

## **Delegated Report**

**Planning Ref: 26/00371/FUL**

**Applicant: Mr William Naylor**

**Ward: Cadeby Carlton Market Bosworth & Shackerstone**

**Site: Fox Covert Farm, Main Street, Congerstone**



**Hincley & Bosworth  
Borough Council**

### **Proposal: Replacement of existing asbestos roof**

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#### **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 full planning permission for the replacement of the dual-pitched roof to an existing 'L'-shaped agricultural building. No extensions or alterations to the footprint or form of the building are proposed. As such, the assessment relates solely to the proposed roof replacement.

2.2 The proposed works would retain the existing shallow dual-pitch roof form. The current roof, which is in a poor state of repair and contains asbestos, would be replaced with an insulated, metal-clad roofing system. The height, scale and overall proportions of the roof would remain as existing, and all existing rooflights and window opening positioning would be retained. The replacement would be necessary to secure the building's continued use.

#### **3. Description of the site and surrounding area**

3.1 The 10,073m<sup>2</sup> site comprises several buildings within the predominantly agricultural site boundary, including a traditional rural farmhouse set within the village of Congerstone, largely visible along the central village wedge. The principal building is a two-storey red brick farmhouse with a pitched roof and chimney stacks.

3.2 The farmhouse is set directly adjacent to the highway along its front elevation, with a low brick boundary wall enclosing a small garden area and which provides some screening for the agricultural site to the rear. To the rear/east, the site features areas of hardstanding used for parking and access and four prominent agricultural outbuildings, of which the application site relates to the southernmost building. The surrounding context is semi-rural, characterised by a mix of residential properties, agricultural buildings and open land, with established vegetation visible in the wider setting.

3.3 The site is located within Congerstone Conservation area and is in proximity to a number of nearby Grade-II listed heritage assets to its northwest; Congerstone War Memorial (List entry: 1464887), K6 Telephone Kiosk (List entry: 1376013) and the entrance to St. Mary's Church (List entry: 1361328) are the closest at a minimum of approximately 94m from the building. St Mary's Church, which is Grade-II\* listed, is 124m from the site boundary (List entry: 1074210). The principal farmhouse severs any direct intervisibility.

#### **4. Relevant planning history**

##### **93/01008/FUL**

- AGRICULTURAL BUILDING
- Permitted
- 11.01.1994

##### **19/00634/FUL**

- Change of use of single storey barns to Use Classes A1, A2, A3 and/or B1 (offices) including reconstruction of roof and other alterations and creation of new car parking area and bin store.
- Permitted
- 20.11.2019

##### **20/00495/P3CR**

- Change of use of agricultural building to a flexible commercial use (B1)
- PAG
- 17.08.2020

##### **20/00834/FUL**

- External alterations to building
- Permitted
- 05.11.2020

##### **21/00345/FUL**

- External alterations to building, electrical store
- Permitted
- 17.06.2021

##### **21/00913/FUL**

- Extension to side of building
- Permitted
- 19.08.2022

##### **22/00529/FUL**

- Change of use of Agricultural Barns to Class E (offices).
- Permitted
- 18.11.2022

#### **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 No responses have been received.

## 6. Consultation

6.1 There have been no objections from the following consultants:

- HBBC's Environmental Services' Pollution Officer
- Shackerstone Parish Council
- Hinckley & Bosworth Borough Council (HBBC)'s Conservation Officer;

*'The application building comprises an irregular L-shaped plan modern agricultural building located within the Fox Covert Farm complex. The application building is the southernmost in the wider complex and is partially sited within the Congerstone Conservation Area, where its boundaries have been drawn to focus upon and include the historic Fox Covert Farmhouse and its adjoining ranges of traditional brick built outbuildings. The application building is a typical modern agricultural building, comprising of a structural metal frame infilled with block work and timber cladding and having a shallow pitched roof covered with asbestos sheeting. The application building is considered to be a neutral presence within the Conservation Area and its immediate setting.*

*The proposal seeks to replace the existing dark grey coloured asbestos sheet roof with an insulated clad metal roof. Due to the shallow pitch of the roof and presence of intervening built form and vegetation visibility of the roof from the wider Conservation Area street scene is limited. There would be no proposed change in the profile of the roof, the colour of the replacement roof would be an anthracite grey which would be similar to the existing, as would the metallic appearance and tone of the replacement material. Overall it is considered that there would be a minimal visual change resulting from the replacement roof, with the development having a neutral impact upon the character and appearance of the building and ensuring that the heritage significance of the Congerstone Conservation Area is preserved. The proposal therefore complies with Policies DM11 and DM12 of the Site Allocations and Development Management Policies DPD, section 16 of the National Planning Policy Framework and the statutory duty of section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.'*

6.2 No further responses have been received.

## 7. Policy

7.1 Core Strategy (2009)

- Policy 12: Rural Villages

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

- Policy DM1: Presumption in Favour of Sustainable Development
- 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)
- Planning Practice Guidance (PPG)

7.4 Other relevant guidance

- Good Design Guide (2020)
- Leicestershire Highway Design Guide (LHDG) (2022)

- National Design Guide (2019)
- Technical Housing Standards – Nationally Described Space Standards (2015)

## **8. Appraisal**

- 8.1. The key issues in respect of this application are therefore:
- Design and impact upon the character of the area and nearby heritage assets
  - Impact upon residential amenity
  - Impact upon parking provision and highway safety

### *Design and Impact upon the Character of the Area and nearby Heritage Assets*

- 8.2 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.
- 8.3 Policy DM11 of the SADMP states that all development proposals which have the potential to affect a heritage assets or its setting will be required to demonstrate an understanding of the significance of the heritage asset and its impact of the proposal on the significance of the asset and its setting, including measures to minimise or avoid these impacts.
- 8.4 Policy DM12 of the SADMP states that all development proposals affecting heritage assets and their setting will be expected to secure their continued protection or enhancement, contribute to the distinctiveness of the areas in which they are located and contribute to the wider vibrancy of the borough.
- 8.5 The alterations would affect the southernmost building which is set back approximately 23m from the highway and sits behind an electrical sub-station. Notwithstanding the replacement roof, no further alterations are proposed within the application.
- 8.6 The changes would not impact the established roofscape of the area, given that the proposed roof would remain dual-pitched and result in no further visual change. The colour/shade of the proposed metal sheeting would be anthracite (grey) which would not be seen as an uncommon roof colour choice, nor dissimilar to what currently exists and would accord with the agricultural context of the site.
- 8.7 From the north of the site, public views of the proposals are minimal, however views from the south are stronger, especially given the void of open land to the south of the site. However, the modest alteration is not expected to result in detrimental design impact upon the wider area.
- 8.8 By virtue of these factors, and in line with the comments from the Conservation Officer the proposal is not seen to detract from the local heritage and nearby heritage assets. It also respects the character of the existing agricultural site and the surrounding area in accordance with Policy 12 of the adopted Core Strategy, Policies DM10, DM11 and DM12 of the SADMP and the Good Design Guide.

### *Impact upon Residential Amenity*

- 8.9 Policy DM10 of the SADMP also states that proposals should not adversely affect the occupiers of the neighboring properties or the future occupiers of the property.

- 8.10 The nearest residential unit to the application building is approximately 28m away, which forms part of the wider agricultural site. The nearest residential dwelling, which is not part of the site, is 48m. At this distance, it is not considered the change of roof material would impact upon nearby residential dwellings.
- 8.11 The proposed replacement roof does not present a further height increase, maintaining a maximum ridge height of 5.2m and eaves of height of 3.7m. As such, the replacement roof is not expected to result in detrimental impact upon nearby residential units. The change of proposed material would not impact upon nearby residential units.
- 8.12 There are no proposed windows as part of this application, and therefore there is no further harm to nearby residential dwellings by way of privacy loss.
- 8.13 By virtue of these factors, the proposal is not considered to result in any significant adverse impacts to neighbouring residential amenity in relation to loss of privacy, loss of light, overlooking, overbearing or noise impacts. The scheme 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 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 received by the Local Planning Authority as follows:
  - Proposed Plans and Elevations, Drg No. 19/23 203
  - Proposed Site Plan and Site Location, Drg No. 19/23 201
  - Application FormAs received by the Local Planning Authority on 22.04.26.

**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).

### 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 [buildingcontrol@hinckley-bosworth.gov.uk](mailto:buildingcontrol@hinckley-bosworth.gov.uk) or call 01455 238141.
2. The works should be carried out with due regard to the Control of Asbestos Regulations 2012.