

Officer Report

Planning Ref: 25/00981/HOU

Applicant: Mr James Jones

Ward: Hinckley Trinity



Hinckley & Bosworth
Borough Council

Site: Rogues Barn, Hinckley Fields Farm, Rogues Lane

Proposal: Erection of an outbuilding ancillary to the existing dwelling

Case Officer: Zahra Jam-Rotbeh (Planning Officer)

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions detailed at the end of this report.

2. Planning Application Description

- 2.1. The applicant seeks a full planning permission for the single storey ancillary outbuilding to the rear of Rogues Barn, Hinckley.
- 2.2. The outbuilding would have an L-shaped form, with a maximum width of 15.41 metres and a depth of 8.64 metres. It would have an eaves height of 2.3 metres and a ridge height of 3.8 metres.
- 2.3. The outbuilding would house a games rooms, cinema, steam and shower rooms, gym and 'chillout' room as ancillary accommodation to the host dwelling.
- 2.4. A timber clad barn door has been proposed to the east elevation as an entrance, and it would also feature a brick arch over the door and slate roof tile to match the existing. On the north elevation, three doors and two windows are proposed. All of the doors would be timber, stable-style doors finished in black.
- 2.5. The external walls will be finished in facing brick and timber cladding to match the existing property, with powder coated metal windows that complement the existing materials and finishes.
- 2.6. Amendments have been made during the course of the application to reduce the scale of the building and amend the design to an agricultural appearance. The originally submitted scheme was not judged to be acceptable on design grounds.

3. Description of the Site and the Surrounding Area

- 3.1. Rogues Barn is part of a group of three houses in the countryside approximately 750 metres north Hinckley and 400 metres east of Stoke Road. they are reached along a farm track from Rogues Lane to north.

- 3.2. Rogues Barn is a converted barn and retains its agrarian character. It is a single storey L-shaped dwelling with courtyard/parking area to the north and gardens wrapping to the east and south of the property. Oak Tree House is the original farmhouse, and the neighbouring property located to the west of the dwelling with a further barn conversion to the north. The site is located within and surrounded by open countryside.

4. Relevant Planning History

11/00720/FUL

- Garden room extension, first floor bedroom, garage conversion and new double garage
- APPRET
- 03.11.2011

12/00131/CLUE

- CERTIFICATE OF LAWFUL EXISTING USE FOR A DWELLING
- REFLEU
- 22.05.2012

12/00837/FUL

- CONVERSION OF BARN TO RESIDENTIAL DWELLING (RETROSPECTIVE) INCLUDING ALTERATIONS TO DWELLING AND ERECTION OF A DETACHED GARAGE.
- PER
- 04.12.2012

17/00997/HOU

- Single storey extension to dwelling
- PER
- 07.12.2017

5. Publicity

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

- 5.2 No response has been received.

6. Consultation

- None required

7. Policy

- 7.1 Core Strategy (2009):

- Policy 1: Development in Hinckley

- 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

7.3 National Planning Policies and Guidance:

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

7.4 Other Relevant Guidance:

- Hinckley and Bosworth Good Design Guide (2020)
- National Design Guide (2024)
- Leicestershire Highway Design Guide (LHDG) (2024)

8. Appraisal

8.1. Extensions to existing domestic properties are generally considered to be sustainable development in principle. However, owing to the scale of the accommodation within the outbuilding a condition is recommended ensuring that its use is ancillary to the main dwelling for the avoidance of doubt. The use of the outbuilding for other purposes would alter the planning assessment including requiring further consideration of the principle of development and highway impacts.

8.2. The key issues in respect of this application are therefore:

- Design and impact upon the character of the area
- Impact upon residential amenity

Design and Impact upon the Character of the Area

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 DM4 requires that development in the countryside does not have a significant adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside.

8.4 Policy DM10 requires new development to complement or enhance the character of the surrounding area with regards to scale, layout, density, mass, design, materials, and architectural features.

8.5 The proposed outbuilding would have an L-shaped form, with a maximum width of 15.41 metres and a depth of 8.64 metres. It would have an eaves height of 2.3 metres and a ridge height of 3.8 metres. Although the structure is relatively large, in its

amended form it appears subordinate to the main dwelling due to the existing building's scale and form. Its position, solely to the rear of the dwelling also ensures it does not disrupt the traditional form of the barn when viewed from the site entrance. The outbuilding may be visible from the surrounding farmland; however, given its amended scale, matching materials, and agrarian design it is not considered to have any adverse impact on the design or character of the main dwelling or the wider area.

- 8.6 A new door is proposed on the east elevation, constructed in timber cladding with a brick arch above. As this elevation faces the surrounding farmland, the design is considered a positive feature that enhances the appearance of the outbuilding. Three timber doors and two windows is proposed to the north elevation facing the main dwelling, they are also considered to be keeping with the main dwelling fenestration. Overall, the proposed fenestration and design is considered to respect the character and appearance of the main dwelling and surrounding area.
- 8.7 Therefore, the form and design of the development is considered subordinate to the main dwelling and the design would not have any adverse impact upon the character of the area. It is considered that the development is in accordance with Policy DM10 of the SADMP and the NPPF (2024).

Impact upon Residential Amenity

- 8.8 Paragraph 135(f) of the NPPF requires planning policies and decisions to ensure that developments create places that are safe, inclusive, and accessible, which promote health and well-being, and a high standard of amenity for existing and future users.
- 8.9 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.
- 8.10 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.
- 8.11 The property most directly affected by the proposed development is Oak Tree House. The proposed outbuilding would not breach the 45-degree rule to this neighbouring property. Although it would sit less than one metre from the boundary, it maintains a separation distance of 10.36 metres to the neighbouring dwelling. Given the absence of any openings on this elevation, the proposal is not considered to result in unacceptable overdominance, loss of privacy, loss of light, or overbearing impacts. Therefore, the proposal is not considered to have any adverse effect on neighbouring properties or their amenities.
- 8.12 By virtue of above, the proposal is considered to be in accordance with Policy DM10 of the SADMP and the Good Design Guide.

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 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 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, as follows:
 - Proposed Location Plan Dwg no. 2096-PL01 Rev B
 - Proposed Site Plan, Drg No. 2096-PL02 Rev D
 - Proposed Elevations and Floor Plans Dwg no. 2096-PL03 Rev D

As received by the local planning authority on 12 January 2026.

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 outbuilding shall match the corresponding materials of the existing dwelling.

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 outbuilding hereby approved should be used as ancillary accommodation to the dwelling known as Rogues Barn, Hinckley Fields Farm, Rogues Lane, Hinckley and shall not be occupied, sold, leased or let, on a permanent or temporary basis, as an independent unit of residential accommodation or for commercial purposes at any time.

Reason: To ensure that the outbuilding is not occupied as an independent unit of residential accommodation or for commercial purposes, which may have additional impacts on the area in accordance with Policies DM10, DM17 and DM18 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

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.