The Planning Inspectorate

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Mrs T Darke
Hinckley and Bosworth Borough Council
Planning Officer
Council Offices
Argents Mead
Hinckley
Leicestershire
LE10 1BZ

- 4 SEP 2009

Your Ref: 08/00995/FUL

Our Ref: APP/K2420/A/09/2106426/WF
Further appeal references at foot of letter

Date: 3 September 2009

DEVELOPMENT SERVICES
04 SEP 2009
RECEIVED

Dear Mrs Darke

Town and Country Planning Act 1990
Appeals by Mr M Ketcher
Site at White Gate Farm, Mythe Lane, Witherley, Atherstone, CV9 3NU

I enclose for your information a copy of the appellant's final comments on the above appeals. Normally, no further comments, from any party, will now be taken into consideration.

Yours sincerely

Ceri-Marie Carr

217L(BPR)

Further appeal references:- APP/K2420/A/09/2106429

You can now use the Internet to submit documents, to see information and to check the progress of this case through the Planning Portal. The address of our search page is - http://www.pcs.planningportal.gov.uk/pcsportal/casesearch.asp
You can access this case by putting the above reference number into the 'Case Ref' field of the 'Search' page and clicking on the search button

INVESTOR IN PEOPLE
POSITIVE ABOUT DISABLED PEOPLE

APPEAL NUMBERS APP/K2420/A/09/2106426/WF AND APP/K2420/A/09/2106429/WF

Appeals by Mr M Ketcher
Site at White Gate Farm, Mythe Lane, Witherley, Atherstone, Warks CV9 3NU

Comments by Mr R Williams, Agent for the Appellant, on the statement submitted by Hinckley and Bosworth Borough Council dated August 2009

APPEAL B: APP/K2420/A/09/2106429/WF:

I have no further comments to make on this appeal as the proposals have been approved see appendix 1 planning approval 09/00457/FUL dated 18 August 2009.

COMMENTS ON APPEAL A: APP/K2420/A/09/2106426/WF:

There is nothing in the statement from Hinckley and Bosworth Borough Council that changes the view that the proposals are extensions. The attached letter from a structural engineer (appendix 2) confirms that the main house is capable of being extended without demolition.

The local authority has provided no evidence of the curtilage of the site and it remains the appellant's view that the extension is within areas used as curtilage.

The design is subjective to consideration to local styles.

Ref: rw290824
Dated 24 August 2009
R Williams/Alder Mill, Agent on behalf of Mr Mark Ketcher

APPENDIX 1

Hinckley & Bosworth Borough Council

A Borough to be proud of

Town and Country Planning Act 1990

PLANNING PERMISSION

Name and Address of Applicant	**Name and Address of Agent (if any)**
Mr M Ketcher	Robert Williams
White Gate Farm	Sheepy Road
Mythe Lane	Atherstone
Atherstone	Warwickshire
Warwickshire	CV9 3AH
CV9 3NU	

Part I - Particulars of Application

Date of Application	**Application No.**
18 June 2009	09/00457/FUL

Particulars and location of development :

EXTENSIONS AND ALTERATIONS TO DWELLING.

White Gate Farm Mythe Lane Witherley Atherstone Leicestershire

Part II - Particulars of decision

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below, it is considered that subject to compliance with the conditions attached to this permission, the proposed extensions and alterations to the agricultural dwelling would be in accordance with the development plan as they would not have an unduly detrimental effect on the character or appearance of the surrounding countryside, the amenities of the occupiers of neighbouring properties or highway safety.

Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1, NE5 and T5

In pursuance of its powers under the Town and Country Planning Act 1990, the Hinckley and Bosworth Borough Council grants permission for the carrying out of the development referred to in Part I hereof in accordance with the application form and plans submitted, subject to the following conditions :-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

2. Before any development commences, representative samples of the types and colours of materials to be used on the external elevations of the dwelling shall be deposited with and approved in writing by the Local Planning Authority, and the scheme shall be implemented in accordance with those approved materials.

3. Notwithstanding the information submitted prior to the commencement of works a method statement which clearly defines the elements and order of works required to support the remaining structure shall be submitted to and approved in writing by the local planning authority. The works shall be implemented in accordance with those details.

The reasons for the conditions are :-

1. To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

IMPORTANT – PLEASE REFER TO THE NOTES AT THE END OF THIS DOCUMENT

2. To ensure that the development has a satisfactory external appearance to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.

3. To ensure that the development is completed as an extension and alteration of the existing dwelling to accord with policy NE5 of the Hinckley and Bosworth Local Plan.

NOTES TO APPLICANT :-

1. Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2. This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3. As from 6th April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

4. All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

5. The applicant is reminded that the original planning permission (3998/1971) for this dwelling contains an agricultural occupancy tie and whereby the planning permission for the current dwelling is for the benefit of the applicant (Mr Florendine) and does not run with the land.

6. List of plans used in the determination of this application:-
Site and location plan, drawings 198/00/02/A, 198/00/SK01/B

T. M Prowse

Date:- 18 August 2009

TREVOR PROWSE
PROPER OFFICER OF THE COUNCIL

APPENDIX 2

P. A. Harper Associates.
Chartered Engineers.
Consulting Structural & Civil Engineers.

The Cottage
Wincote Lane
Wootton
Eccleshall
Staffordshire
ST21 6JE

Tel: 01785 851266
Fax: 01785 851806

PAH/MNC/09/055

17 August 2009 BY FAX 01827 718111

For the attention of Mr R Williams

Alder Mill Design Ltd
Alder Mill
Sheepy Road
Atherstone
Warwickshire
CV9 3AH

Dear sir

Re:- White Gate Farm House

Further to the writers visit and inspection of the above property on 30 March 2009.

We are pleased to confirm the outline of the verbal opinions and advice given on site and in subsequent discussions as follows:

We can confirm that the structure of the property is sound and capable of extension and renovation.

The walls of the property are generally sound and free of significant defects. The external walls require underpinning to support the proposed new brick skin. We enclose further copies of our sketch sheets 09/055/SK01 & SK02 which show the detail and outline method for carrying out this work.

The main inadequacy with the building structure is the roof, this has many undersized and sagging timbers, poorly formed joints and is lacking in any effective bracing. We note your drawings show proposals to replace the entire roof structure with new prefabricated trusses, we confirm this is the most appropriate solution. Great care will be required when carrying out this work as the roof structure, although it has many shortcomings, is providing restraint to the walls of the property. As we have discussed this work should be carried out in a planned manner, we would suggest that the existing is removed in small sections, say sufficient to allow three or four new trusses to be installed, in a sequential manner with bracing added as work proceeds.

Continued.....

P. A. Harper Associates.

17 August 2009

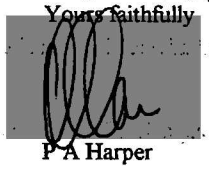
Alder Mill Design Ltd

The layout and detail of the trusses and bracing may be such that some supplemental temporary propping may be required, we do not anticipate that this would need to be extensive or complicated and in all likelihood could be done simply by incorporating some small scale bracing from a normal external access scaffolding.

A method statement will be required for the new roof works but input from both the main contractor and the truss designer/supplier will be required to make it meaningful and workable, clearly we will assist with this when required.

We trust you find the above satisfactory but should you require further assistance please do not hesitate to contact the writer.

Yours faithfully



P A Harper