

Delegated Report

Planning Ref: 23/00544/HOU

Applicant: Mr George Denny

Ward: Cadeby Carlton Market Bosworth & Shackerstone

Site: The Old House Farm Sutton Lane Cadeby



Hinckley & Bosworth
Borough Council

Proposal: Erection of a single storey ancillary garage and home office

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 full planning permission for the construction of a single storey side extension to provide ancillary double garage space and home office to an approved dwelling currently under construction.

2.2. The proposed single storey side extension would be 7.7 metres in width and have a depth of 12 metres to be flush with the existing front and rear elevations of the approved dwelling. It would have a very low profiled gable sided pitched roof form with an eaves height of 2.8 metres and a ridge height of 3 metres. It is proposed to be constructed with external materials to match the corresponding materials of the approved dwelling including profiled metal insulated roofing sheets, vertical cedar timber cladding to all external walls, timber windows/doors and powder coated roller shutter garage doors.

3. Description of the site and surrounding area

3.1. The application site is located in the countryside to the southeast of Cadeby. It is accessed via a long shared unmade private track off the east side of Sutton Lane and is adjacent to, but separated and screened by mature hedgerow from, the west side of the A447. It is an approved former agricultural building residential conversion scheme that is currently under construction, the blockwork walls and roof trusses are in place but no external materials or internal fitout having been completed. The proposal will be a detached single storey dwelling with very low profiled gable fronted roof form located at the end of the shared private track and set within a generous plot. The conversion scheme was approved with vertical cedar timber cladding to the external walls, profiled metal insulated roofing sheets and timber windows/doors.

3.2. There is a similarly sized conversion scheme that has been completed to a similar design and appearance to the west of the site but no other immediate neighbouring development.

4. Relevant planning history

21/00446/FUL

- Conversion of outbuilding to form one dwelling
- Permitted
- 02.09.2021

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. Leicestershire County Council (Highways) refer to standing advice.
- 6.2. No objection has been received from:
 - Leicestershire County Council (Ecology)
 - Environmental health (Pollution)
 - Environmental Health (Drainage)
 - Street Scene Services (Waste)
- 6.3. No response has been received from Cadeby Parish Council.

7. Policy

- 7.1. Core Strategy (2009)
 - No relevant policies
- 7.2. 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 DM18: Vehicle Parking Standards
- 7.3. National Planning Policies and Guidance
 - National Planning Policy Framework (NPPF) (2021)
 - Planning Practice Guidance (PPG)
- 7.4. Other relevant guidance
 - Good Design Guide (2020)
 - National Design Guide (2019)
 - Local Highway Authority Design Guide

8. Appraisal

- 8.1. Notwithstanding its countryside location, extensions and alterations to 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. Policy DM4 of the adopted SADMP allows the extension of existing buildings in the countryside which lead to an enhancement of the immediate setting and where it does not have a significant adverse effect on the appearance and open character of the countryside. 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. The Council's adopted Good Design Guide provides further advice in respect of the siting and design of house extensions.

- 8.3 The proposed single storey side extension would have a clearly subordinate width of 7.7 metres, less than half that of the approved dwelling, and would have the same 12 metres depth to be flush with the existing front and rear elevations. It would have a clearly subordinate and very low profiled gable sided roof form, that would reflect the roof form of the approved dwelling, with an eaves height of 2.8 metres and a ridge height of 3 metres. It is proposed to be constructed with external materials to match the corresponding materials of the approved dwelling including profiled metal insulated roofing sheets, vertical cedar timber cladding to all external walls, timber windows/doors and powder coated roller shutter garage doors.
- 8.4 By virtue of the siting, scale, design and the proposed use of matching corresponding external materials, the proposed extension and alteration would appear as a clearly subordinate addition to the approved dwelling and would therefore respect and complement the scale, character and appearance of the approved dwelling and neighbouring development within the surrounding area and would not result in any significant adverse impacts on the rural or open character or appearance of the surrounding countryside. The proposal is therefore considered to be in accordance with Policies DM4 and DM10 of the adopted SADMP and the general principles of the Council's adopted Good Design Guide.

Impact upon neighbouring residential amenity

- 8.5 Policy DM10 of the adopted SADMP and the adopted Design Guide require that development would not have a significant adverse effect on the privacy and/or amenity of nearby residents and occupiers of adjacent buildings.
- 8.6 The proposed single storey side extension would be attached to the east side elevation of the dwelling and therefore entirely screened from the nearest neighbouring dwelling which lies approximately 40 metres to the west. By virtue of its siting, scale and separation distance the proposal would have no adverse impacts on the residential amenity or privacy of the occupiers of any neighbouring properties and would therefore be in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide. No objections have been received from the neighbouring property or from public consultation.

Impact upon parking provision

- 8.7 Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.8 The proposed extension would provide two secure off-street parking spaces to replace the two open spaces previously approved in this position. There would also be additional off-street parking for two cars within the site forecourt/frontage. This level of provision would be adequate to serve the existing/resulting four bedroomed dwelling and in accordance with Policy DM18 of the adopted SADMP and local highway authority design guide standards.

Other Matters

- 8.9 The proposal includes additional living accommodation which could be independently accessed from the dwelling. The proposal has been assessed as an extension (ancillary office and garage) to the consented dwelling and not as an independent dwelling/accommodation which would invoke separate and additional

planning considerations. In this case considering the layout of the extensions, independent access and scale a condition is recommended requiring the accommodation to remain ancillary to the host dwelling.

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 countryside location outside of the settlement boundary of Cadeby, the proposal relates to an extension and alteration of an approved dwelling where there is a general presumption in favour of sustainable development as set out in Policy DM1 and DM4 of the adopted SADMP and the overarching principles of the NPPF.

10.2. By virtue of the siting, scale, design and the proposed use of matching corresponding external materials, the proposed extension and alteration would respect and complement the scale, character and appearance of the approved dwelling and neighbouring development within the surrounding area and would not result in any significant adverse impacts on the rural or open character or appearance of the surrounding countryside or the residential amenity or privacy of the occupiers of any neighbouring dwellings. Adequate off-street parking and turning would be provided within the site and more than adequate private amenity space would be retained at the rear. The proposal is considered to be in accordance with Policies DM1, DM4, DM10 and DM18 of the adopted SADMP and the general principles of the Council's adopted Good Design Guide and is therefore 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 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: Site Location Plan Drawing No. A-EL-001 Rev B, Proposed Block Plan Drawing No. PL-1010, Proposed Floor Plan Drawing No. PL-1000, Proposed Elevations Drawing No. PL-2000 Rev A received by the local planning authority on 5 June 2023.

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 match the corresponding materials of the dwelling to which it will be attached and shall be in accordance with the materials details submitted on the approved Proposed Elevations Drawing No. PL-2000 Rev A received by the local planning authority on 5 June 2023.

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 extension hereby permitted shall only be used as ancillary accommodation to the dwelling to which it will be attached and shall not be occupied, sold, or separately leased or let as an independent unit.

Reason: To ensure the extension is not occupied as an independent unit of accommodation which may have additional impacts in accordance with Policies DM4, DM10, DM17 and DM18 of the adopted Site Allocations and Development Management Policies Development Plan Document.

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 buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.