

Delegated Report

Planning Ref: 24/00565/CONDIT

Applicant: Mr John Barker

Ward: Groby

Site: Barn At Groby Lodge Farm, Slate Pit Lane, Groby, Leicester, Leicestershire

Proposal: Variation of condition 2 (approved plans) on 21/00283/FUL. Amendments include front extension, replacing and inserting new windows and doors, a new pond and detached garage

1. Recommendations

- 1.1. That the application be approved subject to the conditions at the end of this report this report

2. Planning application description

- 2.1. The applications seek minor material changes to permission 21/00283/FUL, which was for the conversion and external alteration to the former agricultural barn to create a dwelling. This application seeks to vary condition 2 (approved plans) to add a front extension, replace and insert new windows and doors, and add a new pond and detached garage.

- 2.2. The amendments are summarised by the agent as follows:

- Front, (southern elevation):
 - Small extension to the south-western corner of the building, providing approx. 29m² of additional floorspace internally. This is to provide a new kitchen area which is attached to the existing building via a glazed link with a green roof;
 - Previous vertical velux eaves window to be replaced with 1no. rooflight.
- Side, (western elevation):
 - Previous small window proposed to be replaced with door;
 - 2no. additional narrow full-length windows to first floor.
- Rear, (northern elevation):
 - Previous vertical velux eaves window to be replaced with 1no. rooflight and 1no. window;
 - 2no. rooflights were previously proposed, now only 1no. rooflight is proposed; o 2no. additional windows proposed.
- Internal reconfiguration of rooms (not resulting in any net increase of bedrooms).

- 2.3. Condition 2 states:

The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

- *Proposed Floor Plans & Elevations Drg No. 18-80.4 – received 01/03/2021*
- *Proposed Site Plan Drg No. 18-80.2 – received 01/03/2021*

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

2.2. The revised drawings are as follows:

- Proposed Site Plan – Drawing No. 23-102.2
- Proposed Floor Plans - Drawing No. 23-102.4
- Proposed Elevations - Drawing No. 23-102.5
- Proposed Garage Drawings – Drawing No. 23-102.7

3. Description of the site and surrounding area

3.1. The application site comprises a vacant former agricultural building dating from the 1950s that had been used more recently as a workshop associated with a manufacturing business. The agricultural building is centrally positioned in an area of hardstanding adjacent to a copse of trees and fields.

4. Relevant planning history

4.1. The application site has the following relevant planning history:

21/00283/FUL

- Conversion and external alteration to former agricultural barn to create dwelling
- Permitted
- 16.03.2022

5. Publicity

5.1. There are no neighbours in the vicinity, but a site notice has been erected at the site access. No representations have been received.

6. Consultation

- 6.1. HBBC Waste – No comment.
- 6.2. LCC Highways – No objection
- 6.2. Grobby Parish Council – No objection.
- 6.3. HBBC Drainage - No objection
- 6.4. HBBC Environmental Health – No comment.

7. Policy

- 7.1. Core Strategy (2009)
- Policy 21: National Forest
- 7.2. Site Allocations and Development Management Policies DPD (SADMP) (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM4: Safeguarding the Countryside and Settlement Separation
- Policy DM7: Preventing Pollution and Flooding
- Policy DM10: Development and Design
- Policy DM15: Redundant Rural Buildings
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.4. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2023)

7.5. Other relevant guidance

- HBBC Good Design Guide (2020)

8. Appraisal

8.1. It is considered that the key issues in the determination of this application are:

- Design and impact upon the character of the area

Principle of Development

8.2. The principle of development has been established through approval 21/00283/FUL.

Design and impact upon the character of the area

8.3. Policy DM10 of the adopted Site Allocations & Development Management Policies requires that development complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials.

8.4. Policy DM15 of the SADMP supports the re-use and/or adaptation of redundant or disused rural buildings where:

- a) The applicant demonstrates the building is no longer viable in its current use
- b) The applicant has adequately demonstrated the building is in a structurally sound condition and is capable of conversion without significant rebuild or alteration; and
- c) Any proposed extension(s) or alterations are proportionate to the size, scale, mass and footprint of the original building and situated within the original curtilage; and
- d) The proposed development accords with Policy DM10: Development and Design and relevant design guidance, DM11: Protecting and Enhancing the Historic Environment and DM12: Heritage Assets.

All development proposals for the re-use of redundant rural buildings should result in the enhancement of the immediate setting.

8.5. This proposal includes a single storey front extension to the south elevation, and a triple bay garage in the northwestern corner of the site which replaces the original external parking area and provides sufficient parking space. A rectangular pond also replaces some garden space next to the proposed extension.

- 8.6. The site is not visible from a public highway and is some 700m from such a road. The site is sheltered by a number of mature trees and hedging to the north and south.
- 8.7. The siting of the extension with regards to it being at odds with the linear form of the existing building and the scale of the garage does not wholly comply with the guidance contained within the HBBC Good Design Guide.
- 8.8. However, the extension is proportionate to the overall scale of the original building and has been designed in a manner which would assimilate well with the overall design of the conversion in that a small link separates the existing barn and proposed extension. Similarly, the design of the garage would complement the converted outbuilding and remove the appearance of parked cars from the site. This, alongside, the modern nature of the existing agricultural building means that despite some conflict with the Good Design Guide the proposal is deemed to respect the existing building on the whole.
- 8.9. The existing building is built from exposed blockwork and sheet roofing, while viable for agricultural uses, provide little value aesthetically. The proposed materials include charred wood panelling as well as zinc cladding and glazing and it is considered that this will enhance the character and appearance and immediate setting of the site.
- 8.10. Overall, it is considered that the proposed revisions to the design and appearance of the building would accord with Policies DM10 and DM15 of the SADMP.

Conclusion and conditions

- 8.11. In conclusion, it is considered that the proposed development remains in accordance with the Policies DM1, DM10, DM15, DM17 and DM18 of the SADMP (2016).
- 8.12. The original permission 21/00283/FUL was issued with 4 conditions. Condition 2 is altered as part of this approval, and the other conditions continue to apply.

9. Equality implications

- 9.1. Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-
- 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 in the consideration 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. Recommendation

10.1. Grant planning permission subject to the planning conditions set out below:

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 Site Plan – Drawing No. 23-102.2
- Proposed Floor Plans - Drawing No. 23-102.4
- Proposed Elevations - Drawing No. 23-102.5
- Proposed Garage Drawings – Drawing No. 23-102.7

Reason: To ensure a satisfactory form of development in accordance with Policy 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 accord with the approved plans.

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).

4. If during development, contamination not previously identified is found to be present at the site, no further development shall take place until an addendum to the scheme for the investigation of all potential land contamination is submitted to and approved in writing by the Local Planning Authority which shall include details of how the unsuspected contamination shall be dealt with.

Reason: To ensure that the development is suitable for residential uses in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Informatives:

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 or call 01455 238141.