

Delegated Report

Planning Ref: 24/00646/HOU

Applicant: Mr J Hames and Miss A Croucher

Ward: Barwell



Hinckley & Bosworth
Borough Council

Site: Owl Barn Brockey Farm Kirkby Road Barwell Leicestershire

Proposal: Single storey rear extension to replace existing timber fenced area

1. Recommendations

- 1.1. **Refuse planning permission** for the reasons at the end of this report.

2. Planning application description

- 2.1. This householder application seeks planning permission for a single storey garden room extension to the external northeast facing elevation of a residential barn conversion known as Owl Barn, Brockey Farm, Kirkby Road, Barwell.
- 2.2. The proposed single storey extension would extend for approximately 3.6 metres in depth at a right angle from the northeast facing elevation and for a width of approximately 4.4 metres, set in slightly from the southeast side elevation. It would have a hipped pitched roof form with a marginally subordinate eaves height and matching ridge height as the existing section of the dwelling to which it would be attached. A new door would be formed in the existing elevation to access the proposed extension. It is proposed that it would be constructed with matching corresponding external materials as the existing dwelling.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located in the countryside to the north of Barwell and forms part of a quadrangle of buildings comprising a three storey farmhouse and one two storey and two single storey residential barn conversions arranged around a central hard-surfaced courtyard. The application dwelling occupies the north-eastern side of the complex and is single storey with a dual pitched roof. It has a linear footprint other than a small single storey hipped roof section extending from the side elevation of the adjoining linear two storey dwelling which formed part of the original brick and tile structure of the former agricultural barns prior to their residential conversion. The dwelling is constructed with a mix of white rendered and red brick walls, red/brown plain roof tiles and timber framed windows and doors.
- 3.2. The complex is located in an isolated position surrounded by agricultural fields. A large scale storage building lies to the northwest of the complex around which runs an unmade track providing access to the application dwelling. There is a shared access track from Kirkby Road to the complex which also serves other cottages.

4. Relevant planning history

19/00797/HOU

- Porch/Boot Room
- Refused
- 09.09.2019

05/01089/COU

- Conversion of barn into three dwellings and alterations to access
- Permitted on 06.12.2005

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.
- 5.2. No responses have been received as a result of public consultation.

6. Consultation

- 6.1. No objection has been received from Barwell Parish Council.

7. Policy

- 7.1. Earl Shilton and Barwell Area Action Plan 2006-2026 (2014)
 - No relevant policies
- 7.2. Core Strategy (2009)
 - No relevant policies
- 7.3. Site Allocations and Development Management Policies (SADMP) DPD (2016)
 - Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM4: Safeguarding the Countryside and Settlement Separation
 - Policy DM10: Development and Design
 - Policy DM18: Vehicle Parking Standards
- 7.4. National Planning Policies and Guidance
 - National Planning Policy Framework (NPPF) (2023)
 - Planning Practice Guidance (PPG)
- 7.5. Other relevant guidance
 - Good Design Guide (2020)
 - National Design Guide (2019)
 - Local Highway Authority Design Guide

8. Appraisal

- 8.1. Notwithstanding the countryside location outside of any settlement boundary, extensions and alterations to existing domestic properties 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 and appearance of the application dwelling and surrounding area
- Impact upon neighbouring residential amenity
- Impact upon parking provision

Design and impact upon the character and appearance of the application dwelling and surrounding area

- 8.2. Policy DM4 of the adopted SADMP allows extension of existing buildings in the countryside which lead to an enhancement of the immediate setting and where it does not have a significant adverse effect on the rural character and appearance of the countryside. Policy DM10 of the adopted SADMP requires new development to complement or enhance the character of the surrounding area with regard to scale, layout, mass, design, materials and architectural features and for building material to respect existing/neighbouring buildings and the local area generally.

- 8.3 The Council's adopted Good Design Guide provides further advice in respect of the siting and design of house extensions. In respect of barn conversions, the adopted Good Design Guide suggests that it is of paramount importance that the building does not become domestic in appearance and retains its agricultural character regardless of its new use. Agricultural buildings are characterised by long unbroken roof profiles and façades that are uncluttered by openings, and which are restricted to the minimum necessary and often positioned asymmetrically in relation to internal configuration. New openings should generally be avoided and should never be planned in a regular or symmetrical pattern, as this is overly domestic. Agricultural buildings are often part of an important group of structures that form a broader farmstead: usually a farmhouse, barns, and outbuildings. This group can often be laid out in a significant spatial arrangement such as around a central working courtyard. They also form an important part of the wider landscape. It is usually not appropriate to extend an agricultural building, as this risks losing its simple historic plan form and group layout.
- 8.4 Section 12 of the National Planning Policy Framework (2023) in paragraph 131 states that good design is a key aspect of sustainable development and helps make development acceptable to communities. Paragraph 135 seeks to ensure that developments: add to the overall quality of the area not just for the short term but over the lifetime of the development; are visually attractive as a result of good layout and architecture; and, are sympathetic to local character and history including surrounding built form and landscape setting. Paragraph 139 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, taking into account any local design guidance and supplementary planning documents such as design guides.'*
- 8.5 The application dwelling forms part of an historic quadrangle of buildings currently comprising a three storey farmhouse and one two storey and two single storey residential barn conversions with linear plan form and plain elevations arranged around a central hard-surfaced courtyard. The application dwelling occupies the north-eastern side of the complex and is single storey with a dual pitched roof. It has a linear footprint other than a small single storey hipped roof section extending from the side elevation of the adjoining linear two storey dwelling. This is not a subsequent extension but instead formed part of the original brick and tile structure of the former agricultural barns prior to their residential conversion and its fenestration reflects the scale of the opening that existed. Other structures of more temporary construction materials that extended along the north-eastern side of the barn were demolished as part of the approved conversion scheme to reveal the simple, plain, uncluttered original elevations and historic quadrangle plan form and layout of the buildings. The minimal and irregular openings on the existing external northeast elevation facing the countryside contribute to the rural character and appearance of the complex. A condition was imposed on the original planning permission for residential conversion to remove permitted development rights for extensions and alterations etc. in order to protect the plan form of the development from inappropriate additions such as that now proposed.
- 8.6 The proposed single storey extension would extend at an uncharacteristic right angle from the external linear northeast facing elevation of the dwelling for approximately 3.6 metres in depth and for a width of approximately 4.4 metres, set in slightly from the southeast side elevation. It would have a hipped pitched roof form with a marginally subordinate eaves height and matching ridge height as the existing linear section of the dwelling to which it would be attached.
- 8.7 The Planning Statement submitted to support the application suggests that the *'scale, location, design and choice of materials of the proposed extension have*

been chosen to reflect the existing single storey projection at the opposite end of the building’.

- 8.8 However, this is an original continuation of the linear form of the adjoining dwelling forming the northwest side of the quadrangle and not an uncharacteristic right angled extension that fails to respect the historic linear rectangular plan form and plain elevations of the quadrangle of buildings. Whilst it would be a subordinate addition and is proposed to be constructed of matching corresponding external materials as the existing dwelling to ensure a unified appearance, it is considered that the design of the proposal is overly domestic in character and introduces additional fenestration where none currently exists or is necessary and therefore adversely affects the traditional rural character and appearance of the dwelling and wider building complex. The existing unsympathetic domestic outbuildings and timber fencing that it would replace could be removed to enhance the external appearance of the dwelling without the need for an extension to replace them.
- 8.9 By virtue of its overly domestic design and uncharacteristic right angled projection from the plain linear elevation, the proposal would result in an uncharacteristic, unsympathetic and incongruous addition that would fail to respect the simple historic layout of the former agricultural complex with its linear plain uncluttered elevations and would fail to either complement or enhance the rural character and appearance of the original residential barn conversion scheme or the wider courtyard development. It is also considered that the approval of such an extension would set a precedent for the consideration of future similarly undesirable proposals that would subsequently be more difficult to resist and would result in further adverse impacts upon the original rural character and appearance of the barn conversion scheme and wider site. The development is therefore considered to be in conflict with and contrary to Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), the principles of the adopted Good Design Guide Supplementary Planning Document (2020) and the overarching design principles contained within Section 12 of the National Planning Policy Framework (2023).

Impact upon neighbouring residential amenity

- 8.10 Policy DM10 of the adopted SADMP and the adopted Design Guide require that development would not have a significant adverse effect on the privacy and/or amenity of nearby residents and occupiers of adjacent buildings.
- 8.11 By virtue of its single storey scale, siting and separation distances relative to neighbouring dwellings, the proposal would not result in any significant adverse impacts on the privacy or residential amenity of the occupiers of any neighbouring properties and would therefore be in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide in respect of impact on neighbours. No objections have been received from the occupiers of any neighbouring properties.

Impact upon parking provision

- 8.12 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision and of appropriate design.
- 8.13 The proposal would not affect the existing ample parking and turning provision serving the dwelling and would therefore be in accordance with Policy DM18 of the adopted SADMP and the local highway authority 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. Notwithstanding the isolated countryside location, the proposal is an extension to an existing dwelling and therefore considered to be generally sustainable and acceptable in principle within Policy DM4 of the adopted SADMP. By virtue of its single storey scale, siting and separation distances relative to neighbouring dwellings, the proposal would not result in any significant adverse impacts on the privacy or residential amenity of the occupiers of any neighbouring properties or existing ample parking and private amenity provision for the dwelling.
- 10.2. However, it is considered that by virtue of its overly domestic design and uncharacteristic right angled projection from the plain linear elevation, the proposal would result in an uncharacteristic, unsympathetic and incongruous addition that would fail to respect the simple historic layout of the former agricultural complex with its linear plain uncluttered elevations and would fail to either complement or enhance the rural character and appearance of the original residential barn conversion scheme or the wider courtyard development. It is also considered that the approval of such an extension would set a precedent for the consideration of future similarly undesirable proposals that would subsequently be more difficult to resist and would result in further adverse impacts upon the original rural character and appearance of the barn conversion scheme and wider site. The development is considered to be in conflict with and contrary to Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), the principles of the adopted Good Design Guide Supplementary Planning Document (2020) and the overarching design principles contained within Section 12 of the National Planning Policy Framework (2023) and is therefore recommended for refusal for these reasons.

11. Recommendation

- 11.1 **Refuse planning permission** for the reasons at the end of this report

11.2 Reasons

1. By virtue of its overly domestic design and uncharacteristic right angled projection from the plain linear elevation, the proposal would result in an uncharacteristic, unsympathetic and incongruous addition that would fail to respect the simple historic layout of the former agricultural complex with its plain uncluttered elevations and would fail to either complement or enhance the rural character and appearance of the original residential barn conversion scheme or the wider courtyard development and would therefore be in clear conflict with Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), the Council's adopted Good Design Guide Supplementary Plan Document (2020) and the overarching design principles contained within Section 12 of the National Planning Policy Framework (Dec 2023).
2. The approval of such an uncharacteristic, unsympathetic and incongruous extension projecting at a right angle from the plain linear elevations of the quadrangle of former agricultural buildings would set a precedent for the consideration of future similarly undesirable proposals that would subsequently be more difficult to resist and would result in further detrimental impacts upon the original rural character and appearance of the barn conversion scheme and wider site. This would be in clear conflict with Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), the Council's adopted Good Design Guide Supplementary Plan Document (2020) and the overarching design principles contained within Section 12 of the National Planning Policy Framework (Dec 2023).

11.3 Notes to applicant

1. This application has been assessed and determined with regard to the following documents and plans:- Householder Planning Application Form; Planning Statement by MPC dated June 2024; Location Plan, Site Plan and Existing and Proposed Floor Plans and Elevations Drawing No. 296-PL-01 received by the local planning authority on 1 July 2024.