

Delegated Report

Planning Ref: 23/00265/HOU

Applicant: Mr S Brown

Ward: Cadeby Carlton M Bosworth & Shackerstone



Hinckley & Bosworth
Borough Council

Site: The Stables Church Lane Cadeby

Proposal: Demolition of existing garage and erection of a two storey side, rear and front extension and single storey side extension

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 the demolition of an existing single storey garage, erection of two storey and single storey side, rear and front extension at The Stables, Church Lane, Cadeby.
- 2.2. The proposed rear extension would project out from the existing dwelling by approximately 5.30 metres and from the side extension by approximately 5.00 metres. It would be approximately 10.70 metres in width. It would have the same eaves as the existing dwelling and a ridge height of approximately 6.70 metres.
- 2.3. The proposed two storey side extension would project out from the existing side elevation at first floor level by approximately 3.58 metres and would have a width of approximately 10.00 metres. It would have the same eaves height as the existing dwelling and the ridge would be slightly set down from the existing dwelling at a height of approximately 6.25 metres.
- 2.4. The proposed two-storey front extension would project out from the existing front elevation by approximately 3.50 metres and would have a width of approximately 2.75 metres. It would feature a gabled roof and have a ridge height of approximately 5.50metres and an eaves height of approximately 4.50 metres.
- 2.5. The proposed external materials are to feature an Ibstock Audley Red mixture with the inclusion of reclaimed bricks and slate tiles to the roof to match those of the existing dwelling. Windows are to be grey uPVC and doors are to be aluminium grey PPC.

3. Description of the site and surrounding area

- 3.1. The application building is part of the former stables to the Old Rectory and appears to date from the late-18th to early-19th century. It comprises of red brick facing walls with parapet details at the gable ends and a slate dual pitched roof. Despite its conversion to residential use and later alterations including the addition of plastic windows the building retains some historic and architectural interest. The high brick boundary wall to Church Lane is also historic and a remnant feature that defined the wider grounds of the Old Rectory. Other than for the flat roof garage extensions the building is characterised by its predominantly linear and rectangular plan form.
- 3.2. The interior courtyard to the former stables remains undeveloped and is used for access and amenity to the building. All of these aspects make a positive contribution to the character and appearance and thus significance of the Cadeby

Conservation Area, with the building being identified as an important building, the wall being identified as an important boundary wall, and the courtyard being identified as a key space within the Cadeby Conservation Area Appraisal (CCAA) (2007).

- 3.3. At the access to The Stables from Rectory Lane there is also an incidental but clear view of the tower of the Church of All Saints, which is a Grade II* listed building. This view currently allows for an appreciation of the historic and architectural interest and thus significance of the church so the application site is considered to be sited within the extended setting of this listed building.

4. Relevant planning history

99/00794/TPO

- LOPPING OF WILLOW TREE
- TPOCAP
- 11.10.1999

11/00911/COU

- CHANGE OF USE FROM CHURCH HALL TO RESIDENTIAL
- PER
- 16.01.2012

12/00898/TPOCA

- WORKS TO WEEPING WILLOW TREE
- TPOCAP
- 26.11.2012

20/01370/HOU

- Demolition of exiting single storey garage, erection of two storey and single storey side and rear extensions and external alterations to the dwelling
- PER
- 25.03.2021

76/01346/4M

- ERECTION OF KITCHEN AND CARPORT
- PER
- 19.10.1976

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 and a notice was displayed in the local press.
- 5.2. Two objections have been received and are summarised below;
- The proposed double height glass frontage to the proposed new building entrance is out of keeping with the character of the Conservation Area and would appear incongruous in the street scene

- Creating a new primary entrance on Church Lane will have serious detrimental effect on highway safety
- Concerns regarding the fire exit access to Church Hall

6. Consultation

- 6.1. HBBC Conservation Officer has no objections.
- 6.2. Cadeby Parish Council have raised the following objections;
- A heritage statement has not been provided
 - The quality of a large plain brick elevation on the Church Lane is stark
 - Potential conflict within street scene due to the windows of a newly built dwelling opposite this development
 - No consideration for the impact on the conservation area

7. Policy

- 7.1. Core Strategy (2009)
- Policy 13: Rural Hamlets
- 7.2. Site Allocations and Development Management Policies DPD (2016)
- Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM10: Development and Design
 - Policy DM11: Protecting and Enhancing the Historic Environment
 - Policy DM12: Heritage Assets
 - 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)

8. Appraisal

- 8.1. Key Issues
- Design and impact upon the character of the area
 - Impact upon neighbouring residential amenity
 - Impact upon highway safety
 - Other matters

Design and impact upon the character of the area

- 8.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on the local planning authority when determining applications for development which affects a listed building or its setting to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural and historic interest which it possesses. Section 72 of the Act states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

- 8.3 Section 16 of the National Planning Policy Framework (NPPF) provides the national policy on conserving and enhancing the historic environment. Paragraphs 193-196 of the NPPF require great weight to be given to the conservation of designated heritage assets when considering the impact of a proposed development on its significance, for any harm to the significance of a designated heritage asset to have clear and convincing justification, and for that harm to be weighed against the public benefits of a proposal.
- 8.4 Policies DM11 and DM12 of the Site Allocations and Development Management Policies (SADMP) DPD seek to protect and enhance the historic environment. Development proposals should ensure the significance of a conservation area is preserved and enhanced. Proposals for development affecting the setting of listed buildings should only be permitted where it is demonstrated that the proposals are compatible with the significance of the building and its setting.
- 8.5 Policy DM10 of the SADMP seeks to ensure that new development should complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.6 The proposal will extend the linear range of the building further south beyond the gable end to the extent of the tallest section of the boundary wall. This aspect of the proposal is considered to result in an acceptable layout as it continues the traditional plan form of the building. There is an existing flat roof projection perpendicular to the linear range which currently houses two garages. It is proposed to demolish the garages and then construct a deep two storey extension and single storey extension up to the same building line as the existing projection. Although not along the traditional linear layout of the original stables there is a precedent from the existing double garage for a development to be sited in this position. Given its siting the visibility of this extension will be limited from the street scene and wider area, and due to the depth of the extension at first floor level which will maintain the view of the tower of the Church of All Saints. A further two storey extension coming forward from the garage is proposed to house the stairs and entrance hall, but its depth is less to the side than the attached extension. Overall, the proposal is therefore considered to have an acceptable layout that will preserve the extent of the key courtyard space and it will not adversely impact upon the significance of the Grade II* listed Church of All Saints by virtue of its location within its extended setting.
- 8.7 The scale of the extensions are two storeys in height and match the position of the eaves and in some cases the ridge of the existing building. Due to the presence of the parapet to the southern gable end it is considered this provides a suitable break between the existing and new phases of development, without having to step the extensions back in from the building or down at the ridge to demonstrate subservience to the existing building. The limited depth of the extension at the first floor level has reduced the mass of the proposal. Overall the proposal is considered to have an acceptable scale.
- 8.8 The design of the extensions replicates the form of the existing building in terms of their dual pitched roofs and angle of roof pitches. As for the existing building architectural detailing to the extensions is limited but matches. The only detailing of a different style is the glazing up to the apex of the stair and hallway extension, but this is set within a timber frame with planked door so it is considered to have a semi-rural appearance that reflects the site context, a similar porch design can be viewed within the street scene at Corner Cottage, Main Street. The proposed windows in the extension have no architectural merit but are to be a plastic material finished in grey so have the same style and material as the existing building. On the ground floor of the garden facing elevation sliding doors are proposed, these are a

modern domestic feature but their visual impact is restricted by their siting and the presence of the tall boundary wall to Church Lane. The new garage door is timber panelled with top windows so this an appropriate and traditional style. The existing door on Church Lane, currently set behind a segmental arch and curved brickwork, is to be blocked up but these interesting surrounding features are to be retained allowing the opening to be read as a feature of the building. Overall it is therefore considered that the design and architectural detailing of the proposal is acceptable.

- 8.9 Construction materials for the facing walls and roof are to be red brick and slate tiles to match the existing building which is acceptable. The existing important boundary wall is to be retained and incorporated into the extension along Church Lane so the fabric of this key feature will be retained. However to ensure that the appearance and character of the extension ties in with and complements the existing building it is requested that a sample or details of the brick to be used for the extension is provided prior to the commencement of the development (or above foundation level) if the application is approved.
- 8.10 Due to the acceptable layout, scale, design, detailing and materials proposed for the alterations and construction of the extensions (subject to a pre-commencement condition for the brick) the proposal is considered to have a neutral impact upon the character and appearance of the Cadeby Conservation Area and it will not adversely impact upon the significance of the nearby Grade II* listed building the Church of All Saints. Consequently the proposal will preserve the significance of the conservation area and will not reduce the ability to appreciate the significance of the listed building, and therefore it complies with Policies DM11 and DM12 of the SADMP, section 16 of the NPPF and the statutory duties of sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

Impact upon neighbouring residential amenity

- 8.11 Policy DM10 of the SADMP seeks to ensure that developments will have no significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings.
- 8.12 The proposed extensions would be approximately 8.50 metres from the nearest neighbouring property to the east and 10.00 metres to the west. The ground floor of the proposed rear extension would be screened by the existing 1.90 metre boundary wall. The height of the extension would not cause any adverse impacts in terms of overlooking and would not enclose the neighbouring dwelling due to the openness of the site. It is considered that the proposal would not have an adverse impact upon the residential amenity of this neighbouring dwelling in terms of loss of light, overlooking or overbearing nature.
- 8.13 Cadeby Parish Council have raised concerns regarding a potential conflict within street scene due to the windows of a newly built dwelling opposite this development approved under (19/00714/FUL). The proposed side extension facing onto Church Lane is to feature additional windows, however by virtue of the windows being situated in a similar position to the existing there are not considered to be any adverse impacts upon the occupiers of the adjacent dwellings.
- 8.14 The proposed development would therefore satisfy Policy DM10 of the SADMP in this regard.

Impact upon highway safety

- 8.15 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.
- 8.16 The proposal increases the number of bedrooms from a 3 bedroom dwelling to a 5 bedroom dwelling. There is off-street parking to the front and the single garage is being retained within this application.
- 8.17 Concerns have been raised regarding the detrimental effect on highway safety by relocating the primary entrance. The primary entrance is to be relocated from the eastern to the southern elevation of the existing dwelling house. By virtue the main access off Rectory Lane and the location of the off street parking remaining unchanged, there are not considered to be any adverse impacts upon highway safety.
- 8.18 Therefore there would be no adverse impact upon highway safety and no addition to on-street parking. This complies with policy DM18 of the SADMP.

Other matters

- 8.19 Cadeby Parish Council have raised concerns regarding a heritage statement not being submitted. A heritage statement is not required by virtue of the application type and the application dwelling not being a listed building.
- 8.20 Concern has also been raised regarding the fire exit to the Village Hall. By virtue of the development not projecting outwards of the west elevation and being within the curtilage of The Stables only there are not considered to be any impacts upon the access to the fire exit of the Village Hall.

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.

10. Conclusion

- 10.1 The proposal would retain the significance of the conservation area and the listed building. It would also have no adverse impact upon the residential amenity of any neighbouring dwellings and retain adequate off street parking. Therefore it complies with Policies DM10, DM11 and DM12 of the SADMP, section 16 of the NPPF and the statutory duties of sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

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 materials to be used on the external elevations of the proposed extension and alteration shall accord with the approved Materials Schedule submitted to the Local Planning Authority on 20 March 2023.

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).

3. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

Proposed Floor Plans, Drg No. 156 06D (Scale 1:50), Street Scenes, Drg No. 156 08A (Scale 1:50) as received by the Local Planning Authority on the 20th March 2023.

Proposed Elevations, Drg No. 156 07E (Scale 1:50) as received by the Local Planning Authority on the 21st March 2023.

Site Location Plan, Drg No. 156 01C (Scale 1:1250), Proposed Site Plan (Scale 1:200), Drg No. 156 03D as received by the Local Planning Authority on the 3rd May 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).

4. No development above foundation level shall commence on site until representative samples of the reclaimed bricks to be used on the external elevations of the extensions hereby permitted have been deposited with and approved in writing by the local planning authority, and the scheme shall be implemented in accordance with those approved materials.

Reason: To ensure that the development has a satisfactory appearance in the interests of visual amenity in accordance with Policy DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11.3 **Notes to applicant**

- 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.