

Mr and Mrs Angus
Cottage Farm, Barr Lane, Higham on the Hill

Conversion and extension of three bay garage to detached residential dwelling

PLANNING STATEMENT

Mr and Mrs Angus

**Cottage Farm
Barr Lane
Higham on the Hill
CV13 6AW**

**April 2023
23-AA-01.PS**

Introduction

1. This Planning Statement has been prepared on behalf of Mr and Mrs Angus (“the Applicants”) to support the full planning application for the conversion and extension of their three bay garage, immediately adjacent to their detached residential dwelling at Cottage Farm, Barr Lane, Higham on the Hill (“the site”).
2. This application has been submitted following a previously refused application (ref: 22/00097/OUT) for the demolition of outbuildings at Cottage Farm, and erection of a new detached dwelling. The previously refused application had only one reason for refusal:

“The proposed scheme results in unsustainable residential development that would harm the intrinsic value, open character and landscape character of the countryside as well as the residential amenity of the future occupiers of the development. Such a proposal is therefore contrary to Policies DM1, DM4, DM10, DM14 and DM15 of the SADMP, Policy 12 of the adopted Core Strategy, Paragraphs 80 and 130 of the NPPF and the Good Design Guide.”

3. Advice from the case officer following the previous refusal was to propose a conversion of the existing garage. This proposal has taken the officer’s advice into consideration, and proposed a garage conversion, with the addition on some extensions to create the space required.
4. In view of the site’s location within the open countryside, this planning statement sets out the case for planning permission to be granted, having regard to current local and national planning policy, the Council’s most up to date land supply position, and the proposal to re-use an existing building.

Background

5. The site is situated to the southeast of the settlement boundary of Higham on the Hill, and comprises a detached residential dwelling (218sqm) with associated 3-bay detached garage (120sqm) and outbuildings (50sqm). The built form is positioned within a large site with extensive residential curtilage and paddocks to the rear. The total application site is a 0.17 hectares and is in the open countryside in its entirety. Also along Barr Lane, immediately adjacent to the site, are other detached residential dwellings, along with agricultural buildings.

The Proposal

6. The application is submitted following the refusal of the previous application for the demolition of the outbuildings and erection of a detached residential dwelling. Following the refusal, extensive engagement took place between the agent and the case officer, and it was agreed that converting the three bay garage, as opposed to replacing it, would present significantly greater prospects to obtain planning permission for the new dwelling.
7. This revised application therefore proposes the conversion of the existing three bay garage, along with further extensions, to create a new residential dwelling immediately adjacent to the existing dwelling, within the established residential curtilage. The existing three bay garage is directly associated with the existing dwelling, and is therefore part of the residential unit.

Site Planning History

8. The table below outlines the planning history for Cottage Farm, Barr Lane, Higham on the Hill:

<i>Planning Application No.</i>	<i>Description</i>	<i>Decision</i>
94/00381/FUL	Extension to dwelling	Permitted
98/00469/FUL	Erection of stables	Permitted
15/00354/HOU	Erection of conservatory to rear of dwelling	Permitted
22/00097/OUT	Replacement of outbuildings associated with a dwelling house, with one new detached dwelling house and associated vehicle storage (Outline Application - All Matters Reserved)	Refused

Planning Policy

9. The Planning and Compulsory Purchase Act 2004 (Section 38(6)) requires that applications should be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

10. For this proposal, the Development Plan comprises the relevant policies of the Hinckley and Bosworth Core Strategy, adopted December 2009, and the Site Allocations and Development Management Policies DPD (2006-2026), adopted 2016. The National Planning Policy Framework (“NPPF”) is also a material consideration in the determination of this application.
11. The adoption of the Core Strategy predates the latest two revisions of the Framework. In accordance with Annex 1 (paragraph 219) of the NPPF, due weight will be given to the policies contained within the development plan according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
12. The following policies from the Local Development Plan are considered relevant to the determination of this application:

Hinckley and Bosworth Core Strategy (2009)

- Policy 12: Rural Villages

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 DM14: Replacement Dwellings in the Rural Area
- Policy DM17: Highways & Transportation
- Policy DM18: Vehicle Parking Standards

National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2021)
- Planning Practice Guidance (PPG)

Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)
- Highway Authority Design Guide

Planning assessment

13. The key issues in respect of this application are the following:

- The principle of development
- Design and impact upon the character of the area and the countryside
- Impact upon residential amenity
- Impact upon highway safety and parking provision

The principle of development

14. Paragraph 11 of the NPPF and Policy DM1 of the adopted SADMP set out a presumption in favour of sustainable development, and state that development proposals that accord with the development plan should be approved unless other material considerations indicate otherwise. Paragraph 2 of the 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 Framework is a material planning consideration in planning decisions.
15. 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 planning applications conflict with an up to date plan, permission should not usually be granted unless other material considerations indicate otherwise.
16. The current development plan consists of the adopted Core Strategy (2009) and the adopted Site Allocations and Development Management Policies (SADMP) Development Plan Document (2016). The spatial distribution of growth across the Borough during the plan period 2006-2026 is set out in the adopted Core strategy. This identifies and provides allocations for housing and other development in a hierarchy of settlements within the Borough.
17. Using the standard method as outlined by the Ministry of Housing, Communities and Local Government (MHCLG), Hinckley and Bosworth Borough are able to demonstrate 4.89 years of deliverable housing on 1st April 2022. Due to this and the change in the housing figures required for the borough, Paragraph 11(d) of the NPPF is triggered. Therefore, this application should be determined in accordance with Paragraph 11(d) of the NPPF whereby permission should be granted unless adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. This is weighed in the balance of the merits of the application when considered with the policies in the SADMP and the Core Strategy which are attributed significant weight as they are consistent with the Framework.

18. Therefore, applications that can demonstrate sustainable development should be approved unless other material considerations indicate otherwise.

19. In addition to the above, the application site is located within the open countryside. Paragraph 80 of the NPPF outlines that the development of isolated homes in the countryside should be avoided unless it meets one of the exception tests, as follows:

- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
- b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
- c) the development would re-use redundant or disused buildings and enhance its immediate setting;
- d) the development would involve the subdivision of an existing residential building; or
- e) the design is of exceptional quality, in that it:
 - is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
 - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

20. Paragraph 80(d) clearly outlines that development in isolated locations would be acceptable where it would re-use buildings, and also involve the subdivision of an existing residential building. The residential dwelling and associated garage at Cottage Farm are within the same residential curtilage and are directly connected. The subdivision of the residential unit, in accordance with paragraph 80(d) of the NPPF, would therefore be acceptable.

21. Policy DM4 of the SADMP also presents criteria that deems when a development is sustainable in the open countryside. Specifically, DM4(b) outlines that development in the countryside will be considered sustainable where the proposal involves the change of use, re-use or extension of existing buildings which lead to the enhancement of the immediate setting. The policy also stipulates five other requirements to satisfy, of which two are relevant to the determination of this application, whereby development will be considered sustainable when it does not have a significant adverse effect on the intrinsic value,

beauty, open character and landscape character of the countryside; and does not undermine the physical and perceived separation and open character between settlements.

22. The proposal constitutes the conversion of the existing residential garage. The specification and quality of the design proposed, significantly enhances and exemplifies the eminence of the site, and the area surrounding it. The existing residential dwelling within the site is a prominent structure in its own right, however the site has considerable capacity and scope to absorb an additional dwelling without adversely impacting the openness of the site. The proposal for a new dwelling adjacent to the existing dwelling, by means of converting the associated garage, not only respects the nature of the site itself, but also ensures the landscape character is respected and enhanced.
23. The position of the proposed new dwelling immediately to the south of the existing dwelling in no way undermines the physical or perceived separation and open character between settlements, whereby the location of the site does not infringe on any existing separation buffer, nor does it result in the loss of open countryside as it is ultimately the conversion of an existing large structure.
24. With regards to economic benefits of the proposed dwelling, the conversion of the existing garage, and associated extensions, would create economic growth by means of job creation. Whilst the proposal is for a single dwelling, the design proposed is substantial and the specification required is of a high standard. Skilled trades people would therefore be required to meet the detailed brief, which would occupy a larger than average completion time and subsequently a greater input into the economic value of the site.

Design and impact upon the character of the area and the countryside

25. Policy DM10 of the SADMP outlines, at paragraph 14.4, that new development should take account of existing features of the site and location. At paragraph 14.8 the document continues that great weight in favour of approval will be given to schemes which demonstrate outstanding levels of design. The design of the proposed conversion and associated extensions not only respects and reflects design characteristics of the existing dwelling, but also exemplifies exceptional design and presents unique and detailed design characteristics, that significantly enhance the immediate and wider character of the site and wider setting.

Impact upon residential amenity

26. Policy DM10 of the SADMP outlines that developments will be permitted providing it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, and that the amenity of occupiers of the proposed development would not be adversely affected by activities in the vicinity of the site.
27. The proposed development has been sensitively designed to ensure the amenity of the existing dwelling is wholly respected, whereby there is no overlooking, overshadowing, loss of light or loss of privacy. The design has proposed a separate access for the existing dwelling, and with new boundary treatments in place, the proposed dwelling will become a completely separate entity, with no intrusion on the existing residents.
28. With regard to any potential impact on future occupiers of the proposed dwelling, in the previous refusal, the officer commented that “the scheme is nearly 640m away from Higham on the Hill...this has a significant impact on the amenity of the occupiers of the proposed development because there is little accessibility to services and facilities near the scheme”. Conversely, when measuring distances from existing dwellings on the edge of the settlement boundary of Higham on the Hill to accessible services and facilities, similar distances are recorded. It is therefore proposed that whilst the site is physically separated from the centre of the nearest settlement, it is no further in distance than other existing dwellings within the village, that are deemed “amenable” purely due to their location “within the settlement boundary”, when in reality, they are just as “remote” from local facilities.

Impact on parking provision and highway safety

29. Policy DM18 of the SADMP requires developments to demonstrate an adequate level of off-street parking provision.
30. Plan number 22-05-105-A provides three scenarios for access and parking arrangements. Of the three, option three has been proposed, whereby it utilises an existing and established access, and provides the required parking provision for the proposed dwelling.

Conclusion

31. It is concluded that the proposed development is acceptable in planning terms having regard to the following conclusions:

- In the absence of a land supply, the proposal presents a scheme that would significantly enhance the immediate and wider surroundings, by re-using an existing building and maintaining the openness of the countryside. The scheme is therefore sustainable development
- The proposal comprises the conversion of a large three bay garage, that is situated within the residential curtilage of the existing dwelling
- There will be minimal adverse impacts in terms of impact on the landscape character or the openness of the countryside
- The amenity of both existing and future occupiers is maintained
- There are no impacts in terms of parking or highway safety

32. For these reasons the proposed development is considered to meet the requirements of both local and national planning policies. The Council are therefore respectfully invited to approve the application subject to any relevant conditions.