

Delegated Report

Planning Ref: 23/00442/FUL

Applicant: Mr Steve Bazeley

Ward: Newbold Verdon With Desford & Peckleton



Hinckley & Bosworth
Borough Council

Site: The Windmill Inn Brascote Lane Newbold Verdon

Proposal: Proposed first floor 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 planning application seeks full planning permission for the provision of a small first-floor rear extension at The Windmill Inn, Brascote Lane, Newbold Verdon. This first-floor rear extension is created to provide a new stairwell and access to the flat on the first floor of the property, in the interests of health and safety.

2.2. The development externally measures 2.7m in width x 3.1m in depth but given that the proposal is a first-floor extension, the scheme does not increase the footprint of the property. The extension utilises a dual pitched roof that has a ridge height of 5.2m, and an eaves height of 4.2m. The development is constructed with grey timber cladding.

3. Description of the site and surrounding area

3.1. The Windmill Inn is a commercial public house and restaurant that is located on Brascote Lane. Brascote Lane is an adopted, but unclassified road, that is subject to the National Speed Limit. The application site is over 350m south of Newbold Verdon's identified settlement boundary in the designated countryside, and it is surrounded by open agricultural fields. However, there is a large allotment site adjacent to the southern boundary of the site.

3.2. The property is two-storey in massing and utilises a render finish and a grey timber cladding to the first floor on its front elevation. The Windmill Inn features previous extensions, which were permitted via planning applications 91/01164/4 and 94/00083/FUL.

4. Relevant planning history

07/00523/FUL

- Erection of smoking shelter
- Permitted
- 29.06.2007

94/00083/FUL

- Extension to public house
- Permitted
- 16.03.1994

91/01164/4

- Extensions to public house
- Permitted
- 25.02.1992

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.

6. Consultation

6.1 There have been no objections from the following consultants:

- Hinckley & Bosworth Borough Council (HBBC)'s Drainage Officer
- HBBC's Environmental Services' Pollution Officer
- HBBC's Waste Management Officer
- Local Highway Authority (LHA)

6.2 No further responses have been received.

7. Policy

7.1 Core Strategy (2009)

- Policy 7: Key Rural Centres

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 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) (2021)
- Planning Practice Guidance (PPG)

7.4 Other relevant guidance

- Good Design Guide (2020)
- Leicestershire Highway Design Guide (LHDG)
- National Design Guide (2019)

8. Appraisal

8.1 The key issues in respect of this application are therefore:

- Design and impact upon the character of the area
- Impact upon residential amenity
- Impact upon parking provision and highway safety

Design and Impact upon the Character of the Area

8.2 Paragraph 134 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

8.3 Policy DM4 of the SADMP states that development in the countryside will be considered sustainable where:

- i.) It does not have a significant adverse effect on the intrinsic value, beauty, open character, and landscape character of the countryside; and
- ii.) It does not undermine the physical and perceived separation and open character between settlements; and

- iii.) It does not create or exacerbate ribbon development; and
- iv.) If within a Green Wedge, it protects its role and function in line with Core Strategy Policies 6 and 9; and
- v.) If within the National Forest, it contributes to the delivery of the National Forest Strategy in line with Core Strategy Policy 21.

8.4 Policy DM10(c) of the SADMP states that developments will be permitted where they complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.

8.5 The development does not increase the overall footprint of the building, and it utilises materials that match the existing property. In addition, the scale of the proposal is limited, and it is not visible from the principal front elevation. Although the first-floor extension may be visible from the southern side elevation, due its set back from the principal elevation by 7.9m and its subordinate roof ridge height to the main property, the development is not considered to result in a significant adverse impact on the character of the surrounding area in accordance with Policies DM4 and DM10 of the SADMP, and the Good Design Guide.

Impact upon Residential Amenity

8.6 Paragraph 130(f) of the NPPF requires planning policies and decisions to ensure that developments create places that are safe, inclusive, and accessible, and which promote health and well-being, with a high standard of amenity for existing and future users.

8.7 Policy DM10(a) and (b) of the SADMP states development will be permitted provided that it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting and noise and that the amenity of occupiers would not be adversely affected by activities within the vicinity of the site.

8.8 The Good Design Guide SPD outlines that development will need to demonstrate that it will not result in loss of amenity to neighbouring properties by way of overlooking, overshadowing or noise.

8.9 There are no properties or residential dwellings near The Windmill Inn. Given the limited scale of the first-floor rear extension, the development is not considered to result in any material impact to neighbouring residential amenity in accordance with Policy DM10 of the SADMP, Paragraph 130(f) of the NPPF, and the Good Design Guide.

Impact upon Parking Provision and Highway Safety

8.10 Paragraph 110 of the NPPF states that it should be ensured that safe and suitable access to the site can be achieved for all users. Paragraph 111 of the NPPF outlines that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

8.11 Policy DM17 of the SADMP supports development that makes best use of public transport, provides safe walking and cycling access to facilities, does not have an adverse impact upon highway safety. All proposals for new development and changes of use should reflect the highway design standards that are set out in the

most up to date guidance adopted by the relevant highway authority (currently this is the Leicestershire Highway Design Guide (LHDG)).

- 8.12 Policy DM18 of the SADMP requires developments to demonstrate an adequate level of off-street parking provision.
- 8.13 Whilst the Local Highway Authority (LHA) note there are proposals to increase the number of bedrooms from one to two bedrooms within the existing flat, this does not require any additional off-street vehicle parking spaces as per Paragraph 3.151 of Part 3 of the Leicestershire Highway Design Guide (LHDG). Given the above, it is considered that the development does not have a material impact on the public highway and is therefore compliant with Policies DM17 and 18 of the SADMP, and Paragraphs 110 and 111 of the NPPF.

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 proposed development is considered to be compliant with the relevant national and local policy as it:

- Is an appropriate scale and design.
- Does not have an adverse impact upon the character and appearance of the area.
- Does not have a significant adverse impact upon the amenity of neighbours.
- Does not have a significant adverse impact upon highway safety.
- Provides sufficient vehicle parking spaces for off-street parking.

- 10.2 Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission to be granted, subject to the imposition of appropriate 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 received by the Local Planning Authority as follows:
 - Block and Location Plan – Drg No. 670/07 (submitted: 04.05.2023)
 - Existing Floor Plans and Elevations 0 Drg No. 670/01A (submitted: 04.05.2023)
 - Proposed Elevations – Drg No. 670/05 (submitted: 04.05.2023)
 - Proposed Floor Layout – Drg No. 670/04 D (submitted 04.05.2023)

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 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 property.

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).

a. 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 buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.