

Delegated Report

Planning Ref: 25/00653/HOU & 25/00654/LBC

Applicant: Mr And Mrs Swain

Ward: Ratby Bagworth And Thornton



Hinckley & Bosworth
Borough Council

Site: Old Hayes Farm Burroughs Road Ratby

Proposal: Single storey side extension and erection of new pool building

1. Recommendations

1.1. Grant planning permission and listed building consent subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

2.1. This proposal seeks planning permission and listed building consent for the erection of a single-storey extension to Old Hayes Farm. Planning permission is also sought for the erection a pool building within the wider grounds of the Farmhouse.

2.2. The proposed single-storey extension would project outwards from the side elevation of the Farmhouse by 4.91 metres for a width of 7.49 metres. It would have a flat roof form with a height of 3.11 metres (including the proposed roof lantern). The proposed external materials include the use of single ply membrane, with a stone base and a timber frame housing rectangular glazing within doors and windows across the front and rear elevations and a brick infill on the rear elevation.

2.3. The proposed pool building is to be located in a grassed area to the east of the Farmhouse and beyond the extent of the scheduled monument. The building would measure 16.20 metres in width and 6.77 metres in width. It would have a flat roof form with a height of 3.47 metres (including the proposed roof lantern). The proposed external materials include the use of single ply membrane, with a stone base and a timber frame housing rectangular glazing within doors and windows and brick infills.

3. Description of the site and surrounding area

3.1. The application site is situated within the open countryside, National Forest, Charnwood Forest and Ancient Woodland. It further falls within close proximity to a Great Crested Newt Pond.

3.2. Old Hayes Farmhouse is a grade II listed building of special historic and architectural interest, situated to the north-west of Ratby, The listed building entry (National Heritage List England (NHLE) ref: 1074092) describes the building as:

3.3. "Farmhouse. Early C17, altered and refronted 1756, with C20 alterations. Rendered red brick and stone, Swithland slate roof, 2 red brick gable stacks. U - plan. 3 storey 3 bay front with stone plinth and first floor band and dentillated eaves course. Central C20 door covered by collapsed C18 semicircular lead hood supported on curved wooden brackets. Flanked by single C20 casements. To first floor are 3 C20 casements. All lower windows have segmental arched heads. To second floor are 3 C20 casements to eaves. Reputed to bear a panel inscribed 'I,G.1755'. Interior retains early C17 moulded panelling reused in mid C18 door with L and H hinges. Also, C18 knopped and turned baluster stair with moulded handrail. Some C18 6 raised and fielded panelled doors. Clasped purlin softwood roof. The house is surrounded by deep moat."

3.4. The farmhouse is located upon the scheduled monument 'Old Hays moated site and associated manorial earthworks' (NHLE ref 1017584). Scheduled monuments are

nationally important archaeological sites and designated heritage assets. The scheduling entry for the monument identifies that:

- 3.5. "Old Hays is a well-preserved example of a Leicestershire moated enclosure which is unusual for the depth of the surrounding moat. The significance of the site is greatly increased by the range of historical documentation relating to the manorial complex and its association with Leicester Abbey." Within their consultation comments Historic England have also recognised that Old Hays retains extant earthworks which increases its legibility in the landscape, contributing to its significance.
- 3.6. The upstanding remains of the Farmhouse are excluded from the scheduling although their below-ground remains are included as they are considered to preserve the remains of earlier buildings and features.

4. Relevant planning history

03/00832/LBC

- Conversion and extension of redundant farm buildings to form three dwellings detached double garage and alterations to access drives (amended scheme)
- Listed Building Consent
- 03.12.2003

03/00833/FUL

- Conversion and extension of redundant farm buildings to form three dwellings detached double garage and alterations to access drives (amended scheme)
- Planning Permission
- 03.12.2003

04/01076/LBC

- Various works and alterations (partially retrospective)
- Listed Building Consent
- 27.10.2004

04/01081/COU

- Conversion of farm building to dwelling
- Planning Permission
- 19.10.2004

04/01084/LBC

- Conversion of farm building to dwelling
- Listed Building Consent
- 19.10.2004

05/01163/FUL

- Erection of appliance building
- Planning Permission
- 14.12.2005

13/00861/FUL

- Erection of stables and car port (retrospective)

- Planning Permission
- 05.12.2013

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site and a notice was displayed in the local press.
- 5.2. Following the publications, no representations have been received.

6. Consultation

6.1. Historic England;

'Historic England would like to note that the applicant has engaged in positive pre-application advice with us in regards to these proposals. The original proposal situated the proposed pool building upon the platform associated with the Scheduled monument, and we welcome the proposed amended design, which moves the building to outside of the scheduled area. In regard to the impact to the grade II listed Old Hays Farmhouse (NHLE: 1074092), we recommend you seek the advice of your in house conservation officer; the advice below pertains solely to the Scheduled monument.

Old Hays moated site (NHLE:1017584) is a well-preserved example of a Leicestershire moated enclosure which is unusual for the depth of the surrounding moat. The significance of the site is greatly increased by the range of historical documentation relating to the manorial complex and its association with Leicester Abbey. Old Hays retains extant earthworks which increases its legibility in the landscape, contributing to its significance.

The proposals comprise a single storey side extension to the property and erection of new pool building. While, as noted above, the proposals are now outside the scheduled area, it is in close proximity, and would certainly represent a change in setting to the monument, which though considered less than substantial in EIA terms would change the character and nature of the setting; increasing the built form surrounding the moated site.

While we note that it is stated within the Heritage Statement supplied that design have been produced to keep 'the impact to the house and moat to an absolute minimum', and we welcome the pre-application design changes, acknowledgement of the change in overall setting must be made. We refer your authority to our published guidance to assist in determining this application; <https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/heag180-gpa3-setting-heritage-assets/>.

Historic England has no objection to the application on heritage grounds.'

Officer Response –

Whilst the above consultation is welcomed and confirms that Historic England has no objections on heritage grounds, it fails to clarify if the impact of the proposed House upon the significance of the scheduled monument has been considered.

The Local Planning Authority (LPA) have attempted to reach out to Historic England to obtain further advice on five separate occasions since October 2025, all which have proved unsuccessful. The LPA are therefore of the assumption that Scheduled Monument Consent will be required. An informative has been imposed at the end of the report.

6.2. HBBC Conservation Officer;

Comments received from the Councils Conservation Officer are incorporated into the body of this report.

6.3. Ratby Parish Council;

- No comments have been received.

6.4. LCC Archaeology;

- No objections subject to conditions (full comments can be viewed on the HBBC website).

LCC Ecology;

- Comments received from the Councils Ecology Officer are incorporated into the body of this report.

7. Policy

7.1. Core Strategy (2009)

- Policy 7: Key Rural Centres
- Policy 8: Key Rural Centres Relating to Leicester
- Policy 21: National Forest
- Policy 22: Charnwood Forest

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 DM6: Enhancement of Biodiversity and Geological Interest
- Policy DM10: Development and Design
- Policy DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets
- Policy DM13: Preserving the Borough's Archaeology

7.3. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2024)
- Planning Practice Guidance (PPG)

7.4. Other relevant guidance

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

8. Appraisal

8.1. Notwithstanding the countryside location outside of any settlement boundary, extensions and alterations to existing domestic properties are generally considered to be sustainable development in principle. The key issues in respect of this application are therefore:

- Impact upon the significance of affected heritage assets
- Design and impact upon the character of the area, the countryside and the National and Charnwood Forest
- Impact upon neighbouring residential amenity
- Impact upon ecology

Impact upon the significance of affected heritage assets

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. Section 66 of the Act 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.

- 8.3 Section 16 of the National Planning Policy Framework (NPPF) (2024) provides the national policy on conserving and enhancing the historic environment. Paragraphs 212-215 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 adopted SADMP seek to protect and enhance the historic environment and heritage assets. Policy DM12 states that proposals for the change of use, extensions and alterations of listed buildings and development affecting the setting of listed buildings will only be permitted where it is demonstrated that the proposals are compatible with the significance of the building and its setting. In addition, proposals which adversely affect a scheduled monument or its setting should be wholly exceptional and accompanied by clear and convincing justification.
- 8.5 Policy DM13 of the SADMP confirms that where a proposal has the potential to impact a site of archaeological interest, developers should set out in their application and appropriate desk-based assessment, and, where applicable, the result of a field evaluation detailing the significance of any affected asset.
- 8.6 A single-storey extension is proposed to the east of the rear wing of the Farmhouse to create a larger kitchen and dining area. The extension would have a rectangular plan with a modest footprint, a flat roof of single ply membrane and a lantern light. It would be constructed of a stone base and a timber frame housing rectangular glazing within doors and windows across the front and rear elevations and a brick infill on the rear elevation.
- 8.7 The proposal would involve the removal of wall material (the stone base and red brick), a doorway and a window located on the eastern elevation of the Farmhouse with the extension being tied into timber posts within the exterior wall of the rear wing. The Heritage Statement submitted with the application concludes that the southernmost elements of the building (i.e. what now constitutes the front range) are earlier in date and likely placed on the same footprint as the original farmhouse/manor house, whilst the Archaeological Desk-Based Assessment suggests that the east facing wing of the building is likely to be the earliest element and the original location of the medieval hall. The Heritage Statement appears to have reached its conclusion based on observations of the building itself whilst the Desk Based Assessment conclusions are based at least in part from an assessment of the historical written sources. Despite the uncertainty regarding the building phasing overall and the anticipated location of the original structural remains, the specific elements of the current building that would be impacted by the proposals are however likely to relate to a later phase of construction.
- 8.8 Leicestershire County Council Planning Archaeology have recommended that a pre-commencement level 3 historic building survey is undertaken targeting those areas of the building to be removed/altered, followed by a watching brief to monitor works that may expose historic fabric through removal and opening up processes. This requirement is considered to be an appropriate level of building recording prior to alteration, to record and advance the understanding of the significance of the heritage assets and fabric to be lost in a manner proportionate to its importance (as per the

provisions of paragraph 218 of the NPPF). This requirement meets the test of the NPPF and should be secured by condition on any approved listed building consent application.

- 8.9 The extension has been sited to reduce the physical impact upon the listed Farmhouse as is practicable and that the loss of fabric is relatively limited with adverse effects upon the significance of the listed building mitigated by the required recording exercise (as specified above). A positive element of the design of the extension is how the level of the flat roof sits below the brick string course and does not impede the first floor timber window on the eastern elevation. The majority of the proposed construction materials for the extension, comprising of a stone base, brick walls, and timber framing would match and respect the materiality of the Farmhouse, whilst the contemporary form of the extension with high amount of glazing ensures it is read as a clear modern addition to the Farmhouse, without compromising an appreciation of the historic and architectural interest which is manifested in the original and earlier fabric of the Farmhouse. The scale of the extension is not considered to be excessive and accompanied with the considerable set back from the front elevation of the Farmhouse it is considered to be subservient to it. For these reasons it is considered that the extension is of an appropriate design and character and it would be compatible with the heritage significance of the grade II listed building Old Hayes Farmhouse.
- 8.10 In regards of potential impacts upon archaeology associated with the scheduled monument, test pits have been dug around the extents of the proposed extension and details of a proposed raft foundation for the extension provided. Leicestershire County Council Planning Archaeology have concluded that the archaeological brief undertaken to date indicates that buried remains, likely the foundations of the farmhouse, were identified in one of the test pits and that the archaeological horizon is generally shallow and rises towards the house in the northwest of the site. Given the depths of the features identified by the watching brief within the extension footprint any level of ground reduction would introduce a risk of disturbance to significant archaeological remains. The proposed raft foundation design indicates that ground reduction of 200mm will be required for implementation of the raft foundation, in which case the base of the proposed raft foundation would directly interact with the top of the shallowest known archaeological remains. Other ground works, particularly the implementation of services, also have the potential to directly impact upon any buried remains present. In addition to these direct impacts, further indirect impacts can also be anticipated which have the potential to disturb deeper-lying remains, such as vehicle tracking (exacerbated in the wetter months) and compression of buried remains such as any structural features present.
- 8.11 Under the provisions of paragraph 218 of the NPPF the County Council have proposed an archaeological excavation be undertaken down to formation depth, with deeper excavation taking place if it is considered that the integrity of any identified features is at risk through the development works. While the excavation would therefore likely result in some level of disturbance to the buried remains, this would represent an appropriate level of mitigation to offset the disturbance introduced through the proposals themselves. On the basis of the available information, in the context of a scheduled monument where any buried remains present are likely to be of national significance, it is the position of the County Council, and the Local Planning Authority (LPA), that that the recommended mitigation requirements are proportionate to the level of impact proposed by the development, and would ensure that the significance of the monument is conserved accordingly. The requirements for an archaeological Strip, Plan and Record excavation targeting the proposed development footprint are secured via condition.

- 8.12 Due to the appropriate design and character of the extension and its limited scale compared to the extent of the extant earthworks of the monument and the Farmhouse itself, it is considered that the proposal would have no adverse impacts upon the above ground setting of the scheduled monument Old Hays moated site and associated manorial earthworks.
- 8.13 The proposed pool building is to be located in a grassed area to the east of the Farmhouse and beyond the extent of the scheduled monument. The building would have a rectangular plan with a flat roof of a single ply membrane covering and parapet, a lantern light, and be constructed of a timber frame housing rectangular glazing within doors and windows and brick infills.
- 8.14 The form and appearance of the pool building is similar to the proposed extension to the Farmhouse so the design of the two developments would be read in conjunction as being modern interventions in a historic context. Whilst representing a change within the setting of the listed Farmhouse and the scheduled monument, due to the relatively modest scale and height of the pool building and its appropriate form and appearance it is considered that it would only have a minor impact upon these two heritage assets and not change or adversely affect the way their significance is appreciated, with the significance of the scheduled landscape remaining clearly evident and not compromised. Consequently, it is considered that the proposal will preserve the heritage significance of the grade II listed building Old Hayes Farmhouse and the scheduled monument Old Hays moated site and associated manorial earthworks.
- 8.15 Overall, and subject to conditions, it is considered that the proposals will be compatible with the significance of the grade II listed building Old Hayes Farmhouse and preserve the significance of the scheduled monument Old Hays moated site and associated manorial earthworks. Consequently, this aspect of the proposal would comply with Policies DM11, DM12 and DM13 of the SADMP, section 16 of the NPPF and the statutory duties of sections 16 and 66 of the Planning (Listed Building and Conservation Areas) Act 1990.

Design and impact upon the character of the area, the countryside and the National and Charnwood Forest

- 8.16 Policy DM4 of the adopted SADMP allows for sustainable development in the countryside where it meets specific criteria. Criterion b) allows for development where it is for the extension of the existing buildings which lead to the enhancement of the immediate setting and therefore the proposal is acceptable subject to 5 sub-criteria that must be also met. Criterion i) is most relevant and requires that the development represents no significant adverse effects to the intrinsic value, beauty, open character and landscape character of the countryside location.
- 8.17 Criterion v) requires that development within the National Forest, contributes to the delivery of the National Forest Strategy in line with Core Strategy Policy 21. Due to the scale of the development the site area is below the threshold requiring National Forest planting.
- 8.18 Criterion ii – iv of Policy DM4 of the SADMP would not be relevant to this application as the proposal would not undermine the separation between settlements, not create or exacerbate ribbon development and is not located in the Green Wedge or the National Forest.
- 8.19 Policy DM10 of the adopted SADMP requires new development to complement or enhance the character of the surrounding area with regards to scale, layout, density, mass, design, materials and architectural features.

- 8.20 Policy 21 of the Core Strategy requires that proposals situated within the National Forest are only supported where the siting and scale of the proposed development is appropriately related to its setting within the Forest, respects the character and appearance of the wider countryside and does not adversely affect the existing facilities and working landscape of either the Forest or the wider countryside.
- 8.21 Policy 22 of the Core Strategy requires that proposals situated within the National Forest are only supported where they;
- Maintain the traditional working landscape of the forest, particularly those which involve rural diversification and sustainable tourism, including green tourism initiatives;
 - Retain local character and complement the local landscape;
 - Enhance woodland and habitat provision and connectivity;
 - Manage and enhance the cultural heritage of the area.
- 8.22 The proposed works would be well-designed, of a subordinate scale and predominantly screened from the nearby highway, Burroughs Road and bridleway (R42 R49) and footpath (R46) bearing no adverse impacts upon the character of the area or the intrinsic value, beauty, open character and landscape character of its countryside location, the setting of the National Forest or Charnwood Forest. The impact upon the significant heritage assets has been assessed in detail within the above section.
- 8.23 By virtue of the above the proposal would comply with Policies DM4 and DM10 of the SADMP and Policy 21 and 22 of the Core Strategy.
- Impact upon neighbouring residential amenity
- 8.24 Paragraph 135(f) of the NPPF requires planning policies and decisions to ensure that developments create places that are safe, inclusive, and accessible, which promote health and well-being, and a high standard of amenity for existing and future users.
- 8.25 Policy DM10 of the SADMP requires that development would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings.
- 8.26 The Councils Good Design Guide (GDG) states that *“Habitable rooms within rear elevations of neighbouring properties should never be less than 21m apart.”*
- 8.27 The proposed single-storey side extension to the Farmhouse would be sited 9.52 metres away from residential dwelling, The Brye to the south-east not satisfying the Councils GDG. Nevertheless, as the proposal would be screened by an existing summer house to the north-west corner of The Brye, the LPA are satisfied that the proposal would not result in any privacy impacts. Furthermore, the proposed pool building would be sited 25.09 metres away from the built form of The Brye satisfying the Councils GDG.
- 8.28 The proposed single-storey extension to the Farmhouse would be sited 19.38 metres away from residential dwelling, The Dovecott to the south not satisfying the Councils GDG. A set of French doors alongside full length glazing is proposed to flank the immediate side elevation of the proposal, however The Dovecott features only Velux windows to the utility to its immediate elevation facing to the north. In light of this, the LPA are satisfied that the privacy of the occupiers to The Dovecott would be retained.
- 8.29 The Councils Good Design Guide states that *“A habitable room within a rear elevation should ideally not be less than 8m from the blank side of a single storey neighbouring property, rising to 12m for a two storey property.”*

8.30 The proposed extension and pool-building as a whole would be situated a minimum of 9.52 metres from the nearest residential dwelling, not resulting in adverse loss of light or overdominance to any of the surrounding properties.

8.31 By virtue of the above, the development would accord with Policy DM10 of the SADMP, Paragraph 135(f) of the NPPF and the general principles of the Councils GDG.

Impact upon ecology

8.32 Policy DM6 of the SADMP states that proposals must demonstrate how they conserve and enhance features of nature conservation and geological value including proposals for their long-term future management.

On site features should be retained, buffered and managed favourably to maintain their ecological value, connectivity and functionality in the long-term. The removal or damage of such features shall only be acceptable where it can be demonstrated the proposal will result in no net loss of biodiversity and where the integrity of local ecological networks can be secured.

Proposals which are likely to result in the loss or deterioration of an irreplaceable habitat would only be acceptable where:

- e) The need and benefits of the development in that location clearly
- f) It has been adequately demonstrated that the irreplaceable habitat
- g) Appropriate compensation measures are provided on site wherever possible and off site where this not is feasible.

If the harm cannot be prevented, adequately mitigated against or appropriate compensation measures provided, planning permission will be refused.

8.33 In reference to Paragraph 99 of Part IV of the ODPM Circular 06/2005 *"It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may have not been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances."*

8.34 The application site is situated in a rural setting surrounded by, ponds, woodlands, agricultural fields and a golf course to the west which provide foraging and commuting habitats for a range of protected species. The development will require the disturbance of the ground through archaeological trial pits, foundations and construction of the new extension and pool building. There are multiple Great Crested Newt (GCN) ponds within 250m of the application site, with a confirmed GCN pond within 290m. As GCN live in metapopulations they may be present in the ponds closer to the development and use the connective terrestrial habitat to move between them (grassland, hedgerows, woodlands). The construction of the extension and pool room has the potential to disturb or kill GCN and their terrestrial habitat. Therefore, the submission of an ecology survey was requested by LCC Ecology.

8.35 An ecology survey was submitted on the 19th September 2025. The survey concluded that the proposed Farmhouse extension will be situated on a patio which is good condition and does not provide suitable habitat for GCN. The swimming pool will be situated on a frequently mown lawn, the area does not provide suitable habitat for GCN however, they may traverse the area.

8.36 The three closest ponds were assessed for their suitability for GCN. P1 classed as 'poor', was dry at the time of survey and often dries therefore, considered unlikely for

GCN to breed. P2 classed as 'poor' and used for rearing ducks which is devoid of suitable newt laying substrate. P3 classed as 'poor' which was silted up and covered with scrub and does not provide GCN breeding habitat. A further 3 ponds within 250 metres could not be accessed and no surveys undertaken.

- 8.37 Given the distance of the other ponds, it is considered that there is a potential risk of the development affecting great crested newts and a non-licensed Precautionary Working Method Statement will be required. This is set out in Appendix 4. Mitigation: precautionary method of work including an ecological clerk of works, grass clearance and storage of building material. This is accepted by LCC Ecology and welcomed as part of the planning application documents. A Non-licensed Method Statement informative has been included at the end of this report.
- 8.38 By virtue of the above, subject to an informative, the development would accord with Policy DM6 of the SADMP and Paragraph 99 of Part IV of the ODPM Circular 06/2005.

9. Equality implications

- 9.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-
- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2 Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.
- 9.3 There are no known equality implications arising directly from this development.

10. Conclusion

- 8.2. The proposed development is for extensions and alterations to existing domestic property. As such, there is a presumption in favour of sustainable development under Policy DM1 of the SADMP, as long as the proposal is in accordance with the relevant policies of the SADMP.
- 10.1 The proposed development has been assessed, and the Local Planning Authority can conclude that the proposed development would complement the character and appearance of the host dwelling and would not cause any adverse impacts upon the visual amenity of the surrounding area, countryside, National or Charnwood Forest, the neighbouring amenity of occupants surrounding the application site and would preserve the special architectural and historic interest and therefore significance of the grade II listed building, Old Hayes Farmhouse and scheduled monument 'Old Hays moated site and associated manorial earthworks'. It would not have an adverse impact upon ecology or archaeology subject to the conditions and informatives being complied with.
- 10.2 On this basis, the proposal is therefore considered to be in accordance with Policies DM1, DM4, DM6, DM10, DM11, DM12 and DM13 of the SADMP, Policy 21 and 22 of the Core Strategy, Section 16 of the NPPF, the statutory duty of Sections 16 and 66 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990, the

general principles of the Councils Good Design Guide and the overarching principles of the NPPF. The proposal is, therefore, recommended for approval subject to conditions.

11. Recommendation

11.1 Grant planning permission and listed building consent subject to:

- Planning conditions outlined at the end of this report

11.2 Conditions and Reasons (HOU)

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

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM4, DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the overall principles of the NPPF.

3. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:
 - Proposed Site Plan and Pool/Gym Elevations and Floor Plans, Drg No. 1306.CS. 22.007 Rev G; and
 - Proposed Site Plan and Pool/Gym Elevations and Floor Plans, Drg No. 1306.CS. 22.007 Rev G; and
 - Proposed Floor Plans, Drg No. 1306.CS. 22.004 Rev F as received by the Local Planning Authority on the 3rd July 2025.
 - Site Location Plan, Drg No. 1306.CS.22.001 Rev C as received by the Local Planning Authority on the 8th July 2025.
 - Raft Foundation Plan & Details Drg No. 24094-01 as received by the Local Planning Authority on the 12th September 2025.

Reason: To ensure a satisfactory form of development in accordance with Policies DM4, DM6, DM10, DM11, DM12 and DM13 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the overall principles of the NPPF.

4. No development shall take place/commence until written schemes of investigation (WSIs) have been submitted to and approved by the local planning authority in writing (for a historic building survey and an archaeological Strip, Plan and Record excavation). For land that is included within the WSIs, no demolition/development shall take place other than in accordance with the agreed WSIs, which shall include the statement of significance and research objectives, and

- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;
- The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSIs.

Reason: To ensure satisfactory archaeological investigation and recording, historic building survey and to record and advance understanding of the significance of the affected resource prior to its loss in accordance with Policy DM13 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and Paragraph 218 of the National Planning Policy Framework (2024).

11.3 Conditions and Reasons (LBC)

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

Reason: To preserve the special interest of the building in accordance with the requirements of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policies DM10, DM11 and DM12 of the Site Allocations and Development Management Policies Development Plan Document (2016), the overall principles of the NPPF, and the statutory duty of Sections 16 and 66 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

- Proposed Site Plan and Pool/Gym Elevations and Floor Plans, Drg No. 1306.CS. 22.007 Rev G; and
- Proposed Site Plan and Pool/Gym Elevations and Floor Plans, Drg No. 1306.CS. 22.007 Rev G; and
- Proposed Floor Plans, Drg No. 1306.CS. 22.004 Rev F as received by the Local Planning Authority on the 3rd July 2025.
- Site Location Plan, Drg No. 1306.CS.22.001 Rev C as received by the Local Planning Authority on the 8th July 2025.
- Raft Foundation Plan & Details Drg No. 24094-01 as received by the Local Planning Authority on the 12th September 2025.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1, DM10, DM11 and DM12 of the adopted Site Allocations and

Development Management Policies Development Plan Document (2016), the overall principles of the NPPF, and the statutory duty of Sections 16 and 66 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4. No development shall take place/commence until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For the land and structures that are included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and
 - The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
 - The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI"

Reason: To ensure a satisfactory historic building survey and to record and advance understanding of the significance of the affected resource prior to its loss in accordance with Policy DM13 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and Paragraph 218 of the National Planning Policy Framework (2024).

11.4 Notes to applicant

- a) The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at building.control@blaby.gov.uk or call 0116 272 7533.
- b) Non-licensed Method Statement – Great Crested Newts, a species fully protected by law is proposed to be safe-guarded prior to and during development through a Non-Licensed Method Statement (NLMS) for Great Crested Newts. This is outlined in the Great Crested Newt Assessment (Star Ecology, September 2025), the development must be carried out in accordance with the approved NLMS.
- c) Scheduled Monument Consent (SMC) is required for any works affecting a scheduled monument. for further information please contact Historic England via customers@HistoricEngland.org.uk or on 0370 333 0607.