

Delegated Report

Planning Ref: 24/01105/HOU

Applicant: Ms Nichola Deadman

Ward: Burbage St Catherines & Lash Hill

Site: 109 Church Street Burbage Hinckley



Hinckley & Bosworth
Borough Council

Proposal: Conversion of outbuilding to habitable room

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 application seeks full planning consent for the conversion of an existing outbuilding to a habitable room (garden room) at 109 Church Street, Burbage.
- 2.2. The only enlargement to the existing outbuilding would include raising the height of the existing pitched roof by 0.25 metres, resulting in a proposed ridge height of 3.94 metres and eaves height of 2.41 metres.
- 2.3. Additional alterations include the addition of two roof lights to the south-west (side) elevation roof; the removal of the existing window to the south-east (rear) elevation and installation of a set of three bi-fold doors; the removal of all openings to the north-east (side) elevation and the installation of three windows and a door.
- 2.4. The proposed external materials would match those of the existing dwelling.

3. Description of the site and surrounding area

- 3.1. The application site relates to a two-storey 19th century cottage situated within the Settlement Boundary and Conservation Area of Burbage. The application dwelling is located within a terrace facing the junction of Church Street and Aston Lane and comprises facing brick and white render to the walls with grey painted accents to the openings including the use of wooden shutters. Grey tiles are present to the roof and white uPVC to the windows. Matching materials can also be seen to extend to the north-east of the site.
- 3.2. The interest of the property is most greatly appreciated from its front elevation when positioned within the conservation area street scene. By contrast the character to the rear of the cottage is more functional in nature, with alterations and extensions being implemented over time, resulting in a long linear range of development of varying form and appearance, including a flat roofed extension and dual pitched range partly incorporated into the main cottage accommodation. Due to its historic and architectural interest it makes a positive contribution to the character and appearance of the Burbage Conservation Area, and it is identified as an important local building within the Burbage Conservation Area Appraisal (2011).

4. Relevant planning history

19/00757/TCA

- Works to trees

- Permit Conservation Area TPO Works
- 03.09.2019

23/00140/TCA

- T1 - (Leylandia) - Fell, T2 & T3 (Maple) - Pollard back to previous point of pollarding, T4 - (Birch) - Reduce crown by 3 metres
- Declined to Make
- 18.04.2023

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 and a notice was displayed in the local press.
- 5.2. No comments have been received.

6. Consultation

6.1. Burbage Parish Council

"Burbage Parish Council has no objections to this application."

6.2. HBBC Conservation Area

"The proposal is to incorporate the storage element of the rear range into the cottage accommodation, and consists of a minor increase in the height of the dual pitched roof (whilst still maintain the same pitch angle), a new roof structure with re-laying the existing tiles and incorporating two roof lights, re-rendering the facing walls, and adding replacement doors and windows to the side and rear elevation. In my opinion the alterations and extension to the rear range are appropriately designed, with the scale, form, construction materials and architectural detailing all reflecting the character and appearance of the existing rear range and having no adverse impact upon any key characteristics of the conservation area. Consequently, the proposal would preserve the significance of the Burbage Conservation Area and thus comply with Policies DM11 and DM12 of the Site Allocations and Development Management Policies DPD, section 16 of the NPPF, and the statutory duty of Section 72 of the Planning (Listed Buildings and Conservations Areas) Act 1990."

7. Policy

7.1. Burbage Neighbourhood Plan 2015-2026

- Policy 1: Settlement Boundary
- Policy 2: Design and Layout

7.2. Core Strategy (2009)

- Policy 4: Development in Burbage

7.3. Site Allocations and Development Management Policies DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM10: Development and Design
- Policy DM11: Protecting and Enhancing the Historic Environment

- Policy DM12: Heritage Assets
- 7.4. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2024)
 - Planning Practice Guidance (PPG)
- 7.5. Other relevant guidance
- Good Design Guide (2020)
 - National Design Guide (2019)
- 8. Appraisal**
- 8.1. Key Issues
- Design and impact upon the character of the area
 - Impact upon neighbouring residential amenity
- Design and impact upon the character of the area
- 8.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 8.3 Section 16 of the National Planning Policy Framework (NPPF) provides the national policy on conserving and enhancing the historic environment. Paragraphs 212-215 of the NPPF require great weight to be given to the conservation of designated heritage assets when considering the impact of a proposed development on its significance, for any harm to the significance of a designated heritage asset to have clear and convincing justification, and for that harm to be weighed against the public benefits of a proposal.
- 8.4 The Planning Practice Guide (PPG) and Historic England Advice Note 2 (HEAN2) Making Changes to Heritage Assets sets out how the policies of the NPPF are expected to be applied and includes guidance on the conservation of and making changes to the historic environment.
- 8.5 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.
- 8.6 Policies DM11 and DM12 of the Site Allocations and Development Management Policies DPD seek to protect and enhance the historic environment and heritage assets. Policy DM12 states that development proposals should ensure the significance of a conservation area is preserved and enhanced and proposals which seek to improve neutral and negative areas inside conservation areas, which also lead to the overall enhancement of the conservation area, will be supported.
- 8.7 Policy 1 of the Burbage Neighbourhood Plan seeks to ensure that any future residential development within or adjacent to the settlement boundary is supported subject to complying with the other development plan policies.
- 8.8 Policy 2 of the Burbage Neighbourhood Plan seeks to ensure any future residential development respects its surroundings, follows the existing pattern of development and retains existing important natural features on the site.
- 8.9 The application seeks full planning consent for the conversion of an existing outbuilding to a habitable room (garden room) at 109 Church Street, Burbage.

- 8.10 The proposal would not involve the enlargement of the existing outbuildings footprint, however it would involve a minor increase to the height of the dual pitched roof by 0.25 metres. The newly proposed eaves height would remain substantially below those of the existing dwelling appearing to be a subordinate addition, however, it is observed that the ridge height would sit approximately 0.15 metres above those of the existing single storey extension at the rear of the dwelling. The existing structure siting behind the outbuilding does, however, host a flat roof design along with an existing chimney feature which sits to the centre of the proposed pitch softening the proposed increase to the dual pitched roof. Importantly the proposed roof extension would also ensure that the same pitch angle remains. The new roof structure would involve the re-laying the existing tiles and the addition of two roof lights to the south-west (side) elevation roof.
- 8.11 Additional alterations include the re-rendering the facing walls; the removal of the existing window to the south-east (rear) elevation and installation of a set of three bi-fold doors; and the removal of all openings to the north-east (side) elevation and the installation of three windows and a door. All proposed openings would be appropriately proportioned.
- 8.12 The proposed use of matching corresponding external material in the construction would ensure a satisfactory and unified appearance.
- 8.13 The outbuilding is situated to the rear of the site and therefore none of the proposed enlargements or alterations would not be viewable from a public viewpoint.
- 8.14 The alterations and extension to the rear range are appropriately designed, with the scale, form, construction materials and architectural detailing all reflecting the character and appearance of the existing rear range and having no adverse impact upon any key characteristics of the conservation area. Consequently, the proposal would preserve and enhance the significance of the Burbage Conservation Area, and thus comply with Policies DM10, DM11 and DM12 of the SADMP, section 16 of the NPPF and the statutory duty of section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, Policies 1 and 2 of the Burbage Neighbourhood Plan.

Impact upon neighbouring residential amenity

- 8.15 Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy or amenity of nearby residents and occupiers of adjacent buildings and the amenity of occupiers of the proposed development would not be adversely affected by activities within the vicinity of the site.
- 8.16 To the south-west of the site sits private car parking hosting an off-street parking provision for the commercial businesses to Church Street, which can be accessed under, 83 Church Street. Two roof lights are proposed to this elevation which would slope to the south-west due to the dual pitched roof form and orientation. The openings are not, however, considered to result in the loss of privacy, due to the existing use of the site.
- 8.17 All openings to the north-east (side) elevation are to be removed and replaced with three windows and a door, all which are to host a similar position to the existing with the exception of the window to the garden room. The site does, however, host strong established boundary treatments which would ensure that loss of privacy does not occur to 113 Church Street.

- 8.18 The proposed set of three bi-fold doors to the south-east (rear) elevation would not result in any loss of privacy to the residential dwellings to the south-east (rear) as they would be screened by an existing structure at the site.
- 8.19 The height of the dual pitched roof is to be increased by 0.25 metres, however, as the increase is modest and would retain the existing roof form there would not be any adverse impacts upon any neighbours in terms of loss of light.
- 8.20 It is therefore considered that the proposal would not have an adverse impact upon the residential amenity of this neighbouring dwelling in terms of loss of light, overlooking or overbearing nature, complying with Policy DM10 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.

10. Conclusion

- 10.1. The proposed development is for a property located within the settlement boundary of Burbage. As such, there is a presumption in favour of sustainable development under Policy DM1 of the SADMP, as long as the proposal is in accordance with the relevant policies of the SADMP.
- 10.2. The proposed development would complement the character and appearance of the host dwelling, and would not cause any adverse impacts upon the visual amenity of the surrounding area or the neighbouring amenity of occupants surrounding the application site. On this basis, the proposal is therefore considered to be in accordance with Policies DM10, DM11 and DM12 of the SADMP, section 16 of the NPPF and the statutory duty of section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, Policies 1 and 2 of the Burbage Neighbourhood Plan. The proposal and is 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 materials to be used externally shall accord with the approved application form, as received by the Local Planning Authority on the 4th December 2024.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM10, DM11 and DM12 of the SADMP, section 16 of the NPPF and the statutory duty of section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, Policies 1 and 2 of the Burbage Neighbourhood Plan.

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

- Site Location Plan
- Block Plan as received by the Local Planning Authority on the 4th December 2024.
- Proposed Elevations, Ground Floor Plan, Drg No. 24056-03 Rev A as received by the Local Planning Authority on the 9th December 2024.

Reason: To ensure a satisfactory form of development in accordance with Policies DM10, DM11 and DM12 of the SADMP, section 16 of the NPPF and the statutory duty of section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, Policies 1 and 2 of the Burbage Neighbourhood Plan.

11.3 Notes to applicant

- 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.