 8.7 In their consultation response, The Conservation Officer stated: the proposal to extend the single storey range upwards is acceptable in conservation terms, with the gabled form of the range retained and the resulting height of the range continuing to sit lower than the 1.5 storey main barn building and being subservient to it in scale. The existing gable end chimney stack to this range would be rebuilt so it would remain as a character feature upon this elevation, and the existing clay roof tiles would be re-used, as well as reclaimed being used for the small section of new facing wall that will match those used on the external elevations of the host dwelling.
- 8.8 The Conservation Officer also stated that the proposed replacement windows would be casements with a UPVC frame, of which they consider, whilst not a traditional material- such as timber- this could be an improvement on the existing metal

windows in character terms, depending that a wood grain finish is proposed, in addition to the casements being flush fitting to reduce the bulk of the window lights. A cream colour is proposed for the frame which would be a muted tone that would respect similar colours used elsewhere in the conservation area.

- 8.9 The Conservation Officer has also commented that the chimney on the gable of the rear elevation, which is proposed to be removed as part of this development proposal, is a feature of very minor interest and they conclude that its demolition/removal would result in a negligible and would not cause an adverse impact upon the character and appearance of the building.
- 8.10 Further to the above comments regarding the principle and design of the proposed development, the Conservation Officer also requested that: in order to ensure the development has a satisfactory appearance and the significance of the conservation area (Bilstone) is preserved, clear and concise details of the following should be confirmed prior to the determination of the application or prior to the commencement of the development via a planning condition:
- The replacement windows
 - The replacement doors
 - The materials for the external elevations of the altered dormer on the rear elevation
- 8.11 In view of the Conservation Officer request for specific details (as above), The applicant's agent subsequently submitted technical details and amended elevation drawings to the LPA prior to determination of the application; of which the Conservation Officer and case officer are satisfied that details are sufficient to not to require submission /approval of materials/details by the LPA prior to the commencement of the approved development. Moreover, the Conservation Officer is satisfied the design, detail and colour of the proposed windows and external cladding to the dormer window are acceptable and will not harm the character of the host dwelling.
- 8.12 For the above reasons, the proposal will have a neutral impact on the character and appearance of The Old Barn and the wider Bilstone Conservation Area. The proposal will preserve the character and thus significance of the conservation area and it therefore complies with Policies DM4, DM10, DM11 and DM12 of the SADMP- which is also reflected in HBBC's Good Design Guide-, section 16 of the NPPF and the statutory duty of section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

Impact upon neighbouring residential amenity

- 8.13 Policy DM10 of the SADMP seeks to ensure that development proposals shall not harm the amenity of neighbouring residential properties.
- 8.14 This application proposes the insertion of two small (clear glazed) window openings that will flank both sides of the (to be extended) chimney stack and will be located within the upper level of the proposed to be extended side (east) gable wall. Also, two conservation type (flush fitting) roof light type windows are also to be inserted within the proposed replacement roof slope (north east facing) above the proposed enlarged roof space. These windows will serve the proposed bedroom - to be located within the proposed enlarged roof space.
- 8.15 The proposed side windows and extended (by height) gable wall/chimney stack will face an existing clear glazed window opening, which is sited within the side gable elevation (NW facing) of a 1.5 storey outbuilding , that is sited upon the shared

boundary with the proposal site and is located within the curtilage of the neighbouring dwelling (Mill Wheel Lodge). The existing window however serves an upper floor of the outbuilding which is used by the neighbouring occupants as a garage/storage space and does not contain a habitable room/space.

- 8.16 Furthermore, given their siting within the (proposed to be enlarged) roof slope, the proposed roof light windows will not provide an opportunity for occupants of the bedroom below to directly view the outdoor amenity space or windows belonging to neighbouring dwellings.
- 8.17 Otherwise, the proposed windows will replace glazing that serve existing window openings, and therefore their installation will not introduce any further overlooking to neighbouring dwellings amenity space and windows serving habitable rooms than is already allowed/experienced.
- 8.18 The proposed development is therefore considered to have no significant impact upon neighbouring residential amenity, in accordance with Policy DM10 of the SADMP.

Impact upon highway safety

- 8.19 Policy DM18 of the SADMP requires new development to provide an appropriate level of parking provision to serve the development proposed. In this case one extra bedroom space will be created, and the extended dwelling will provide three bedroom spaces in total. The Leicestershire Highways Design Guide requires there is sufficient accommodation for vehicles and recommends that at least two off-street parking spaces are retained for dwellings with three bedrooms. The host dwelling at present provides at least three parking spaces, and the proposal will not result in the loss of existing off- street parking space.
- 8.20 The proposal will not otherwise compromise the access arrangements from the host dwelling to the adjoining highway and will not introduce any features that will harm the safety of highway of users of the adjoining highway network and sufficient off-street parking arrangements will be retained. It is therefore considered that the application complies with Policy 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, 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. The proposal would not have any significant impact upon the character of the host building, associated dwelling or surrounding properties. It would neither affect the residential amenity of neighbouring dwellings and their associated rear amenity space. It is considered that the proposal would have a neutral impact upon the appearance of the conservation area and would not have a significant adverse impact on the rural and open character of the countryside. The proposal would retain existing off-street parking provision and the proposal would not have an adverse impact upon the adjoining highway network. The application is considered to be in accordance with DM1, DM4, DM10, DM11, DM12 and DM18 of the SADMP. Thus, the application 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 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, as follows:

Site Location Plan. Received by the local planning authority (LPA) 26.08.2024

Drg.No: 5a- Proposed Floor Plans. Amended drawing received by the LPA 09.10.2024

Drg.No: 5a- Proposed Elevations. Amended drawing received by the LPA 09.10.2024

Technical Specification: Proposed window design- outside and inside, both received by the LPA 09.10.2024

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).

3. The materials to be used on the external elevations of the proposed extension and alteration shall accord with the approved information and documents submitted to the local planning authority as part of this application:

-Technical Specification: Whole Window Option/Glazing Bars. Received by the LPA 09.10.2024

-Technical Specification: Glass, Hardware and Flush Window. Received by the LPA 30.09.2024

-Technical Specification: Velux GCL Heritage Conservation Roof Window. Approved Colour: black aluminium frame. Received by the LPA 09.10.2024).

-Proposed Window Frame Colour: RAL 9001- Classic Cream (grained). Received by the LPA 30.09.2024

-Proposed replacement external materials to existing dormer (serving landing): lead flashing. Decided on Drg.No 5a- Proposed Elevations. Received by the LPA 09.10.2024

- Manufacturer's sample of window frame (UPVC) material. Received by the LPA 10.10.2024.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. As stated in the proposed external materials section of the approved application form submitted as part of this application. Received by the LPA 26.08.2024:

-The materials to be used on the approved extended external elevations shall match the corresponding materials of the existing dwelling - using re-claimed bricks.

-The materials to be used on the approved extended roof shall match the corresponding materials of the decision dwelling, using re- claimed materials saved from the removal of existing external roof material: Plain clay tiles.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

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 building.control@blaby.gov.uk or call 0116 272 7533.

2. Roof spaces and crevices are a common roosting site for bats. Roosting/ nesting Birds and Bats are protected by the Wildlife and Countryside Act 1981 under which any deliberate action resulting in the disturbance or destruction of their place of shelter is illegal. If any of these species are found in the building you shall contact Natural England immediately: Telephone 01476 584800.