

Delegated Report

Planning Ref: 24/01002/HOU

Applicant: Mr Jamie Baptie

Ward: Markfield Stanton & Fieldhead



Hinckley & Bosworth
Borough Council

Site: Hobby Hall Farm, Copt Oak Road, Copt Oak

Proposal: Erection of outbuilding and covered habitable link (part retrospective)

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 application seeks planning permission for an outbuilding providing habitable accommodation and retrospective planning permission for a flat roofed single storey extension. This flat roofed extension provides an interlinking room to connect two existing single storey annex outbuildings. The larger of the two existing annex outbuildings is located to the rear and received permission to be used as ancillary/annexe living accommodation (21/00030/FUL). The smaller of the existing annex outbuildings is located to the side (north-east) of the proposed link building, and it also received permission to be used as ancillary/annexe accommodation (00/01241/FUL).
- 2.2. The link structure provides a reception lobby area and an enclosed boot room area – which is served by a narrow corner window inserted in the south/south-west elevations. A front access door (including two flanking side panel windows) is located in the north elevation, which provides access to the host dwelling's existing rear yard area. The section of the extension that adjoins the existing annexe and the host dwelling provides an enlarged living space and interconnects with the existing kitchen area. An external access door is also inserted within the proposed rear elevation.
- 2.3. The link extension is brick built upon its north side elevation and the rear elevation is rendered cream/white. Its footprint measures approximately 5.5 metres (width) and 13 metres in depth and is under a flat roof with a maximum eaves height of 3.5 metres on the front elevation and 3.25 on the rear elevation.
- 2.4. The proposed outbuilding is yet to be constructed, and will be sited within the existing rear yard area used by the host dwelling for a hardstanding and access to an existing stable block, which is located to the north-east of the existing larger outbuildings that contains annexe accommodation. The proposed building will adjoin the side elevation (north-west) of the existing stable block and will also be sited 3.0 metres to the north of the front entrance belonging to the proposed link building.
- 2.5. The proposed outbuilding will be brick-built, under a concrete tiled duo-pitch roof. The buildings footprint will measure 8.4 metres (width) and 3.4 metres depth. Its proposed front (south) elevation will contain a bi-fold door and three narrow window openings. The building will provide further living space (including a shower room and w.c) to be used ancillary to the enjoyment of the host dwelling.

3. Description of the site and surrounding area

- 3.1. Hobby Hall Farm is a two storey dwelling sited at the end of a terrace of three (two storey dwellings) of which originally were a part the main farm house serving Hobby Hall Farm.
- 3.2. The original part of the dwelling (and the adjoining dwellings), which faces the highway (Copt Oak Rd) is brick built and part stone built (side elevation) and was constructed early-mid 19th Century. The dwelling has been extended twice (2000 and 2016) whereby a two storey rear extension (interconnected by a single storey link building element) was connected to the original dwelling with an upper floor extension.
- 3.3. As detailed above, two outbuildings (sited within the yard area located to the rear (south-east) have both previously received planning permission to be erected and converted as annexe accommodation (used ancillary to the main dwelling). The wider rear yard area has also seen the erection of a stable block (served by its own yard area), and is subdivided from the dwelling's rear yard/hardstanding area by a timber gate.
- 3.4. A private track serves the yard sited to the rear of the (extended) host dwelling track. The track runs behind the host dwelling and adjoining dwellings, and adjoins the main highway.

4. Relevant planning history

86/01130/4

- Construction of vehicular access onto Copt Oak Rd
- PER
- 06.01.1986

00/00898/FUL

- Extensions to dwelling and continued use of outbuilding for ancillary living accommodation
- PER
- 12.10.2000

00/01241/FUL

- Extensions to dwelling and continued use of outbuilding for ancillary living accommodation (revised scheme)
- PER
- 08.02.2001

13/01062/HOU

- Extensions and alterations to dwelling
- PER
- 27.01.2014

14/00452/CLUP

- Certificate of proposed development for new stable block

- WDN
- 30.06.2014

14/00651/FUL

- Erection of stable block
- PER
- 22.08.2014

16/00429/HOU

- First floor link extension
- PER
- 15.07.2016

21/00030/FUL

- Domestic outbuilding
- PER
- 18.02.2022

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 comments have been received.

6. Consultation

- 6.1. Markfield Parish Council
- 6.2. No Comments received.

7. Policy

- 7.1. Markfield Neighbourhood Plan 2020-2039
 - Policy M10 (Design)
- 7.2. Site Allocations and Development Management Policies 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) (2024)
 - Planning Practice Guidance (PPG)

7.4. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)
- Leicestershire Highway Design Guidance (2024)

8. **Appraisal**

8.1. Key Issues

- Assessment against strategic planning policies
- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact upon highway safety

Assessment against strategic planning policies

- 8.2 Paragraph 2 of the National Planning Policy Framework Feb 2019 (“NPPF”) identifies that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 2 of the NPPF also identifies that the NPPF is material planning consideration in planning decisions. Paragraph 12 of the NPPF states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with up-to-date development plan permission should not usually be granted unless other material considerations indicate otherwise.
- 8.3 The development plan in this instance consist of the adopted Core Strategy (2009) and the adopted Site Allocations and Development Management Policies Development Plan Document (2016) (SADMP).
- 8.4 The application site is located outside the settlement boundary of Markfield, and is sporadic development (previously agricultural dwelling) located upon the main highway (Copt Oak Rd), which is within the wider Copt Oak Hamlet area, and therefore is sited on land designated as countryside within the SADMP.
- 8.5 Policy DM1 of the adopted SADMP provides a presumption in favour of sustainable development. 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 subject to there being no significant adverse effects on the character or appearance of the countryside.
- 8.6 The proposal is located within the designated National Forest of which its implementation and protection is supported by policy 21 of the Core Strategy. Notwithstanding the policy’s criteria regarding siting, scale and appearance (which are considered below) the proposed development’s area is below the National Forest Strategy (2014-24) threshold (0.5 ha) for a proportion of the site to propose additional landscaping/planting.
- 8.7 The proposed extension and erection of an adjacent outbuilding falls within one of the categories of sustainable development in the countryside as defined by Policy DM4 of the SADMP, as it results in the extension (single storey) to an existing dwelling and the erection of an outbuilding to be used ancillary to the enjoyment of

the existing dwelling. Furthermore the proposed outbuilding (hosting ancillary living space) will be sited within the residential of the host dwelling. Therefore, the proposal accords with Policy DM4 of the SADMP. Notwithstanding the principle of the siting of the proposal within the open countryside, an assessment of its siting, design and scale in relation to any potential harm that may be caused to the character of the surrounding open countryside is made below.

Design and impact upon the character of the area

- 8.8 Policy DM4 seeks to protect the intrinsic value, beauty, open character and landscape character of the countryside.
- 8.9 Policy DM10 of the adopted SADMP seeks to ensure that development complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features. This is further supported through the adopted Good Design Guide.
- 8.10 The proposed single storey extension (link building) is be sited between the existing barn type building (under a duo pitch roof) - which has recently converted to a ancillarilly living and annexe accommodation - and the existing detached (under duo pitch roof) outbuilding (annexe) , which adjoins the majority of the extension's front (north). Furthermore, the proposed extension is also be under a flat roof. Therefore by virtue of its height, the proposal sits below the adjoining (annexe) buildings, and remains subservient in scale to them and the adjoining host dwelling.
- 8.11 The extensions side elevation (south) can only be glimpsed in view from the adjoining highway, and with exception of the proposed the relatively small section of the proposed north elevation (which includes the entrance door), the majority of the proposal remains screened by the host dwelling and adjoining annexe buildings.
- 8.12 The proposed outbuilding, which is to provide extra living space (to be used ancillary to the enjoyment of the main dwelling) will be of a similar height, design and scale to the existing/surrounding outbuildings and stable building. Furthermore, the proposal site and adjoining dwellings form part of a previous farm complex, and moreover, the proposed outbuilding's scale and design is typical of an agricultural building sited similar farm complexes located in its vicinity.
- 8.13 Given their siting and scale, the proposed extension and outbuilding (annexe) will sit comfortably within the existing complex of (converted) outbuildings and its wider curtilage. Furthermore, by virtue of its design, scale/height and materials the proposal is sympathetic to the scale and design of the host dwelling, neighbouring properties, and moreover, the development will not introduce an incongruous feature(s) within the nearby streetscene and the surrounding open countryside setting. Therefore the proposal accords with SADPM Policy DM4, DM10, the relevant policies contained in the Good Design Guide and Policy 2 (Design) mirrored in the Markfield Neighbourhood Plan.

Impact upon neighbouring residential amenity

- 8.14 Policy DM10 of the SADMP requires that development does not adversely affect the amenities or privacy of the occupiers of neighbouring properties.
- 8.15 Given their scale and siting (between existing outbuildings) the proposal will not be located in close proximity the neighbouring dwelling houses and will therefore not

introduce any features that will harm the amenity and privacy of neighbouring dwellings. Moreover, the proposal will not introduce window openings that will directly overlook neighbouring properties. The rear elevation (south) and the proposed (narrow) corner window -which serves the proposed boot room of the proposed extension, will face the rear elevation (and its windows serving a ground floor habitable room) belonging to the two storey detached dwelling (Hobby Hall Cottage) , which is located immediately to its south. However, the owner of the proposal site and/or the owner of the adjoining property will re-erect a two metre boundary treatment (permitted development), which will screen the proposed window or any future window openings from the single storey extension.

- 8.16 Therefore, in this regard the proposal complies with Policy DM10 of the SADMP, The Good Design Guide and the Markfield NP Policy 2 (Design)

Impact upon highway safety

- 8.17 Policy DM18 of the SADMP states that proposals should ensure that there is adequate provision for on and off street parking for residents and visitors and there is no impact upon highway safety.
- 8.18 The proposal does not propose any additional bedroom spaces. Furthermore, despite the siting/footprint of the proposed outbuilding ad extension, parking spaces for at least 3 vehicles will be retained within the dwelling's rear yard area site. Furthermore, a large yard/hardstanding area that fronts the stable building is also associated with the main dwelling and contains parking spaces for at least 3 vehicles.
- 8.19 The proposal therefore will provide sufficient off-street parking, and moreover the proposal will not compromise the safety of users of the adjoining highway or the wider highway network. Therefore the proposal accords with SADMP policies DM17 and DM18 and the standing advice contained in the Leicestershire Highway 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. The proposal for the erection of an extension to the host dwelling and the erection of a detached outbuilding (to be used for living space ancillary to the enjoyment of the main dwelling) is acceptable and is considered to be a sustainable form of development. Both the proposed extension and outbuilding would not have an adverse impact on the neighbouring properties and the amenity/privacy afforded to them. Furthermore, the proposal would not introduce a feature that would harm the character and appearance of the surrounding open countryside.
- 10.2. In addition, sufficient off-street parking provision would be available on the site. On this basis, the proposal is therefore considered to be in accordance with Policies DM1, DM4, DM10, DM18 of the SADMP, the Good Design Guide, Markfield Neighbourhood Plan Policy 2 (Design) and the standing advice contained in the Leicestershire Highway Design Guide and therefore is recommended for approval subject to 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 proposed single storey outbuilding (to be used for living accommodation ancillary to the enjoyment of the main dwellinghouse) 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:

- Drg No.HHF-COR-OS: Site Location Plan.
- Drg No.HHF-COR-105: Proposed Site Layout Plan
- Drg No.HHF-COR-101: Existing/As Built Floor Plans & Roof Plans.
Received by the local Planning Authority on 31 October 2024
- Drg No.HHF-COR-102 Rev B: Existing/As Built Elevations.
- Drg No.HHF-COR-103 Rev B: Proposed Elevations/Plans/Roof Plan for Proposed Outbuilding/Ancillary Living Space.
Received by the Local Planning Authority on 1 April 2025.

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 accord with the approved plans

-Drg.No.HHF-COR-102 Rev B: Existing/As Built Elevations.

-Drg.No.HHF-COR-103 Rev B: Proposed Elevations/Plans/Roof Plan-Proposed Outbuilding/Ancillary Living Space.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM10, DM11 and DM12 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.