Delegated Report

Planning Reference: 25/00728/HOU
Applicant(s): Mr and Mrs Forman
Ward: Newbold Verdon With Desford & Peckleton

Hinckley & Bosworth Borough Council

Application Site: 2 Brockey Farm Cottages, Ashby Road, Stapleton, Leicester, Leicestershire, LE9 8JD.

Proposal: Single storey side and rear extension

Case Officer: Jack Playle (Technical Planning Assistant)

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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 full planning permission for single storey side and rear extension at 2 Brockey Farm Cottages, Ashby Road. To facilitate this development, the rear extension is to be removed.

2.2. The proposed single storey side and rear extension would project outwards from the existing rear elevation by 4.5 metres with a width of 11.8 metres. The rear extension angles away from the neighbouring property on a 45 degree line in order that it does not have a significant effect on neighbouring amenity. The side element of the extension would project outwards from the side elevation by 4.2 metres and be set back from the front elevation by over 5 metres. The proposed extension would have a flat roof which would measure 3.3 metres in height. In total, there would be an additional footprint of 52.98 metres. Both elements are connected and incorporate an open plan dining and family area, a study and a utility room.

2.3. The external material changes to the dwelling would see the side extension comprise of a mix of charred cedar wood and a smooth coloured render. The windows and openings to the extension will have a black aluminium finish, as well as a contrasting aluminium window surround to the study window.

3. Description of the Site and the Surrounding Area

3.1. The application site consists of a semi-detached red brick dwelling that is located on a country lane that connects Ashby Road and Kirkby Road. The application site lies within a predominantly rural area, with only two residential properties and a farmhouse located along the application road.

4. Relevant Planning History

4.1 There is no relevant planning history.

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 further responses have been received.

6. Consultation

6.1 There have been no objections from the following consultants:

- Kirkby Mallory Peckleton Stapleton Parish Council

7. Policy

7.1 Core Strategy (2009):

- None relevant

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

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM4: Safeguarding the Countryside and Settlement Separation
- Policy DM10: Development and Design
- 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:

- Good Design Guide (2020)
- Leicestershire Highway Design Guide (LHDG) (2024)

8. Appraisal

8.1. Extensions to existing domestic properties are generally considered to be sustainable development 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 Policy DM10(c) of the SADMP states that developments will be permitted where they complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.

8.3 Chapter 12 of the NPPF confirms that good design is a key aspect of sustainable development, and the creation of high quality, beautiful, and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 135 of the NPPF details the six national policy requirements of development to ensure the creation of well-designed and beautiful places.

8.4 Guidance Point C1 of the NDG confirms that well-designed new development should respond positively to the features of the site itself and the surrounding context beyond including the existing built development and landscape character, amongst others. Guidance Point I1 of the NGD highlights that new developments should consider the composition of street scenes and individual buildings and their elements including the height, scale, massing and relationship between buildings, as well as views, vistas, landmarks, and landscaping, amongst others.

8.5 Guidance Point I2 of the NDG advised that well-designed places should contribute to local distinctiveness and Guidance Point I3 of the NDG highlights that design decisions at all levels and scape should help to create a memorable sense of place.

8.6 Paragraph 137 of the NPPF states that applicants, where applicable, should provide sufficient information to demonstrate how their proposals will meet the design expectations set out in local and national policy.

8.7 Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design (as contained in the National Design Guide and National Model Design Code), taking into account any local design guidance and supplementary planning documents such as design guides and codes.

8.8 Policy DM4 of the SADMP states that development in the countryside will be considered sustainable where:

i.) It does not have a significant adverse effect on the intrinsic value, beauty, open character, and landscape character of the countryside; and

ii.) It does not undermine the physical and perceived separation and open character between settlements; and

iii.) It does not create or exacerbate ribbon development.

iv.) If within a Green Wedge, it protects its role and function in line with Core Strategy Polices 6 and 9; and

v.) If within the National Forest, it contributes to the delivery of the National Forest Strategy in line with Core Strategy Policy 21.

8.9 Policy DM4(i) of the SADMP states that development in the countryside will be considered sustainable where it does not have a significant adverse effect on the intrinsic value, beauty, open character, and landscape character of the countryside.

8.10 Given the significant set back of the side extension from the front extension of over 5 metres the design of the development would not have a significant impact on the character of the area and due to the isolation of the two dwellings, it would not have a detrimental impact on the intrinsic value and amenity of the surrounding countryside.

8.11 There are two proposed materials for the extension with the side extension being faced with charred cedar and the connecting rear part of the extension having a smooth coloured render finish. The windows and openings to the extension will have a black aluminium finish, as well as contrasting aluminium window surround for the single study window. Materials are conditioned so that the overall design complies with DM10 of the SADMP and the requirements of the Good Design Guide.

8.12 By virtue of the distance from the highway, the design, the use of good quality external materials, the scale and the limited prominence of the extension, 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

8.13 Paragraph 135(f) of the NPPF requires planning policies and decisions to ensure that developments create places that are safe, inclusive, and accessible, which promote health and well-being, and a high standard of amenity for existing and future users.

8.14 Policy DM10(a) and (b) of the SADMP states development will be permitted provided that it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting and noise and that the amenity of occupiers would not be adversely affected by activities within the vicinity of the site.

8.15 The Good Design Guide requires the way buildings to relate to each other, and their orientation and separation distances, to provide and protect acceptable levels of amenity.

8.16 The Good Design Guide states that any extension should not exceed 45-degrees from the nearest principle habitable window of a neighbouring property. No.1 adjoins the application dwelling and the proposals do not breach the 45-degree guidance as set out for the nearest principle habitable window and will not result in internal light loss or an adverse sense of overdominance.

8.17 The Good Design Guide recommends that a principal window to a habitable room should ideally be no less than 8m from the blank side of a single storey neighbouring property, rising to 14m for a two-storey property.

8.18 Although the study window faces the shared boundary at an angle of 45 degrees and a minimum distance of 1.15 metres it is not considered that there would be any unacceptable effect on the amenity of neighbouring residents given permitted development rights with regard to boundary treatment.

8.19 The size and scale of the proposed extension has been assessed and it is considered that it would not have any significant adverse effects on the residential amenity of the . property.

8.20 The dwelling will retain a large garden, and it is considered that the proposals do not have any detrimental impact on the amenity of future occupiers

8.21 By virtue of these factors and in relation to the Good Design Guide and local policies, the proposed development does not result in any adverse overbearing or overshadowing impacts or any overlooking or loss of privacy to the neighbouring properties and therefore is considered to be in accordance with Policy DM10 of the SADMP and the Good Design Guide.

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.

9.4 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

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 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 received by the Local Planning Authority as follows:

   - Application Form (submitted: 24.07.2025)
   - Existing and Proposed Plans, Elevations and Block Plans 1422_10

   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. No development above foundation level shall commence on site until representative sample of the types and colours of materials to be used on the external elevations of the structures hereby permitted have been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented in accordance with those approved materials.

   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).

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. Nesting birds are protected under the Wildlife & Countryside Act 1981) as amended); therefore, all removal of trees, shrubs, and hedges should take place outside the breeding season (March to August inclusive) unless carefully checked beforehand by a suitably qualified person.