

Delegated Report

Planning Reference: 25/00251/HOU
Applicant(s): Mr Cotterill
Ward: Twycross, Sheepy & Witherley



Hinckley & Bosworth
Borough Council

Application Site: 30 Ratcliffe Lane, Sheepy Magna,
Atherstone

Proposal: Single storey outbuilding

Case Officer: Sullivan Archer (Senior Planning Officer)
Date: 07/05/2025

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions detailed at the end of this report.

2. Planning Application Description

- 2.1. This householder planning application seeks full planning permission for the provision of a single storey outbuilding at 30 Ratcliffe Lane, Sheepy Magna. The structure externally measures 5.7m in width by 5.7m in depth and has a pitched roof that has a ridge height of 2.7m and an eaves height of 2m. The outbuilding is constructed with prefabricated concrete and versa roof tiles in a terracotta colour, and a mock antique brick finish on the eastern front and the northern side elevations.

3. Description of the Site and the Surrounding Area

- 3.1. The application site is residential garden space associated with 30 Ratcliffe Lane, which is located to the south of the identified settlement boundary of Sheepy Magna. Although the host dwelling, its original residential garden area, and the field access to the development are within the identified settlement boundary of Sheepy Magna, the proposed location of the development is in the designated open countryside.
- 3.2. The application site was converted from an agricultural use into garden space via 23/01138/FUL, and Condition 3 of this planning application removed Permitted Development Rights from the application site. The Applicant has already laid the concrete foundations of the proposed development on site. The land is accessed via field access in between 30 Ratcliffe Lane and 34 Ratcliffe Lane.

- 3.3. The wider application site includes several timber outbuildings, and an existing 3.9m high outbuilding that externally measures 3.1m in width by 10.1m in length, which was approved by planning application 12/01113/HOU.
- 3.4. The host dwelling is a semi-detached brick-built dormer bungalow that forms part of a ribbon of residential development that heads south from Main Road along the western side of Ratcliffe Lane. Due to the variety of styles and designs of buildings, there is no discernible unique character to Ratcliffe Lane. To the east and west of the site is open countryside. To the south of the site is three attached, two-storey and white rendered dwellings and further open countryside beyond.

4. Relevant Planning History

4.1 23/01138/FUL

- Change of use from agricultural use to residential garden (C3) amenity use, relocation of boundary gate and erection of new and hardstanding paving.
- Permitted
- 23.01.2024

4.2 12/01113/HOU

- Erection of outbuilding
- Permitted
- 05.03.2013

5. Publicity

- 5.1 The application has been publicised by sending out letters to local residents, and a site notice was also posted within the vicinity of the site. One member of the public objected to the development due to harm to neighbouring residential amenity. No further responses have been received.

6. Consultation

Sheepy Parish Council

- 6.1 Sheepy Parish Council objected to the development because it does not comply with Policy S8 of the Sheepy Parish Neighbourhood Plan (SPNP). The SPNP also stated that the proposal is not within the residential curtilage of the host dwelling and an existing outbuilding of a substantial size is already present within the application site.

Officer comment: it is noted that the application site was approved as residential garden space via planning application 23/01148/FUL.

Ecology

6.2 Due to the small-scale nature of the proposal, the County Council's Ecology Department confirmed that the development had a minimal impact on ecology and therefore the Ecology Department had no objections to the proposal.

6.3 No further responses have been received.

7. Policy

7.1 Core Strategy (2009):

- Policy 12: Rural Villages

7.2 Site Allocations and Development Management Policies Development Plan Document (SADMP) (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 Sheepy Parish Neighbourhood Plan 2018 – 2035 (SPNP) (2022):

- Policy S1: Countryside
- Policy S8: Design
- Policy S10: Housing Development

7.4 National Planning Policies and Guidance:

- National Planning Policy Framework (NPPF) (2024)
- National Design Guide (2019)
- Planning Practice Guidance (PPG)

7.5 Other Relevant Guidance:

- Good Design Guide (2020)
- Leicestershire Highway Design Guide (LHDG) (2024)

8. Appraisal

8.1. The proposal is for a household development of a building incidental to the enjoyment of the host dwelling, 30 Ratcliffe Lane. 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

- 8.8 Policy DM4(i) of the SADMP states that development in the countryside will be considered sustainable where it does not have a significant adverse effect on the intrinsic value, beauty, open character, and landscape character of the countryside.
- 8.9 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.
- 8.10 Policy S8 of the SPNP requires development proposals to respond positively to the character of the area, demonstrably respond to the features of its setting, and work with the scale, form, and character of the location, and make a positive contribution of the street scene.
- 8.11 The development is for the private use of the Applicant within the rear garden of a dwelling with existing outbuildings. This can be secured via planning condition to protect the residential character of the site and the surrounding area. The scheme has an eaves height lower than the existing gates and has a maximum height of 2.7m, which is lower than the existing outbuildings within the site, and the development is set back from the public highway by 42.9m behind two gates, one of which is 2m high that was approved via planning application 23/01138/FUL.
- 8.12 By virtue of the size and scale of the development, the existing boundary treatment within the site, the existing residential character of the site, and the scheme's set back from the public highway, the development is not considered to result in any significant adverse impacts to the character of the surrounding area. Therefore, the proposal is considered to be compliant with Policy S8 of the SPNP and Policies DM4 and DM10 of the SADMP.

Impact upon Residential Amenity

- 8.13 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.
- 8.14 Policy S8 of the SPNP requires development proposals to show appropriate regard for the amenities of neighbouring properties, including daylight, sunlight, privacy, air quality, noise, and light pollution.
- 8.15 There are only neighbouring residential properties to the north and south. The proposal is 17.3m to the southwest of the neighbouring property, 28 Ratcliffe Lane,

to the north. By virtue of this distance, the scale and siting of the proposed development, and the intervening existing outbuilding, the proposal is not considered to result in any significant adverse impacts to the neighbouring residential amenity of 28 Ratcliffe Lane.

- 8.16 34 Ratcliffe Lane runs to the rear of 32 Ratcliffe Lane and is the closest to the proposed development to the south. 34 Ratcliffe Lane has two principal windows to habitable rooms on its southern elevation. The two sites are separated by 2m high timber fencing, that was approved within planning application 23/01138/FUL. The proposed development is an outbuilding that is 2.7m in height and has an eaves height that is below the height of the existing timber fencing. The scheme is 10.9m to the northwest of the rear elevation of 34 Ratcliffe Lane and it is separated from the shared southern site boundary between the two sites by 0.7m. By virtue of the size, scale, height, and siting of the development, the scheme is not considered to result in any significant adverse impacts to the neighbouring residential amenity of 34 Ratcliffe Lane.

- 8.17 By virtue of these factors, the proposal does not result in any significant adverse impacts to neighbouring properties and is therefore considered to be in accordance with Policy DM10 of the SADMP and the Good Design Guide.

Impact upon Parking Provision and Highway Safety

- 8.18 Policy DM17 of the SADMP states that development proposals need to demonstrate that there is not a significant adverse impact upon highway safety, and that the residual cumulative impacts of development on the transport network are not severe.
- 8.19 Policy DM18 of the SADMP requires developments to demonstrate an adequate level of off-street parking provision.
- 8.20 The scheme is for the private use of the Applicant and does not create any additional bedrooms or demand for parking within the site. The private use of the development can be secured via planning condition to prevent any highway safety concerns associated with an intensification of the use of the site.
- 8.21 In light of the above, the proposal is not considered to have any material impact on highway safety or the parking provision for the host dwelling. Therefore, the scheme is regarded as in accordance with Policies DM17 and DM18 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.

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 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 detailed 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:

- Proposed Floor, Roof Plans, Elevations, Site, Block Plan, Site Location Plan, Drg No. AVD-876-RLS-PL01 (submitted: 12.03.2025)

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 development hereby permitted shall on be used for the private use of the occupants of 30 Ratcliffe Lane and for no other purpose. The approved scheme shall not be used for any commercial or industrial purposes.

Reason: To ensure that the proposed development is compatible with existing development in the locality in accordance with Policy DM10 of the 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 building.control@blaby.gov.uk or call 0116 272 7533.