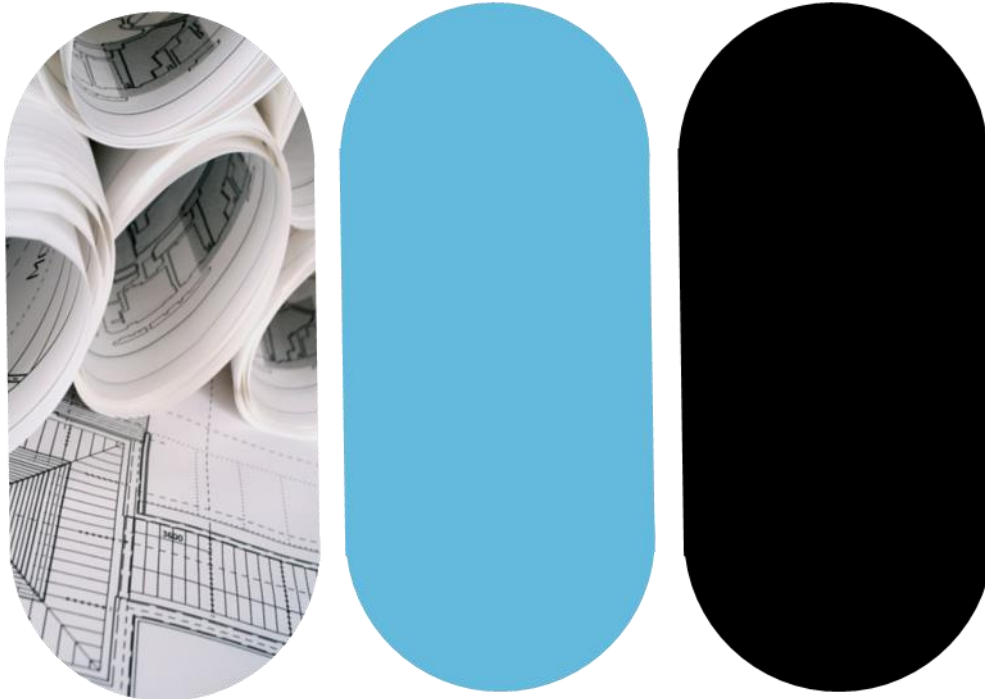


**Mr Jamie Anderson**

Erection of two-storey side extension and creation of balcony to dwelling, erection of double garage; demolition and replacement of ancillary outbuilding (Retrospective application)

At Kirkby Old Parks Farm, Kirkby Lane, Newbold Verdon, Leicestershire, LE9 9LN

## **PLANNING STATEMENT**





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## 1. INTRODUCTION

1.1 This Planning Statement has been prepared on behalf of our client, Mr Jamie Anderson (“the Applicant”) to accompany a householder planning application for ‘proposed two-storey side extension and creation of balcony to dwelling; erection of double garage; demolition and replacement of ancillary outbuilding (retrospective application)’ at Kirkby Old Parks Farm, Kirkby Lane, Newbold Verdon, Leicestershire, LE9 9LN (“the Site”). The proposals comprise the following elements:

- Construction of a two-storey side extension to dwelling and creation of balcony;
- Demolition and replacement of ancillary outbuilding; *and*
- Construction of a double garage.

1.2 The following drawings, prepared by Nigel Dutton, have been submitted electronically via the Planning Portal as part of this application and should be read in conjunction with this Planning Statement:

- Location Plan
- Existing, site plan, Floor Plans and Elevations, drawing no. ND.20.122.01 Rev A
- Proposed Floor Plans and block plan, drawing no. ND.20.122.04 Rev A
- Proposed Elevations, drawing no. ND.20.122.05 Rev A

1.3 A BACS payment for the sum of £258.00, the correct fee for an application of this type, has been sent to the Planning Portal alongside the £70.00 administration fee.

1.4 This Planning Statement is structured as follows:

- In Section 2 we describe the site and its surroundings, and set out the relevant background to this application, including the planning history for



the application site, alongside a summary of the discussions held with the LPA;

- In Section 3 we describe the proposed development;
- In Section 4 we identify, address and assess the relevant planning policy considerations against which the proposed development should be considered; *and*
- In Section 5 we set out our conclusions.



## 2. BACKGROUND, SITE AND SURROUNDING AREA

### *i. Site Description*

- 2.1 The application site is located within the open countryside, accessed from a private road extending from the eastern side of Kirkby Lane. The site itself comprises a traditional farmhouse with ancillary outbuildings, whilst the wider landholding extends to 7.2 hectares with a ménage, courtyard-style agricultural buildings and further outbuildings located to the north-east and east respectively.
- 2.2 The farmhouse itself is of red brick construction with a grey tiled roof. In its existing form, the dwelling comprises a kitchen, dining room, living room, utility, study and storeroom at ground floor level. At first floor level are 5no. bedrooms (two with en-suite facilities) and a family bathroom.
- 2.3 The site falls within Flood Zone 1 where there is a low probability of flooding. There is nothing of significant ecological value on the application site itself, with the site predominately comprising buildings and hardstanding. The buildings subject of the application are not locally or nationally listed, nor are they located within a Conservation Area.

### *ii. The Surrounding Area*

- 2.4 The site is surrounded by agricultural land to all aspects. Footpath S26 traverses through the wider landholding, which forms part of the network connecting Newbold Verdon and Peckleton.
- 2.5 In terms of the nearest settlements, the 'Key Rural Centres' of Desford and Newbold Verdon are located *circa.* 1.6km to the north-east and 950m to the north-west respectively (as designated within the adopted Development Plan for the Borough).



iii. Planning History

- 2.6 There is limited planning history for the wider application site, as summarised in Table 1 below.

| Ref No.      | Description of Development           | Date of Decision             | Decision |
|--------------|--------------------------------------|------------------------------|----------|
| 10/00489/GDO | Erection of an agricultural building | 18 <sup>th</sup> August 2010 | Approved |

Table 1 – Planning history of the wider application site, as available on the public access.

iv. Engagement with the Council's Enforcement Officer

- 2.7 The Council's Enforcement Officer, Mr Warner, visited the application site on 17<sup>th</sup> January 2024 to *"to investigate alleged works taking place at Kirby Old Park Farm to ascertain whether or not planning permission was required"*. Subsequent email correspondence from the Enforcement Officer to the Applicant (Appendix 1) stated the following:

*"While it is apparent that these developments have been in situ for several years the dated air photographs...would imply that the works were completed sometime between 2020 and 2021. With Building A being a new structure, Building B being a new building and/or modified and the domestic extension to the dwelling also being new."*

- 2.8 In addition it was noted during the visit that a boundary wall and gates have been erected at the entrance to the farm, although it is acknowledged that these were erected sometime around 2020. Works to create an area of hardstanding towards the north west of the main agricultural buildings has also substantially commenced.
- 2.9 Building A as referred to above is the double garage, whilst Building B is the replacement ancillary outbuilding directly adjacent to the new double garage. It has been agreed with the Council's Enforcement Officer that the new boundary



wall, entrance gate and hardstanding will be dealt with as a separate matter to the elements part of the current proposal as listed below.

### 3. THE PROPOSED DEVELOPMENT

3.1 This retrospective application comprises three distinct elements, as follows:

- Construction of a two-storey side extension to dwelling and creation of balcony;
- Demolition and replacement of ancillary outbuilding; *and*
- Construction of a double garage with first floor office space.

3.2 The works detailed above were undertaken and substantially completed in excess of 3 years ago. This retrospective application is consequently fitted following positive discussions with the Council's Enforcement Team.

#### *i. Two-Storey Side Extension*

3.3 A two-storey side extension has been constructed to the southern elevation of the dwelling.



As seen below in photo 1 this element is substantially complete.



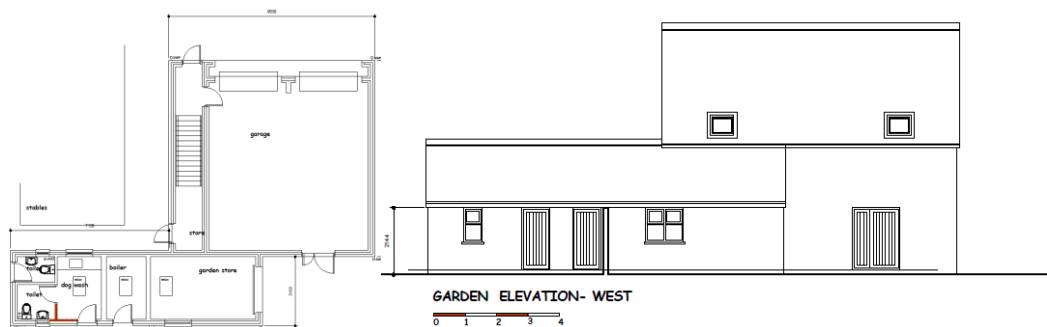
*Photo 1*

- 3.4 In terms of the accommodation created by the extension, at ground floor level an open-plan kitchen living area is provided, with an enlarged master bedroom and small balcony provided to the first floor. The farmhouse therefore remains a 5-bedroom dwelling. The balcony is accessed through sliding glass doors, and enclosed with a hip-height glass balustrade for safety purposes.
- 3.5 The extension has been constructed from facing red brick and grey roof tiles, alongside painted timber windows and doors to match that of the existing dwelling.
- 3.6 It is considered that the extension is proportionate to the size and scale of the existing dwelling, and the matching materials ensure a cohesive external

appearance. This element of the proposal therefore has no significant impact on visual amenity of the character and appearance of the countryside.

*ii. Demolition and Replacement of Ancillary Residential Outbuilding (building B)*

- 3.7 The replacement outbuilding (Building B) is utilised as a garden store, a boiler room, dog wash and WC facilities. The building is situated on a similar footprint to the building in which it replaces, albeit it is attached to the double garage also subject to this application (Building A).



- 3.8 An image of the original outbuilding now demolished can be seen below in photo 2:



Photo 2 – original outbuilding

- 3.9 In terms of design and appearance, as seen below in photo 3 the replacement outbuilding reflects that of the previous outbuilding and is in keeping with the characteristics of the dwellinghouse. Matching materials such as facing red brickwork and grey tiles have been utilised. The fenestration detailing also matches that of the dwellinghouse to ensure the ancillary building remains in keeping.



*Photo 3 – Replacement Ancillary Building (Building B)*

*iii. Double Garage*

- 3.10 The final element of the proposal is that of the newly constructed double garage (Building A). This building is situated close to the western elevation of the main dwellinghouse and provides parking for the dwelling along with an office/hobby area at first floor level. There is one window to the southern gable wall and four rooflights inserted to provide natural light to this area.



3.11 The garage has been positioned adjacent to the dwellinghouse and attached to the ancillary outbuilding. It is constructed from matching materials to ensure it is in keeping with these buildings. Whilst first floor accommodation is provided, which increases the height of the building, the proximity to the existing buildings and its appearance ensures the garage assimilates well with the existing farm buildings and therefore minimises any visual impact on the surrounding rural locality.



*Photo 4 – Double Garage (Building A)*



## 4 POLICY CONTEXT AND APPRAISAL

### The Development Plan

- 4.1 The Planning and Compulsory Purchase Act 2004 (Section 38(6)) requires that applications should be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 4.2 The Development Plan for the application site consists of the relevant policies of the Hinckley & Bosworth Core Strategy (adopted December 2009) and the Site Allocations and Development Management Policies DPD (“SADMP DPD”) (adopted July 2016). The National Planning Policy Framework (December 2023) and SPDs such as The Good Design Guide will also be material considerations in the determination of this application.
- 4.3 The Core Strategy adoption predates all versions of the Framework, whilst the adoption of the SADMP DPD predates the latest five revisions. In accordance with Annex 1, paragraph 225 of the Framework, due weight will be given to the policies contained within the Development Plan according to their degree of consistency with the Framework (the closer the policies in the Plan to the policies in the Framework, the greater the weight that may be given).

#### *i. Core Strategy (adopted 2009)*

- 4.4 There are no policies of direct relevance to the development proposals within the Core Strategy.

#### *ii. Site Allocations and Development Management Policies DPD (adopted 2016)*

- 4.5 The following policies from the SADMP DPD are considered to be relevant to the determination of this planning application:

- Policy DM1 – Presumption in Favour of Sustainable Development



- Policy DM4 – Safeguarding the Countryside and Settlement Separation
- Policy DM10 – Development and Design

*iii. The National Planning Policy Framework (adopted December 2023)*

4.6 The following sections of the Framework are considered to be relevant to the determination of this planning application:

- Section 2 – Achieving sustainable development
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed and beautiful places
- Section 15 – Conserving and enhancing the natural environment

**Planning Policy Assessment**

*i. Principle of Development*

4.7 Policy DM1 of the SADMP DPD and section 2 of the Framework are both concerned with achieving sustainable development. Paragraph 8 of the Framework elaborates upon the definition of sustainable development, and states that the planning system has three overarching objectives:

*a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

*b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*



*c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

4.8 At paragraph 11(d) of the Framework, it is stated that: *“where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”.*

4.9 The Development Plan for the Borough is considered aged, and there are no specific policies within the adopted documents relating to the erection of extensions or ancillary residential buildings. The proposals therefore fall to be considered principally against the policies contained within the Framework, and the guidance contained within The Good Design Guide SPD (2020).

4.10 Section 11 of the Framework seeks to ensure that development proposals make effective use of land. Paragraph 124 highlights that the re-use of previously developed land should be encouraged; the proposed development is evidently in accordance with this as the replacement outbuilding is sited on predominately the same footprint as the existing. In addition, all three structures (the extension, replacement outbuilding and double garage) are to be sited upon existing areas of hardstanding.

#### *ii. Design*

4.11 Paragraph 135 of the Framework reads as follows:

*“Planning policies and decisions should ensure that developments:*



- a) *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience”.*

4.12 This notion is supported within local policy, at Policy DM10 of the SADMP DPD and the guidance contained within The Good Design Guide SPD.

*a) Two-Storey Side Extension*

4.13 Section 5 of The Good Design Guide SPD concerns itself with ‘Existing Residential Development’. Page 49 of the SPD focuses on two-storey residential extensions in particular, stating the following:

*“Two storey side extensions should appear smaller in scale and massing in order to be subordinate to the main dwelling. Any proposal for a two storey side extension should be set down from the ridge of the existing house and set back from the front elevation (the minimum distance for this should be*



*0.5 metres in both directions) unless in design terms this in itself would create an imbalance in the overall design of the property.”*

- 4.14 The two-storey side extension enlarges the previous projecting gable to this elevation by 4m, to provide an open-plan kitchen living area suitable for modern living requirements at ground floor level, and an enlarged master bedroom with balcony at first floor level. The external appearance of the extension, utilising materials that match that of the existing dwelling, ensures that it ties in visually with the existing dwelling. It is considered that this element responds appropriately to the provisions of the SPD.
- 4.15 Although the SPD states that the ridge height of the extension should be lower than the existing dwelling, in this case due to the form and massing of the existing dwelling already being staggered and varied, it is considered that a reduced ridge height in this location would produce an undesirable cluttered and incohesive appearance to the dwelling. The extract provided above does state that the ridge height should be lower “*unless in design terms this in itself would create an imbalance in the overall design of the property*”, which is considered to be the case in this instance. In any regards, the modest scale of the extension ensures that it is subservient in nature to the existing dwelling, therefore ensuring that the objectives of the SPD are met.
- 4.16 It should also be noted that the 45-degree rule does not apply in this case, as there are no neighbouring properties to be affected by the proposals.

#### *b) Replacement Outbuilding and Double Garage*

- 4.17 The proposed siting of the replacement outbuilding (Building B) and double garage (Building A) makes effective use of existing areas of hardstanding closest to the main dwellinghouse. The replacement outbuilding is sited predominately upon the footprint of the existing outbuilding, albeit it extends slightly further south. Notwithstanding the well-designed appearance of the outbuilding, it does not protrude past the building line of the dwelling and will therefore not be visible from within.



- 4.18 The siting of the outbuilding and garage, to the rear of the dwelling and adjacent to the courtyard style agricultural buildings, is considered to preserve the physical and visual cluster of built form on the site. This, coupled with the established hedgerow to the southern and western curtilage boundaries, ensures that the replacement outbuilding and new double garage are not viewable from within the public realm (to include the PRoW that traverses through the wider landholding to the west).
- 4.19 Overall, the residential character and appearance of the application site is demonstrably be retained and protected. Similarly, the open nature of the surrounding countryside is not impacted upon by the proposals, in accordance with sections 11 and 12 of the Framework and The Good Design Guide SPD.

*iii. Other Matters*

- 4.20 Section 9 of the Framework is concerned with highways matters. The nature of the proposals as an extension to an existing dwelling and two residential ancillary buildings entails that there would be no increase in traffic movements arising as a result. The proposals would not therefore have any impact (adverse or otherwise) upon the surrounding highways network, nor does the design of the scheme present any highway safety issues, in accordance with Section 9 of the Framework.
- 4.21 Section 16 of the Framework is concerned with protecting the historic environment. There are no listed buildings or Conservation Areas in the vicinity of the application site to consider, with the closest heritage assets being 1.25km to the north-west (Ivy Cottage<sup>1</sup> in Newbold Vernon) and the Conservation Areas of Newbold Vernon and Desford (1.35km NW and 2.3km NE respectively). Due to the distance and intervening natural and built environment, there is no intervisibility nor physical relationship between the aforementioned assets and the application site. The proposals therefore do not have any heritage implications.

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<sup>1</sup> List UID: 1361386



- 4.22 From an ecology and biodiversity point of view, the site predominately comprises buildings and hardstanding, which have little ecological value. There is a small line of hedgerow to the south of the proposed garage, which due to the intervening distance will remain unaffected by the proposals. The proposed development therefore does not conflict with the objectives of Section 15 of the Framework.
- 4.23 The application site is located within Flood Zone 1, and is therefore at low risk of flooding. Ancillary residential development in this location is therefore in accordance with Section 14 of the Framework. There are no other material considerations that should prevent planning permission for the proposed development from being granted.



## 5. CONCLUSIONS

5.1 The retrospective application comprises of three distinct elements, as follows:

- Construction of a two-storey side extension to dwelling;
- Demolition and replacement of ancillary outbuilding; *and*
- Construction of a double garage.

5.2 It is has been demonstrated throughout this Planning Statement that the proposals would not give rise to adverse impacts by way of their location, siting, or scale. It is respectfully suggested that the proposed development wholly accords with the relevant policies of the Development Plan and that there are no material considerations to indicate that planning permission should not be granted for the proposed development.