

Delegated Report

Planning Ref: 24/00830/HOU

Applicant: Miss Joyce Allen

Ward: Twycross Sheepy and Witherley



Hinckley & Bosworth
Borough Council

**Site: Blue Brick Farm, 163 Main Road, Sheepy Magna, Atherstone
Leicestershire**

Proposal: Conversion of existing barn into a one bedroom annex

1. Recommendations

1.1. Grant planning permission subject to

- Planning conditions outlined at the end of this report

2. Planning application description

- 2.1. The application proposes the conversion of a small outbuilding/barn to residential accommodation in the form of a one-bed annex to the main dwelling, Blue Brick Farm.
- 2.2. The existing brick building is located to the back of the site and is visible from the entrance to the site from Main Road. The existing dwelling sits on the road frontage. The outbuilding/barn is single storey with a pitched tiled roof and measures approximately 9 metres by 5 metres. It has large timber doors on its frontage with two smaller doors facing the dwelling and a single door and two windows facing the fields to the south. The plans show that a small porch is to be added to the front elevation.
- 2.3. Additional information has been submitted in the form of a bat survey and revised drawing have been submitted showing bat and bird boxes.

3. Description of the site and surrounding area

- 3.1. Blue Brick Farm is the first dwelling encountered when entering Sheepy Magna from Sheepy Road to the west and south of the main village. The dwelling lies on the south side of Main Road, just after it changes from being Sheepy Road and lies within the settlement boundary. There is farmland to the south, west and north on the opposite side of Main Road.
- 3.2. The barn/outbuilding site on the edge of the curtilage of the property, directly to the rear of the existing dwelling. There is a distance of approximately 11 metres between the main dwelling and the building that is the subject of this application.
- 3.3. The only neighbouring dwelling lies to the east with a distance of approximately 12.5 metres to the shared boundary. There is no difference in levels between the two properties.

4. Relevant planning history

- None

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents and by posting a site notice.

5.2. No comments have been received.

6. Consultation

6.1. Burbage Parish Council – Supports the application.

6.2. LCC Ecology – No objections. No further surveys necessary. The biodiversity enhancements are acceptable and should be applied.

6.3. HBBC Drainage – No objections but provides advice.

7. Policy

7.1. Sheepy Parish Neighbourhood Plan 2018-2036 (May 2022)

- Policy S8: Design

7.2. Site Allocations and Development Management Policies DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM6: Enhancement of Biodiversity and geological Interest
- Policy DM10: Development and Design
- Policy DM18: Vehicle Parking Standards

7.3. National Planning Policies and Guidance

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

7.4. Other relevant guidance

- HBBC Good Design Guide (2020)
- National Design Guide (2019)
- Leicester Highway Design Guide (2024)
- Sheepy Parish Neighbourhood Plan Design Guide (2022)

8. Appraisal

8.1. Extensions and alterations to existing domestic properties within settlement boundaries 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 highway safety
- Impact on biodiversity

Design and impact upon the character of the area

8.2. Policy DM10 of the SADMP indicates that development will be permitted providing it meets good standards of design including that it would complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials. The Council's adopted Good Design Guide provides further advice in respect of the siting and design of house extensions.

8.3. Policy S8 of the Sheepy Parish Neighbourhood Plan requires that development proposals should be designed with evident care so as to respond positively to the

character of the area and show appropriate regard for the amenity of neighbouring properties.

- 8.4 The main dwelling is a former farm, and the existing barn/outbuildings appears as one of the former farm buildings and was possibly originally built as stables. The extension proposed is comparatively small and just adds a porch to the front of the building. The existing door and window openings are amended to provide the proposed annex with necessary outlook
- 8.5 This is a householder application which cannot seek planning permission for a new dwelling or for the sub-division of the existing planning unit. Instead the application seeks approval for the conversion of an existing barn/outbuilding for use as a small ancillary residential annex to the main dwelling.
- 8.6 The proposed alterations to the building are modest in nature and extent. The proposed ancillary residential use of the building would complement the residential uses in the area and would not be inappropriate. A condition is included to ensure that the annex would always remain ancillary to the residential occupation of the main dwelling. Adequate private amenity space would be retained within the site to serve the existing dwelling and the proposed annex.
- 8.7 The proposed annex would clearly be subordinate in scale to the main dwelling and whilst detached from it would be in close proximity and not remote from it. By virtue of its unobtrusive siting, ancillary residential use, sympathetic design and use of matching materials, the proposed porch extension and conversion of the building would respect the scale, character and appearance of the existing site and would have no significant adverse effects on the character or appearance of the site and surrounding area.
- 8.8 Therefore, the proposal accords with SADMP Policy DM10, Policy S8 of the Sheepy Parish Neighbourhood Plan and the general principles of the Council's Good Design Guide.

Impact upon residential amenity

- 8.9 Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy or amenity of nearby residents and occupiers of adjacent buildings and the amenity of occupiers of the proposed development would not be adversely affected by activities within the vicinity of the site.
- 8.10 It is considered that sufficient amenity is provided for any future occupier of the annex.
- 8.11 No objections have been received, and the annex is over 12 metres from the boundary with the nearest residential property.
- 8.12 It is considered that the proposal would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring dwellings. The proposal therefore accords with SADMP Policy DM10, Policy S8 of the Sheepy Parish Neighbourhood Plan and the associated policies regarding residential amenity and privacy within the Council's Good Design Guide.

Impact upon highway safety

- 8.13 Policy DM18 of the SADMP requires new development to provide an appropriate level of parking provision of appropriate design to serve the development proposed.
- 8.14 In accordance with Leicestershire Highways Design Guide at least three off-street parking spaces should be retained.

- 8.15 The existing parking and turning area, which appears to be the former hard surfaced farmyard, provides adequate parking for at least three cars. The proposal is therefore considered to retain sufficient parking in accordance with Policy DM18 of the adopted SADMP.

Impact on biodiversity

- 8.16 Policy DM6 of the SADMP requires that development proposals demonstrate how they conserve and enhance features of nature conservation.
- 8.17 LCC Ecology has required the submission of a bat survey which concludes that the building is not used as a bat roost. The survey recommends that one bat box and two bird boxes are installed, and the County Ecologist supports this proposal which is secured via a condition.
- 8.18 Amended plans have been submitted that include the bat and bird boxes. The proposal is, subject to the suitably worded condition, considered to accord with the requirements of Policy DM6 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 is for the conversion of an existing barn/outbuilding to form an ancillary residential annex plus a small porch extension within the residential curtilage of the existing dwelling known as Blue Bricks Farm. The site lies within the settlement boundary of Sheepy Magna where there is a general presumption in favour of sustainable development as set out in Policy DM1 of the adopted SADMP and the overarching principles of the NPPF.

- 10.2. By virtue of the siting, scale, design, ancillary residential use and the use of matching materials, it is considered that the proposal would respect the scale and character of the existing site and surrounding area, retain adequate private amenity within the curtilage and would not adversely affect the amenities of the occupiers of any neighbouring properties. In addition, sufficient off-street parking provision would be available on the site. On this basis, the proposal is therefore considered to be in accordance with Policies DM1, DM7, DM10 and DM18 of the SADMP, Policy S8 of the Sheepy Neighbourhood Plan and the general principles of the Council's Good Design Guide.

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 and Block Plan 24/42 06 (received 2 September 2024)
- Plans and Elevations Scheme 04 24/42 05 Rev C (received 20 March 2025)

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 brick to be used on the external elevations shall match the existing building.

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).

4. The residential annex hereby permitted shall only be used for purposes ancillary to the residential occupation of Blue Bricks Farm, 163 Main Road, Sheepy Magna and shall not be occupied, sold, or separately leased or let as an independent unit of residential accommodation.

Reason: To ensure compatible use and that the annex hereby permitted is not occupied as an independent unit of accommodation which would have additional impacts further to Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. The bat and bird boxes shown on the approved elevations 24/42 05 Rev C and detailed on page 19 of the submitted Bat Survey dated November 2024 and

received by the Local Planning Authority on 7 February 2025 shall be installed in accordance with manufacturers recommendations prior to the annex being brought into use and shall be retained thereafter.

Reason: To protect wildlife and enhance habitats in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the requirements of the National Planning Policy Framework (2024).

6. Any external lighting installed on or in connection with the annex hereby approved shall conform with the Bat Conservation Trust guidance 'Bats and External Lighting' 2023.

Reason: To protect wildlife and enhance habitats in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the requirements of the National Planning Policy Framework (2024).

11.3 **Notes to applicant**

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.