

## Delegated Report

**Planning Ref: 23/00609/FUL**

**Applicant: Mr Lee Sutton**

**Ward: Cadeby, Carlton, M Bosworth and Shackerstone**

**Site: Land Adjacent To 14, West End, Barton In The Beans**

**Proposal: Extension of existing stable block and new roof**

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Hinckley & Bosworth  
Borough Council

### 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 proposal seeks to extend the existing stable block on site and install a new roof.

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

- 3.1. The site is located adjacent to No. 14 West End, Barton in the Beans. The site benefits from a number of existing buildings and stable blocks on site of a similar size and nature to the proposal.

### 4. Relevant planning history

None

### 5. Publicity

- 5.1. The application has been publicised by letters sent out to neighbours and posting a site notice within the vicinity of the site.
- 5.2. One objection have been received, the objections relate to:  
- Impact upon the public footpath.

### 6. Consultation

- 6.1. HBBC Pollution: No objections.
- 6.2. Shackerstone Parish Council: No comments received.
- 6.3. Ramblers Association: No comments received.

### 7. Policy

#### 7.1. Site Allocations and Development Management Policies DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM4: Safeguarding the Countryside and Settlement Separation
- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

#### 7.2. Core Strategy (2009)

- No relevant policies

#### 7.3. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2019)
- Planning Practice Guidance (PPG)

#### 7.4. **Other relevant guidance**

- Good Design Guide (2020)
- National Design Guide (2019)

### 8. **Appraisal**

#### 8.1. Key Issues

- Assessment against strategic planning policies
- Design and impact upon the character of the Conservation area
- Impact upon neighbouring residential amenity
- Impact upon highway safety

#### **Assessment against strategic planning policies**

- 8.2. Paragraph 2 of the National Planning Policy Framework (NPPF) identifies that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 2 of the NPPF also identifies that the NPPF is a material planning consideration in planning decisions. Paragraph 12 of the NPPF states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where planning applications conflict with an up-to-date plan, permission should not usually be granted unless other material considerations indicate otherwise.
- 8.3. The development plan in this instance consists of the Core Strategy (2009) and the Site Allocations and Development Management Policies (SADMP) Development Plan Document (2016).
- 8.4. The site is located within the countryside therefore Policy DM4 of the SADMP applies. Policy DM4 states that development in the countryside will be considered sustainable where it involves the change of use, re-use or extension of existing buildings which lead to the enhancement of their immediate setting. The proposal relates to the extension of and alterations to an existing building therefore in principle the proposal complies with Policy DM4, subject to the enhancement of the setting as discussed below.

#### **Design and impact upon the character of the area**

- 8.5. Policy DM4 also requires development in the countryside to not have a significant adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside amongst other matters.
- 8.6. Policy DM10 of the SADMP seeks to ensure that new development should complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features. Policy DM10 also seeks to safeguard the amenity of future occupiers of the development.
- 8.7. The proposal seeks to extend the existing stable block on site and replace the roof due to damage to the existing. The extensions included are 3m in length, including a roof overhang. The proposed alterations to the roof are minor, and relate to the change of materials from corrugated metal sheeting to corrugated cement roof

sheeting, which is similar in colour and appearance. The stable block is visible from public vantage points however it is considered that the proposed extensions would not have significant detrimental impacts upon the character of the area and intrinsic character of the countryside. With regards to the requirement for development to enhance the setting within policy DM4, any enhancement would be minor owing to the nature of the proposal and at best would be through the replacement roof and ongoing maintenance of the building.

- 8.8. It is considered that the proposal is minor in its amendments and has no impact upon the design and character of the area, and is therefore in general accordance with Policy DM4 and Policy DM10 of the adopted SADMP.

#### **Impact upon neighbouring residential amenity**

- 8.9. Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings. The policy also states that the amenity of the occupiers of the proposed development would not be adversely affected by activities within the vicinity of the site.
- 8.10. The existing stable block is located on the site adjacent to 14 West End and contains a number of outbuildings, such as stable blocks. The proposed extension to the existing stable block is minor (3m in length) and the proposed roof alterations does not propose any increase in height or pitch. It is therefore considered that there a no impacts upon neighbouring amenity caused by the proposal, in terms of loss of light, loss of privacy, overbearing impacts and noise impacts.
- 8.11. As such it is considered that the proposal is in general accordance with Policy DM10 of the SADMP and the guidance set out within the Good Design Guide.

#### **Impact upon highway safety**

- 8.12. Policies DM17 and DM18 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety and requires new development to provide an appropriate/justified level of parking provision.
- 8.13. The proposal does not make any materials changes to any car parking facilities on the site, nor is it considered to cause an increase in vehicle trips to the site, having no further impacts upon highway safety.
- 8.14. One letter of objection was received relating to potential impacts upon the public right of way. The public right of way runs adjacent to the existing stable block, however it is considered that the extensions and alterations to the existing stable block would not impact upon the public right of way by way of its location and position. A number of informatives are recommended reminding the applicant that the Public Right of Way must not be re-routed, encroached upon or obstructed, further enclosed or diverted without undertaking discussions with the highway agency.
- 8.15. It is therefore considered that the proposal is in general accordance with Policies DM17 and DM17 of the 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. It is considered that the proposal has limited impacts on the character of the area, neighbouring amenity and highways safety. The proposal therefore complies with Policies DM10, DM17 and DM18 of the SADMP.
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:

Proposed stable block, roof plan and elevations Drg No. P2023-WMB-ZZ-DR-M-0101 Rev P01  
Site location plan  
Block plan

**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).

## **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. A Public Right of Way must not be re-routed, encroached upon or obstructed in any way without authorisation. To do so may constitute an offence under the Highways Act 1980.
3. Public Rights of Way must not be further enclosed in any way without undertaking discussions with the local Highway Authority (telephone 0116 305 0001).
4. If the developer requires a Right of Way to be temporarily diverted, for a period of up to six months, to enable construction works to take place, an application should be made to [networkmanagement@leics.gov.uk](mailto:networkmanagement@leics.gov.uk) at least 12 weeks before the temporary diversion is required.
5. Any damage caused to the surface of a Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Local Highway Authority.