

Delegated Report

Planning Ref: 26/00245/FUL

Applicant: Mr Mike Watts

Ward: Ratby Bagworth And Thornton

Site: Holywell Farm Desford Lane Ratby



Hinckley & Bosworth
Borough Council

Proposal: Works to outbuilding to form ancillary accommodation

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

- 2.1. The application seeks full planning permission for works to an outbuilding to form ancillary accommodation with a triple garage at Holywell Farm, Desford Lane, Ratby.
- 2.2. The proposed annex would have a width of 19.97 metres and a depth of 6.12 – 7.30 metres. It would have dual-pitched form with an eaves height of 3.10 metres and a ridge height of 6.25 – 6.80 metres. Three garage doors would be situated to the front elevation alongside two dual-pane windows, a personal door and two windows. It would compromise facing brickwork and stonework to the walls, and slate tiles to the roof.
- 2.3. The scheme replicates that approved under 14/00206/FUL.

3. Description of the site and surrounding area

- 3.1. The application site is located within the designated open countryside to the west of the settlement boundary of Ratby, within the National Forest and Charnwood Forest. Ratby is a Key Rural Centre located on the periphery of Leicester.
- 3.2. The application site consists of the existing Holywell Farm farmhouse alongside several outbuildings and agricultural fields. The outbuilding subject to the application is situated immediately to the north-west of the access track.
- 3.3. The Holywell Farm site contains the Scheduled Monument, Bury Camp, an Iron Age hillfort which is located approximately 160 metres north-west of the application site. The historic farm complex is likewise a non-designated heritage asset.
- 3.4. The existing access from Desford Lane, an adopted and classified 'C' road subject to a 60mph speed limit is hard surfaced at the point of entrance with passing room for vehicles traveling in either direction. The remainder of the access is via a long and narrow farm track. A public bridleway (R42) follows most of the access drive and passes to the south of the application building. To the east of the application site public footpath (R43) crosses the access drive and meets with the public bridleway.
- 3.5. The application site is immediately surrounded by land within the designated open countryside. To the east of the site (approximately 821.00 metres away) beyond other farms is Ratby Medical Centre and the Ratby Sports Club, which mark the western entry to Ratby along Desford Lane.

4. Relevant planning history

04/00926/GDO

- Erection of grain silo
- General Development Order

- 18.08.2004

05/00117/CLU

- Certificate of lawfulness for an existing use as a residential dwelling house and its curtilage within class 3 of the schedule of the town and country planning (use classes) order 1987
- Certificate of Lawful Existing Use
- 26.05.2005

06/00477/GDO

- Erection of barn
- General Development Order
- 06.06.2006

06/00892/FUL

- Proposed new access drive and works to divert watercourse
- Planning Permission
- 05.10.2006

07/00302/FUL

- Rebuilding rear elevation, partial rebuilding of south elevation, rebuilding and extension to north elevation and new roof with alterations
- Refused
- 03.05.2007

07/00868/FUL

- Rebuilding rear elevation, partial rebuilding of south elevation, north elevation and new roof with alterations (re-submitted scheme)
- Planning Permission
- 03.09.2007

09/00102/FUL

- Extensions and alterations to dwelling
- Planning Permission
- 14.04.2009

13/00719/FUL

- Subdivision of existing dwelling into two dwellings
- Planning Permission
- 11.12.2013

14/00206/FUL

- Conversion of existing outbuilding to form dwelling together with works to outbuilding to form ancillary accommodation
- Planning Permission
- 08.09.2015

16/00220/FUL

- Temporary siting of mobile home unit to be removed upon first occupation of previously approved barn conversion
- Planning Permission
- 27.05.2016

19/00555/CQGDO

- Prior notification for the change of use from agricultural buildings into two dwellings (C3)
- Prior Approval Refused
- 11.07.2019

19/01059/GDO

- Agricultural Machinery Storage Building
- General Development Order
- 17.10.2019

19/01239/FUL

- Conversion of two traditional barns into two dwellings
- Planning Permission
- 20.03.2020

22/01168/AGDO

- General agricultural storage building, steel framed, single span. Clad in dark green panel sheeting with concrete panel sides. Enclosed on 3 sides
- General Development Order
- 15.12.2022

24/00485/FUL

- Change of use of agricultural building and yard to the storage of drainage materials and associated trade counter (Class B8)
- Planning Permission
- 01.10.2024

25/00438/FUL

- Subdivision of the existing dwelling into two dwellings
- Planning Permission
- 18.08.2025

25/00993/FUL

- Works to outbuilding to form dwelling
- Refused
- 08.01.2026

26/00244/FUL

- Conversion of traditional barn into a dwelling
- Pending consideration

5. Publicity

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

6. Consultation

- 6.1. No representations have been received from the below consultee:

- Friends of Charnwood Forest.

- 6.2. The below consultees have raised no objections to the scheme:

- HBBC Environmental Health (Pollution);
- National Forest Company.

6.3. The comments received from the below consultees have been incorporated into the body of this report:

- HBBC Drainage;
- LCC Archaeology;
- LCC Ecology;
- LCC Highways.

6.4. HBBC Waste:

The Council's Waste Team raise no objections to the proposal, subject to a pre-commencement condition being imposed.

Case Officer Comment – The implementation of this condition is not considered necessary due to the ancillary nature of the proposal.

6.5. Ratby Parish Council:

6.6. Ratby Parish Council have objected to the scheme for the reasons summarised below:

- The proposal represents inappropriate and unsustainable development within the open countryside and is contrary to the development plan;
- The proposal would result in an urbanising effect that would cause significant harm to the intrinsic value, beauty, open character and landscape character of the countryside;
- The erosion of openness and tranquillity would be harmful to the character of the area;
- It has not been demonstrated that the proposal would avoid adverse impacts on biodiversity, including potential habitat loss and disturbance;
- If permitted, the proposal would set an undesirable precedent for similar forms of development within the countryside, leading to incremental encroachment, erosion of rural character, and the weakening of policies designed to safeguard settlement separation.

7. Policy

7.1. Core Strategy (2009)

- Policy 7: Key Rural Centres
- Policy 8: Key Rural Centres Relating to Leicester

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
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

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. Key Issues

- Principle of development
- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact upon highway safety
- Impact upon drainage
- Impact upon ecology
- Impact upon archaeology

Principle of development

- 8.2 Paragraph 2 of the National Planning Policy Framework (NPPF) identifies that planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The NPPF is a material planning consideration in planning decisions.
- 8.3 Paragraph 7 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The three overarching objectives of sustainable development (economic, social, and environmental) are detailed within Paragraph 8 of the NPPF. Therefore, in accordance with Paragraph 11 of the NPPF, planning decisions should apply a presumption in favour of sustainable development.
- 8.4 However, Paragraph 12 of the NPPF confirms that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision making. Where planning applications conflict with an up-to-date plan, development permission should not usually be granted unless other material considerations indicate otherwise.
- 8.5 The current Development Plan consists of the adopted Core Strategy and the adopted Site Allocations and Development Management Policies Development Plan Document (SADMP). The spatial distribution of growth across the Borough during the plan period 2006-2026 is set out in the Core Strategy. This identifies and provides allocations for housing and other development in a hierarchy of settlements within the Borough.
- 8.6 Both the Core Strategy and the SADMP are over 5 years old and were adopted prior to the publication of the current NPPF. Paragraph 34 of the NPPF states that policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary.
- 8.7 Nevertheless, in accordance with Paragraph 232 of the NPPF, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the NPPF. Due weight should be given to existing policies according to their degree of consistency with the NPPF. Ultimately, the closer the policies in the plan are to the policies in the NPPF, the greater weight they may be given. Therefore, this report sets out the relevant adopted Core Strategy and SADMP policies and refers to the NPPF and notes any inconsistencies between them.
- 8.8 Concerns have been raised by the Parish that the proposal represents inappropriate and unsustainable development within the open countryside and is contrary to the development plan. The Parish Council suggests that, if permitted, the proposal would set an undesirable precedent for similar forms of development within the countryside,

leading to incremental encroachment, erosion of rural character, and the weakening of policies designed to safeguard settlement separation.

- 8.9 Outside the defined settlement boundaries, the countryside is not regarded as a sustainable location for new development. Section 15 of the NPPF requires planning policies and decisions to conserve and enhance the natural and local environment. Paragraph 187(b) specifically highlights that this should be achieved by *“Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services.”*
- 8.10 This is supported by Policy DM4 of the SADMP which states that the Council will protect the intrinsic value, beauty, open character, and landscape character of the countryside from unsustainable development. Policy DM4 of the SADMP only considers development in the countryside sustainable where:
- (a) It is for outdoor sport or recreation purposes (including ancillary buildings) and it can be demonstrated that the proposed scheme cannot be provided within or adjacent to settlement boundaries; or
 - (b) The proposal involves the change of use, re-use or extension of existing buildings which lead to the enhancement of the immediate setting; or
 - (c) It significantly contributes to economic growth, job creation and/or diversification of rural businesses; or
 - (d) It relates to the provision of stand-alone renewable energy developments in line with Policy DM2: Renewable Energy and Low Carbon Development; or
 - (e) It relates to the provision of accommodation for a rural worker in line with Policy DM5 - Enabling Rural Worker Accommodation.
- 8.11 As the proposal is for the re-use and extension of an existing building which leads to the enhancement of the immediate setting, the proposal would result in the re-use of the building and therefore comply with Policy DM4(b) subject to complying with criterion i-v. These are discussed in detail within the following sections.
- Design and impact upon the character of the area, the open countryside and heritage assets
- 8.12 Chapter 12 of the NPPF confirms that good design is a key aspect of sustainable development, and the creation of high quality, beautiful, and sustainable buildings and places is fundamental to what the planning and development process should achieve. Key Policy Paragraph 135 of the NPPF details the six national policy requirements of development to ensure the creation of well-designed and beautiful places.
- 8.13 Section 16 of the National Planning Policy Framework (NPPF) 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.
- 8.14 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on the local planning authority when considering whether to grant planning permission 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.
- 8.15 The Planning Practice Guide (PPG) and Historic England Advice Note 2 (HEAN2) Making Changes to Heritage Assets sets out how the policies of the NPPF are

expected to be applied and includes guidance on the conservation of and making changes to the historic environment.

- 8.16 Policy DM4 of the adopted 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. It further states that development should lead to the enhancement of the immediate setting.
- 8.17 Policy DM10 of the adopted SADMP states that developments will be permitted where they complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.18 Policies DM11 and DM12 of the adopted SADMP 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.
- 8.19 Concerns have been raised by the Parish that the proposal would result in an urbanising effect that would cause significant harm to the intrinsic value, beauty, open character and landscape character of the countryside and that the erosion of openness and tranquillity would be harmful to the character of the area.
- 8.20 The proposed works required to use the barn as an annex would be substantial, altering it considerably from its current appearance. Its height would be increased slightly with a greater pitch angle of the roof and higher eaves. However, overall, the building would retain its linear form and footprint and some of its original materiality would remain (the stone walls and re-use of other materials). The current proposal would therefore largely retain the local vernacular character of the barn and preserve the character of the historic farmstead. Furthermore, given the dilapidated nature of the building at present, the sympathetic design would enhance the setting of the site as required by policy DM4, albeit this would be at a low level.
- 8.21 The annex would be detached from, but not remote from, the existing dwelling and would lie within its residential curtilage. The footprint and scale of the building proposed is such that it would appear as a detached ancillary building. It would only contain garages and a home office, with no creation of garden/amenity area.
- 8.22 By virtue of the unsustainable location of the outbuilding its separation from the existing dwelling would be highly impractical. Nevertheless, the imposition of a condition to restrict the use of the building to being solely ancillary to the residential occupation of the application dwelling and to remove certain permitted development rights (means of enclosure) would not be unreasonable especially given the recent refusal of planning permission for the conversion of this existing barn into an independent residential unit (Reference: 25/00993/FUL).
- 8.23 In light of the above, the development would accord with Policies DM4, DM10, DM11, and DM12 of the adopted SADMP, and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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 adopted 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 proposed development would be ancillary to the existing farmhouse. The farmhouse benefits from an extant permission (Reference: 25/00438/FUL) for its sub-division into two residential units, but this is not understood to have been implemented. Nonetheless, sub-divided or not the proposal would not result in the loss of light to the occupiers of either unit. The principal elevation openings would be situated to the north of the dwelling facing onto the existing dilapidated former agricultural buildings and courtyard, whilst being set away from the nearest habitable windows of the farmstead by 8.85 metres bearing no significant impacts upon any future occupiers.
- 8.27 Moreover, should the sub-division permission be implemented on or before the 18th August 2028, the applicant is required to vary this permission to ensure that the annex remains ancillary to a single dwelling.
- 8.28 There is currently an application due to be presented at Planning Committee on the 2nd June for the conversion of the traditional barn to the north (Barn A) into a dwelling (Reference: 26/00244/FUL). Whilst there is no guarantee that this application will be granted planning permission, the proposed development is not considered to result in harm upon Barn A if converted.
- 8.29 The remainder of the site is bound by agricultural fields. Furthermore, it is understood that at the time of writing none of the surrounding former agricultural buildings are in active use, due to their dilapidated condition.
- 8.30 By virtue of the above, the development would accord with Policy DM10 of the SADMP, and the overarching principles of the NPPF.

Impact upon highway safety

- 8.31 Section 9 of the NPPF promotes sustainable transport. Paragraph 115 of the NPPF states that planning decisions should ensure that developments provide appropriate opportunities to promote sustainable transport modes, given the type of development and its location and a safe and suitable access to the site for all users. Any proposal should ensure that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 8.32 Ultimately, development should not be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe, in accordance with Paragraph 116 of the NPPF.
- 8.33 Policy DM17 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety. Policy DM18 of the SADMP requires new development to provide an appropriate/justified level of parking provision.
- 8.34 All proposals for new development and changes of use should reflect the highway design standards that are set out in the most up to date guidance adopted by the relevant highway authority. Currently this is the Leicestershire Highway Design Guide (LHDG) (2024).
- 8.35 The LHDG seeks to ensure that garages have the following minimum internal dimensions.
- Standard single = 6.00 metres x 3.00 metres, with minimum door width of 2.30 metres;
 - Additional accessibility requirements = 6.00 metres x 3.30 metres with minimum door width of 2.80 metres;
 - Double = 6.00 metres x 6.00 metres, with minimum door width of 4.20 metres.

- 8.2 The proposed triple garage would measure 11.39 metres x 6.28 metres internally with three doors measuring 3.14 metres in width. Whilst the LHDG guidance does not cover minimum internal dimensions for triple garages the proposal would be nearly double the size of a double garage having a more than sufficient space for three vehicles with the openings complying with the single garage width.
- 8.3 The Local Highways Authority (LHA) have raised no concerns in regard to highway safety or parking provision, however, seek to ensure that the enjoyment of Public Bridleway (R42) is not significantly affected by the proposed development. A set of informatives have been suggested should the application be approved.
- 8.4 By virtue of the above, subject to informatives, the development would accord with Policy DM17 and DM18 of the adopted SADMP, the LHDG and the overarching principles of the NPPF.

Impact upon drainage

- 8.5 Policy DM7 of the adopted SADMP seeks to ensure that development doesn't create or exacerbate flooding by being located away from areas of flood risk unless adequately mitigated against in line with National Policy.
- 8.6 Paragraph 181 of the NPPF requires Local Authorities, in determining planning applications, to ensure that flood risk is not increased elsewhere.
- 8.7 According to the Environment Agency (EA) website, the application site is located within Flood Zone 1, designated as low probability of flooding from rivers and sea, and the principle of development in low flood risk areas is acceptable. The EA Surface Water mapping, however, indicates that the application site is located in an area at risk of flooding from surface water. Despite this, the Council's Drainage Officer has no objection to the proposals on sustainable drainage grounds subject to informatives being imposed.
- 8.8 By virtue of the above, subject to informatives, the development would accord with Policy DM7 of the adopted SADMP and Paragraph 181 of the NPPF.

Impact upon ecology

- 8.9 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.

- 8.10 Concerns have been raised by the Parish that it has not been demonstrated that the proposal would avoid adverse impacts on biodiversity, including potential habitat loss and disturbance.

- 8.11 A Preliminary Ecological Appraisal completed by Croft Ecology in October 2025 has been submitted with the application which is accepted and outlined below.

Bats

- 8.12 The derelict building on-site offered no potential for roosting bats and no further surveys or mitigation is required.

Birds

- 8.13 There is evidence of nesting swallows and wren. Demolition works will be required to be undertaken outside the bird nesting season which runs from March to August inclusive to avoid disturbing nesting birds. If this is not possible then a nesting bird check will be required by a suitably experienced ecologist no more than 24 hours prior to removal and active nests left in place until fledged.

Great Crested Newts (GCN) and Reptiles

- 8.14 Two ponds and a small stream were subject to HSII assessments with the ponds later subject to GCN eDNA sampling which were returned negative. The derelict buildings offered some potential for sheltering and hibernating reptiles therefore it is recommended works proceed outside of the hibernation period (December to February in weather under 6 degrees) in accordance with section 4.5 of the Preliminary Ecological Appraisal.

Biodiversity Enhancements

- 8.15 There will be a loss of swallow and wren nesting habitat as part of the works. Therefore, 2 swallow nest cups will be required to compensate and 1 open fronted nest box to provide a biodiversity net gain, as per the NPPF and NERC Act 2006. It is also recommended that landscaping includes native species of local provenance that will provide a range of plants to support pollinating insects as identified in the RHS plants for pollinators.

Biodiversity Net Gain (BNG)

- 8.16 The application is exempt from mandatory BNG as development meets the 'de minimis' exemption.
- 8.17 By virtue of the above, subject to a condition and informative, the development would accord with Policy DM6 of the adopted SADMP.

Impact upon archaeology

- 8.18 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.
- 8.19 Policies DM11 and DM12 of the SADMP seek to protect and enhance the historic environment.
- 8.20 The proposal involves works to a traditional barn building (barn C on the submitted plans and documents), part of the Holywell Farm complex, a mid-18th century post-enclosure courtyard farm layout (Ratby was enclosed c.1760) consisting of a farmhouse and various barns (HER Ref.: MLE20922). Appraisal of the Leicestershire and Rutland Historic Environment Record (HER) indicates the building is, or has the potential to constitute a heritage asset (or assets) with an archaeological and heritage interest (National Planning Policy Framework (NPPF) Section 16, paragraph 207 and Annex 2). The retention of the historic farm building is welcomed, and County Archaeology would recommend retention of historic fabric wherever feasible. The submitted details indicate that the proposed works may affect or expose significant archaeological information, including surviving historic fabric within the affected

building. County Archaeology therefore, recommend that the planning authority require the applicant to complete an appropriate level of building recording prior to alteration, to record and advance the understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance (NPPF Section 16, paragraph 218).

- 8.21 This will require provision by the applicant for a level of building recording, to equate with a Level 2 'Descriptive Survey', as specified in Historic England's Understanding Historic Buildings. A Guide to Good Recording Practice, HE 2016). With reference to the development impact, both the exterior and interior of the building will be investigated, described and photographed. The examination of the building will produce an analysis of its development and use and the record will include the conclusions reached. The survey will result in the preparation of accurate plans, elevations and/or sections, where applicable utilising available survey data or plan records.
- 8.22 The Leicestershire and Rutland Historic Environment Record (HER) also shows that the application site is situated within an area of archaeological interest. The name Holywell refers to a spring and small pond in the garden, where a medieval papal bull (religious seal) and pin have been recovered (MLE3118). Slightly further west, Roman pottery and building material have been identified, indicating Roman settlement in the vicinity (MLE3107), which may extend into the application area. The Scheduled Monument of Bury Camp, which is an Iron Age hillfort, lies c.180m to the north-west of the application site (NHLE Ref.: 1005079) and finds of Neolithic, Bronze Age and Roman date have also been recorded there (MLE7245, MLE6361, MLE7951).
- 8.23 A condition is therefore recommended requiring that where the proposals entail ground works or excavations (e.g. for new flooring, services and landscaping) the applicant will make provision for a programme of professional archaeological attendance for inspection and recording during the groundworks, to ensure that any archaeological remains present are dealt with appropriately.
- 8.24 By virtue of the above, subject to conditions, the development would accord with Policies DM11, DM12 and DM13 of the adopted SADMP and Paragraph 218 of the NPPF.

9. Equality implications

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

10. Conclusion

- 10.1. It is considered that the proposed development would be in accordance with Policies DM1, DM4, DM6, DM7, DM10, DM11, DM12, DM13, DM17 and DM18 of the adopted Site Allocations and Development Management Plan (2016), the Leicestershire Highways Design Guide (2024), the Planning (Listed Buildings and Conservation Areas) Act 1990, the Technical Housing Standards – Nationally Described Space Standards (2015), the Councils Good Design Guide and the overarching principles of the National Planning Policy Framework (2024). The proposal is therefore recommended approval subject to the below conditions.

11. Recommendation

- 11.1 **Grant planning permission** subject to:

- Planning conditions outlined at the end of this report

11.2 Conditions and Reasons

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

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

- Site Layout - Sheet 1 of 3, Drg No.25.335.10;
- Site Layout - Sheet 2 of 3, Drg No.25.335.11;
- Proposed Elevations, Floor Plan - Sheet 3 of 3, Drg No.25.335.12 as received by the Local Planning Authority on the 16th March 2026.
- Site Location Plan, Drg No.25.335.OS1_1:1250 A;
- Part Block Plan, Drg No.25.335.BP1_1:500 A as received by the Local Planning Authority on the 15th April 2026.

Reason: To ensure a satisfactory form of development in accordance with Policies DM4, DM6, DM7, DM10, DM11, DM12, DM17 and DM18 of the adopted Site Allocations and Development Management Plan (2016).

3. 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 appearance in the interests of visual amenity in accordance with Policy DM4, DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. The annexe hereby permitted should be used as ancillary accommodation to the dwelling known as Holywell Farmhouse, Desford Lane, Ratby and shall not be occupied, sold or separately leased or let as an independent unit of residential accommodation.

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

5. No development shall take place until a biodiversity enhancement plan has been submitted to and approved in writing by the Local Planning Authority. Enhancements shall include (but are not limited to) at least two swallow nest cups, and one open fronted bird box with the makes/models and their locations provided with the submitted information. The biodiversity enhancement scheme shall include planting of hedgerows and trees of native species of local provenance and species to attract pollinating insects as identified in the RHS' 'Plants for Pollinators' database. Hedgerow mixes should include: 80% hawthorn (*Crataegus monogyna*), plus any one or more of the following: field maple (*Acer campestre*), dogwood (*Cornus sanguinea*), dog rose (*Rosa canina*) and holly (*Ilex aquifolium*). Any enhancement measures need to be shown on all relevant submitted plans. Thereafter all works are to proceed strictly in accordance with the approved scheme and the bird boxes shall be retained and maintained in perpetuity.

Reason: To ensure that species and habitats are protected and to enhance biodiversity in accordance with the in accordance with Policy DM6 of the adopted Site Allocations and Development Management Plan (2016).

6. No demolition/development shall take place/commence until written schemes of investigation (WSIs for Historic building recording and Archaeological Attendance) have been submitted to and approved by the local planning authority in writing. 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 WSI.

The Written Schemes of Investigation (WSIs) must be prepared by an archaeological contractor acceptable to the Planning Authority. To demonstrate that the implementation of the written schemes of investigation have been secured the applicant must provide a signed contract or similar legal agreement between themselves and their approved archaeological contractor.

The "Programme of Work" referred to will in this case be the historic building survey recording and the archaeological field work during development, in accordance with the Specification to be agreed.

Reason: To ensure satisfactory archaeological investigation and recording in accordance with Policy DM13 of the adopted Site Allocations Development Management Policies Development Plan Document (2016).

7. Notwithstanding the provisions of Class A of Part 2 of Schedule 2 of Article 3 of the Town and Country Planning (General Permitted Development) (England)

Order 2015 (or any Order revoking and re-enacting that Order), no means of enclosure shall be erected around the residential annex hereby permitted.

Reason: To ensure the annex is not occupied as an independent unit of accommodation in accordance with Policies DM4, DM10 and DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11.3 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) Nesting birds are protected under the Wildlife & Countryside Act 1981 (as amended); therefore, building demolition and significant alteration or vegetation clearance should take place outside the breeding season (March to August inclusive) unless carefully checked beforehand by a suitably qualified person.
- c) Surface water should be managed by sustainable methods, preferably those which disperse runoff by infiltration into the ground strata: i.e. soakaways, pervious paving, filter drains, swales, etc. and the minimisation of paved area, subject to satisfactory porosity test results and the site being free from a contaminated ground legacy. If the ground strata are insufficiently permeable to avoid discharging some surface water off-site, flow attenuation methods should be employed, either alone or in combination with infiltration systems and/or rainwater harvesting systems.
- d) Any proposed access drives, parking and turning areas, paths and patios should be constructed in a permeable paving system, with or without attenuation storage, depending on ground strata permeability. On low-permeability sites surface water dispersal may be augmented by piped land drains, installed in the foundations of the paving, discharging to an approved outlet (See Environment Agency guidance on the permeable surfacing of front gardens).