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Hinckley & Bosworth
Borough Council

Bill Cullen MBA (ISM), BA(Hons) MRTPI
Chief Executive

Date: 27 June 2022

To: Members of the Planning Committee

Cllr MJ Crooks (Chairman)	Cllr A Furlong
Cllr E Hollick (Vice-Chairman)	Cllr SM Gibbens
Cllr CM Allen	Cllr L Hodgkins
Cllr RG Allen	Cllr KWP Lynch
Cllr CW Boothby	Cllr LJ Mullaney
Cllr SL Bray	Cllr RB Roberts
Cllr DS Cope	Cllr H Smith
Cllr WJ Crooks	Cllr BR Walker
Cllr REH Flemming	

Copy to all other Members of the Council

(other recipients for information)

Dear member,

There will be a meeting of the **PLANNING COMMITTEE** in the De Montfort Suite, Hinckley Hub on **TUESDAY, 5 JULY 2022 at 6.30 pm** and your attendance is required.

The agenda for the meeting is set out overleaf.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Rebecca Owen'.

Rebecca Owen
Democratic Services Manager

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- *There are two escape routes from the Council Chamber – at the side and rear. Leave via the door closest to you.*
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- **Do not** use the lifts.
- **Do not** stop to collect belongings.

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Use of mobile phones

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Thank you

PLANNING COMMITTEE - 5 JULY 2022

A G E N D A

1. **APOLOGIES AND SUBSTITUTIONS**

2. **MINUTES (Pages 1 - 4)**

To confirm the minutes of the meeting held on 7 June 2022.

3. **ADDITIONAL URGENT BUSINESS BY REASON OF SPECIAL CIRCUMSTANCES**

To be advised of any additional items of business which the Chairman decides by reason of special circumstances shall be taken as matters of urgency at this meeting. Items to be taken at the end of the agenda.

4. **DECLARATIONS OF INTEREST**

To receive verbally from Members any disclosures which they are required to make in accordance with the Council's Code of Conduct or in pursuance of Section 106 of the Local Government Finance Act 1992. **This is in addition to the need for such disclosure to be also given when the relevant matter is reached on the agenda.**

5. **QUESTIONS**

To hear any questions in accordance with Council Procedure Rule 12.

6. **DECISIONS DELEGATED AT PREVIOUS MEETING**

To report progress on any decisions delegated at the previous meeting.

7. **21/01501/FUL - HOUGHTON HOUSE, SHEEPY ROAD, SIBSON (Pages 5 - 24)**

Application for demolition of existing outbuildings, refurbishment of a Grade II listed residential property, erection of four dwellings and associated external landscape works

8. **21/01502/LBC - HOUGHTON HOUSE, SHEEPY ROAD, SIBSON (Pages 25 - 32)**

Application for demolition of existing outbuildings and refurbishment of a Grade II listed residential property

9. **22/00078/FUL - LAND NORTH OF LINDLEY WOOD, FENN LANES, FENNY DRAYTON (Pages 33 - 38)**

Application for construction of entrance gates and wall (part retrospective)

10. **22/00079/FUL - LAND NORTH OF LINDLEY WOOD, FENN LANES, FENNY DRAYTON (Pages 39 - 44)**

Application for erection of palisade fencing (retrospective)

11. **22/00369/HOU - 38 RYELANDS CRESCENT, STOKE GOLDING (Pages 45 - 54)**

Application for dual hip to gable end roof extension, installation of roof lights to front and rear roof slopes and detached garage

12. **APPEALS PROGRESS (Pages 55 - 60)**

To report on progress relating to various appeals.

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HINCKLEY AND BOSWORTH BOROUGH COUNCIL

PLANNING COMMITTEE

7 JUNE 2022 AT 6.30 PM

PRESENT: Cllr MJ Crooks - Chairman
Cllr E Hollick – Vice-Chairman
Cllr CW Boothby, Cllr SL Bray, Cllr DS Cope, Cllr WJ Crooks,
Cllr REH Flemming, Cllr A Furlong, Cllr SM Gibbens, Cllr L Hodgkins,
Cllr KWP Lynch, Cllr LJ Mullaney, Cllr RB Roberts, Cllr H Smith and
Cllr BR Walker

Also in attendance: Councillor DC Bill MBE, Councillor MA Cook and Councillor K Morrell

Officers in attendance: Chris Brown, Rebecca Owen and Michael Rice

20. **Apologies and substitutions**

Apologies for absence were submitted on behalf of Councillors C and R Allen.

21. **Minutes**

It was moved by Councillor Bray, seconded by Councillor W Crooks and

RESOLVED – the minutes of the meeting held on 10 May be confirmed and signed by the chairman.

22. **Declarations of interest**

Councillors Flemming, Lynch and Walker stated they were members of Burbage Parish Council's Planning Committee where application 21/01131/OUT had been discussed but they had not voted on the application and came to this meeting with an open mind.

23. **Decisions delegated at previous meeting**

It was reported that all decisions had been issued.

24. **21/00962/HOU - Carneddi, Wood Lane, Cadeby**

Application for single storey outbuilding.

An objector, the applicant and the ward councillor spoke on this application.

Whilst generally in support of the application, it was requested that condition 5 be amended to include the words "in perpetuity" to ensure the restrictions on use to those associated with the existing dwelling were permanent. It was moved by Councillor Bray, seconded by Councillor Flemming and

RESOLVED – permission be granted subject to the conditions contained in the officer's report and the abovementioned amendment to condition 5.

25. **21/00502/OUT - Land south west of Lutterworth Road, Burbage**

Outline application for the erection of up to 80 residential dwellings (use class C3), open space provision and associated infrastructure, with all matters reserved except access.

It was reported that the local highways authority had raised queries with regards to off-site works and therefore recommended that the item be deferred to a future meeting to allow for the comments to be actioned.

On the motion of Councillor Bray, seconded by Councillor Flemming, it was

RESOLVED – the application be deferred to a future meeting.

26. **20/01250/FUL - 8 Wood Lane, Norton Juxta Twycross, Atherstone**

Application for conversion of agricultural buildings into two residential dwellings, refurbishment of farmhouse and erection of four new dwellings with associated access and landscaping.

An agent speaking on behalf of objectors and the ward councillor spoke on this application.

Whilst not relevant in consideration of this application, Members expressed concern about the history of the site including the need to regularise unauthorised development.

It was moved by Councillor Bray and seconded by Councillor Lynch that permission be granted in accordance with the officer's report and late items with an additional condition in relation to removal of permitted development rights and assurance that the site would be monitored by the enforcement team. A request was made for the redrawing of the settlement boundary in the new local plan.

Upon being put to the vote, the motion was CARRIED and it was

RESOLVED –

- (i) Planning permission be granted subject to:
 - a. Confirmation of acceptance of the scheme to Natural England in terms of nutrient impact on the River Mease SAC;
 - b. A section 106 agreement to secure a contribution of £6,662.36 towards play and open space provision and a contribution towards management and maintenance of £3,431.52;

c. The conditions contained in the officer's report and the abovementioned additional condition in relation to removal of permitted development rights.

- (ii) The Planning Manager be granted powers to determine the final detail of the planning conditions;
- (iii) The Planning Manager be granted powers to determine the terms of the S106 agreement including trigger points and clawback periods;
- (iv) The site be monitored by the enforcement team.

27. 21/00872/FUL - Land to the rear of Glebe Farm, 1 Rectory Lane, Nailstone

Application for conversion, extensions and change of use of existing barn to form one dwelling with associated curtilage and new vehicular access (20/00668/FUL resubmission).

An objector and the agent spoke on the application.

Whilst in support of the officer's recommendation, it was requested that condition 5 be amended to remove permitted development rights and an additional condition be added in relation to landscaping to require planting of native hedgerows.

It was moved by Councillor Bray, seconded by Councillor Lynch and

RESOLVED –

- (i) Permission be granted subject to the conditions contained in the officer's report with condition 5 amended to remove permitted development rights and an additional condition requiring details of landscaping to be submitted which was to include planting of native hedgerows;
- (ii) The Planning Manager be granted powers to determine the final detail of planning conditions.

28. 21/01131/OUT - Land off Sketchley Lane, Burbage

Application for demolition of existing poultry and cattle buildings and residential development of up to 150 dwellings with vehicular access from Sketchley Lane (outline – vehicular access only).

An objector and the agent spoke on this application.

Notwithstanding the officer's recommendation that permission be granted, it was moved by Councillor Walker and seconded by Councillor Flemming that permission be refused for the following reasons:

1. The application proposed development in the countryside, where its built form would be at odds with the site's current open character and semi-rural nature which was appreciated from the surrounding footpaths. The development would not protect the intrinsic value, beauty and open character of this countryside location and was therefore be contrary to policy DM4 of the Site Allocations and Development Management Policies DPD 2016;
2. The development would create an increase in vehicular movements along Sketchley Lane, an access road that has restricted width, which would result in the development having a severe impact on highway safety and was therefore contrary to policy DM17 of the Site Allocations and Development Management Policies DPD 2016. Furthermore, the proposed off-site highway mitigation works would result in an urbanising impact on the rural lane contrary to policy DM10 of the Site Allocations and Development Management Policies DPD 2016.

Upon being put to the vote, the motion was CARRIED and it was

RESOLVED – permission be refused for the abovementioned reasons.

29. **Appeals progress**

Members received an update on appeals.

(The Meeting closed at 8.31 pm)

CHAIRMAN

Planning Committee 5 July 2022
Report of the Planning Manager (Development Management)

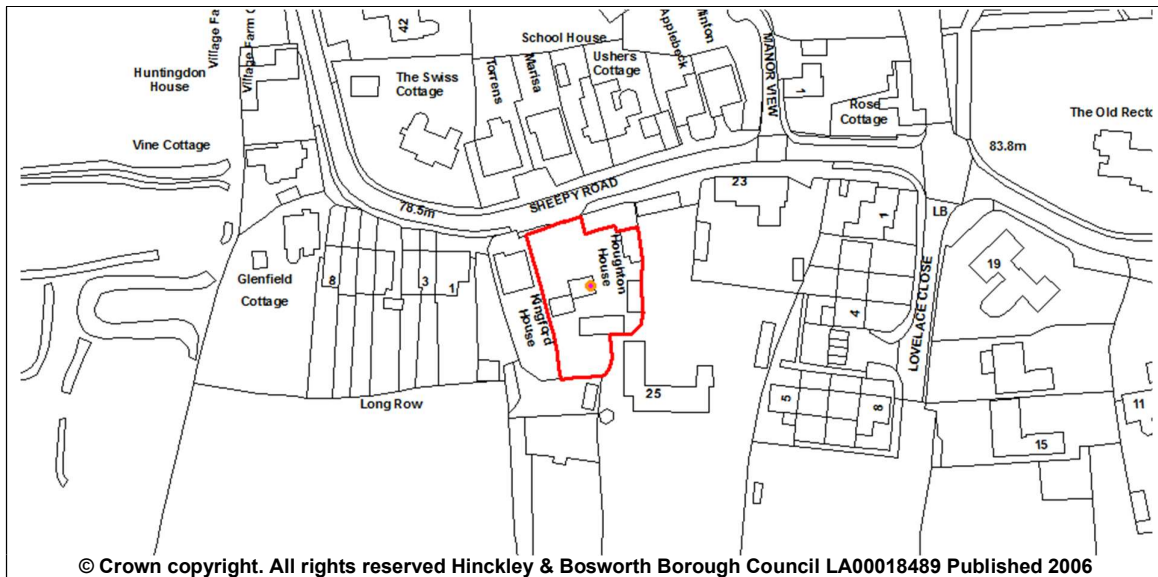
Planning Ref: 21/01501/FUL
Applicant: Ms Amy Lawson-Gill
Ward: Ambien



Hinckley & Bosworth
Borough Council

Site: Houghton House Sheepy Road Sibson

Proposal: Demolition of existing outbuildings, refurbishment of a Grade II listed residential property, erection of four dwellings and associated external landscape works.



1. Recommendations

1.1. Grant planning permission subject to

- Planning conditions outlined at the end of this report

2. Planning application description

2.1. Demolition of existing outbuildings, refurbishment of a Grade II listed residential property, erection of four dwellings and associated external landscape works.

2.2. The proposed new dwellings units 1-3 are a single rectangular block with projecting perpendicular wings. The units are located to the back of a courtyard parking area towards the rear of the site. Each unit has a steep pitched gable frontage divided by accommodation above undercroft parking spaces between the three units. The form and proposed construction materials of each unit have traditional aspects to reflect the local vernacular but also has some contemporary design elements. The units are to be constructed of red brick facing walls with buff brick bonding detailing, and clay tile roofs. Each unit has a tall standing chimney stack projecting from the eaves of the rear gable, and a recessed porch housing the front door. The proposed windows are of a contemporary style and detail, with standard casements and box dormers at the eaves across the width of the frontage on the front elevations and taller box dormers and bi-fold doors to the rear elevations.

- 2.3. Proposed new unit 4 is located towards the front of the site and in between Houghton House and Kingford House, flanking the courtyard access. This is a traditionally styled dwelling with simple rectangular plan, dual pitched clay tile roof, eyebrow dormer windows, ground floor windows set below segmental arches and recessed entrance door on the front elevation, and construction materials of red brick with buff brick decorative bond and dentil eaves course. The unit is set back slightly behind a small front garden and the retained grass verge fronting the application site. To the side of the unit to Kingford House a high brick wall with saddleback coping is proposed.
- 2.4. Existing boundary treatments around the eastern, southern and western boundaries of the site are to be retained, with the block wall attached to Houghton House along the eastern boundary to be faced in brick. Boundary treatments within the interior of the site to divide each plot comprise low brick walls with high vertical timber louvre dividers.

3. Description of the site and surrounding area

- 3.1. Houghton House is sited on the road frontage (grass verge), and is a two storey, detached cottage with a small outbuilding abutting its eastern gable. There was previously a two-storey gable to the rear (south) elevation with an attached range of single storey brick and tile outbuildings with pitched roof that extended along the east boundary. These ranges have been removed as part of the implementation of permissions reference 14/00541/HOU and 14/00542/LBC. There are a number of other detached outbuildings located to the rear along the west and (part) south boundary, constructed of a variety of materials including brick, timber and metal sheeting used for purposes ancillary to the dwelling.
- 3.2. Houghton House is a grade II listed building located on the south side of Sheepy Road. It is within the Sibson Conservation Area. The listing description states:
- 3.3. "House. Late C17, refronted mid C18 and late C18. Timber framed with red brick facing. Plain tile roof with large ridge stack and single gable stack. Original lobby entry plan. Exterior. 2 storey, 3 window street front. 2 window section to right fronted mid C18 with two 3-light wooden casement windows and above two 3-light casements with leaded lights which project above the eaves with eye-brow dormer roofs. Single window section to left fronted late C18 with large 3-light cross casement and above another 3-light casement with leaded lights and eye-brow dormer roof. Right return wall rendered over timber framing has single casement window."

4. Relevant planning history

05/01269/LBC

- Replacement windows to front elevation
- Listed Building Consent
- 20.01.2006

11/00984/FUL

- Extensions and alterations to dwelling
- Planning Permission

- 30.04.2012

11/00985/LBC

- Internal and external extensions and alterations to dwelling including demolition of outbuildings
- Listed Building Consent
- 30.04.2012

14/00541/HOU

- Extensions and alterations to dwelling
- Planning Permission
- 19.09.2014

14/00542/LBC

- Extensions and internal and external alterations to dwelling including demolition of outbuildings
- Listed Building Consent
- 19.09.2014

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 published in the local press.
- 5.2. Twelve Letters of objection have been received; the comments are summarised below:
 - 1.) The scale of the proposed residential infill is inappropriate.
 - 2.) The village has no public transport or shopping
 - 3.) Inevitably therefore each family will have at least two motor vehicles.
 - 4.) On the basis that this is over development. Too many properties in too small a space.
 - 5.) Don't feel development is appropriate for this site but if you were to grant anything one property between Houghton House and Kingford House facing the road, and therefore maintaining the same 'street-scape' would be more in keeping with the village.
 - 6.) It would also be more in line with 'in-fill development' than building a whole new cul-de-sac, which completely changes the shape of the village.
 - 7.) Even then it should be built with quality materials and in the local vernacular of the beautiful characterful period buildings Sibson prides itself on.
 - 8.) We feel the planning office should be more concerned with the improvement and restoration of the existing building of Houghton House. A building of immense character and importance to the village. We have no objection to it being sympathetically restored, in fact we actively welcome it!

- 9.) Lack of public transport means all adults require cars for transport.
- 10.) Plans show insufficient parking when factoring in adult children who drive or indeed guests/visitors. Three bedroomed homes could easily accommodate at least two adults and two adult children
- 11.) Increase in traffic and congestion.
- 12.) Parking problem for the neighbouring residents
- 13.) Several neighbouring properties will be overlooked resulting in a loss of privacy.
- 14.) Huntingdon House, Vine Cottage, Glenfield Cottage and Nos. 1 to 8 The Long Row, are subject to periodic ground water flooding during periods of heavy precipitation The proposed development will add extra pressure on these systems and in particular the hard surfaced forecourt parking will clearly. This issue needs to be addressed before or as an integral part of this development.
- 15.) Increased hardstandings will add to surface water runoff and exacerbate known flood risk in lower area of the village.
- 16.) Additional load to existing sewerage and services with related risks to future functioning and resilience.
- 17.) Increased vehicle parking with the attendant potential overflow to Main Street and creation of additional pedestrian hazards.
- 18.) The style and appearance of the properties is not in keeping with the conservation area aspects of the village which we had understood to be a requirement for new developments laid out by Hinckley and Bosworth Council

One Letter of Support have been received; the comments are summarised below:

- 1.) It will be beneficial to the village to have some affordable housing, which will hopefully in turn encourage more families into the village.

6. Consultation

- 6.1. Environmental Services (pollution) – No objection subject to a condition restricting hours during the site preparation and construction phase.
- 6.2. HBBC Trees– No objection.
- 6.3. LCC Highways – No objection subject to condition related to implementation of parking and turning facilities and no obstructions of the vehicular access.
- 6.4. Conservation Officer: No Objections, planning conditions are suggested for any subsequent approval. It is considered that the removal of the incongruous outbuildings within the immediate setting of the listed building, and the implementation of a sympathetic range of alterations to Houghton House in accordance with a detailed schedule of works and further details to be provided via condition, will preserve and enhance the special architectural and historic interest of the listed building and enhance the significance of the Sibson Conservation Area. The proposed new dwellings and their associated courtyard, landscaping and

boundary treatments would be of a satisfactory scale, layout, density, mass and design, and constructed largely of traditional materials. The proposal would therefore preserve the significance of the Sibson Conservation Area and be compatible with the significance of the grade II listed building Houghton House and its setting, so consequently it would comply with Policies DM11 and DM12 of the Site Allocations and Development Management Policies DPD, section 16 of the National Planning Policy Framework and the statutory duties of Sections 66 and 72 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990.

It is considered likely that the proposal complies with Policy S8: Design of the Sheepy Neighbourhood Plan (2021) but a full assessment against the Plan is left to the decision-taker.

Planning conditions are suggested for any subsequent approval.

- 6.5. Sheepy Parish Council: NEUTRAL, it appears to be in line with the Policies in the Sheepy Parish Neighbourhood Plan made March 2019 (and Recently revised 2022).

However, Sheepy Parish Council has concerns about the impact of the development on the Grade II listed Houghton House, its curtilage, street scene, and neighbouring properties.

Sheepy Parish Council request that Hinckley & Bosworth Borough Council give consideration to:

- 1.) The site being within Sibson Conservation Area and so the Borough Council's Conservation Officer must be consulted.
 - 2.) Sheepy Parish Neighbourhood Plan's Design Guide and its recommendations for Sibson village as included in the Sheepy Parish Neighbourhood Plan updated in 2022 (expected to be 'made' following the Examiner's recommendation in April 2022).
 - 3.) Highway safety that may result from the apparently very limited space for vehicular movements and turning within the proposed site and, the increased flood risk from the development.
 - 4.) Neighbouring properties have periodically suffered from flooding and it is important that Policy S6: Water Management (legally binding Sheepy Neighbourhood Plan) is fully considered and the design incorporates suitable measures to mitigate flood risk, in particular SuDS.
 - 5.) Sheepy Parish Council also request that Hinckley & Bosworth Borough Council give consideration to ensure the application complies with Policy S8(D) of the Sheepy Parish Neighbourhood Plan and shows appropriate regard for the amenities of neighbouring properties including daylight/sunlight, privacy, air quality, noise and light pollution.
- 6.6. HBBC Drainage – No objection subject to condition relating to submission of Surface water drainage details, incorporating sustainable drainage principles (SuDS)

Policy

- 7.1. Sheepy Parish Neighbourhood Plan 2018-2036
 - Policy S7: Local Heritage Assets
 - Policy S8: Design
- 7.2. Core Strategy (2009)
 - Policy 13: Rural Hamlets
 - Policy 16: Housing Density, Mix and Design
- 7.3. Site Allocations and Development Management Policies DPD (2016)
 - Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM3: Infrastructure and Delivery
 - Policy DM4: Safeguarding the Countryside and Settlement Separation
 - Policy DM10: Development and Design
 - Policy DM11: Protecting and Enhancing the Historic Environment
 - Policy DM12: Heritage Assets
 - Policy DM17: Highways and Transportation
 - Policy DM18: Vehicle Parking Standards
- 7.4. National Planning Policies and Guidance
 - National Planning Policy Framework (NPPF) (2021)
 - Planning Practice Guidance (PPG)
- 7.5. Other relevant guidance
 - Good Design Guide (2020)
 - National Design Guide (2019)

8. Appraisal

- 8.1. Key Issues:
 - Assessment against strategic planning policies
 - Site context and significance
 - Design and impact upon the character of the conservation area and the setting of a listed building
 - Impact upon neighbouring residential amenity
 - Impact upon highway safety
 - Drainage
 - Planning Balance

Assessment against strategic planning policies
- 8.2. Paragraph 11 of the National Planning Policy Framework (NPPF) and Policy DM1 of the Site Allocation and Development Management Policies Development Plan Document (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. The development plan in this instance consists of the adopted Core Strategy (2009) and Site Allocations and Development Management Policies DPD (2016).
- 8.3. 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. Sibson is identified as a Rural Hamlet within Policy 13 of the Core Strategy. Due to the limited services in these rural hamlets, development will be confined to infill housing development. A mix of housing types and tenures as detailed in Policy 15 and Policy 16 as well as supporting development that meets Local Needs as set out in Policy 17 should be delivered.

- 8.4. The most recent housing land monitoring statement for the period 2020-2021 indicates, at table 7, that the Council has a housing land supply of 4.46 years, which falls short of the Government requirement that all Councils have a housing land supply of at least 5 years. In addition to this, a more recent appeal decision (Appeal ref: APP/K2420/W/21/3279808) at Station Road, Market Bosworth and determined in February 2022 updates the most recent monitoring position to the Council being able to demonstrate a 4.45 year housing land supply, which in and of itself means the policies are out of date.
- 8.5. Therefore, paragraph 11(d) of the NPPF is triggered and 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 a material consideration to weigh in the context of the statutory requirement to determine applications and appeals in accordance with the Development Plan unless considerations indicate otherwise. The provision of four dwellings contributes to the Council's requirements to demonstrate the delivery of new homes and is considered a significant benefit of the proposal.
- 8.6. This is weighed in the balance of the merits of the application when considered with the policies in the Site Allocations and Development Policies DPD and the Core Strategy which are attributed significant weight as they are consistent with the Framework. Therefore, sustainable development should be approved unless other material considerations indicate otherwise.
- 8.7. Policy DM1 of the Site Allocation and Development Management Policies Development Plan Document (SADMP) sets 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.
- 8.8. Given the location of the site is within the settlement boundary of Sibson and would be classed as infill development within the village. This type of development is supported by Policy 13 of the Core Strategy, the proposal would be in accordance with adopted strategic planning policies and the principle of development is acceptable. This is subject to all other material considerations being satisfactorily addressed.

Site context and significance

- 8.9. The character of Sibson and its designated conservation area is primarily derived from the agricultural origins of the settlement. This is defined within the Sibson Conservation Area Appraisal (SCAA) (2008). The SCAA describes Houghton House as a fine traditional farm complex, however whilst subsequent investigation identifies that it was unlikely that the House was ever a farmhouse, it was used for as agricultural labourers' cottages and does therefore reflect the predominant character of the village. Overall, it is considered that due to its special architectural and historic interest Houghton House makes a positive contribution to the significance of the conservation area and there is an opportunity for its contribution

to the increased via the implementation of the proposed external alterations that would enhance its character and appearance.

- 8.10. The remaining outbuildings on the site were originally constructed during the middle half of the 20th century and have been subsequently adapted. They are of some very limited historical merit in terms of the evolution of the occupation and use of the Houghton House. However due to their current poor condition and appearance it is considered that the outbuildings make a negative contribution to the significance of the conservation area and are a negative presence within the setting of Houghton House.
- 8.11. The remainder of the site consists of a lawned area adjacent to Sheepy Road and Kingford House, set behind a grass verge and low level brick wall which appears to be a remnant of a historic boundary treatment, and a courtyard utilised for the parking of the vehicles. The western section of the site and the courtyard are open in character which allows for good visibility of the curtilage of Houghton House from Sheepy Road. The SCAA identifies a view to be protected looking into the interior of the site from the site access on Sheepy Road. The reason for the identification of the view within the SCAA is not explained and given that the view focuses on the incongruous outbuildings and does not extend out beyond the interior of the site into the countryside, the importance of this view and its contribution to the significance of the conservation area is unclear. The grass verge fronting Houghton House is identified as part of a key space within the conservation area.
- 8.12. The SCAA identifies a number of characteristics within the conservation area that are of relevance to this proposal. The village townscape varies in character, with the character of the village around the application site being a mix of traditional buildings interspersed with modern dwellings ranging from single storey properties to modern period estate houses. These modern properties have been constructed on important gap sites throughout the village. The area to the west of Houghton House, including two short terraces (known as Long Row) is described as the most attractive part of the conservation area. The synergy in scale, form and appearance of Houghton House and Long Row is clearly apparent in the street scene when looking westwards along Sheepy Road, although the uncharacteristic scale, design and materials of Kingford House in between the historic dwellings is clearly apparent in such views.
- 8.13. In terms of building style, scale and detail with the exception of the key buildings at the eastern end of the village all properties are between one and a half and two storeys in scale. Traditional estate cottages are set on or near the back edge of the road, sometimes separated by a short front garden or grass verge. Cottages are gabled with prominent ridge top chimneys. Clay roof tiles with plain ridges are the predominant roof material. Elevations are generally plain broken only by an occasional porch. The widespread use of red brickwork of various tones provides a continuity of appearance throughout the conservation area. Eaves profiles include dentil courses, decorated bargeboards, gablets, and eyebrow windows, the latter being a distinctive feature of the Gopsall estate. Windows are generally timber and are vertically proportioned or sit beneath segmental brick arches. Where gardens front directly onto the street, walls of local brick, often with saddleback copings are the common feature, which also help to channel views and provide a strong sense of enclosure.

Design and impact upon the character of the conservation area and the setting of a listed building

8.14 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 Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. Section 16 of the National Planning Policy Framework (NPPF) provides the national policy on conserving and enhancing the historic environment. Paragraphs 199-202 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. Policies DM11 and DM12 of the Site Allocations and Development Management Policies (SADMP) DPD seek to protect and enhance the historic environment and heritage assets. All proposals for extensions and alterations of listed buildings will only be permitted where it is demonstrated that the proposals are compatible with the significance of the building. Development proposals should ensure the significance of a conservation area is preserved and enhanced. Policy DM12 requires all development proposals to accord with Policy DM10: Development and Design.

8.15 The Sheepy Neighbourhood Plan (2021) provides guidance to ensure new development respects the prevailing character of the different parts of the Parish, including Sibson. Policy S8 guides Design.

Impact upon the significance of heritage assets

Demolition of outbuildings

8.16 The remaining single storey outbuildings on the application site have some very limited historical merit in terms of the evolution of the occupation and use of the Houghton House. However, they are later additions to the setting of the main building and by virtue of their current poor condition and appearance it is considered that their demolition will not result in the loss of significant architectural or historic features and subject to the recording that has been supplied in the submitted documentation, their demolition is considered to be justified and therefore acceptable. The detached buildings are of an incongruous appearance and of little merit in terms of historical significance that their demolition will have a positive impact on the setting of the listed building and the character and appearance of the conservation area.

Works to listed building

8.17 In respect of the front elevation, the windows are proposed to be restored to their earlier configuration and the front door re-instated within the existing opening and the dentilled eaves brickwork to the front elevations re-exposed. It is considered that the proposed changes will have a positive impact upon this prominent front elevation of the building and will enhance the special architectural and historical interest of it, as well as positively impacting upon the character and appearance of the conservation area. The proposed alterations, repair or replacement of windows and doors on the other elevations will not result in the loss of any significant architectural or historical features and therefore are also considered to be

acceptable. The extension to the chimney stack, construction of the brick boundary wall to the east site boundary, repair, re-pointing or replacement where necessary of bricks, tiles, render and mortar will not result in any unnecessary loss of salvageable architectural or historical fabric and will improve the stability and long-term viability of the listed building and is therefore acceptable.

- 8.18 The reinstatement of a lime plaster finish to the internal walls alongside other minor renovation works will result in an enhancement to the significance of the listed building and is therefore acceptable.
- 8.19 A detailed and comprehensive scheme of works has been submitted within the Remaining Schedule of Works document in addition to the Appendices of this document providing a general approach and specification for the repair or replacement of timber windows, repointing brickwork, preserving historic plaster, and internal lime plastering. Any works should be carried out in accordance with these details to ensure that the significance of the listed building is preserved. For any new and replacement windows and doors details including their appearance, dimensions and construction materials should be submitted and approved in writing prior to their installation to ensure that the significance of the listed building and conservation area is preserved and enhanced. A simple elevational and sectional drawing for the windows and doors is recommended.
- 8.20 To ensure that the desired external and internal alterations and renovations to the listed building are implemented it is requested that a suitably worded planning condition is placed on any subsequent approval of the proposed new dwellings within the setting of Houghton House to tie the enhancements to the listed building to the implementation of that development.

New dwellings within conservation area and setting of listed building

- 8.21 The proposed new dwellings would be of an appropriate one and a half storey height with eaves and ridge levels that respect scale of surrounding development. The siting of unit 4 towards the front of the site, in addition to its flanking high boundary wall, follows the traditional layout in the conservation area by introducing development towards the back edge of the road and providing a stronger sense of enclosure to the street scene. Units 1-3 are located towards the back of the site, but in a similar position to the outbuildings that have been and are proposed to be demolished. The existing courtyard character of the site would remain evident through the retention of central access point to the courtyard and layout of development to the rear around it.
- 8.22 The design of unit 4 follows traditional characteristics and architectural detailing with eyebrow dormers, segmental arches, and dentil eaves course. The design of units 1-3 has some traditional elements, such as the steeper gables and tall chimney stacks found elsewhere in the village, but also has contemporary elements including the materials and form of the fenestration. Whilst these elements are not wholly characteristic there are considered to sit comfortably on each unit as part of a consistent design approach and any visual impact upon the wider area from these features is limited due to their location to the rear of the site away from the street scene. The mass of units 1-3 is also broken up by the set back of units 2 and 3, recessed porches and undercroft parking entrances.
- 8.23 Other than for the fenestration materials for units 1-3, all construction materials for the new dwellings respects the materials of the local area through the use of red brick in an attractive bond, marked by buff bricks, and clay tile roofs.

Notwithstanding the information contained within the application form, design and access statement and elevational drawings it is suggested that samples and/or details of the materials to be used for the construction of the new dwellings (the walls, roof, windows and doors, windows cill and header treatments, and rainwater goods) are submitted and approved prior to the commencement of the development (or once above foundation level) if it is approved, to ensure that the significance of the conservation area and adjacent listed building is preserved.

- 8.24 The proposed erection of a brick boundary wall with saddleback copings to the side of unit 4 would reinstate a traditional feature to the site frontage. The proposed louvred boundary treatments for internal fencing to divide the gardens for the units is a contemporary styled fence treatment but again it is not necessarily uncharacteristic.
- 8.25 Notwithstanding the formal comments from the Highway Authority consideration should be given to removing the small area of soft landscaping within the courtyard area to provide an additional, perhaps visitor, car parking space to reduce any potential pressure for on-street parking within the immediate vicinity of the site, and the subsequent impact this may have on the character and appearance of the conservation area including the grass verge as a key space immediately to the front of the site.
- 8.26 To ensure that the application site retains its design quality and the site is not overly domesticated with paraphernalia which may have an adverse impact upon the amenity and character of the area including the conservation area, it is recommend that permitted development rights for development within the curtilage of the new dwellings is removed via a condition if the application is to be approved. This is particularly relevant for unit 4 given its presence in the street scene.
- 8.27 For the above reasons, and subject to planning conditions, the works to the listed building and works within its setting would be sympathetic to its architectural and historic interest. The removal of the outbuildings on the site would enhance the character of the conservation and setting of the listed building. The new dwellings would be of an appropriate scale, layout, density, mass and design and be constructed of largely traditional materials.

Impact upon neighbouring residential amenity

- 8.28 Policy DM10 of the adopted SADMP requires that the amenities of the occupiers of proposed developments would not be adversely affected by activities within the vicinity of the site.
- 8.29 An objection has been received regarding overlooking and potential loss of privacy from a neighbour to the rear of units 1-3 along the southern boundary. It is acknowledged that there would be some overlooking into the side garden of the rear neighbour. Nonetheless, this would not lead to a level of overlooking that would warrant a reason for refusal, as the rear first floor window of unit 2 is at an obtuse angle and over 10m from the rear/side elevation. In addition, the main outdoor space used by the rear neighbour is their rear garden and this will not be overlooked by any of the three units.
- 8.30 Policy DM10 of the adopted SADMP also requires that the amenity of occupiers of the proposed development would not be adversely affected by activities in the vicinity of the site.

- 8.31 The site plan indicates that the buildings are adequately spaced at the rear with the minimum length of the proposed gardens indicated as 8.5m. The proposed plot sizes would provide 70m² for the two bedroom and 84m² for the three bedroom properties. The amenity space for dwellings of this size which is considered acceptable as outlined in the Good Design Guide. It is noted that the side spacing between buildings are not ideal, however, it would not have an adverse impact on the local character in this instance.
- 8.32 It is considered that the proposed development sits comfortably within the street scene as the height and design of the proposed properties are consistent with the scale, mass, and form of the neighbouring residential area. The proposed properties would not detract from the character of the area and do not appear as an overbearing feature.
- 8.33 The proposal is unlikely to have an adverse impact on the amenities of surrounding residents and provides acceptable residential amenity for future occupiers. As such, the proposed development is in accordance with Policies DM7 and DM10 of the SADMP and the Good Design Guide.

Impact upon highway safety

- 8.34 Policy DM17 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety. Policy DM18 of the adopted SADMP requires new development to provide an appropriate level of parking provision.
- 8.35 Paragraph 109 of the NPPF states that development should only be refused if there would be an unacceptable impact upon highway safety, or the residual cumulative impacts on the road network would be severe.
- 8.36 Objections have been received regarding increased traffic, insufficient on-site parking, insufficient visitors' parking, and the main road being too narrow and unsafe access for increased traffic.
- 8.37 The LHA has checked its Personal Injury Collision (PIC) database and there have been no recorded PICs in the vicinity of the proposed site accesses within the last five years. The LHA therefore believe the proposed development should not exacerbate the existing highway safety situation.
- 8.38 The LHA are satisfied that, subject to the conditions set out below, the access is safe and suitable for the proposed development and accords with Part 3, Paragraph 3.192 of the Leicestershire Highways Design Guide (LHDG).
- 8.39 The LHA are of the view that the proposed development may lead to an intensification of the existing access and have therefore added an appropriate condition below to ensure the perpetual maintenance of the desired minimum visibility splays in both directions at the site access
- 8.40 The LHA are satisfied that the submitted drawings show sufficient space for appropriately sized parking spaces to be provided and that sufficient space has been afforded to allow vehicles to turn and enter the public highway in a forward gear.
- 8.41 This complies with LCC Highways Design guidance. Overall, there would not be a significant adverse impact upon highway safety.
- 8.42 Therefore, the proposal would comply with policies DM17 and DM18 of the SADMP.

Drainage

- 8.43 Policy DM7 of the adopted SADMP requires that development does not create exacerbate flooding. The site is located within flood zone 1 indicating there is a low risk of surface water flooding.
- 8.44 Objections have been received regarding increased risk of flooding and runoff to neighbouring dwellings further down the Main Street
- 8.45 The Borough Council's Drainage Officer has no objection to the proposal subject to a condition for surface water drainage details incorporating sustainable drainage principles (SUDS). It is considered this condition is reasonable to reduce flood risk on the site in compliance with policy DM7 of the SADMP.

Planning Balance

- 8.46 The site is located within the settlement boundary of Sibson where new infill residential development is considered sustainable subject to all other material considerations. The proposed residential development would therefore comply with adopted strategic planning policy, Policy 13 of the Core Strategy.
- 8.47 As referred to earlier within this report the Council is unable to demonstrate a 5-year housing land supply and its housing policies are out of date, therefore, this application should be determined against 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
- 8.48 Paragraph 8 of the NPPF identifies three overarching and interdependent objectives to sustainable development – the economic, social and environmental objectives. In this case, the proposal would provide a small contribution to the social role through the provision of five additional dwellings and a moderate contribution to the economic role through the construction of the development and future ongoing occupation of the dwellings supporting local services.
- 8.49 It is considered that the removal of the incongruous outbuildings within the immediate setting of the listed building, and the implementation of a sympathetic range of alterations to Houghton House in accordance with a detailed schedule of works and further details to be provided via condition, will preserve and enhance the special architectural and historic interest of the listed building and enhance the significance of the Sibson Conservation Area. The proposed new dwellings and their associated courtyard, landscaping and boundary treatments would be of a satisfactory scale, layout, density, mass and design, and constructed largely of traditional materials. The proposal would therefore preserve the significance of the Sibson Conservation Area and be compatible with the significance of the grade II listed building Houghton House and its setting, so consequently it would comply with Policies DM11 and DM12 of the SADMP, section 16 of the NPPF and the statutory duties of Sections 66 and 72 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 8.50 The application does not conflict with any of the policies set out within the Local Plan (2006-2026), and there are no significant or demonstrable adverse impacts that would outweigh the identified social and economic benefits and the presumption in favour of sustainable development. Therefore, no material

considerations indicate that a decision should be made other than in accordance with the Development Plan.

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 in the consideration of this application. The Committee must also ensure the same when determining this planning 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 is within the settlement boundary of Burbage. The siting, scale and design of the proposed dwellings complement the character of the surrounding area and has a neutral effect on the setting of the nearby listed building. It would also have no adverse impact upon the residential amenity of any neighbouring dwellings, it would have no severe adverse impact upon highway safety and there would be no adverse impact upon ecology. Therefore, the proposal would comply with Policy DM1, DM3, DM6 DM7, DM10, DM11, DM12, DM17 and DM18 of the SADMP, Core Strategy Policy 13, Chapter 16 of the NPPF and the statutory duties of Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act, 1990. Therefore, this application is recommended for approval subject to the conditions below

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:

Design and Access Statement Dated 31/05/22
Design and Access Statement (Low-Res Part 1) Dated 31/05/22
Design and Access Statement (Low-Res Part 2) Dated 31/05/22
Design and Access Statement (Low-Res Part 3) Dated 31/05/22
Proposed Ground Floor Site Plan - Drg No. 20101 P03 Dated 31/05/22
Proposed First Floor Site Plan - Drg No. 20102 P03 Dated 31/05/22
Proposed Floor Plans - Unit 4 - Drg No. 20105 P03 Dated 31/05/22
Proposed Elevations - Unit 4 - Drg No. 20102 P03 Dated 31/05/22
Proposed Detailed Elevations - Unit 4 - Drg No. 20106 P0 Dated 31/05/22
Site Location Plans - Drg No. 214115 P03 Dated 21/06/22

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 development hereby permitted shall be implemented in accordance with the proposed work schedules and Appendices 2, 3, 4 and 5 within the Remaining Schedules of Works document received by the local planning authority.

Reason: To ensure that the development has a satisfactory external and internal appearance to preserve and enhance the significance of the listed building to accord with Policies DM11 and DM12 of the Site Allocations and Development Management Policies Development Plan Document.

4. Before any development commences, details of any new and replacement windows and doors on each elevation of the listed building shall be deposited with and approved in writing by the Local Planning Authority, and the scheme shall be implemented in accordance with those approved details. The details shall include the window frame and door materials, window frame and door finish, and sectional and elevational window and door drawings to a recognised scale.

Reason: To ensure that the development has a satisfactory external appearance to preserve and enhance the significance of the listed building to accord with Policies DM11 and DM12 of the Site Allocations and Development Management Policies Development Plan Document.

5. There shall be no occupation of the fourth dwelling authorised to be constructed pursuant to the planning permission 21/01501/FUL unless and until the internal and external works to Houghton House have been completed in accordance with the details approved in condition 2 of listed building consent reference 21/01502/LBC.

Reason: To secure the enhancement of the listed building to accord with Policies DM11 and DM12 of the Site Allocations and Development Management Policies Development Plan Document.

6. Notwithstanding the submitted details, before development commences full details and/or samples of all external materials for the construction of the new dwellings, including facing walls, roof tiles, details of proposed new windows and doors, window cill and header treatments, and rainwater goods shall be deposited with and approved in writing by the Local Planning Authority, and the scheme shall be implemented in accordance with those approved details.

Reason: To ensure that the development has a satisfactory external appearance in the interests of visual amenity and to preserve and enhance the significance of the listed building and the Sibson Conservation Area to accord with Policies DM11 and DM12 of the Site Allocations and Development Management Policies Development Plan Document.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order), no development (as defined by Section 55 of the Town and Country Planning Act 1990) as may otherwise be permitted by virtue of Classes A to H of Part 1 Schedule 2 of the Order shall be carried out upon the new dwellings.

Reason: To ensure continued control over development within the curtilage of the dwellings on the site in the interests of visual amenity and to preserve the significance of the listed building and the Sibson Conservation Area to accord with Policies DM11 and DM12 of the Site Allocations and Development Management Policies Development Plan Document.

8. Notwithstanding the submitted plans, the proposed access shall have a width of a minimum of 4.25 metres for a distance of at least 5 metres behind the highway boundary and shall be surfaced in a bound material with a 5.5 metre dropped crossing and a 6 metre kerbed radii. The access once provided shall be so maintained at all times.

Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework (2021).

9. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 43 metres by 2.4 metres have been provided at the site access in both directions. These shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

Reason: To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of general highway safety, and in accordance with the National Planning Policy Framework (2021).

10. The development hereby permitted shall not be first used until such time as the 10 designated parking spaces, each measuring at least 2.4 metres X 5.5 metres have been implemented. Thereafter the onsite parking provision shall be so maintained in perpetuity.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally in the interests of highway safety and in accordance with the National Planning Policy Framework (2021).

11. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of five metres of the highway boundary, nor shall any be erected within a distance of six metres of the highway boundary unless hung to open away from the highway.

Reason: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with the National Planning Policy Framework (2021).

12. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 43 metres by 2.4 metres have been provided at the site access in both directions. These shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

Reason: To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of general highway safety, and in accordance with the National Planning Policy Framework (2021).

13. The development hereby permitted shall not be first used until such time as the 10 designated parking spaces, each measuring at least 2.4 metres X 5.5 metres have been implemented. Thereafter the onsite parking provision shall be so maintained in perpetuity.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally in the interests of highway safety and in accordance with the National Planning Policy Framework (2021).

14. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of five metres of the highway boundary, nor shall any be erected within a distance of six metres of the highway boundary unless hung to open away from the highway.

Reason: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with the National Planning Policy Framework (2021).

15. Development shall not begin until surface water drainage details and calculations, incorporating sustainable drainage principles (SuDS) have been submitted to and approved in writing by the local planning authority. The

approved scheme shall be implemented in accordance with the full details prior to the completion of development.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site to accord with Policy DM7 of the adopted Site Allocations and Development Management Policies DPD.

16. No development approved by this permission shall be commenced until a scheme for the investigation of any potential land contamination on the site has been submitted in writing to and agreed in writing by the Local Planning Authority which shall include details of how any contamination shall be dealt with. The approved scheme shall be implemented in accordance with the agreed details and any remediation works so approved shall be carried out prior to the site first being occupied.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

17. If during development, contamination not previously identified is found to be present at the site, no further development shall take place until an addendum to the scheme for the investigation of all potential land contamination is submitted in writing to and approved in writing by the Local Planning Authority which shall include details of how the unsuspected contamination shall be dealt with. Any remediation works so approved shall be carried out prior to the first dwelling being occupied.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

18. Prior to commencement of development a Construction Environmental Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. The plan shall detail how, during the site preparation and construction phase of the development, the impact on existing and proposed residential premises and the environment shall be prevented or mitigated from dust, odour, noise, smoke, light and land contamination. The plan shall detail how such controls will be monitored.

The plan will provide a procedure for the investigation of complaints. The agreed details shall be implemented throughout the course of the development.

Reason: To minimise disruption to the neighbouring residents in accordance with Policy DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

19. Construction work of the development, hereby permitted, shall not take place other than between the hours of 07:30 hrs and 18:00 hrs on weekdays and 08:00 hrs and 13:00 hrs on Saturdays and shall not take place at any time on Sundays and Bank Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason: To minimise disruption to the neighbouring residents in accordance with Policy DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11.3 Notes to applicant

- Planning Permission does not give you approval to work on the public highway. Therefore, prior to carrying out any works on the public highway you must ensure all necessary licences/permits/agreements are in place. For further information, please telephone 0116 3050001. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.

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Planning Committee 5 July 2022
Report of the Planning Manager (Development Management)

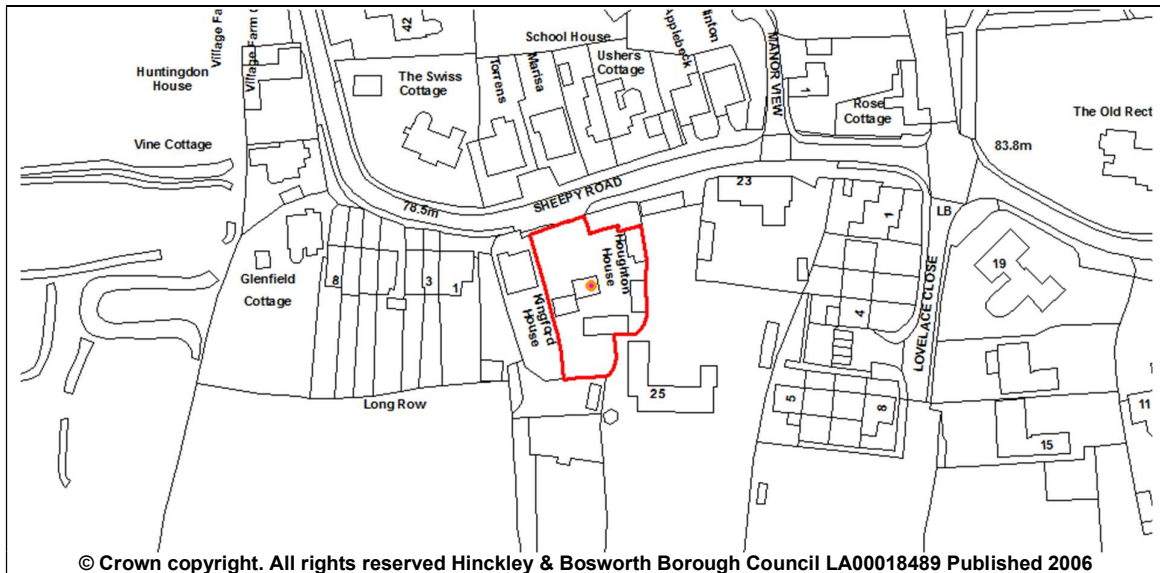
Planning Ref: 21/01502/LBC
Applicant: Ms Amy Lawson-Gill
Ward: Ambien



Hinckley & Bosworth
Borough Council

Site: Houghton House Sheepy Road Sibson

Proposal: Demolition of existing outbuildings and the refurbishment of a Grade II listed residential property.



1. Recommendations

1.1. Grant Listed Building Consent subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

- 2.1. A comprehensive Remaining Schedule of Works document provides a detailed description of the existing structures and a detailed schedule of works proposed in respect of each aspect of the building. The remaining works can be summarised as:-
- 2.2. External works include but are not limited to the demolition of the remaining single storey outbuildings constructed of a variety of materials (including timber frames, timber boarding, brick, clay tile and metal sheet roof) located adjacent to the west and south boundaries of the site to make way for the proposed dwellings, completion of the external brick face to the 1.8m high eastern boundary wall and the erection of a low brick wall with louvre divider to enclose a rear garden to Houghton House.
- 2.3. External alterations include but are not limited to:- the re-formation of the former front elevation entrance door, formation of a new external door to the rear elevation, the repair or replacement of existing windows and doors, the alteration of

unsympathetic/unsuitable windows and doors, repair, re-pointing or replacement where necessary of bricks, tiles, render and mortar, and the extension of the chimney stack.

- 2.4. Internal works predominantly consist of re-plastering exposed brick walls in a number of rooms in addition to a small number of other minor renovation works. Many of the earlier consented internal works including the exposing and treatment of the timber frame have been sympathetically undertaken by the applicant.

3. Description of the site and surrounding area

- 3.1. Houghton House is sited on the road frontage (grass verge), and is a two storey, detached cottage with a small outbuilding abutting its eastern gable. There was previously a two-storey gable to the rear (south) elevation with an attached range of single storey brick and tile outbuildings with pitched roof that extended along the east boundary. These ranges have been removed as part of the implementation of permissions reference 14/00541/HOU and 14/00542/LBC. There are a number of other detached outbuildings located to the rear along the west and (part) south boundary, constructed of a variety of materials including brick, timber and metal sheeting used for purposes ancillary to the dwelling.
- 3.2. Houghton House is a grade II listed building located on the south side of Sheepy Road. It is within the Sibson Conservation Area. The listing description states:
- 3.3. *"House. Late C17, refronted mid C18 and late C18. Timber framed with red brick facing. Plain tile roof with large ridge stack and single gable stack. Original lobby entry plan. Exterior. 2 storey, 3 window street front. 2 window section to right fronted mid C18 with two 3-light wooden casement windows and above two 3-light casements with leaded lights which project above the eaves with eye-brow dormer roofs. Single window section to left fronted late C18 with large 3-light cross casement and above another 3-light casement with leaded lights and eye-brow dormer roof. Right return wall rendered over timber framing has single casement window."*

4. Relevant planning history

05/01269/LBC

- Replacement windows to front elevation
- Listed Building Consent
- 20.01.2006

11/00984/FUL

- Extensions and alterations to dwelling
- Planning Permission
- 30.04.2012

11/00985/LBC

- Internal and external extensions to dwelling including demolition of outbuildings
- Listed Building Consent
- 30.04.2012

14/00541/HOU

- Extensions and alterations to dwelling

- Planning Permission
- 19.09.2014

14/00542/LBC

- Extensions and internal and external alterations to dwelling including demolition of outbuildings
- Listed Building Consent
- 19.09.2014

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. A site notice was also posted within the vicinity of the site.
- 5.3. A notice was published in the local press.

6. Consultation

- 6.1. No comments have been received from the following consultees:
 - Historic England
- 6.2. No objections have been received from the following consultees:
 - HBBC Conservation Officer
- 6.3. Objections have been received from nine separate addresses with the following concerns:
 - 1.) Not in keeping with the character.
 - 2.) Loss and damage to historic fabric.
 - 3.) The additional properties within the grounds of Houghton House are of a more urban style, bearing no architectural relation either to Sheepy Road (predominantly properties with "eyebrow" windows) or to the historic village as a whole (e.g. the 12th Century Church, the historic Public House or the Old Rectory).
 - 4.) Over development of the site.

7. Policy

- 7.1. Sheepy Parish Neighbourhood Plan 2018-2036
 - Policy S7: Local Heritage Assets
- 7.2. Core Strategy (2009)
 - Policy 13: Rural Hamlets
- 7.3. Site Allocations and Development Management Policies DPD (2016)
 - Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM11: Protecting and Enhancing the Historic Environment
 - Policy DM12: Heritage Assets

7.4. National Planning Policies and Guidance

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

7.5. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)
- The Sibson Conservation Area Appraisal (2008)

8. Appraisal

8.1. Key Issues

- Impact upon the special architectural and historic fabric/interest of the Listed Building and its setting.

8.2. Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on the local planning authority when considering whether to grant listed building consent to have special regard to the desirability of preserving the building or its setting or any features of special architectural and historic interest which it possesses.

8.3. Section 16 of the National Planning Policy Framework (NPPF) provides the national policy on conserving and enhancing the historic environment. Paragraphs 199-202 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 and heritage assets. All proposals for extensions and alterations of listed buildings will only be permitted where it is demonstrated that the proposals are compatible with the significance of the building.

8.5. The Remaining Schedule of Works document with history section describes the significance of the listed building, provides justification for the works and a commentary on their potential impact upon its significance. The level of detail within this document is considered more than sufficient and therefore the requirements of paragraph 194 of the NPPF and the relevant sections of DM11 of the SADMP have been met.

Impact upon the significance of the listed building

8.6. The remaining single storey outbuildings on the application site have some very limited historical merit in terms of the evolution of the occupation and use of the Houghton House. However, they are later additions to the setting of the main building and by virtue of their current poor condition and appearance it is considered that their demolition will not result in the loss of significant architectural or historic features and subject to the recording that has been supplied in the submitted documentation, their demolition is considered to be justified and therefore acceptable. The detached buildings are of an incongruous appearance and of little merit in terms of historical significance that their demolition will have a positive impact on the setting of the listed building.

- 8.7. In respect of the front elevation, the windows are proposed to be restored to their earlier configuration and the front door re-instated within the existing opening and the dentilled eaves brickwork to the front elevations re-exposed. It is considered that the proposed changes will have a positive impact upon this prominent front elevation of the building and will enhance the special architectural and historical interest of it. The proposed alterations, repair or replacement of windows and doors on the other elevations will not result in the loss of any significant architectural or historical features and therefore are also considered to be acceptable. The extension to the chimney stack, construction of the brick boundary wall to the east site boundary, repair, re-pointing or replacement where necessary of bricks, tiles, render and mortar will not result in any unnecessary loss of salvageable architectural or historical fabric and will improve the stability and long-term viability of the listed building and is therefore acceptable.
- 8.8. The reinstatement of a lime plaster finish to the internal walls alongside other minor renovation works will result in an enhancement to the significance of the listed building and is therefore acceptable.
- 8.9. A detailed and comprehensive scheme of works has been submitted within the Remaining Schedule of Works document in addition to the Appendices of this document providing a general approach and specification for the repair or replacement of timber windows, repointing brickwork, preserving historic plaster, and internal lime plastering. Any works should be carried out in accordance with these details to ensure that the significance of the listed building is preserved. For any new and replacement windows and doors details including their appearance, dimensions and construction materials should be submitted and approved in writing prior to their installation to ensure that the significance of the listed building is preserved and enhanced. A simple elevational and sectional drawing for the windows and doors is recommended.
- 8.10. To ensure that the desired external and internal alterations and renovations to the listed building are implemented it is requested that a suitably worded planning condition is placed on any subsequent approval of the proposed new dwellings within the setting of Houghton House to tie the enhancements to the listed building to the implementation of that development.

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 in the consideration of this application. The Committee must also ensure the same when determining this planning 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. It is considered that the removal of the incongruous outbuildings within the immediate setting of the listed building, and the implementation of a sympathetic range of external and internal alterations to Houghton House in accordance with a detailed schedule of works and further details to be provided via condition, will preserve and enhance its special architectural and historic interest. The proposal is therefore compatible with the significance of the grade II listed building, and it would comply with Policies DM11 and DM12 of the SADMP, section 16 of the NPPF and the statutory duty of Section 16 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990.

11. Recommendation

- 11.1 **Grant Listed Building Consent** subject to:

- Planning conditions outlined at the end of this report

- 11.2 That the Planning Manager be given powers to determine the final detail of planning conditions.

11.3 Conditions and Reasons

1. The works to which this consent relates shall be begun before the expiration of three years from the date of this consent.

Reason: To conform with Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of 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 dated the 31/05/22 and 04/03/22

Design and Access Statement

Design and Access Statement (Low-Res Part 1)

Design and Access Statement (Low-Res Part 2)

Design and Access Statement (Low-Res Part 3)

Proposed Ground Floor Site Plan - Drg No. 20101 P03

Proposed First Floor Site Plan - Drg No. 20102 P03

Proposed Floor Plans - Unit 4 - Drg No. 20105 P03

Proposed Elevations - Unit 4 - Drg No. 20102 P03

Proposed Detailed Elevations - Unit 4 - Drg No. 20106 P0

Landscaping Illustrative Plan Drg No 214115 94101 P01

Landscaping Layout Plan Drg No 214115 94102 P01
Car Parking Provision - 214115 95101- P02
Garden Areas Plan P02
Car Parking Provision Plan P02
Boundary Treatment Plan P02
Refuse & Recycling Plan P02
Site Location Plans - Drg No. 214115 P03 Dated 21/06/22

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 development hereby permitted shall be implemented in accordance with the proposed work schedules and Appendices 2, 3, 4 and 5 within the Remaining Schedules of Works document received by the local planning authority on the 31/05/22.

Reason: To ensure that the development has a satisfactory external and internal appearance to preserve and enhance the significance of the listed building to accord with Policies DM11 and DM12 of the Site Allocations and Development Management Policies Development Plan Document.

4. Before any development commences, details of any new and replacement windows and doors on each elevation of the listed building shall be deposited with and approved in writing by the Local Planning Authority, and the scheme shall be implemented in accordance with those approved details. The details shall include the window frame and door materials, window frame and door finish, and sectional and elevational window and door drawings to a recognised scale.

Reason: To ensure that the development has a satisfactory external appearance to preserve and enhance the significance of the listed building to accord with Policies DM11 and DM12 of the Site Allocations and Development Management Policies Development Plan Document.

5. There shall be no occupation of the fourth dwelling to be constructed pursuant to the planning permission 21/01501/FUL until the internal and external works to Houghton House have been completed in accordance with the details approved in condition 2 of this listed building consent.

Reason: To secure the enhancement of the listed building to accord with Policies DM11 and DM12 of the Site Allocations and Development Management Policies Development Plan Document.

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- 3.3. The site is within the Sence Lowlands area, as defined by the Council's Landscape Character Assessment (2017). This area is characterised as having a flat and gently rolling landscape. The site is adjacent to the single un-adopted track and partially screened by a hedgerow and trees. Nevertheless, views can be obtained from the track through the site into the distant countryside beyond. Some views can also be obtained of the gate and wall from Fenn Lane to the North.

4. Relevant planning history

15/00037/OUT

- Erection of up to 11 dwellings (outline - access and layout only) (revised proposal)
- Outline planning permission
- 07.10.2016

19/00462/REM

- Approval of reserved matters (appearance, landscaping and scale) of outline planning permission 15/00037/OUT for residential development of 11 dwellings
- Approval of Reserved Matters
- 20.12.2019

22/00194/CLE

- Certificate of Lawful Existing Development for continued use of land for commercial storage of plant, machinery and skips
- Refused
- 18.05.2022

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 and a notice. Seven objection letters have been received as a result of the publicity making the following comments:

- 1.) The construction of the gates and wall is in close vicinity to and has I believe damaged an important hedgerow.
- 2.) The gate and wall are totally out of keeping with the rural area they are in.
- 3.) They seem positioned to block off the access to other properties off the Fenn Lane. The purpose of which is not clear.

- 4.) If these gates and walls have already been erected then we believe enforcement should look to getting them removed. Not only is it inappropriate development in open countryside it is causing problems for nearby residents.
- 5.) The gates are already higher than the planning proposals and are not suitable for this rural area.
- 6.) Another concern is that these will be used to restrict our access further.
- 7.) The gates are unsuitable for a rural area. They are too high and look out of keeping for the locality.
- 8.) If this gateway is given permission my other concern is that this developer will use the gateway to restrict access as he sees fit, to everyone including the emergency and council services if they are ever required. He has already restricted my access from the access road to my plot of land and this will just be more leverage for him.

6. Consultation

- 6.1. No objection has been received from:
 - LCC Highways
- 6.2. Witherley Parish Council raised an objection to the proposal on the following grounds:
 - The decimation of trees and hedgerows impacts on the local biodiversity.
 - The brickwork and gates are no in keeping with the surrounding countryside.
 - Could also impact on the residents who live on the other side of the gates.

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 DM4: Safeguarding the Countryside and Settlement Separation
 - Policy DM10: Development and Design
 - Policy DM17: Highways and Transportation
 - Policy DM18: Vehicle Parking Standards
- 7.2. National Planning Policies and Guidance
 - National Planning Policy Framework (NPPF) (2021)
 - Planning Practice Guidance (PPG)
- 7.3. Other relevant guidance
 - Good Design Guide (2020)
 - National Design Guide (2019)
 - Leicestershire Highways Design Guide
 - Landscape Character Assessment 2017

8. Appraisal

8.1. Key Issues

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

Design and impact upon the character of the area

- 8.2 Policy DM4 of the SADMP states that development in the countryside will be considered sustainable where it does not have a significant adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside; and it does not undermine the physical and perceived separation and open character between settlements; and it does not create or exacerbate ribbon development.
- 8.3 Policy DM10 of the 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 and that the use and application of building materials respects the materials of existing adjoining/neighbouring buildings and the local area generally.
- 8.4 The site is within Landscape Character Assessment Area (LCA) G: Sence Lowlands, identified by the Borough Council's Landscape Character Assessment (2017). The key characteristics of this LCA are flat to gently rolling lowland vale landscape, well-ordered agricultural landscape with a regular pattern of rectilinear fields and small villages with a strong sense of place. The proposed area would be typical of these characteristics forming a rectilinear field. The key sensitivities of this area include a rural character with a lack of significant intrusions or light pollution, biodiversity value of the grass verges/species-rich grassland and the relatively intact field boundary pattern.
- 8.5 Fenn Lane is located to the North of the Entrance Gate and Wall. There is a gap of approximately 380m from Fenn Lane to the Gate and Wall with trees directly south. The visual impact of the Gate and Wall will be largest when viewed from Fenn Lane. Nonetheless, the trees directly south behind the Gate and Wall soften the landscape impact. This is coupled with the 380m distance from the Fenn Lane. The scale of the Gate and Wall represents a form and scale of development which is characteristic with the open countryside.
- 8.6 Entrance gates and wall are not uncommon in the open countryside, the height and appearance of the fence and wall is a simple design is not considered to be out of character in an area which is predominantly countryside. The gate and the wall are shorter in length than the fence to the south and therefore the landscape impact is considered smaller. The gate and wall are of a modest design of a type that is not uncommon within the open countryside. Consequently, the gate and wall are not considered to significantly harm the character and appearance of the area to an extent that requires refusal or amendment of the application.
- 8.7 The proposal due to its scale and distance from Fenn Lane would not detract significantly from the character and appearance of the countryside and landscape of which it forms a part. The proposed development complies with policies DM4 and DM10 of the SADMP.

Impact upon neighbouring residential amenity

- 8.8 Policy DM10 of the SADMP seeks to ensure that development proposals do not harm the amenity of neighbouring residential properties and that the amenity of occupiers of the proposed development would not be adversely affected by the activities in the vicinity of the site.
- 8.9 The gate and wall is set away from any neighbouring residential properties. The proposal would therefore have a minimal impact on residential amenity in compliance with policy DM10 of the SADMP.

Impact upon highway safety and parking

- 8.10 Policy DM17 of the SADMP seeks to ensure new development would not have an adverse impact upon highway safety. Policy DM18 of the SADMP seeks to ensure parking provision appropriate to the type and location of the development.
- 8.11 The Local Highway Authority have been consulted on the application. After consideration of the submitted plans the Local Highway Authority (LHA) does not believe the proposed application will result in a material change in the character of traffic in the vicinity of the site or create any highway safety issues and therefore the LHA have no comments to make. Given the above the Gate and Wall are acceptable in relation to highway safety and complies with paragraph 108 of the NPPF and policy DM17 of the SADMP.

Other Issues

- 8.12 There has been concerns raised regarding the restriction of the access impacting on neighbouring properties. The access serves five dwellings to the south east.
- 8.13 Any dispute regarding access is a civil matter between the relevant parties and the applicant. It is not a material planning consideration and therefore cannot be given weight in any planning decision.
- 8.14 Nonetheless, it must be stated that even if planning permission was granted for the entrance gates any private right of way agreement for any of the properties would still have to be adhered too.
- 8.15 Due to the type and scale of development an Ecology Survey is not required.

Equality implications

- 8.16 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.
- 8.17 Officers have taken this into account and given due regard to this statutory duty in the consideration of this application. The Committee must also ensure the same when determining this planning application.
- 8.18 There are no known equality implications arising directly from this development.
- 8.19 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).

9. Conclusion

- 9.1 The proposal, due to its form, scale and distance from Fenn Lane, would not detract from the character and appearance of the countryside and landscape of which it forms a part. The proposed development complies with policies DM4 and DM10 of the SADMP.

10. 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 in accordance with the submitted application details, as follows: Entrance Gate and Wall - Drg No. A847-05 and Site Location Plan - Drg No. A847-06 received by the local planning authority on the 27th January 2022.

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).

Planning Committee 5 July 2022
Report of the Planning Manager (Development Management)

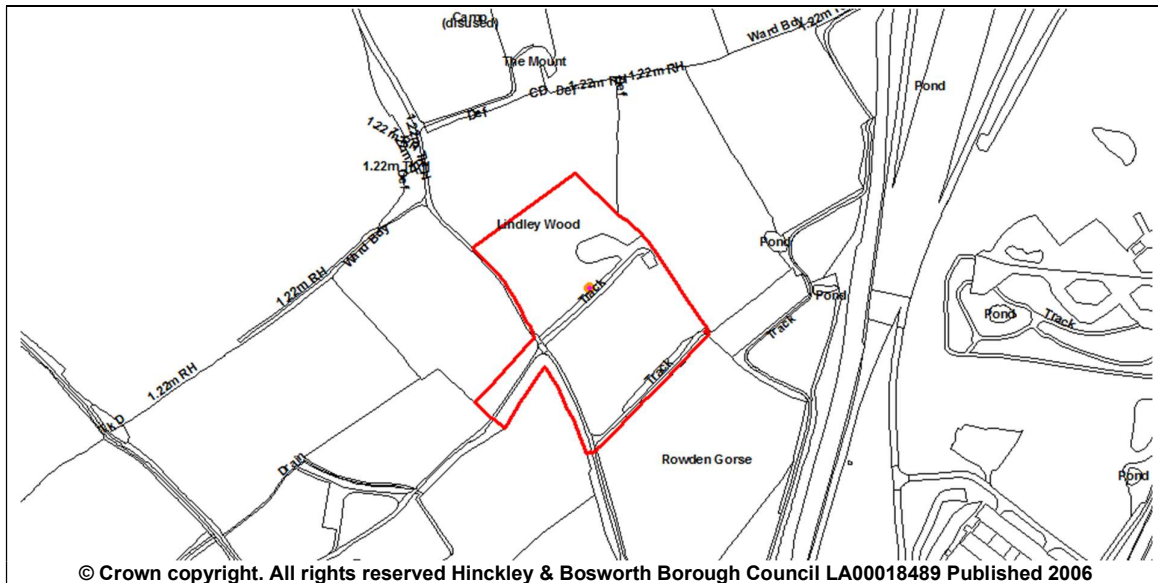
Planning Ref: 22/00079/FUL
Applicant: Mr S Chaudry
Ward: Ambien



Hinckley & Bosworth
Borough Council

Site: Land South Of Lindley Wood Fenn Lanes Fenny Drayton

Proposal: Erection of palisade fencing (Retrospective)



1. Recommendations

- 1.1. **Refuse planning permission** subject to the reasons at the end of this report.

2. Planning application description

- 2.1. The application seeks retrospective permission for palisade fencing at a height of 2.4m. The palisade fence is painted olive green and includes concrete hard standing in front. The length and position of the palisade fence is shown on the Location Plan attached to the application.

3. Description of the site and surrounding area

- 3.1. The application site is located approximately 1km to the east of the hamlet of Fenny Drayton and south of Fenn Lanes and is accessed via a single track un-adopted lane which serves the application site, agricultural buildings, uses and dwellings within this area. Surrounded by open fields this gives the area its rural character.
- 3.2. The access is connected to the applicant's commercial storage of plant, machinery and skips business. A Certificate of Lawfulness application for continued use of land for commercial storage was refused under 22/00194/CLE on the 18.05.2022.
- 3.3. The site is within the Sence Lowlands area, as defined by the Council's Landscape Character Assessment (2017). This area is characterised as having a flat and gently rolling landscape, of which the appeal site complements and contributes towards. The site is adjacent to the single un-adopted track and partially screened

by a hedgerow and trees. Nevertheless, views can be obtained from the track through the site into the distant countryside beyond. Some views can also be obtained of the site from Lindley Hall Farm to the South. Due to its open character the site makes a positive contribution to the rural character and appearance of the area.

4. Relevant planning history

09/00592/C

- Application dealt with by County for the creation of a composting site
- Refused 24.11.2009
- Dismissed on appeal reference: APP/M2460/A/10/2128382/NWF 11.04.2007

14/00320/COU

- Application for change of use of land to a plant storage yard including conversion of existing building to office and accommodation.
- Submitted 28.03.2014.
- Application returned on the 11.10.2016 and therefore not determined

15/00037/OUT

- Erection of up to 11 dwellings (outline - access and layout only) (revised)
- Approved 07.10.2016

19/00462/REM

- Approval of reserved matters (appearance, landscaping and scale) of outline planning permission 15/00037/OUT for 11 dwellings
- Approved 20.12.2019

22/00194/CLE

- Proposal: Certificate of Lawful Existing Development for continued use of land for commercial storage of plant, machinery and skips.
- Refused 18.05.22

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. Seven objection letters have been received as a result of the publicity making the following comments:

- 1.) The actual height of the fencing is over the permitted 2m and has been standing for several months now.
- 2.) Visual impact to the landscape is massive with vast amounts of woodland being removed to be replaced by galvanised steel fencing that is totally out of keeping with this rural area.
- 3.) The loss of trees where the fence stands has also created extra noise disturbance to residents and causes excess water to run onto the shared track due to the natural absorption process being taken away, Visual amenity is also compromised by the large steel industrial gates which include signage and concrete ramps. The sheer size of these gates indicates the size vehicles which are intended for this compound.

- 4.) Highway Safety issues, there is a potential accident waiting to happen on a single track that serves four residential properties not to mention access onto the Fenn Lanes.
- 5.) Vast amounts of trees were removed to clear way for this fencing which forms heavily stoned compounds. This has greatly affected the wildlife that used to live here. Any reports or surveys carried out on the land are only applicable to the piece of land where planning was given for the houses.

6. Consultation

6.1. No objection has been received from:

- LCC Highways

Witherley Parish Council raised an objection to the proposal on the following grounds:

- 1.) The proposal has had a massive impact on local biodiversity through the total eradication of ancient woodland, hedgerows and shrub undergrowth. Many species have been affected by loss of natural habitat.
- 2.) Google earth will demonstrate the huge loss of woodland to the barren site.
- 3.) There is a permitted planning application for houses which has not been developed and no plans to now this site has been totally cleared and other parts of the area also enclosed by fencing.

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 DM4: Safeguarding the Countryside and Settlement Separation
- Policy DM10: Development and Design
- Policy DM12: Heritage Assets
- Policy DM17: Highways and Transportation
- 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)
- Landscape Character Assessment 2017

8. Appraisal

8.1. Key Issues

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

Design and impact upon the character of the area

- 8.2 Policy DM4 of the SADMP states that development in the countryside will be considered sustainable where it does not have a significant adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside; and it does not undermine the physical and perceived separation and open character between settlements; and it does not create or exacerbate ribbon development.
- 8.3 Policy DM10 of the 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 and that the use and application of building materials respects the materials of existing adjoining/neighbouring buildings and the local area generally.
- 8.4 The site is within Landscape Character Assessment Area (LCA) G: Sence Lowlands, identified by the Borough Council's Landscape Character Assessment (2017). The key characteristics of this LCA are flat to gently rolling lowland vale landscape, well-ordered agricultural landscape with a regular pattern of rectilinear fields and small villages with a strong sense of place. The proposed area would be typical of these characteristics forming a rectilinear field. The key sensitivities of this area include a rural character with a lack of significant intrusions or light pollution, biodiversity value of the grass verges/species-rich grassland and the relatively intact field boundary pattern.
- 8.5 The site is located close to Fenn Lanes. There are boundary trees and hedges along the front boundary partly screening the proposal from the road. However there is a gap in the trees and hedges from where the access is positioned which makes the proposal visible from Fenn Lanes. The fencing replaces open land void of an urban structure this is in addition to the hardstanding that has been laid down which contributes to the urbanisation of the site. The proposal represents a form of which is uncharacteristic with the open countryside and with no connection to the surrounding fields. The proposal results in the loss of this part of the countryside, urbanising the site.
- 8.6 Although fencing is not uncommon in the open countryside, the height and unsightly appearance of the palisade design is out of character in an area which is predominantly countryside. There has been no attempt, to mitigate, for example, with planting. As a result, the proposal would harm the character of the previously undeveloped field due to its high visibility and the nature of its surroundings. Consequently, the proposal would harm the character and appearance of the area.
- 8.7 The proposal does not make a positive contribution to the character and appearance of the countryside and landscape of which it forms a part. The proposed development urbanises the site and results in the loss of this area of countryside to development in conflict with policies DM4 and DM10 of the SADMP.

Impact upon neighbouring residential amenity

- 8.8 Policy DM10 of the SADMP seeks to ensure that development proposals do not harm the amenity of neighbouring residential properties and that the amenity of occupiers of the proposed development would not be adversely affected by the activities in the vicinity of the site.

- 8.9 The fence is set away from any neighbouring residential properties. The proposal would therefore have a minimal impact on residential amenity in compliance with policy DM10 of the SADMP.
- Impact upon highway safety and parking
- 8.10 Policy DM17 of the SADMP seeks to ensure new development would not have an adverse impact upon highway safety. Policy DM18 of the SADMP seeks to ensure parking provision appropriate to the type and location of the development.
- 8.11 Paragraph 108 of the NPPF outlines that in assessing specific applications for development, it should be ensured that a safe and suitable access to the site can be achieved for all users.
- 8.12 The Local Highway Authority have been consulted on the application. After consideration of the submitted plans the Local Highway Authority (LHA) does not believe the proposed application will result in a material change in the character of traffic in the vicinity of the site or create any highway safety issues and therefore the LHA have no comments to make.
- 8.13 Given the above the fencing is acceptable in relation to highway safety and complies with paragraph 108 of the NPPF and policy DM17 of the SADMP.

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 in the consideration of this application. The Committee must also ensure the same when determining this planning 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 fencing is inappropriate development for the open countryside setting with the type of fencing (Palisade) more appropriate to an industrial site. It would contribute to urbanising the site and would harm the intrinsic, open, relatively undeveloped character of the countryside. The proposal is therefore in conflict with policies DM4 and DM10 of the SADMP.

11. Recommendation

11.1 **Refuse planning permission** subject to the reason set out below;

11.2 The development constitutes a form of uncharacteristic development that significantly harms the open character and appearance of the application site and thus erodes part of the intrinsic value and beauty of the countryside, contrary to Policies DM4 and DM10, of the Site Allocations and Development Management Policies Development Plan Document (2016).

Planning Committee 5 July 2022
Report of the Planning Manager (Development Management)

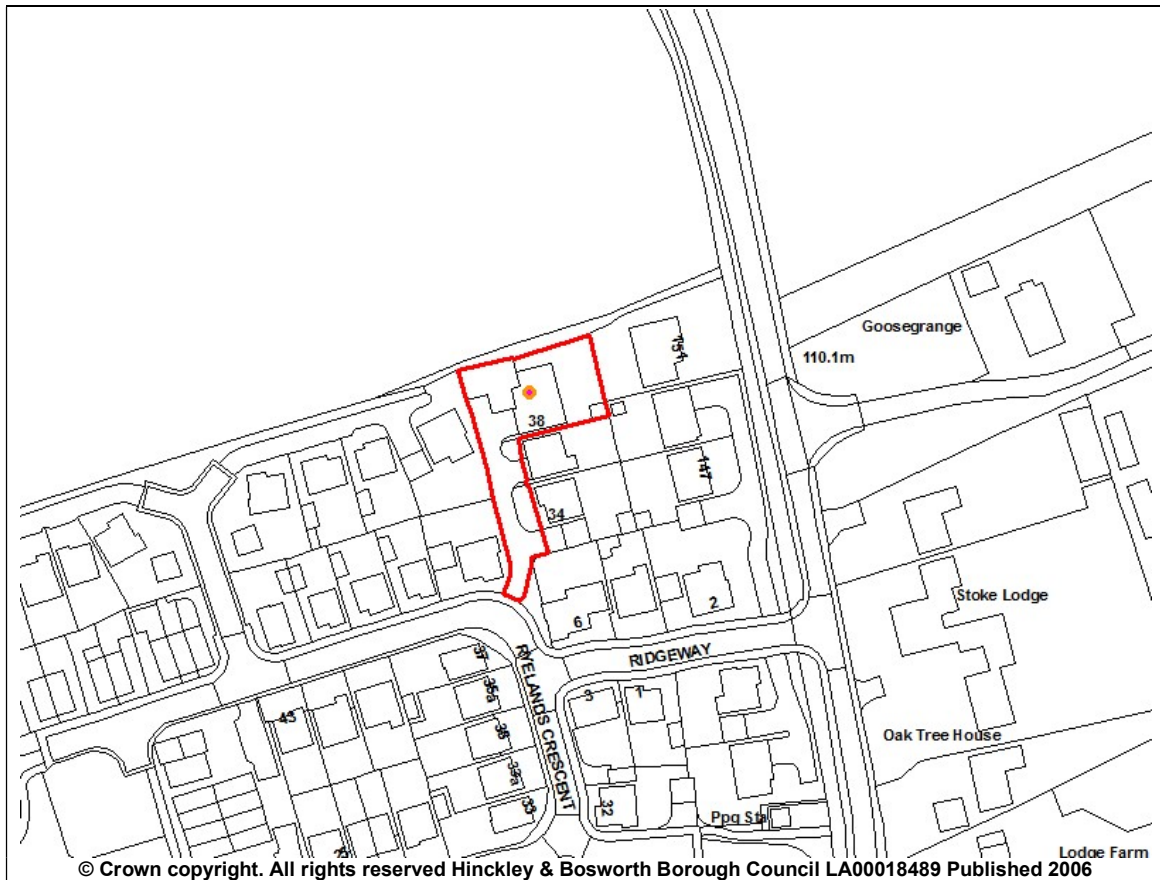
Planning Ref: 22/00369/HOU
Applicant: Lee and Philippa Hudson and Clark
Ward: Ambien



Hinckley & Bosworth
Borough Council

Site: 38 Ryelands Crescent Stoke Golding Leicestershire

Proposal: Dual hip to gable end roof extension, installation of roof lights to front and rear roof slopes and detached garage



1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

1.2. That the Planning Manager be given powers to determine the final detail of planning conditions.

2. Planning application description

- 2.1. This householder application seeks full planning permission for dual hip to gable end roof extensions, installation of roof lights to the front and rear roof slopes and the construction of a detached garage to a dwelling, 38 Ryelands Crescent, Stoke

Golding. The proposal includes an increase in the height of the southernmost (right hand) section of the dwelling from 1½ storey to 2 storey height and the conversion of one of the integral garages to a bedroom/shower room, the other being retained as a store. The only addition to the built form footprint is the detached garage. Matching external materials are proposed throughout the construction.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of Stoke Golding on a relatively recently constructed modern residential estate and at the end of a small private shared access road serving a total of three dwellings. It is a predominantly two storey and 1½ storey detached house with a hipped main roof form, a full height central forward projecting two storey gable to the front elevation along with two dormer windows and a lean-to roof over integral double garages. There is also a single storey section to the north side elevation with a lean-to roof and an infill conservatory to the southern rear corner. It is constructed of red facing bricks with black mottling, flat/plain grey concrete roof tiles and white uPVC windows. The site frontage currently has off-street parking for two additional vehicles on the concrete block paved surfaced garage forecourts and two additional spaces on loose stone hardstanding at the end of the shared access driveway.
- 3.2. The surrounding estate comprises a mix of two storey detached, semi-detached and terraced dwellings with a variety of house sizes and designs. The vast majority of the houses have gable ended roof form, with occasional hipped roof properties scattered throughout the estate. The vast majority of the houses are constructed with red facing bricks and plain concrete roof tiles with occasional rendered dwellings. There are detached two storey dwellings to the west, south and east of the application dwelling and a field to the north.

4. Relevant planning history

14/00262/OUT

- Residential development (outline - access only)
- Outline Planning Permission
- 27.01.2015

15/00073/REM

- Application for approval of reserved matters (appearance, landscaping, layout and scale) of outline planning permission 14/00262/OUT for residential development of 80 dwellings
- Approval of Reserved Matters
- 23.12.2015

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. As a result of public consultation responses have been received from four separate addresses raising objections to the application on the following grounds:
- 1) Overdevelopment, not in keeping with surrounding area

- 2) Siting and size of garage will be imposing and block open views of the field and block light
- 3) Loss of privacy from overlooking from new roof lights
- 4) Garage will reduce space for turning
- 5) Shared driveway is insufficient in width and not designed to support increased parking, vehicle movements and turning from a larger dwelling
- 6) Additional use of shared driveway will impact on its maintenance
- 7) Potential adverse impact on drainage capacity and infrastructure from increased use and damage from construction vehicles

6. Consultation

- 6.1. Stoke Golding Parish Council object to the application and consider that it does not meet a number of the design criteria of Policy SG15 of the 'made' Stoke Golding Neighbourhood Plan with specific reference to the following matters:
- Point 1 - the proposed increase in the size of the dwelling to 7 bedrooms would not be in keeping with the scale, form or character of neighbouring properties or its surroundings
 - Point 3 - the current shared access (with two other dwellings) is not suitable for the potential increase in traffic going to the end of the driveway as a result of the proposed increase in size of the dwelling
 - Point 8 - the proposed garage will remove the best view of open countryside for the public along Ryelands Crescent and therefore would not enhance the current street scene
 - Point 10 - the increase in the size of the dwelling and the resulting retained off-street parking space to serve the dwelling is likely to result in additional vehicles associated with the property parking on the street.

7. Policy

- 7.1. Stoke Golding Neighbourhood Plan (SGNP) 2020-2039 (2022)
- Policy SG15: Design
- 7.2. Core Strategy (2009)
- No relevant policies
- 7.3. Site Allocations and Development Management Policies (SADMP) DPD (2016)
- Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM10: Development and Design
 - Policy DM17: Highways and Transportation
 - Policy DM18: Vehicle Parking Standards
- 7.4. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2021)
 - Planning Practice Guidance (PPG)
- 7.5. Other relevant guidance
- Good Design Guide (2020)
 - National Design Guide (2019)
 - Local Highway Authority Design Guide

8. Appraisal

8.1. Extensions to existing domestic properties located within settlement boundaries 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
- Impact upon neighbouring residential amenity
- Impact upon highway safety/parking provision
- Other matters

Design and impact upon the character of the area

- 8.2 The design criteria of Policy SG15 of the 'made' SGNP requires development, (amongst other matters) to: (1) be in keeping with the scale, form and character of its surroundings, (8) ensure buildings are designed and positioned to enhance streets and spaces, and (10) ensure parking is integrated so that it does not dominate the street. 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.
- 8.3 The Council's adopted Good Design Guide provides further advice in respect of the siting and design of house extensions and states: *'Roof extensions are a well-used methodology for extending internal space but can be prominent over a wider area due to their higher scale compared with their neighbours.'*
- 8.4 Through the consultation process objections to the application have been received on the grounds that the proposed increase in the size of the dwelling to 7 bedrooms would not be in keeping with the scale, form or character of neighbouring properties or its surroundings contrary to point 1 of Policy SG15 of the 'made' SGNP and that the proposal represents overdevelopment of the site.
- 8.5 The surrounding estate comprises a mix of two storey dwellings, predominantly detached but with a number of semi-detached and terraced dwellings scattered through the estate. There is a variety of house sizes and designs but the vast majority have gable ended roof form and only occasional dwellings with hipped roof form. The proposed dual hip to gable roof extensions and associated works would not exceed the height of the highest part of the existing roof of the dwelling and therefore would not uncharacteristically exceed the height or scale of surrounding development.
- 8.6 Notwithstanding the objections received, it is considered that the proposed formation of a dual gabled roof would be entirely in keeping with the roof form and character of surrounding development and would not be dissimilar to the wide single height gable ended roof form of a neighbouring dwelling immediately to the east, 149 Hinckley Road. It is considered that the proposals result in an acceptable design and the proposed use of matching external materials would result in an acceptable, unified appearance.
- 8.7 Notwithstanding that at 7 bedrooms, the dwelling would exceed the size of any other dwellings on the estate, two of the bedrooms would be in the roof space and one in a converted garage, no additional footprint to the dwelling itself is being proposed. It is considered that the proposals would not result in overdevelopment of the site or any significant adverse visual impacts to the application dwelling or wider street scene, particularly as the dwelling is located at the end of a 47 metres long

shared driveway serving a total of three dwellings and is not overly prominent in any street scene.

- 8.8 Through the consultation process objections to the application have been received on the grounds that the siting and size of the proposed garage will remove the best view of open countryside for the public along Ryelands Crescent and therefore would not enhance the current street scene contrary to point 8 of Policy SG15 of the 'made' SGNP and would result in an over dominance of parking in the street scene.
- 8.9 The Council's adopted Good Design Guide also states that state that *'garages and car ports should generally be set back from the existing dwelling so as not to dominate the street scene'*.
- 8.10 The proposed garage would measure approximately 5.2 metres in width by 6.4 metres in depth with a dual pitched gable fronted roof with an eaves height of 2.1 metres and a ridge height of 3.84 metres. It would be located within the applicant's residential curtilage at the front of the dwelling and would form a single storey visual end stop to the shared driveway. The proposal would clearly obstruct views along the shared driveway through to the field, however, that view is not protected or identified as being of any particular significance other than forming part of the original layout of the estate. The provision of a garage at the end of a driveway is not uncharacteristic of many modern residential estates and in this case would not be dissimilar in principle to the provision of a four garage block at the head of the space between and serving Nos. 4 and 6 Rylands Crescent. The area proposed for construction of the garage is already hard-surfaced with loose stones and is used to provide parking for two vehicles. Therefore, notwithstanding the objections received and the advice contained within the Good Design Guide SPD, whilst the garage would not retain the existing openness of the street scene, it is considered that by virtue of its single storey scale it does not result in any significant visual harm either, particularly as the driveway offers no public thoroughfare and the proposal would be located at the end of a 47 metres long driveway and so is not a street in the usual context that would require greater adherence to the Good Design Guide.
- 8.11 Notwithstanding the various objections received, by virtue of their siting, scale, design and subject to the proposed use of matching external materials in their construction to ensure a satisfactory and uniform appearance, the proposed scheme of extensions and alterations would respect the scale, form, character and appearance of the existing dwelling and would not result in any significant adverse visual impacts on the character or appearance of the wider street scene or the surrounding area. It is therefore considered that the proposed scheme would meet the requirements of design criteria 1 of Policy SG15 of the 'made' SGNP, Policy DM10 of the adopted SADMP and the general principles of the adopted Good Design Guide and would not be in any significant conflict with points 8 or 10 of the design criteria of Policy SG15 of the 'made' SGNP.

Impact upon neighbouring residential amenity

- 8.12 Point 5 of the design criteria of Policy SG15 of the 'made' SGNP requires that new development has regard to the amenities of residents in the area which should not be significantly adversely affected, including by loss of daylight/sunlight, privacy, air quality, noise and light pollution. 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.
- 8.13 The Council's adopted Good Design Guide states:

'The 45 degree rule is applied for planning applications for new extensions to existing properties which could result in the outlook from or daylight to a principal window to a habitable room being impacted upon. On a plan of the proposal, a projecting line is to be drawn from the nearest principal window to a habitable room that may be affected by the planning application towards the proposed building at an angle of 45 degrees. Habitable rooms include living rooms, bedrooms and kitchens but do not include rooms such as bathrooms, utility rooms, halls, landings or garages. The extension should not cross the 45 degree line.'

- 8.14 Through the consultation process objections to the application have been received on the grounds that the proposed garage will be imposing, block light to windows and views of the field and that the proposed roof lights would result in a loss of privacy to neighbouring dwellings from overlooking.
- 8.15 The nearest neighbouring dwelling to the proposed garage is 56 Ryelands Crescent which is a two storey house located to the south west of the proposed garage. By virtue of its siting and separation, the proposed garage would not impede a 45 degree line drawn from the centre of the nearest ground floor principal habitable room window which is located in the north elevation of No. 56 facing the field. Whilst there are other ground floor windows in the east elevation of No. 56 that face towards the application dwelling, the nearest is only a secondary, not principal window. Therefore, the proposed garage would not result in any significant adverse overbearing or overshadowing impacts on the outlook of, or light to, the principal habitable room windows of any neighbouring dwelling.
- 8.16 The proposed roof lights to the front and rear roof elevations to serve the proposed bedrooms and bathroom within the roof space would face towards the windows in the east side elevation of No. 56 Ryelands Crescent at a separation distance of approximately 14 metres and towards the rear elevation windows of No. 151 Hinckley Road at a separation distance of approximately 20 metres and 10 metres to the rear garden boundary. There are already windows within the first floor front and rear elevations of the application dwelling that face in the same directions and at slightly closer proximity. Nonetheless, following the objections received, the applicant's agent has confirmed that a condition requiring the roof lights to be constructed with a cill height of a minimum of 1.7 metres above the floor level of the rooms that they serve would be agreeable to the applicants in order to address any perceived potential loss of privacy from overlooking raised by the occupiers of neighbouring properties.
- 8.17 The neighbouring dwelling to the south, No. 36 Ryelands Crescent is a two storey detached dwelling on a similar building line to the application dwelling. By virtue of the proposed increase in the roof height of the nearest section of the application dwelling being adjacent to the blank north elevation of No. 36, it is considered that the proposal would not result in any significant adverse overbearing or overshadowing impacts on No. 36 and there are no windows proposed that would result in any loss of privacy to the neighbouring occupiers.
- 8.18 Notwithstanding the objections received, it is considered that the proposed scheme of extensions and alterations would not result in any significant adverse impacts on the privacy or residential amenity of the occupiers of any neighbouring dwellings and that the scheme is therefore in accordance with point 5 of the design criteria of Policy SG15 of the 'made' SGNP, Policy DM10 of the adopted SADMP and the principles of the adopted Good Design Guide.

Impact upon highway safety/parking provision

- 8.19 Point 3 of Policy SG15 of the 'made' SGNP requires development to have safe and suitable access. Policy DM17 of the adopted SADMP supports development where there would be no significant adverse impact on highway safety. Policy DM18 of the adopted SADMP seeks to ensure an appropriate level of parking provision of appropriate design.
- 8.20 Through the consultation process objections to the application have been received on the grounds that the current shared access (with two other dwellings) is not suitable in width or design for the potential increase in traffic going to the end of the driveway as a result of the proposed increase in size of the dwelling contrary to point 3 of Policy SG15 of the 'made' SGNP and that the garage would reduce available turning space resulting in vehicles reversing down the shared access driveway. Objections to the application have been received on the grounds that the increase in the size of the dwelling and the resulting retained off-street parking space to serve the dwelling is likely to result in additional vehicles associated with the property parking on the street contrary to point 10 of Policy SG15 of the 'made' SGNP.
- 8.21 The shared driveway is 4.25 metres in width along its entire length and is considered to be of sufficient width to enable vehicles to pass for a shared driveway serving between 1 – 5 dwellings in accordance with the local highway authority design guidance. Whilst marginally exceeding the 45 metres length referred to within the guidance, this is the maximum length to the proposed garage only and is more than offset by the fact that only three dwellings in total are served by the shared access. The proposed garage is set back sufficiently from the existing garage forecourt parking area to enable vehicles to reverse out and exit in a forward direction. The submitted layout plan indicates that a minimum of three off-street parking spaces would be retained to serve the resulting 7 bedroomed dwelling and the proposed 'store' on the ground floor has the potential to be re-used as a garage in the future should the need arise. The shared driveway was not designed with any communal turning head and therefore delivery vehicles would be likely to have to reverse down the driveway from any of the three dwellings that it serves. By virtue of only three dwellings being served by the driveway, the proposal is considered unlikely to result in any severe or significant adverse impacts on highway or pedestrian safety in this case.
- 8.22 Notwithstanding the objections received, the proposed access is considered to remain safe and suitable to serve the extended dwelling and the proposed parking provision of three spaces to be acceptable to serve the resulting dwelling. The proposal is therefore considered to have no significant conflict with point 3 of Policy SG15 of the 'made' SGNP, Policies DM17 and DM18 of the adopted SADMP or the general principles of the local highway authority design guidance.

Other issues

- 8.23 Objections to the application have been raised in respect of the potential increase in use and wear and tear on the shared access driveway and associated drainage infrastructure from additional vehicles and from construction traffic. Such matters are not material to the planning merits of the proposal and are a civil matter between the respective parties.
- 8.24 Objections to the application have been raised in respect of potential adverse impacts on the drainage capacity of the system serving the estate from increased use. This would be a matter for building regulations approval and is not material to the planning merits of the proposal.

- 8.25 An objection to the application has been raised in respect of the need to obtain permission from the developer for any alterations to the front of the dwelling. If such permission is required, this would be a legal matter separate to the planning application process and is not material to the determination of this planning application.

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 in the consideration of this application. The Committee must also ensure the same when determining this planning 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 is for extensions and alterations to an existing dwelling on a residential estate within the settlement boundary of Stoke Golding where there is a general presumption in favour of sustainable development as set out in Policy DM1 of the adopted SADMP and the overarching principles of the NPPF.
- 10.2. Notwithstanding the various objections received, by virtue of their siting, scale, design and subject to the proposed use of matching external materials in their construction to ensure a satisfactory and uniform appearance, the proposed scheme of extensions and alterations would respect the scale, form, character and appearance of the existing dwelling and would not result in any significant adverse visual impacts on the character or appearance of the wider street scene or the surrounding area. By virtue of siting and separation distances the proposed scheme would not result in any harm to, or have any significant adverse impacts on, the privacy or residential amenities of the occupiers of any neighbouring dwellings. The proposal would retain safe and suitable access and acceptable off-street parking and turning facilities. The proposed scheme of extensions and alterations is therefore considered to be in general accordance with the design criteria principles of Policy SG15 of the 'made' SGNP, Policies DM10, DM17 and DM18 of the adopted SADMP, the general principles of the Council's adopted Good Design

Guide and the general principles of the local highway authority design guidance 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 That the Planning Manager be given powers to determine the final detail of planning conditions.

11.3 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: Location Plan and Block Plan Drawing No. 07a, Existing Floor Plans & 3D Views Drawing No. 01, Existing Elevations Drawing No. 02, Proposed Dwelling Floor Plans, Roof Plan and Elevations Drawing No. 05a and Proposed Garage Floor Plan and Elevations Drawing No. 06 received by the local planning authority on 19 April 2022.

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 extensions and alterations and detached garage hereby permitted 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. Notwithstanding the submitted details, all the proposed roof light windows in both the front and rear roof elevations as shown on Proposed Floor Plans and Elevations Drawing No. 05a received by the local planning authority on 19 April 2022 shall be constructed with a cill height of a minimum of 1.7 metres above the floor level of the room in which the window is installed.

Reason: To ensure the development does not have a detrimental impact upon the privacy and residential amenity of any neighbouring properties in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11.4 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.

PLANNING APPEAL PROGRESS REPORT - Week ending: 17.06.22

WR – WRITTEN PRESENTATIONS

HA – HOUSEHOLDER APPEAL

IN – INFORMAL HEARING

PI – PUBLIC INQUIRY

File Ref	Case Officer	Application No	Type	Appellant	Development	Appeal Status	Process Dates
22/00014/PP	TV	21/00556/FUL (PINS:3297466)	IH	Springbourne Homes Limited	Land Rear Of 5 - 15 The Coppice Burbage (Erection of No. 8 dwellings with associated access and landscaping)	Start Date Statement of Case Final Comments Hearing Date	13.05.22 17.06.22 01.07.22 23.08.22 10am
		20/00862/HOU	WR	Mr Micky Ahluwalia	10 Rosemary Way Hinckley LE10 0LN (Two storey side and rear extension)	Awaiting Start Date	16.04.22
Page 55		21/01470/OUT	IH	Ms A Genco Harrow Estates	Land East Of The Common Barwell Leicestershire (Residential development of 110 dwellings with associated access, open space and landscaping (outline - access only))	Awaiting Start Date	25.03.22
	EC	21/00787/OUT (PINS: 3300552)	PI	Penland Estates Limited, RV Millington Limited, Sarah Higgins and Gavin Higgins	Land Northeast of Ashby Road Markfield LE67 9UB Residential development of up to 93 dwellings, public open space, landscaping and SuDS (Outline-access only) (cross boundary application with Charnwood BC)	Pre – notification of appeal – July 2022	07.03.22
		21/01131/OUT	PI	Barwood Development Securities Ltd	Land off Sketchley Lane Burbage (Demolition of existing poultry and cattle buildings and residential development of up to 150 dwellings with vehicular access from Sketchley Lane (outline - vehicular access only))	Pre – notification	08.06.22

21/00033/CLD	EC	21/00889/CLE (PINS Ref 3283791)	WR	Mr & Mrs Alec Moore 78 Main Street Bagworth	78 Main Street Bagworth (Certificate of Lawful Existing Use for the use of the outbuilding (only) to the rear of 78 Main Street, Bagworth as a maintenance, service and repair workshop (resubmission of 20/01141/CLE))	Awaiting Decision	
22/00001/ENF	CZ	EN20/00278/UNBLDS (PINS:3289687)	IH	Mr William Willett	Bungalow Farm The Paddocks Earl Shilton LE9 7TJ	Awaiting Decision	
21/00025/PP	OP	20/00919/OUT (PINS Ref: 3272986)	WR	DHASC Limited	14 Chesterfield Way Barwell (Residential development for five dwellings (Outline- access and scale))	Awaiting Decision	
21/00025/PP	OP	21/00290/OUT (PINS Ref 3281222)	WR	Mrs Hannah Ladkin-Berry	14 Chesterfield Way Barwell (Residential development for four dwellings (Outline- access and scale))	Awaiting Decision	
22/00007/NONDET	JPS	21/01149/OUT (PINS:3290898)	WR	Mr Roger Edwards 2 De Montfort Road Hinckley LE10 1LQ	Land North 258 Ashby Road Hinckley LE10 1SW (Erection of up to 5 no. dwellings (outline - access only) land north of 258 Ashby Road)	Awaiting Decision	
22/00008/PP	TV	21/00640/OUT (PINS Ref 3290863)	WR	Mrs A Kitching Home farm Cottage 23 Barton Road CV13 0LQ	Land North,Nailstone Road,Barton in the Beans (Residential development for ten bungalows (outline - access only))	Awaiting Decision	
22/00012/PP	JA	21/00196/FUL (PINS: 3291363)	WR	Mr Rakesh Mistry	24 Main Street Ratby LE6 0JG (Dropped kerb outside 24 Main Street)	Awaiting Decision	

22/00011/PP	JPS	21/00130/FUL (PINS: 3288892)	WR	Mr & Mrs Chris and Mandy Wright	236 Ashby Road HINCKLEY LE10 1SW (Erection of two dwellings)	Awaiting Decision	
22/00010/PP	TV	20/01011/FUL (PINS: 3290710)	WR	Roger Lee Planning	Wide View fennLane fenny Drayton CV13 6BJ (Change of use from agricultural land to storage of agricultural machinery, vehicles and materials, vehicular access (Retrospective))	Awaiting Decision	
22/00009/PP	TV	20/01003/FUL (PINS 3286965)	WR	Mr Farhad Tailor	Oldlands Fenn Lanes Dadlington CV13 6DS (Indoor menage building)	Awaiting Decision	
22/00013/NONDET	TV	21/01080/FUL (PINS: 3292353)	WR	Ms Magdalena Brace Amberon LtD Sketchley Meadows	Amberon LtD Unit 8 Sketchley Meadows LE10 3EN (Erection of fencing and gates)	Awaiting Decision	
22/00015/PP	JA	21/01400/HOU (PINS: 3299592)	HA	Mr & Mrs M Parsons	48 Clarence Road Hinckley LE10 1DR (Proposed Loft Conversion to existing dwelling)	Awaiting Decision	

Decisions Received

22/00003/PP	HN	19/00464/OUT (PINS:3281840)	WR	Onyxrose Ltd	Factory Units 23 Wood Street Hinckley Residential development of existing industrial site (Outline - access, layout, and scale only)	Dismissed	04.05.22
22/00006/PP	TV	21/00775/FUL (PINS: 3287157)	WR	Mr Konrad Gajda	102 Druid Street Hinckley Change of use from 6 person House in Multiple Occupation (Class C4) to 8 person House in Multiple Occupation (Sui Generis), roof light	Allowed	06.05.22
21/00032/PP	LJ	20/00511/FUL (PINS Ref 3285060)	PI	Mr Jamie Gibbins Barwood Homes and JH Hallam & Son Ltd	Land off Beech Drive Thornton (Residential development of 49 dwellings with associated infrastructure, access, and areas of open space)	Allowed	12.05.22
21/00031/NONDET	SL	21/00581/OUT (PINS ref 3284379)	PI	Mr David Thornton-Baker Barwell Capitol Ltd Harris Lamb Ltd 75-76 Francis Road Birmingham	Land At Crabtree Farm Hinckley Road Barwell (Residential development of up to 25 dwellings with associated public open space and infrastructure (outline - access to be considered))	Allowed	01.06.22

22/00007/NONDET	JPS	21/01149/OUT (PINS:3290898)	WR	Mr Roger Edwards 2 De Montfort Road Hinckley LE10 1LQ	Land North 258 Ashby Road Hinckley LE10 1SW (Erection of up to 5 no. dwellings (outline - access only) land north of 258 Ashby Road)	Dismissed	07.06.22
22/00004/PP	OP	21/00307/OUT (PINS Ref 3283898)	WR	Mr & Mrs Brooks 7 Assheton Lane Twycross	7 Assheton Lane Twycross (Erection of one dwelling (outline - access only))	Dismissed	10.06.22
22/00002/NONDET	OP	21/00687/OUT (PINS: 3283890)	WR	Hallmark properties (Leic) Ltd	Land at Higham Lane Stoke Golding (Residential development for one dwelling (Outline-access and layout)	Dismissed	14.06.22

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