

Delegated Report

Planning Ref: 24/00306/HOU
Applicant: Mr Austin Randon
Ward: Ambien



Hinckley & Bosworth
Borough Council

Site: The Byre 4 Lower Ambion Farm Ambion Lane Sutton Cheney
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 extension to the rear of a residential barn conversion known as The Byre, 4 Lower Ambion Farm, Ambion Lane, Sutton Cheney.
- 2.2. The proposed extension would have a width of 4.4 metres, a depth of 5.7 metres and a dual pitched roof forming a rear gable with an eaves height of 2.4 metres and a ridge height of 4.8 metres. It would be attached to the rear elevation of the main dwelling and to the side elevation of an existing single storey rear projection of similar depth with internal links through both. It is proposed to be constructed with matching reclaimed red facing bricks, Oak framed fully glazed rear gable with aluminium grey powder coated sliding doors and windows and matching reclaimed Rosemary grey plain clay roof tiles.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located in the countryside to the west of the rural hamlet of Sutton Cheney and accessed along a long shared private driveway from Ambion Lane to the south. It forms part of a sympathetic residential barn conversion scheme of a number of dwellings arranged in an almost continuous quadrangle around an internal hard-surfaced courtyard that provides extensive but discreet parking in addition to the existing detached double garage that lies to the west side of the application dwelling. The application dwelling is single storey and is constructed of red facing bricks, Rosemary grey plain clay roof tiles and natural mid-stained timber windows and doors. It, along with the attached neighbouring conversions have large gardens extending to the north enclosed by a variety of boundary treatments.
- 3.2. The complex of converted buildings and their residential curtilages is surrounded by agricultural fields.

4. Relevant planning history

97/01104/FUL

- Extension to dwelling
- Permitted
- 09.02.1998

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 objection subject to an informative note to the applicant in respect of legal responsibilities during the proposed works to mitigate the small risk of the presence of bat roosts given the good quality surrounding habitat.
- 6.2. No response has been received from Sutton Cheney 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 DM6: Enhancement of Biodiversity and Geological Interest
 - 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 (2020)
 - National Design Guide (2019)
 - Local Highway Authority Design Guide

8. Appraisal

- 8.1. Notwithstanding its countryside location, 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 dwelling and the surrounding countryside
 - Impact upon neighbouring residential amenity
 - Impact upon parking provision
 - Impact on bats

Design and impact upon the character and appearance 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. 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 general siting and design of house extensions and in respect of rear extensions states:

'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.'

- 8.4 In addition, in respect of residential barn conversions the adopted Good Design Guide states that it is of paramount importance that the building does not become domestic in appearance and retains its agricultural character. This means avoiding domestic add-ons such as chimneys, dormer windows, conservatories, porches, and visual clutter such as satellite dishes, domestic external lighting etc. It further suggests that it is usually not appropriate to extend an agricultural building as this risks losing the simple historic form. However, where extensions and additions are proposed they should generally be subordinate, simple, unobtrusive, and respect the plan-form of the building and group layout.
- 8.5 The advice contained within the adopted Good Design Guide in respect of retaining the simple historic form of converted barns has already been severely compromised in this case by the construction of the existing single storey rear projection on the application dwelling to which this would sit alongside, the two storey extension to the neighbouring dwelling (No. 3, which was allowed on appeal) and subsequent single storey extension attached to the side of it and previous two storey and single storey extension projections on the external elevations of other dwellings within the quadrangle complex. It is therefore considered that its siting and form would not be able to be resisted or unacceptable in this particular case.
- 8.6 The proposed extension would have a subordinate width of 4.4 metres, a not inappropriate depth of 5.7 metres that would be to a similar depth as the existing single storey rear extension and would have a similar dual pitched roof forming a rear gable with matching eaves height and marginally subordinate ridge height. It would be attached to the rear elevation of the main dwelling and to the side elevation of the existing single storey rear extension with a valley gutter between and viewed against the existing dwelling minimising its visual impact and ensuring that it would not be a prominent addition in this particular case. It is proposed to be constructed with matching reclaimed red facing bricks to ensure a uniform appearance together with a feature Oak framed fully glazed rear gable and grey powder coated aluminium sliding doors and windows which it is considered would result in discreet glazing and therefore not result in any additional harm to the overall rural character and appearance of the application dwelling or the wider building complex. The enlargement of two existing openings is proposed to internally link the extension with the existing dwelling therefore no significant amount of historic/original building fabric would be removed.
- 8.7 By virtue of its discreet siting at the rear, single storey scale, design and the use of matching and sympathetic construction materials to ensure a uniform and satisfactory rural appearance, the proposal is considered to respect the scale, rural character and appearance of the existing residential barn conversion and wider building complex and would have no significant adverse impact on the open character or appearance of the surrounding countryside being well separated and screened from the surrounding fields by the existing structures and boundary treatments to its residential curtilage. Therefore, the proposal is considered to be in accordance with Policies DM4 and DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide in respect of rear extensions.

Impact upon neighbouring residential amenity

- 8.8 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.
- 8.9 By virtue of its single storey scale, 5.7 metres depth and being set in from the side boundary by 4.5 metres from the adjoining barn conversion to the east (No. 3), the proposal would not result in any significant adverse overbearing or overshadowing impacts on the adjoining occupiers windows or rear patio/garden. There would be two new windows in the east side elevation facing towards the neighbouring rear patio but these would be at ground floor height only and set 4.5 metres inside the existing 1.8/2 metres high brick boundary wall which protects the privacy of both occupiers. Other doors and windows would face towards the applicant's own rear garden and therefore, the proposal would not result in any significant adverse impacts on the privacy or residential amenity of any neighbouring properties and would be in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide.

Impact upon parking provision

- 8.10 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.11 The proposal does not increase the number of bedrooms to the dwelling and the existing off street parking provision of four spaces within the existing double garage and double width hard-surfaced forecourt would be unaffected by the proposal. Therefore, the proposal would retain more than adequate off-street parking provision to serve the resulting dwelling in accordance with Policy DM18 of the adopted SADMP and the local highway authority design guide.

Impact on bats

- 8.12 Following the submission of additional photographic information and re-consideration of the proposed plans, Leicestershire County Council (Ecology) consider the application dwelling as having low suitability for roosting bats and given that the proposed single-storey extension will have a limited impact on the small unused apex of the roof structure due to the high level internal ceilings of the barn conversion, it is considered that a pre-roost assessment for bats would not be proportionate. An informative note to applicant in respect of legal responsibilities during the proposed works to mitigate the small risk of the presence of bat roosts given the good quality surrounding habitat is considered to be sufficient to mitigate against any potential adverse impacts on bats or their habitat in this particular case.

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 countryside location, the proposal is an extension to an existing dwelling where there is a general presumption in favour of sustainable development as set out in Policy DM1 and DM4 of the adopted SADMP and the overarching principles of the NPPF.
- 10.2. Notwithstanding its siting and form relative to the historic form and layout of the original barn conversion, it is considered that by virtue of the previously approved extensions to the application dwelling and neighbouring dwellings (some on appeal) within the wider complex that the proposal would not be unacceptable in this case. By virtue of its siting, scale, design and the use of matching corresponding and sympathetic external materials to ensure a uniform and satisfactory rural appearance, the proposal is considered to respect the scale, rural character and appearance of the existing residential barn conversion and wider building complex and by virtue of its separation and screening would have no significant adverse impact on the open character or appearance of the surrounding countryside, the privacy or residential amenity of the occupiers of any neighbouring dwellings or existing parking and amenity space provision which remains more than adequate to serve the resulting dwelling. The proposal is considered to be in accordance with Policies DM1, DM4, DM10 and DM18 of the adopted SADMP and most of 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. LP4069/01, Proposed Block Plan Drawing No. 2024/10, Proposed Ground Floor Plan Drawing No. 2024/1, Proposed Rear and Side Elevation and Sections Drawing No. 2024/2 and Proposed Side

Elevation Drawing No. 2024/7 received by the local planning authority on 17 June 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 shall match the corresponding materials of the existing dwelling and be in accordance with the external materials details submitted within the Planning Application Form.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM4 and 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. The property may be suitable for roosting bats, which are protected by law from harm. It is the applicant's responsibility to ensure that bat legislation is not breached, and therefore may need to consult with a licensed bat ecologist prior to commencement to ensure that bats will not be impacted by the works. The applicant should ensure that all contractors and individuals working on the property are aware of this possibility, as all works must cease if bats are found during the course of the works whilst advice from a licensed bat ecologist is obtained. Bats are particularly associated with the roof structure of buildings, including lofts, rafters, beams, gables, eaves, soffits, flashing, ridge-tile, chimneys, the under-tile area etc. but may also be present in crevices in stone or brickwork and in cavity walls.