

Planning Committee 2 June 2026
Report of the Assistant Director of Planning and Regeneration



Hinckley & Bosworth
Borough Council

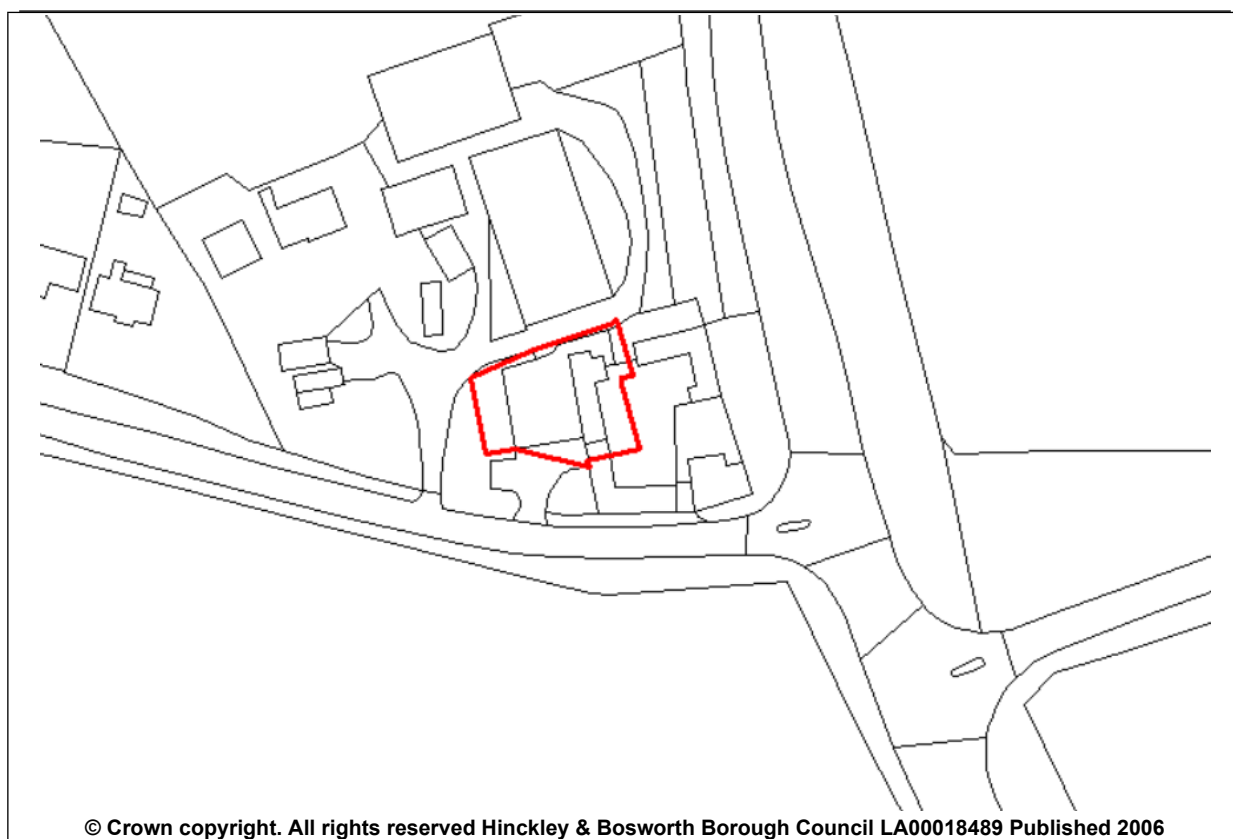
Planning Reference: 26/00183/HOU

Applicant: Mrs P Smith

Ward: Cadeby, Carlton, Market Bosworth & Shackerstone

Site: Hereford Cottage, Bull in the Oak Court, Bosworth Road, Bull in the Oak, Cadeby

Proposal: Single Storey Rear Extension



1. Recommendations

- 1.1 Refuse planning permission** subject to reasons detailed at the end of this Report.

2. Planning Application Description

- 2.1** This householder planning application seeks planning permission for a proposed single storey rear extension to the dwelling at Hereford Cottage, Bull in the Oak Court, Bosworth Road, Bull in the Oak, Cadeby. This application is a resubmission of the previously withdrawn application 25/01076/HOU. There are no material differences between the two schemes.

2.2 The proposed rear extension would be accessed from the property's southern-most bedroom and would measure 3 metres in depth and 3.2 metres in width. The extension would feature a 3.5-metre-high dual pitched roof, which would include conservation rooflights on its northern and southern-facing roof slopes. The materials are proposed to match those of the host dwelling.

2.3 A site visit was carried out on 4 December 2025 during the determination of 25/01076/HOU, where the Applicant advised that the proposed extension was required for the purpose of providing a level access en-suite shower to the master bedroom as mobility issues restrict access to the existing facilities on site.

3. Description of the Site and the Surrounding Area

3.1. The application site is located to the north of Cadeby and east of Market Bosworth in the designated open countryside. The site is accessed from Bosworth Road to the south and Ashby Road ('the A447') is located approximately 35m to the east of the site. Hereford Cottage is a single storey residential property that was originally a barn, constructed in the late 19th Century as part of the wider Old Farmhouse Complex. The Old Farmhouse is a 18th Century Grade II Listed Building.

3.2. The application dwelling and two other agricultural outbuildings (Aberdeen Cottage to the east and Highland Cottage to the south) are within the wider Old Farmhouse Complex and were converted into residential uses via application 90/01251/4. Five new residential properties were constructed at Bull in the Oak Farm to the north of the site following the demolition of the previous buildings within the site via application 17/00149/FUL.

4. Relevant Planning History

4.1 25/01076/HOU

- Single Storey Rear Extension
- Withdrawn
- 17.02.2026

4.2 25/01086/CLP

- Certificate of proposed lawful development for a single storey extension
- Certificate of Lawful Proposed Use
- 23.12.2025

4.3 25/00769/CLP

- Certificate of proposed lawful development for single storey rear extension to dwelling
- Refusal of Certificate of Lawful Proposed Use
- 07.11.2025

4.4 **03/01097/FUL**

- Extensions to dwelling
- Refused
- 07.11.2003

4.5 **00/00570/FUL**

- Extension to dwelling
- Refused
- 17.08.2000

4.6 **93/00643/4**

- Erection of a garage and alterations to dwelling
- Permitted
- 02.09.1993

4.7 **90/1251/4**

- Conversion and extension to agricultural buildings and associated works
- Permitted
- 22.01.1991

4.8 **89/00224/4**

- Change of use of farm outbuildings to provide three dwellings
- Permitted
- 22.04.1989

4.9 Both applications 00/00570/FUL and 03/01097/FUL were for single storey rear extensions to the application dwelling, which were both refused for two reasons under delegated powers. Planning application 03/01097/FUL was refused for the following reasons:

1. *“In the opinion of the Local Planning Authority, the proposal represents an unsympathetic and visually intrusive element, compromising the integrity and setting of the former farm buildings, set outside a defined settlement in the open countryside. The development is detrimental to the agricultural character and appearance of the barn, the former farmyard of which it forms a part, and the scale and character of the existing buildings and the surrounding open countryside. Consequently, the proposal is contrary to Strategy Policy 9 of the Leicestershire, Leicester and Rutland Structure Plan 1996 – 2016 (Deposit Draft) and Policies BE1, BE20, and NE5 of the adopted Hinckley and Bosworth Local Plan.*

2. *In the opinion of the Local Planning Authority, it is considered that the proposal, by virtue of its design, form, scale and siting, detracts from the architectural and historic setting of the adjacent listed farmhouse and therefore is contrary to Policies BE1 and BE5 of the adopted Hinckley and Bosworth Local Plan, and Strategy Policy 11 of the Leicestershire, Leicester and Rutland Structure Plan 1996 – 2016 (Deposit Draft)."*

- 4.10 On 01 October and 23 October 2003, the Council's Area Planning Officer sent letters to the applicants at the time and to two Councillors in relation to the refusal of 03/01097/FUL, which both stated that:

"To allow an extension beyond the defined farmyard compromises the integrity and setting of the existing buildings."

Ultimately, both letters confirmed that:

"Reducing the size of the proposed extension is not considered to adequately resolve the issues relating to the integrity and setting of the existing buildings. In principle, the Local Planning Authority will resist any extensions to the west of the subject building because of the concerns raised above."

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 an advertisement was displayed in the local press.
- 5.2 No responses have been received at the time of the publication of this Report, however the consultation period is still underway. Should any formal comments be submitted, these will be reported on the Late Items Report. The application was supported by a covering letter that includes signed letters from four neighbouring residential properties, which are all in support of the development.

6. Consultation

- 6.1 A Borough Councillor called the planning application into planning committee.
- 6.2 The Council's Conservation Officer considered that the proposal would not result in any adverse impact upon the special interest or heritage significance of any heritage assets.
- 6.3 No further responses have been received.

7. Policy

- 7.1 Core Strategy (2009):
- No relevant policies.

- 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 DM11: Protecting and Enhancing the Historic Environment
 - Policy DM12: Heritage Assets
 - 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:
- Good Design Guide (2020)
 - Leicestershire Highway Design Guide (LHDG) (2024)

8. Appraisal

- 8.1. Notwithstanding the countryside location of the development, extensions to existing domestic properties are generally considered to be sustainable development in principle. The key issues in respect of this application are therefore:
- Impact upon the significance of the historic environment
 - Design and impact upon the character of the area
 - Impact upon residential amenity
 - Impact upon parking provision and highway safety

Impact upon the Significance of the Historic Environment

- 8.2. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on the Local Planning Authority when determining applications for development which affects a Listed Building or its setting to have special regard to the desirability of preserving the Listed Building or its setting or any features of special architectural and historic interest which it possesses.
- 8.3. Policies DM11 and DM12 of the SADMP seek to protect and enhance the historic environment and heritage assets. All proposals for extensions and alterations of listed buildings and development affecting the setting of Listed Buildings will only be permitted where it is demonstrated that the proposals are compatible with the significance of the building and its setting.
- 8.4. Hereford Cottage is within the historic curtilage and setting of the Grade II Listed Building, the Old Farmhouse. The special interest and heritage significance of the Old Farmhouse is inherent in its historic built form and architectural interest as a late-

18th Century farmhouse. Given the above, and in conjunction with the professional advice of the Council's Conservation Officer, the application dwelling would not be considered to be covered by listing of the Old Farmhouse.

- 8.5. The proposed extension would be of a limited scale and footprint and there would be a reasonable separation distance between the development and the Listed Farmhouse. The heritage significance of the farmhouse is most appreciated from its front elevation on Bosworth Road, from where the proposed extension would not be visible or perceptible. Similarly, the location of the proposed development in the rear garden of Hereford Cottage would not be considered to be visible within the rear courtyard where the historic character of the farmhouse and its associated outbuildings could be appreciated.
- 8.6. By virtue of the above factors, the proposal would be considered to result in a negligible change within the wider setting of the Grade II Listed Building, the Old Farmhouse, which would not result in any adverse impacts upon its special interest of heritage significance. As a result, the scheme would be considered to comply with Policies DM11 and DM12 of the SADMP, and the statutory duty of Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990.

Design and Impact upon the Character of the Area

- 8.7. Paragraph 139 of the National Planning Policy Framework (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. 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.
- 8.9. 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. 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.
- 8.11. Guidance Point C1 of the National Design Guide (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.

- 8.12. As a predominantly rural Borough, agricultural buildings and groups are a significant part of Hinckley and Bosworth's built form. They are vital to the character of its diverse open countryside and its historic villages. The Council's Good Design Guide states that agricultural buildings were designed for a specific purpose, and therefore the basis for any conversion should therefore be an understanding of its original use and the evolution of the building or group.
- 8.13. When converting an agricultural building, the Good Design Guide confirms that it is of paramount importance that the building does not become overly domestic in appearance and retains its agricultural character. It is usually not appropriate to extend an agricultural building or add new buildings in its curtilage because this risks losing the simple historic form of the building, and its own status as an ancillary outbuilding.
- 8.14. In accordance with the Good Design Guide's section on extensions to existing residential properties, the proposed extension would be single storey in massing and would be of an appropriate height, width and depth to appear subordinate to the host dwelling. However, the current proposal would not represent a standard residential extension because the development would create a new extension to a converted agricultural building and therefore the special considerations of the Council's Good Design Guide which relate to the extension of converted agricultural buildings (as set out above) applies.
- 8.15. The existing layout of the host dwelling was created, and is defined, by its historic use as an agricultural building. The dwelling forms part of the characteristic courtyard group layout of the Old Farmhouse Complex, and this formal courtyard arrangement is a key planform respecting the site's historic agricultural use.
- 8.16. The proposed rear extension would depart from this existing layout of the property, which would be considered to result in the loss of the simple historic form of the building and courtyard group layout. As a result, the proposed development would be considered to uncharacteristically deviate from the historic agricultural character of the existing building. Therefore, the scheme would represent an unsympathetic and visually intrusive element that would compromise the integrity of the historic character of the converted agricultural building. In accordance with the Good Design Guide, this would not be considered to represent good design and would result in significant harm to the rural character of the host dwelling and the surrounding area.
- 8.17. The significant harm of an extension on the rear elevation of this property can be seen by the fact that two previous planning applications (00/00570/FUL and 03/01097/FUL) were refused for single storey rear extensions in this location due to their significant and detrimental impact on the agricultural character and appearance of the application dwelling.
- 8.18. Based on historic satellite imagery, it is not considered that there have been any material changes to the context of the property since the determination of these previous applications. As a result, it is considered that these previous planning

decisions for rear extensions within this application site would represent significant material considerations within the determination of this application.

- 8.19. Whilst it is appreciated that the current proposal would be smaller in size and scale than the previously refused developments, as detailed at Paragraph 4.10 of this Report and as confirmed by the Council's Area Planning Officer during the determination of these applications, reducing the size of the proposed extension would not be considered to adequately resolve the issues relating to the integrity and setting of the existing building. As stated by the Council's Area Planning Officer in 2003, given the significant harm to the integrity and character of the existing rural building, any extensions to the west of the subject building would be resisted.
- 8.20. This significant harm would be exacerbated by the visual prominence of the development from the main vehicular access into the wider Old Farmhouse Complex and from Bosworth Road. Importantly the Good Design Guide highlights that the roofline is often one of the most visually prominent parts of an agricultural building in the landscape. A key characteristic feature of agricultural buildings is a long, unbroken, roof profile and this is a characteristic of the application property and the converted agricultural buildings within the wider Old Farmhouse complex. The proposed extension would break into the roofline adding an uncharacteristic protrusion, and this would be visible from the access and Bosworth Road.
- 8.21. Whilst the Good Design Guide states that in certain circumstances a very high-quality addition or extension might be appropriate, key considerations include that such extensions should in no way impact the spatial and historic relationship of the farmstead and is usually most appropriate for structures not already part of a clustered formal group. In light of the above factors the proposed development would not be considered to meet this high standard and would impart the spatial relationship of the original farmstead.
- 8.22. Although the proposal would be small enough in size and scale to appear subordinate to the host dwelling, through the scheme's failure to adhere to the character of the historic layout of the property, the development would overly domesticate the former agricultural building, which would be wholly incongruous to, and be to the significant and permanent detriment of, the rural character of the site and the surrounding area.
- 8.23. To mitigate the impact of their development proposal, the Applicant has proposed to replace the existing conifer trees with new laurel hedging. Whilst landscaping can be secured via planning condition, it is noted that the Applicant's proposed landscaping would not be of a native species, which would heighten to the uncharacteristic nature of the development. Furthermore, it is important to note that vegetation cannot be relied upon to provide permanent or substantial buffers to views because they can be removed without planning permission, they are susceptible to disease, and they are ever evolving and reliant on regular maintenance to retain a consistent form.
- 8.24. Ultimately, the provision of a laurel hedge up to 1.8m in height would not be considered to appropriately address the visual impact of a 3.5m high extension.

- 8.25. The Applicant has also referred to their extant Certificate of Lawful Development (25/01086/CLP), which approved a single storey extension to the front of the property. The scheme was granted because it was considered to comply with the relevant provisions of Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and such applications are not assessed against the relevant policies of the Development Plan. Importantly, the extension proposed as part of this application would not constitute permitted development.
- 8.26. Whilst this is a material consideration within the determination of this application, it is noted that the Covering Letter states that the Applicant would consider that this previous development would restrict access into the courtyard and cause harm to the character and significance of the Listed Building. In addition, during the site visit the Applicant stated that they are unlikely to proceed with the development at the front due to complications arising from the proximity of the scheme to the existing septic tank at the rear, and the negative impact it would have upon vehicle access and manoeuvring within the courtyard and the strain it would put on existing neighbour relationships.
- 8.27. In light of the above, whilst the Applicant could implement the single storey front extension, given the significant concerns raised by the Applicant regarding this proposal, it is not considered that the implementation of this previously approved scheme would represent a more than theoretical fallback position in these site-specific circumstances. As such, this previous development would be considered to attract no positive weight in the planning balance.
- 8.28. During the determination of the previously withdrawn application, the Local Planning Authority proactively engaged with the Applicant to review alternative design solutions to accommodate their needs. For example, the Applicant was advised on the possibility of relocating the proposed extension to the north side elevation of the property in order to reduce the scheme's impact upon the historic character of the host dwelling. An extension in this location would preserve the original layout of the property, and the acceptability of such a scheme can be seen by the fact that the property already benefits from an existing extension in this location via 90/1251/4. The Applicant did not seek to proceed with this alternative solution.
- 8.29. Given the above, it is clear that an appropriately designed extension to this property could protect the historic and rural character of the building. This can also be seen through the development at Bull in the Oak Farm, which was approved via 17/00149/FUL. Whilst the development within this previous application represented new dwellings in the countryside, Paragraph 8.23 of the Committee Report for this application confirms that the development was designed to have the linear form and appearance of Dutch barns, which ensured that the scheme did not appear uncharacteristic to the wider area.
- 8.30. Notably, these approved dwellings do not feature any side protrusions that would detract from the agricultural character that these properties were designed to possess to reflect the character of the area. As such, it is clear that ensuring developments

protect the rural character of the site and the surrounding area is paramount to the design of a development in this location, and such a well-designed scheme could be achieved through a scheme that respects the historic linear form of the application dwelling.

- 8.31. Alternatively, given the size of the existing property, which benefits from three bedrooms and a large bathroom, the Local Planning Authority identified that the dwelling would have the capacity to enable internal alterations to facilitate a level access shower room to meet the needs of the Applicant. This alternative proposal would eliminate any concerns regarding the visual impact of the development. The Applicant did not seek to proceed with this alternative solution.
- 8.32. Overall, the proposed development would be considered to uncharacteristically deviate from the historic agricultural character of the existing building. It is a significant material consideration that two previous applications have been refused in this location due to their significant harm to the rural character of the site and the surrounding area. Therefore, the scheme would represent an unsympathetic and visually intrusive element that would compromise the integrity of the historic character of the converted agricultural building. In accordance with the Good Design Guide, this would not be considered to represent good design and would result in significant harm to the rural character of the host dwelling and the surrounding area.
- 8.33. Whilst there is evidence of alternative design solutions to address the scheme's significant impact on the character of the area, the Applicant has failed to engage with the Local Planning Authority's attempts to proactively progress the scheme through the determination of this application and the previously withdrawn scheme 25/01076/HOU.
- 8.34. In light of the above, the development would be considered to be contrary to, and in conflict with, Policies DM4 and DM10 of the SADMP, and Paragraph 135 of the NPPF. In accordance with Paragraph 139 of the NPPF, the development should therefore be refused.

Impact upon Residential Amenity

- 8.35. 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.
- 8.36. The Good Design Guide requires the way buildings relate to each other, and their orientation and separation distances, to provide and protect acceptable levels of amenity.
- 8.37. The proposed extension would be single storey in massing and would feature one window on its northern side elevation. By virtue of its size and scale, the location of the new proposed window, and the distance of the extension from neighbouring

residential properties, the development would not be considered to result in any significant harm to neighbouring residential amenity as a result of loss of light or loss of privacy, nor any overbearing or overlooking impacts.

- 8.38. To mitigate the loss of the principal habitable window to the property's southern-most bedroom to facilitate the new extension, the scheme also proposes a new window to the bedroom the front elevation of the property, which faces into a communal courtyard that is shared with Highland Cottage, Aberdeen Cottage, and the Old Farmhouse. Due to the siting of these existing properties, the new window would not face directly towards any principal habitable windows. In light of this, and the shared communal nature of this courtyard, the provision of a new window on the front elevation of this property would not be considered to result in any significant harmful effects on neighbouring residential privacy or amenity.
- 8.39. To comply with the Good Design Guide, three-bedroom houses should provide a minimum of 80sqm of private outdoor amenity space with a minimum length of 7m. Whilst the proposed extension would reduce the amenity space provided, given the size of the development, the host dwelling would still retain sufficient private outdoor private amenity space to comply with the requirements of the Good Design Guide.
- 8.40. By virtue of the above factors, the proposal would not be considered to result in any significant adverse impacts to the residential amenity of neighbouring properties or the occupants of the application dwelling in accordance with DM10 of the SADMP and the Council's Good Design Guide.

Impact upon Parking Provision and Highway Safety

- 8.41. Policy DM17 of the SADMP states that development proposals need to demonstrate that there is not a significant adverse impact upon highway safety, and that the residual cumulative impacts of development on the transport network are not severe.
- 8.42. Policy DM18 of the SADMP requires developments to demonstrate an adequate level of off-street parking provision. Any reduction below minimum standards will require robust justification.
- 8.43. The existing parking facilities for this application site comprise an area of hardstanding within the rear garden, which are accessed via a gated access that is set back from the site's main shared vehicular access from Bosworth Road. The proposed development would not create any new bedrooms within the property, nor would it be considered to materially affect the site's provision of off-street parking. By virtue of these factors, the proposal would not be considered to create any unacceptable impacts upon highway safety or the road network in accordance with Policies DM17 and DM18 of the SADMP in these site-specific circumstances.

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 In conclusion, the proposed development would not be considered to have a significant detrimental impact upon the Grade II Listed Building or its setting or neighbouring residential amenity. However, the proposed development would compromise the integrity of the historic character of the converted agricultural building to the significant harm of the rural character of the host dwelling, the group layout of the former agricultural buildings and the surrounding area. Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission be refused.

11. Recommendation

11.1 **Refuse planning permission** subject to the reasons detailed at the end of this report.

11.2 Reasons

1. By virtue of its overly domestic and uncharacteristic design and layout, the proposed extension would fail to protect the integrity of the historic character of

the converted agricultural building. The proposal would therefore represent unsympathetic and visually intrusive development that would result in significant and permanent harm to the character of the application dwelling, the group layout of the former agricultural buildings and the wider character of the surrounding area and the intrinsic value, beauty, open character and landscape character of the designated countryside. As such, the proposal would be contrary to, and in conflict with, Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), Chapter 12 and Paragraph 135 of the National Planning Policy Framework (NPPF) (2024), and the Council's Good Design Guide (2020). In accordance with Paragraph 139 of the National Planning Policy Framework, the application is refused.