

Delegated Report

Planning Ref: 24/00086/HOU
Applicant: Mr Charan Malhi
Ward: Markfield Stanton & Fieldhead



Hinckley & Bosworth
Borough Council

Site: White Hill Whitwick Road Copt Oak

Proposal: Single storey side extension, front carport and new dormer to create loft space to detached ancillary outbuilding

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 extensions and alterations to an existing detached ancillary outbuilding serving a dwelling, known as White Hill, Whitwick Road, Copt Oak.
- 2.2. The proposed south side extension would be 5.5 metres in width and 6.9 metres in depth. It would have a new dual pitched gable sided roof form extending across both the existing pitched roof structure and the proposed side extension with the same existing eaves height of 2.4 metres and a ridge height of 5.2 metres. A 9.7 metres wide, up to 3.2 metres deep and 1.5 metres high flat roof dormer window is proposed to the eastern front roof elevation to serve the proposed study/cinema within the newly proposed loft space. An open sided/fronted car port is proposed to extend forward from the front elevation of the outbuilding by 5.6 metres for its entire 11.8 metres width and have a lean-to roof form with an eaves height of 2.4 metres and maximum height of 4 metres supported by five metal stilts. It is proposed that the extensions and alterations would be constructed in matching corresponding external materials to the existing outbuilding.

3. Description of the site and surrounding area

- 3.1. The application site is located in the countryside to the north of Markfield and to the south of Copt Oak on the west side of Whitwick Road. It is also located within the boundaries of the Charnwood Forest and wider National Forest. The application dwelling, White Hill, is one of a number of sporadic dwellings constructed along Whitwick Road, set back from the highway and largely screened by hedgerows and trees. It is a detached bungalow with a double 'H' shaped footprint with dual pitched gable ended roof form to each of its ranges and hard surfaced court yards between and to the fore. The existing detached ancillary outbuilding is set forward and to the side of the bungalow and is currently used as storage and gym. Both the bungalow and outbuilding are constructed with a mix of white rendered walls with red facing brick quoins and window surround detailing, small plain clay roof tiles and white uPVC windows. The outbuilding has a gable fronted roof form with full height fully glazed bi-fold doors and horizontal plank white cladding to the front elevation and a flat roofed red brick addition to its rear elevation. There is an existing concrete base extending from its south side elevation and concrete block paving extending from its eastern front elevation. To the north there is a fuel tank.
- 3.2. The dwelling occupies an extensive plot with an abundance of mature trees and other landscaping and is surrounded by fields. Whitwick Road has a strongly rural character being flanked predominantly by agricultural fields and woodland.

4. Relevant planning history

10/00848/FUL

- Extension and alterations to dwelling; erection of double garage and creation of new vehicular access
- Permitted
- 03.12.2010

12/00003/FUL

- Extensions and alterations to dwelling and creation of new access
- Permitted
- 20.03.2012

22/01089/HOU

- Erection of front boundary brick wall and pillars and entrance gates (Retrospective)
- Refused
- 10.01.2023

23/00650/HOU

- Removal of existing brick boundary wall, retention of four existing brick gate pillars and entrance gates and erection of 1.8 metres high timber fence (part retrospective)
- Permitted
- 25.08.2023

23/01156/DISCON

- Application to discharge conditions 3 (Landscaping Scheme) attached to planning permission 23/00650/HOU
- Discharged
- 27.02.2024

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 response has been received from Markfield Parish Council.

7. Policy

7.1. Markfield Neighbourhood Plan (MNP) 2020-2039 (2021)

- Policy M1: Countryside
- Policy M2: Landscape Character
- Policy M10: Design

7.2. Core Strategy (2009)

- Policy 21: National Forest

- Policy 22: Charnwood Forest
- 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
- Charnwood Forest Landscape Character Assessment (2019)
 - Good Design Guide (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 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 site and surrounding countryside, Charnwood Forest and National Forest
 - Impact upon neighbouring residential amenity
 - Impact upon parking provision
- Design and impact upon the character and appearance of the site and surrounding countryside, Charnwood Forest and National Forest
- 8.2 Policy 22 of the adopted Core Strategy seeks to ensure that proposals within the Charnwood Forest retain local character and complement the local landscape. Policy 21 of the adopted core Strategy supports proposals where the siting and scale of the proposed development is appropriately related to its setting within the National Forest and where it respects the character and appearance of the wider countryside.
- 8.3 Policy M1 of the 'made' Markfield Neighbourhood Plan (MNP) states that land outside the settlement boundary will be protected for the sake of its intrinsic character, beauty, heritage and wildlife, the wealth of its natural resources and to ensure it may be enjoyed by all. Policy M2 of the 'made' MNP requires that development should be located and designed in a way that is sensitive to its landscape setting.
- 8.4 Policy M10 of the 'made' MNP states that development must be sympathetic to local character and history, be in keeping with the scale, form and character of its surroundings, protect important features such as hedgerows and trees and meet the general design principles of the National Forest.
- 8.5 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. The Council's adopted Good Design Guide provides further advice in respect of the siting and design of house extensions.

- 8.6 The proposed south side extension would be 5.5 metres in width and 6.9 metres in depth and therefore would almost double the footprint of the existing detached ancillary outbuilding. Whilst the proposals would also provide loft space accommodation which would result in an increase in its overall height, the eaves height would remain the same, and by virtue of the design of the new gable sided roof form extending across both the existing pitched roof structure and the proposed side extension together with the provision of a flat roof box dormer on the more discreet internal east facing elevation of the building, the overall increase in height would be limited to a very modest 0.2 metres (to 5.2 metres). The proposed car port would almost double the footprint again but this would only be an open sided structure with a lean-to canopy roof to a height of a maximum of 4 metres.
- 8.7 The proposals would substantially increase the scale of the existing outbuilding, however, the resulting outbuilding would still appear as a clearly ancillary detached outbuilding in relation to the much greater scale of the existing dwelling and would not appear excessive within this extensive plot. By virtue of its siting well within the boundaries and towards the rear of the site, its design, unified appearance through the proposed use of matching corresponding external materials in its construction, and existing and future screening, it is considered that the proposals would respect and complement the scale, character and appearance of the application dwelling and site and would have no significant adverse visual impacts on the rural character and appearance of the surrounding countryside within the Charnwood Forest and National Forest landscapes which would be preserved. The proposals would therefore be in accordance with Policies 21 and 22 of the adopted Core Strategy, Policies M1, M2 and M10 of the 'made' Markfield Neighbourhood Plan 2020-2039 (2021), Policies DM4 and DM10 of the adopted SADMP (2016) and the principles of the adopted Good Design Guide and National Planning Policy Framework (2023).

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 In this case the application relates to an extensive plot within the countryside with no nearby neighbouring dwellings in close proximity. The proposals would therefore have no adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties and be in accordance with Policy DM10 of the adopted SADMP in that respect.

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 extensive application site has an abundance of hard surfaced off-street parking space to serve the existing dwelling and the proposals would retain more than adequate parking provision to serve the site in accordance with Policy DM18 of the adopted SADMP and local highway authority design guide standards.

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. The application site is located in the countryside and within the boundaries of the Charnwood Forest and wider National Forest where development is subject to policies which restrict forms of development to that which retains, conserves, enhances and protects the local rural character and appearance of the countryside and the integrity of the distinctive Charnwood Forest landscape and the wider National Forest area. In this case, notwithstanding the countryside location, the proposals relate to extensions and alterations to an existing detached ancillary outbuilding serving a 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. The proposals would substantially increase the scale of the existing outbuilding, however, the resulting outbuilding would still appear as a clearly ancillary detached outbuilding in relation to the much greater scale of the existing dwelling and would not appear excessive within this extensive plot. By virtue of its siting, design, unified appearance and existing and future screening, it is considered that the proposals would respect and complement the scale, character and appearance of the application dwelling and site and would have no significant adverse visual impacts on the rural character and appearance of the surrounding countryside within the Charnwood Forest and National Forest landscapes which would be preserved. The proposals would have no adverse impacts on residential amenity or privacy of any of the distant neighbouring occupiers and more than adequate off-street parking and private amenity space would be retained within the site. The proposals are therefore considered to be in accordance with Policies 21 and 22 of the adopted Core Strategy, Policies M1, M2 and M10 of the 'made' Markfield Neighbourhood Plan 2020-2039 (2021), Policies DM1, DM4, DM10 and DM18 of the adopted SADMP (2016) and the general principles of the adopted Good Design Guide and National Planning Policy Framework (2023) and are therefore recommended for approval subject to the conditions at the end of this report.

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: Site Location Plan Drawing No. 1399-MPD-PLA-DR-0001/P 01, Proposed Site Plan Drawing No. 1399-MPD-PLA-DR-1100 Rev P 01, Proposed Floor Plans Drawing No. 1399-MPD-PLA-DR-1200 Rev P 01 and Proposed Elevations Drawing No. 1399-MPD-PLA-DR-1300 Rev P 01 received by the local planning authority on 23 January 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 building.

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.