

Delegated Report

Planning Ref: 23/00530/HOU

Applicant: Mr Robert Beaumont

Ward: Newbold Verdon with Desford and Peckleton

Site: The Oaks, Main Street, Botcheston

Proposal: Proposed single storey rear extension and retention of existing timber shelter



Hinckley & Bosworth
Borough Council

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 proposes to retain the existing timber shelter to the rear of the existing dwelling and erect a single storey rear extension.

3. Description of the site and surrounding area

- 3.1. The site is located to the south of Main Street, Thornton, the dwelling (The Oaks) is situated approximately 12 metres to the North West, and the site is accessed by the existing access which serves the dwelling. To the south, the site abuts the open countryside, with residential properties to the north. The site gradually slopes away to the south from Main Street. There is a public footpath which runs north to south to the west of the site.

4. Relevant planning history

08/00843/FUL

ERECTION OF ONE DWELLING

Planning permission

29.10.2018

14/00446/COU

Change of use of land to form part of the existing residential curtilage including demolition of outbuilding and reconstruction of garage and store

Planning permission

04.09.2014

23/00333/AGDO

Proposal for a lake no larger than 980 square metres to be used for horticultural purposes.

Prior approval refused

09.05.2023

5. Publicity

- 5.1. The application has been publicised by sending letters to neighbours.
- 5.2. No comments have been received.

6. **Consultation**

- 6.1. Desford Parish Council – no comments received.

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

7.3 **Desford Neighbourhood Plan**

- Policy H7: Housing Design
- Policy ENV6: Safeguarding Important Views

7.2. National Planning Policies and Guidance

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

7.3. Other relevant guidance

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

8. **Appraisal**

8.1. Key Issues

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

Design and impact upon the character of the area

- 8.2. 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.
- 8.3. Policy DM4 of the SADMP considers development sustainable in the countryside where the proposal involves the change of use, re-use of extension of existing buildings which lead to the enhancement of the immediate setting.
- 8.4. Policy H7 of the Desford Neighbourhood Plan states that new development should enhance and reinforce local distinctiveness and character, with care taken to ensure that development does not disrupt the visual amenities of the street scene and impact on any wider landscape views.
- 8.5. The site falls within an identified 'Important View', viewpoint 3, which looks north east towards Botcheston. Policy ENV 6 states that development that adversely affects the identified local important and valued views will not be supported unless the proposals includes effective mitigation measures.
- 8.6. The proposal includes a single storey rear extension and the retention of an outbuilding. The proposals would not be highly visible from the street scene or public vantage points (including viewpoint 3) to the degree that it could cause any

detrimental impacts upon the character of the area. It is considered that the materials proposed are satisfactory and the scale of the development is subordinate and low key.

- 8.7. Overall due to the position of the proposed extension and outbuilding, alongside the details of design and materials, it is considered that the proposed single storey side and rear extension would not cause detrimental impacts upon the character of the area and as such it is in accordance with Policy DM4 and DM10 of the SADMP and the Good Design Guide (2020) and Policy H7 and ENV 6 of the Desford Neighbourhood Plan (2021).

Impact upon neighbouring residential amenity

- 8.8. Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings.
- 8.9. The proposed extension and outbuilding are distanced significantly (approx. 20 metres) away from the neighbouring dwelling, and it screened by the existing dwelling. The proposal by its single storey nature is not considered to cause any overbearing impacts, loss of light or loss of privacy to the nearby residential dwellings.
- 8.10. It is therefore considered that the impacts upon neighbouring residential amenity through this proposal are not significant to warrant a refusal of planning permission, and are in general accordance with Policy 10 of the SADMP.

Impact upon highway safety

- 8.11. Policy DM17 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety. Policy DM18 of the SADMP requires new development to provide an appropriate/justified level of parking provision.
- 8.12. The proposed application for a single storey rear extension and retention of the existing outbuilding, does not increase the number of bedrooms at the property, nor does it reduce the number of available parking spaces.
- 8.13. Overall the proposal would not result in adverse impacts upon highways safety and would be in accordance with Policies DM17 and DM18 of the adopted 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.

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. The proposal seeks to erect a single storey rear extension and retain the existing timber outbuilding. The proposal is deemed acceptable due to the limited adverse impacts upon the character of the area, neighbouring residential amenity and highway safety.

10.2. It is considered that the proposed development would be in accordance with Policies DM10, DM17 and DM18 of the adopted SADMP.

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:

Location Plan

Block Plan Drg No. 22.302.BP

Proposed Floor Plans and Elevations Drg No. 22.302.06

Proposed Site Plan Drg No. 22.302.05

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 proposed elevations of the extensions shall accord with the approved materials detailed within the application form.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan

Document (2016) and Policy H7 and ENV 6 of the Desford Neighbourhood Plan (2021).

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.