

Delegated Report

Planning Ref: 25/00128/CONDIT
Applicant: Mr Lee Butler
Ward: Twycross Sheepy & Witherley



Hinckley & Bosworth
Borough Council

Site: 2 The Manor Wood Lane Norton Juxta Twycross

Proposal: Variation of condition 2 (Plans) and 3 (Materials) of planning permission 24/00959/HOU. Garage to be constructed with reclaimed bricks in the same style of the existing barn.

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

- 2.1. Section 73 of the Town and Country Planning Act 1990 allows applications to be made for permission to develop without complying with a condition previously imposed on a planning permission. In this case, planning permission reference 24/00959/HOU granted full planning permission for a detached double garage at 2 The Manor, Wood Lane, Norton Juxta Twycross. Condition 2 of the planning permission required that the development shall be implemented in accordance with the approved plans. Condition 3 of the planning permission required that the development shall be implemented in accordance with the approved plans submitted with that application which detailed the use of wooden cladding to the external walls.
- 2.2. This application seeks planning permission for the variation of condition 2 and 3 of that planning permission to allow for the use of reclaimed red facing brickwork to external walls in lieu of wooden cladding and allow the reduction of its overall footprint to sit within the confinements of the retaining brick wall.

3. Description of the site and surrounding area

- 3.1. The application site is located partly within and partly outside the settlement boundary of Norton Juxta Twycross, but forms part of a wider redevelopment of part of a former agricultural site now comprising the original farmhouse, a number of residential barn conversions and new build dwellings. It is a two storey residential barn conversion with dual pitched gabled roof form. It is constructed of light red/brown rustic facing bricks, plain grey roof tiles and light green timber windows and doors. It fronts onto a shared internal courtyard to the east and has a large rear garden enclosed by 2.00 metres high close boarded timber fencing between the rear elevation and the small rear access road to the west leading from the south side of Wood Lane. A double width parking area has been formed immediately to the east of the access road enclosed to three sides by 2.00 metres high close boarded timber fencing.
- 3.2. The small dead-end access road currently serves the application dwelling only but is set to serve one other residential unit within the wider development. To the south of the site there are two unused large scale agricultural buildings and an area of open scrub land.

4. Relevant planning history

20/01250/FUL

- Conversion of agricultural buildings into 2 residential dwellings, refurbishment of farmhouse and erection of 4 new dwellings with associated access and landscaping
- Planning Permission
- 12.07.2023

24/00959/HOU

- Detached double garage
- Planning Permission
- 02.12.2024

5. Publicity

5.1. The application has been publicised by sending out letters to local residents.

5.2. No comments have been received.

6. Consultation

6.1. Twycross Parish Council;

- No comments have been received.

7. Policy

7.1. Core Strategy (2009)

- None relevant.

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

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.3. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2024)
- Planning Practice Guidance (PPG)

7.4. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)

8. Appraisal

8.1. The principle of development, siting, layout, scale and overall design of the proposed extensions and alterations have already been established through the earlier grant of planning permission 24/00959/HOU. The key issues in respect of this application are therefore:

- Design and impact upon the character of the area
- Other matters
- Conditions

Design and impact upon the character of the area

- 8.2 Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016) 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 This application proposes to alter the previously approved materials to the external walls of the detached garage from wooden cladding to reclaimed red facing brickwork and to reduce its footprint to sit within the confinements of the retaining brick wall.
- 8.4 The amendment from cladding to brick will reduce the ancillary feel of the garage, however, the brickwork proposed would be similar to the existing brickwork to the existing barn at the site. The reduction to the overall footprint is not significant. The proposed alterations are therefore not considered to result in any unacceptable impact upon the character and appearance of the existing dwelling or area and would therefore comply with Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

Other issues

- 8.5 The proposed amendments to the external construction materials of the previously approved and extant planning permission for extensions and alterations would have no adverse impacts on the rural and open character and appearance of the adjacent countryside, the residential amenity of the occupiers of any neighbouring properties, highway safety or off-street parking provision within the site in accordance with Policy DM10, DM17 and DM18 of the Site Allocations and Development Management Policies Development Plan Document (2016).

Conditions

- 8.6 The previously approved planning permission 24/00959/HOU was subject to 5 conditions. The development has not been implemented and therefore Condition 1 (time) remains necessary, however, would need to refer to the original 3 year time scale for implementation of the development. Condition 2 (plans) would need to be amended to refer to the plan submitted and approved under this application to define the new permission. Condition 3 (materials) would need to be amended to refer to the amended materials as submitted and approved under this application to define the new permission. Condition 4 (restricted use) remains necessary to ensure that an adequate off-street parking facilities remain at the site and Condition 5 (garage doors) remains necessary to protect the free and safe passage of traffic, including pedestrians, within the access road and would need to be altered to refer to the plan submitted and approved under this application to define the new permission.
- 8.7 No other conditions are considered to be necessary to ensure satisfactory development.

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 proposal is located within the settlement boundary of Hinckley and seeks to vary condition 2 (plans) and 3 (materials) of planning permission 24/00959/HOU for a detached double garage at 2 The Manor, Wood Lane, Norton Juxta Twycross, therefore there is a presumption in favour of sustainable development as set out in Policy DM1 of the Site Allocations and Development Management Policies Development Plan Document (2016).and the wider policies of the NPPF.

2.3. For the reasons given in the report above, it is considered that the proposed amendment to the approved plans and external construction materials with the proposed use of red facing brickwork to the external walls of the detached garage would complement the character and appearance of the existing dwelling and wider street scene, and would not result in any significant adverse impacts on the residential amenity of the occupiers of any neighbouring properties, highway safety or off-street parking provision.

2.4. The proposal is considered to be in accordance with Policies DM1, DM10, DM17 and DM18 of the Site Allocations and Development Management Policies Development Plan Document (2016) and is therefore recommended for approval subject to amended conditions. No additional conditions are considered to be necessary.

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 2nd December 2024, the date of the original permission (reference 24/00959/HOU).

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 otherwise than in full accordance with the submitted application details, as follows; Location Plan and Proposed Block Plan and Site Plan, Drg No. 2350-005 Rev A as received by the Local Planning Authority on the 18th November 2024 and Proposed Floor Plan, Elevations & Roof Plan - 2350-003 E received by the Local Planning Authority on 19th June 2025.

Reason: To ensure a satisfactory form of development in accordance with Policy DM1 and DM10 of the Site Allocations and Development Management Policies DPD and the general principles of the Councils Good Design Guide.

3. The materials to be used on the external elevations of the proposed detached double garage hereby permitted shall be in accordance with the external materials details submitted on the approved Proposed Floor Plan, Elevations & Roof Plan - 2350-003 H and submitted application form received by the local planning authority on 19th June 2025.

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. The use of the detached double garage hereby permitted shall remain at all times for the purpose of parking motor vehicles and shall not be converted to any alternative uses.

Reason: To ensure that adequate off-street parking facilities remain available to serve the dwelling in accordance with Policy DM18 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. Any garage doors shall be non-gain roller shutter type doors and in accordance with the approved Proposed Floor Plan, Elevations & Roof Plan - 2350-003 H received by the local planning authority on 19th June 2025 and once so fitted shall thereafter be permanently maintained as such at all times.

Reason: To protect the free and safe passage of traffic, including pedestrians, within the access road in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies DPD (2016).

a. **Notes to applicant**

- a) 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.