

Delegated Report

Planning Ref: 24/00923/HOU

Applicant: Mr Steve Hoggar

Ward: Twycross Sheepy & Witherley



Hinckley & Bosworth
Borough Council

Site: Willow Farm Fenn Lanes Fenny Drayton Leicestershire

Proposal: Single storey rear extension

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 householder application seeks planning permission for the construction of a single storey flat roof rear extension (orangery) to a dwelling known as Willow Farm, Fenn Lanes, Fenny Drayton.

2.2. The proposed single storey rear extension would extend 3.3 metres in depth from the existing rear elevation and for a width of 8.55 metres across its rear elevation to adjoin the existing two storey rear range. It would have a contemporary flat roof design to a height of 3 metres with a long raised glazed hipped roof lantern and extensive glazing above a low level wall to the rear and side elevations. It would be constructed with matching red multi rustic facing bricks and dark brown stained hardwood windows, doors and roof lantern.

3. Description of the site and surrounding area

3.1. The application dwelling is located in the countryside at some considerable distance to the northeast of Fenny Drayton and to the north of Fenn Lanes. It is a two storey detached farmhouse style dwelling set back from and perpendicular to the Fenn Lanes highway. It has a gable sided dual pitched roof form, a perpendicular two storey rear range extending from the south side elevation with dual pitched roof forming a rear gable and a range of dual pitched roof single storey accommodation extending from the north side elevation. There is also a dual pitched roof gable fronted porch to the front elevation. The dwelling is constructed with red multi rustic facing bricks, grey plain clay roof tiles and dark brown stained hardwood windows. The large rear garden extends to the east, parking and turning for a minimum of three vehicles is available within the hard surfaced courtyard to the west in front of the dwelling.

3.2. The application dwelling forms part of a much larger complex of residential and commercial buildings to the north side of Fenn Lanes including stables and equestrian uses, horse riding manege and grassed paddocks, some of which are included within the applicant's land ownership. There are agricultural fields around the wider complex to the north, west and east and the MIRA testing facility to the south.

4. Relevant planning history

79/02375/4

- Formation of vehicular access and closing of existing access
- Permitted
- 11.01.1980

86/01116/4

- Conversion of barn to dwelling
- Permitted
- 27.01.1987

95/00372/FUL

- Erection of garages
- Permitted
- 19.06.1995

96/00575/FUL

- Erection of replacement stables
- Permitted
- 16.09.1996

98/00429/FUL

- Erection of stable block and tractor shed
- Permitted
- 19.08.1998

98/00430/FUL

- Conversion of existing storage building to additional living accommodation
- Permitted
- 22.07.1998

02/01233/FUL

- Conversion of stable to living accommodation with extensions and alterations
- Permitted
- 13.12.2002

03/00459/FUL

- Construction of manege
- Permitted
- 16.06.2003

13/00721/HOU

- Extensions and alterations to dwelling
- Permitted
- 23.10.2013

21/00586/FUL

- Creation of a new access track
- Permitted

- 13.07.2022

23/00637/P3CQ

- Change of use of agricultural building to a single dwelling
- GRPA
- 21.08.2023

23/01035/FUL

- Construction of new dwellinghouse (following the demolition of existing agricultural building)
- Permitted
- 22.12.2023

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. Leicestershire County Council (Ecology) raise no objections but recommend an informative note to applicant should planning permission be granted in respect of Great Crested Newts as a result of proximity of ponds to the application site.

6.2. No response has been received from Witherley Parish Council.

7. Policy

7.1. Core Strategy (2009)

- No relevant policies

7.2. 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

7.3. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2023)
- Planning Practice Guidance (PPG)

7.4. Other relevant guidance

- Good Design Guide (GDG) (2020)
- National Design Guide (2019)
- Local Highway Authority Design Guide

8. Appraisal

8.1. Notwithstanding the countryside location, extensions and alterations to existing domestic properties within established residential curtilages 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 of the dwelling and surrounding countryside
- Impact upon neighbouring residential amenity
- Impact upon parking provision
- Biodiversity

Design and impact upon the character of the dwelling and surrounding countryside

- 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 appearance and open character of the countryside.
- 8.3 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. The Council's adopted Good Design Guide provides further advice in respect of the siting and design of various forms of house extensions and states that:
- 'Rear extensions should be designed to be clearly subordinate to the main dwelling. They should be an appropriate height, width, depth and reflect or complement the detailing and materials of the original building.'* and,
- 'Flat roofs on extensions will not normally be considered appropriate where they do not form part of the original design of the house, however in some circumstances where they are not visible from the public realm and the use of a flat roof may result in a reduced visual impact, they may be considered acceptable, particularly if designed with a contemporary aesthetic style.'*
- 8.4 The proposed single storey rear extension would have a contemporary flat roof design with extensive glazing to its rear elevation above a low level brick plinth wall and a long raised glazed hipped roof lantern. This would contrast with the traditional dual pitched roof and farmhouse style of the existing dwelling and its existing dual pitched roof two storey and single storey additions. However, by virtue of its siting to the rear corner, single storey scale to a height of only 3 metres and appropriate 3.3 metres depth and 8.55 metres width, the proposal would appear as a clearly subordinate addition in terms of both footprint and height to the existing dwelling. Subject to the use of matching red multi rustic facing bricks and dark stained hardwood windows, doors and roof lantern in the construction the proposal would have a satisfactory and unified appearance.
- 8.5 By virtue of its unobtrusive siting well within the boundaries of an established residential curtilage and within a rear corner of the dwelling, together with its single storey scale and flat roof design, the proposal would not be visually prominent from within the public realm or result in any adverse visual impacts on the rural appearance or open character of the surrounding countryside.
- 8.6 Notwithstanding the contemporary flat roof design, by virtue of its siting, scale and subject to the use of matching corresponding external materials in the construction to ensure a satisfactory and uniform appearance, it is considered that the proposal would nevertheless respect and complement the scale, character and appearance of the existing dwelling and would not result in any significant adverse visual impacts on the surrounding countryside. The proposal is therefore considered to be in accordance with Policies DM4 and DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 8.7 Policy DM10 of the adopted SADMP and the adopted Good 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.
- 8.8 By virtue of the siting, single storey scale, flat roof design and separation distance of approximately 26 metres to the nearest neighbouring dwelling to the north (which is also in the applicant's ownership), the proposal would have no adverse impacts on the privacy or residential amenity of the occupiers of that or any other neighbouring dwellings and would therefore be in accordance with Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide. No objections have been received from any neighbouring properties.

Impact upon parking provision

- 8.9 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.10 The proposal is for an orangery and would not result in any additional bedroom space. At least three off-street parking spaces are currently available to serve the application dwelling within the hard surfaced courtyard to the front of the dwelling adjacent to the access. This would be unaffected by the proposal and this level of existing/retained provision would remain more than adequate to serve the existing/resulting dwelling. The proposal is therefore considered to be in accordance with Policy DM18 of the adopted SADMP and the local highway authority design guide standards.

Biodiversity

- 8.11 By virtue of the proximity of a number of ponds to the boundaries of the application site, Leicestershire County Council (Ecology) recommend an informative note to applicant in respect of Great Crested Newts potentially being present within the site and for care to be taken to ensure legal responsibilities relating to this protected species are adhered to.
- 8.12 The proposal would be exempt from the biodiversity gain condition by virtue of being a householder application development within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order (2015).

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 location of the dwelling outside of any settlement boundary and therefore within designated countryside, the proposals are for extensions and alterations to an existing dwelling within an established residential curtilage and therefore there is a general presumption in favour of sustainable development as set out in Policies DM1 and DM4 of the adopted SADMP and the overarching principles of the NPPF.
- 10.2. Notwithstanding the contemporary flat roof design, by virtue of its unobtrusive siting, single storey scale and subject to the use of matching corresponding external materials in its construction to ensure a satisfactory appearance, it is considered that the proposal would nevertheless respect and complement the scale, character and appearance of the existing dwelling and would not result in any significant adverse visual impacts on the rural appearance or open character of the surrounding countryside. By virtue of the siting, scale and separation distance the proposed extension would not result in any significant adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties. More than adequate off-street parking and turning space would be maintained within the site to serve the resulting dwelling along with adequate private rear amenity space. The proposal is considered to be in accordance with Policies DM1, DM4, DM10 and DM18 of the adopted SADMP and the general principles of the adopted Good Design Guide and is therefore recommended for approval subject to 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, as follows: Location Plan Drawing No. PP-134102119v1, Proposed Block Plan Drawing No. TQRQM24267135508097, Proposed Ground Floor Plan, First Floor Plan/Roof Plan and Front Elevation Drawing No. D/1465-1a (sheet 3 of 4) and Proposed Rear and Side Elevations Drawing No. D/1465-1a (sheet 4 of 4) received by the local planning authority on 27 October 2024.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1, DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. The materials to be used on the external elevations of the proposed extension and alteration hereby permitted shall match the corresponding materials of the existing dwelling.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11.3 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 building.control@blaby.gov.uk or call 0116 272 7533.
2. Great Crested Newts, a species fully protected by law, are known to breed in a pond within 200 metres of the proposed development, with several other potential Great Crested Newt ponds nearby. Therefore, there is a small possibility that a newt or a small number of newts could be present on the site. The applicant should therefore exercise due care during implementation of the proposed development, ensuring that all contractors are aware of the possibility of finding great crested newts and that stored materials are carefully removed by hand. Work should cease if a great crested newt is found and advice from a suitably licensed ecologist should be sought.