

Delegated Report

Planning Ref: 26/00174/HOU

Applicant: Mr David Lock

Ward: Burbage St Catherines & Lash Hill



Hinckley & Bosworth
Borough Council

Site: The Oaks Sapcote Road Burbage

Proposal: Erection of timber car port

Case Officer(s): Zahra Jam-Rotbeh (Planning Officer)

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 the erection of a timber car port at The Oaks, Sapcote Road, Burbage.

2.2. The proposed timber car port would be sited to the southeast of the main dwelling, it would have a square shape with a width and depth of 5.97 metres. It would also feature a hipped roof with an eaves height of 2.3 metres and a ridge height of 4.40 metres. The proposal would provide two parking spaces.

2.3. The proposed materials would be an Oak timber frame and cladding to the wall and dark grey roof tiles to the roof to match main dwelling.

3. Description of the site and surrounding area

3.1. The application dwelling is located in the countryside to the northeast of Burbage. Burbage Common woodland lies to the north of the site and partly surrounds it. It is a two-storey detached house with crossed gabled roof to the side and front. It also features some timber decorative design to the gables in front.

3.2. There is a long driveway providing ample off-street parking space. The extensive plot also provides substantial private amenity space and is screened by mature landscaping.

3.3. There are currently no immediately neighbouring residential properties; however, given the distinctive and sustainably focused surrounding context, the delivery of a sustainable form of development is considered essential.

4. Relevant planning history

13/00555/OUT

- Demolition of existing dwelling and the erection of one new dwelling (outline)
- APPRET
- 04.09.2013

14/01248/FUL

- Demolition of existing bungalow and erection of new dwelling
- PER
- 04.03.2015

22/00626/CLP

- Proposed single storey pool building
- CERTPU
- 01.09.2022

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 objections have been received from following consultees:
- Burbage Parish Council
 - LCC Ecology: the works do not appear to be impacting any existing structures, trees or hedges onsite. Therefore, the ecological impacts are likely to be minimal, and no further surveys are required. Therefore, we have no objection.

7. Policy

- 7.1. Burbage Neighbourhood Plan (BNP)
- Policy 3: Design and Layout
- 7.2. Core Strategy (2009)
- Policy 4: Development in Burbage
- 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 DM17: Highways and Transportation
 - 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
- Good Design Guide (2020)
 - National Design Guide (2019)
 - Local Highway Authority Design Guide
- ### **8. Appraisal**
- 8.1. Notwithstanding the countryside location outside of any settlement boundary, 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 of the area and surrounding countryside
- Impact upon neighbouring residential amenity
- Impact upon parking provision

Design and impact upon the character of the area and surrounding countryside

- 8.2 Chapter 12 of the NPPF confirms that good design is a key aspect of sustainable development, and the creation of high quality, beautiful, and sustainable buildings and places is fundamental to what the planning and development process should achieve.
- 8.3 Policy 3 of Burbage Neighbourhood Plan states that, any future residential development within the Parish of Burbage must respect its surroundings and result in the provision of high-quality homes as per the National Planning Policy Framework (2018), HBBC Site Allocations and Development Management DPD (July 2016) and any other supporting documents to the Local Plan.
- 8.4 Policy DM4 of the adopted SADMP states that to protect its intrinsic value, beauty, open character and landscape character, the countryside will first and foremost be safeguarded from unsustainable development. The policy goes on to list a number of categories of development that would be considered sustainable in the countryside. These include proposals for the extension and alteration of existing buildings which lead to an enhancement of the immediate setting and where, amongst other matters, the proposal does not have a significant adverse effect on the appearance and open character of the countryside.
- 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 The proposed garage adopts a design that is generally consistent with the existing site and the main dwelling and would be located to the southeast of the principal property. There is an existing access to the proposed garage site that would be retained, and given the scale of the development, it would not result in significant loss of garden space and the use of oak timber as the external wall would make it more in keeping with the surrounded woodland area. And therefore, given its appropriate scale, design, and siting, the proposed garage is considered subordinate to the main dwelling and would therefore not cause any adverse impact on the character of the countryside or the application site.
- 8.7 The proposal would be set in from all well-landscaped and screened site boundaries and given that the overall height of the proposed garage would be single storey and in appropriate height, it would not result in any significant adverse impact on the rural appearance or the open character of the surrounding countryside.
- 8.2 By virtue of its siting, scale, design and the proposed use of sympathetic complementary external materials to ensure a satisfactory and unified appearance, it is considered that the proposals would respect and complement the scale, character and appearance of the existing dwelling and would not result in any significant adverse visual impacts on the rural appearance or open character of the surrounding countryside. The proposals are therefore considered to be in accordance with Policy H7 of the 'made' DNP, Policies DM4 and DM10 of the adopted SADMP and acceptable in terms of the general principles of the adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 8.3 Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy and/or amenity of nearby residents and occupiers of adjacent buildings.
- 8.4 The HBBC Good Design Guide (2020) requires the way buildings to relate to each other, and their orientation and separation distances, to provide and protect acceptable levels of amenity. In the spirit of good neighbourliness, an adequate distance of 1m between the property and its boundary (giving a total distance of at least 2m between properties) should be encouraged. Furthermore, proposals should comply with the 45⁰ guidance.
- 8.5 The proposed garage wouldn't be located in proximity of any other property and therefore the proposal is not considered to result in any overbearing or overdominant, overlooking, or loss of privacy impacts to any of neighbouring occupiers and their amenities and therefore is considered to be in accordance with Policy DM10 of the SADMP and the Good Design Guide.

Impact upon parking provision

- 8.6 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.7 Policy DM17 of the adopted SADMP seeks to demonstrate that there is not a significant adverse impact upon highway safety.
- 8.8 Table 28 (Residential Parking Standards) of the LHDG requires dwellings with four or more bedrooms to provide a minimum of three off-street parking spaces. The proposal does not increase the number of bedrooms, and the proposed garage would provide two parking provision for the dwelling, and the rest would be provided off-street within the site. As the garage is located in an adequate distance from Sapcote Road and Smithy Lane. The development is not considered to have any adverse impact on highway or pedestrian safety. Therefore, the proposal is regarded as having a positive impact on parking provision and no adverse impacts on highway or pedestrian safety.

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. Notwithstanding its location outside of any settlement boundary and therefore within designated countryside, the proposal is an extension and alteration to an existing dwelling within an established residential curtilage and therefore there is a general presumption in favour of sustainable development as set out in Policies DM1 and DM4 of the adopted SADMP and the overarching principles of the NPPF.
- 10.2. As outlined in the report the development complies with the relevant policies of the Development Plan therefore, 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, as follows:

- Block, Site Location Plan, Drg No. 26/06 04
- Proposed Site Plan, Drg No. 26/06 02A
- Proposed Elevations, Ground Floor Plan, Drg No. 26/06 01A received by the local planning authority on 24 February 2026.

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 alterations shall be in accordance with the external materials details provided within the submitted Planning Application Form and the Proposed Elevations, Ground Floor Plan, Drg No. 26/06 01A received by the local planning authority on 24 February 2026.

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.