

Planning Statement

**Holywell Farm, Desford Lane, Ratby,
Leicestershire, LE6 0LF**

Works to outbuilding to form dwelling

Client Name: Mike Watts

Date of Issue: October 2025

Local Authority: Hinckley and Bosworth Borough Council

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1.0 INTRODUCTION AND SITE DESCRIPTION

- 1.1 This planning statement has been prepared on behalf of Mike Watts in support of a planning application for works to an existing outbuilding to form a dwelling at Holywell Farm, Desford Lane, Ratby, LE6 0LF.
- 1.2 This statement should be read in conjunction with the accompanying documents which include:
- Plans from R3Design Development Ltd;
 - BNG Exemption Statement from Croft Ecology Ltd;
 - Preliminary Ecological Appraisal from Croft Ecology Ltd;
 - Preliminary Roost Assessment and Bat Emergence Survey Report from Croft Ecology Ltd;
 - Building Condition Survey from Fisher German; and
 - Application form.
- 1.3 This statement describes the application site, the locality and comments on the relevant Development Plan and national policy framework policies. It goes on to provide an assessment of the proposal in relation to the relevant policies.
- 1.4 The site is to the west of the village of Ratby off Desford Lane in an isolated location in the countryside and accessed by a long narrow unmade farm track with shared agricultural use. The former farmhouse and associated complex occupy a small valley and originally comprised a two-storey farmhouse and a courtyard of two and single storey brick built outbuildings and barns. The original farmhouse has been substantially rebuilt and extended including accommodation in the roof space following earlier planning permissions but has retained the original front elevation stone facade and bay windows.

- 1.5 The site lies outside the Limits to Development as identified in the adopted Local Plan. The application site is not located in a Conservation Area and is not located in close proximity to any Listed Buildings.
- 1.6 Figure 1 below shows the site and its surroundings in more detail on the image below:

Figure 1 – Extract from site location plan



2.0 PLANNING HISTORY

2.1 The application site has been subject to the following planning applications:

04/00497/FUL - CHANGE OF USE TO CARAVAN STORAGE AREA – WITHDRAWN
21.04.2005

04/00926/GDO - ERECTION OF GRAIN SILO - GDO 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 - GDO 06.06.2006

06/00892/FUL - PROPOSED NEW ACCESS DRIVE AND WORKS TO DIVERT
WATERCOURSE - PERMITTED 05.10.2006

07/00024/PP - REBUILDING REAR ELEVATION, PARTIAL REBUILDING OF SOUTH
ELEVATION, REBUILDING AND EXTENSION TO NORTH ELEVATION AND NEW ROOF
WITH ALTERATIONS – WITHDRAWN 03.09.2007

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
(RESUBMITTED SCHEME) - PERMITTED 03.09.2007

09/00102/FUL EXTENSIONS AND ALTERATIONS TO DWELLING - PERMITTED
14.04.2009

13/00365/FUL SUB-DIVISION OF EXISTING DWELLING INTO TWO DWELLINGS
INCLUDING EXTENSIONS AND REBUILDING OF OUTBUILDINGS - WITHDRAWN
06.08.2013

13/00719/FUL SUBDIVISION OF EXISTING DWELLING INTO TWO DWELLINGS -
PERMITTED 11.12.2013

14/00206/FUL CONVERSION OF EXISTING OUTBUILDING TO FORM DWELLING
TOGETHER WITH WORKS TO OUTBUILDING TO FORM ANCILLARY
ACCOMMODATION - PERMITTED 08.09.2015

14/00370/OUT CONVERSION OF EXISTING BARNS TO FORM TWO RESIDENTIAL
DWELLINGS (OUTLINE - ACCESS ONLY) - APPLICATION RETURNED 06.04.2017

16/00220/FUL TEMPORARY SITING OF MOBILE HOME UNIT TO BE REMOVED
UPON FIRST OCCUPATION OF PREVIOUSLY APPROVED BARN CONVERSION -
PERMITTED 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 - GDO
17.10.2019

25/00438/FUL - SUBDIVISION OF THE EXISTING DWELLING INTO TWO DWELLINGS
- PERMITTED 18.08.2025

3.0 PROPOSED DEVELOPMENT

- 3.1 The proposal is for works to take place to an existing outbuilding in order to convert it into a residential dwelling. Figure 2 below shows that the existing outbuilding is located at the entrance to the courtyard and the proposed works would include the conversion and extension of the existing building to form a two bedroom dwellinghouse.

Figure 2 – Extract from site plan



- 3.2 Figure 2 above demonstrates how the existing building would be converted and extended to provide a residential dwelling. Parking spaces would be located off the existing access drive and within the courtyard and a residential garden would be located to the rear.
- 3.3 Figure 3 below shows the proposed elevations and floor plans of the proposed plot.

Figure 3 – Proposed elevations and floor plans



- 3.5 Access for the proposed dwelling would be taken from the existing access off Desford Lane.
- 3.6 It is noted that a very similar application was allowed for works and extensions to the existing outbuilding to form ancillary accommodation as part of planning application 14/00206/FUL although the scheme was never implemented and the planning permission has now expired.

4.0 MAIN ISSUES

- 4.1 Section 70(2) of the Town and Country Planning Act 1990 requires that when dealing with an application for planning permission, Local Planning Authorities must have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. Section S38(6) of the Planning and Compensation Act 2004 requires that decisions on planning applications should be made in accordance with the policies of the development plan unless material considerations indicate otherwise.
- 4.2 Having regard to the above, it is considered that the main issues raised by the application are:
1. Principle of the development
 2. Design and visual amenity
 3. Access and parking
 4. Living conditions of neighbouring properties
 5. Other matters
- 4.3 The main planning policies that are relevant to these main issues are included in Section 5.0 below.

5.0 PLANNING POLICIES

- 5.1 The (revised) National Planning Policy Framework (2024) (NPPF) confirms that it does not change the statutory status of the development plan as the starting point for decision making. It also confirms its status as a material consideration in determining planning applications. The NPPF continues to advise that proposed development that accords with an up-to-date local plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise. The NPPF also advises that due weight should be given to development plan policies according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).
- 5.2 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, an application for planning permission should be determined in accordance with the Development Plan unless other material considerations indicate otherwise.
- 5.3 The policy context for this application is provided by the development plan and national planning policy in the NPPF as well as Planning Practice Guidance issued in April 2014 (as subsequently amended) (PPG). The development plan includes the Core Strategy (adopted 2009) (CS) and the Site Allocations and Development Management Policies DPD (adopted 2016) (SADMP).
- 5.4 Those policies which are the most important for determining this planning application are set out below:

Core Strategy (2009)

- 5.5 Policy 8: Key Rural Centres Relating to Leicester

Site Allocations and Development Management Policies DPD (2016)

- 5.6 *Policy DM1 – Presumption in Favour of Sustainable Development* repeats the presumption in favour as found in the Framework.
- 5.7 *Policy DM4 – Safeguarding the Countryside and Settlement Separation* seeks to protect the intrinsic value, beauty, open character and landscape character from unsustainable development and lists suitable sustainable development, subject to satisfying certain criteria.
- 5.8 *Policy DM6 – Enhancement of Biodiversity and Geological Interest* states that development proposals must demonstrate how they conserve and enhance features of nature conservation and geological value including proposals for their long term future management.
- 5.9 *Policy DM10 – Development and Design* provides a series of design-based criteria to which new development is required to meet.
- 5.10 *Policy DM15 – Redundant Rural Buildings* provides a list of criteria that needs to be complied with in order for the re-use and/or adaption of redundant or disused rural buildings to be supported.
- 5.11 *Policy DM17 – Highways and Transportation* confirms that development proposals should be in accordance with highways design standards as set out in the most up to date guidance adopted by the relevant Highway Authority.
- 5.12 *Policy DM18 – Vehicle Parking Standards* confirms that new development proposals will be required to provide an appropriate level of parking provision justified by assessment.

The National Planning Policy Framework 2025 (NPPF)

- 5.13 At the heart of the NPPF is a presumption in favour of sustainable development. There are three overarching objectives which are interdependent and need to be pursued in mutually supportive ways so that opportunities can be taken to secure net gains across each of the different objectives. These are an economic objective, a social objective, and an environmental objective. The economic objective seeks to ensure sufficient land of the right types is available in the right places at the right time to support growth. The social objective seeks to support strong, vibrant, and healthy communities by ensuring a sufficient number and range of homes can be provided to meet the needs of the present and future generations and by fostering a well-designed and safe built environment. The environmental objective seeks to contribute to protecting and enhancing our natural, built, and historic environment, including making effective use of land.
- 5.14 Amongst other things, paragraph 11 of the NPPF states that decisions should apply a presumption in favour of sustainable development and that for decision-taking, this means approving development proposals that accord with an up-to-date development plan without delay.
- 5.15 Paragraph 48 of the NPPF indicates that planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.
- 5.16 Paragraphs 56-58 set out that Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all

other respects. Planning obligations must only be sought where they are a) necessary to make the development acceptable in planning terms; b) directly related to the development; and c) fairly and reasonably related in scale and kind to the development.

- 5.17 Paragraphs 61 and 63 of the NPPF are concerned with delivering a sufficient supply of homes to support the Government's objective of significantly boosting the supply of homes. The size, type and tenure of housing needed for different groups should be reflected in planning policies.
- 5.18 Paragraph 110 of the NPPF states that the planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.
- 5.19 Paragraph 116 of the NPPF states that development should only 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.
- 5.20 Paragraphs 124 and 125 of the NPPF seeks to make the effective use of land. It states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. It goes on to say that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs.

- 5.21 Paragraphs 131-135 of the NPPF seeks to achieve well-designed places. It states the creation of high-quality buildings is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development and creates better places in which to live. Planning decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, are sympathetic to local character and history, including the surrounding built environment and landscape setting and establish or maintain a strong sense of place using streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit. It also states permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 5.22 Paragraph 170 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. Paragraph 181 states that Local Planning Authorities should ensure that flood risk is not increased elsewhere when determining planning applications.
- 5.23 Paragraphs 187 of the NPPF states that decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils. It also requires a contribution towards remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.
- 5.24 Paragraphs 193 is concerned with habitats and biodiversity and seeks to protect and enhance. It advises that development which results in significant harm to

biodiversity should be refused unless it can be adequately mitigated, or, as a last resort, compensated for.

Other Policy and Guidance

5.25 Although not having the formal status and weight of adopted planning policy there are a number of other pieces of guidance relevant to decision-making within Hinckley and Bosworth including:

- National Planning Practice Guidance - March 2014 (as amended)
- Good Design Guide SPD – 2019
- The Conservation of Habitats and Species Regulations 2017
- Circular 06/05 (Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System
- National Forest Strategy 2014-2024
- National Design Guide – October 2019
- Leicestershire Highways Design Guide (Leicestershire County Council)

6.0 PLANNING ASSESSMENT

The principle of development

6.1 The site is located outside of the limits to development where development is more strictly controlled under Policy DM4 of the SADMP which protects the countryside from unsustainable development. The policy provides a list of uses which are considered sustainable and these are listed below:

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 diversification of rural businesses; or

c) It significantly contributes to economic growth, job creation and/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.

6.2 This proposal for re-use and extension of the existing rural building would therefore clearly comply with SADMP Policy DM4 at sub-section (b). The existing building is in a poor state of repair and its renovation would lead to the enhancement of the immediate setting. It is also noted that to the rear of the building is an existing large expanse of concrete, as shown on Figure 4 below, that

has been used to store materials and this would be removed and replaced by the proposed garden to the residential dwelling which would also lead to an enhancement to the immediate setting.

Figure 4 – Photograph showing existing concrete base and material storage



6.3 Policy DM15 of the SADMP then deals specifically with redundant rural buildings. The various criteria are listed below in italic and assessed underneath.

(a) The applicant demonstrates the building is no longer viable in its current use: and

The building is currently in a poor state of repair with a collapsed roof and has not been used for agricultural purposes for a significant period of time. It is noted that the officer report to planning application 14/00206/FUL, which allowed works to the building to form ancillary residential accommodation, also noted that the building was redundant at that time. There has been no other uses operating

from the building in the intervening time period. On this basis, the proposal would comply with sub-section (a) of Policy DM15 of the SADMP.

(b) The applicant has adequately demonstrated the building is in a structurally sound condition and is capable of conversion without significant rebuild or alteration; and

The application is accompanied by a Building Condition Survey by Fisher German who also carried out the Building Condition Survey as part of planning application 14/00206/FUL. The 2014 Building Condition Survey noted that the outbuilding was in a state of disrepair/dilapidation but were worthy of retention and repair even though the repair works were said to be relatively substantial.

The officer report for the 14/00206/FUL application noted that the Council's policies stated that permission will be granted for the re-use and adaptation of rural buildings subject to a number of criteria including that the building is in a structurally sound condition. Despite the 2014 Building Condition Survey noting that the building was in a state of disrepair/dilapidation, the Council's officer report concluded the following:

This application is for the conversion of redundant agricultural buildings, which have some historic merit as they are examples of vernacular farm buildings that are structurally capable of conversion. The re-use and retention of these buildings is in accordance with both local planning policy (Policies BE20 and NE5 of the Local Plan 2001) and the NPPF (Paragraph 55). This conversion will enhance the immediate environment and ensure a redundant building of historic merit is retained.

The latest Building Condition Report sets out a comprehensive programme of repair and sympathetic reconstruction to stabilise and preserve the structure. This includes the complete removal and replacement of the roof structures, reusing original slates and ridge tiles where possible, and rebuilding weakened gable and courtyard walls with salvaged brickwork and stone to maintain the

vernacular character. Internal buttresses, stitching and ties are advised to provide structural stability, while external elevations require re-pointing, vegetation clearance and the installation of new rainwater goods to protect the masonry. The proposals would ensure that the building is brought back into a sustainable use while retaining its traditional form and appearance.

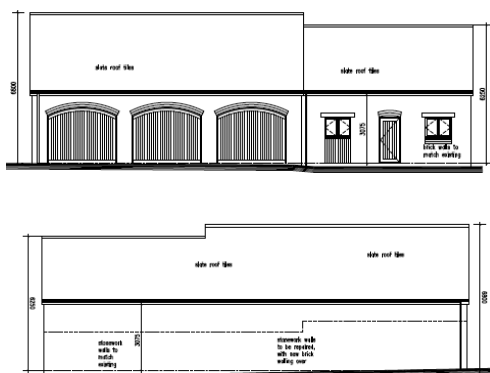
Whilst the proposal does not fully align with the requirements of sub-section (b) of Policy DM15 of the SADMP, the extent of harm arising is deemed to be limited as planning permission has previously been granted for a similar level of work to this existing building where a pragmatic approach was taken and weight afforded to bringing back into use vernacular farm buildings via its sensitive repair and reconstruction. The extent of any harm in relation to this planning policy needs to be considered in the overall planning balance.

(c) Any proposed extension(s) or alterations are proportionate to the size, scale, mass and footprint of the original building and situated within the original curtilage; and

Figure 5 below shows the previously approved elevations and the elevations proposed as part of the current scheme.

Figure 5 – Comparison of approved and proposed elevations

Approved



Proposed



As shown on Figure 5 above, it is clear that the size, scale, mass and footprint of the proposed dwelling would be almost identical to the size, scale, mass and footprint of the building which was granted planning permission as part of application 14/00206/FUL. On this basis, the proposal would comply with sub-section (c) of Policy DM15 of the SADMP.

(d) The proposed development accords with Policy DM10: Development and Design and relevant design guidance, DM11: Protecting and Enhancing the Historic Environment and DM12: Heritage Assets.

This is discussed elsewhere in this planning statement, where it is made clear that the proposal would comply with sub-section (d) of Policy DM15 of the SADMP.

6.4 Given this context, it is considered that the development of the site as proposed is acceptable in principle in accordance with the relevant Development Plan policies. These policies clearly make provision in principle for the conversion of agricultural buildings to alternative uses, with the provision of residential dwellings as being an appropriate alternative use.

6.5 In terms of sustainability this matter was considered as part of planning application 14/00206/FUL on the site. The Council concluded that the site is within the countryside, in an unsustainable location where development would ordinarily be contrary to both policies of the development plan and the NPPF. However, the Council noted that the application was for the conversion of redundant agricultural buildings which have historic merit as they are examples of vernacular farm buildings. The Council concluded that the re-use and retention of these buildings was in accordance with both local planning policy (Policies BE20 and NE5 of the Local Plan 2001) and the NPPF (Paragraph 55). Whilst both the Local Plan and the NPPF have been updated since then, the latest advice in the NPPF is that isolated dwellings in the countryside are acceptable where the development would re-use redundant or disused buildings and enhance its immediate setting.

For the reasons set out above, the proposal would clearly accord Paragraph 84 of the NPPF and would comply with national planning policy.

- 6.6 In order to provide further comfort to the Council regarding sustainability, the applicant is willing, if necessary, to relinquish the existing subdivision application that has been granted on the site under application reference 25/00438/FUL which would allow vehicle movements associated with two dwellings. On this basis, there would not be an increase in the number of dwellings or vehicle movements on the site compared to the existing established fallback position.
- 6.7 In addition, in terms of housing land supply, using the revised standard method in national planning practice guidance as required by Paragraph 62 of the NPPF, Hinckley and Bosworth Borough Council are unable to demonstrate a five-year supply of land for housing. Evidence of this can be found in recent appeal decisions including APP/K2420/W/24/3348387 (3.55 year supply in March 2025) and APP/K2420/W/24/3344038 (4.89 year supply in February 2025).
- 6.8 In light of the housing land supply position, the 'tilted' balance in Paragraph 11(d) of the NPPF is triggered. Among other things, this says that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination. This balancing exercise is carried out in the conclusion section below.
- 6.9 The remainder of this statement assesses compliance with various technical matters and then provides a conclusion in respect of the 'tilted' balance as to whether any adverse impacts would significantly and demonstrably outweigh the benefits of the proposal.

Design and Visual Amenity

6.10 The need for good design in new residential development is outlined not only in adopted Local Plan Policies DM4 and DM10 and the Council's Good Design SPD but also within the NPPF. The policies in the Local Plan require that development in the countryside does not have a significant adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside and that it does not undermine the physical and perceived separation and open character between settlements.

6.11 In dealing with the repair and rebuilding of this building as part of application 14/00206/FUL the officer report concluded that:

The proposal does not seek to extend the footprint of the existing buildings. The significant changes involve significant repair through conversion to bring the buildings to a habitable standard. During the course of the application detailed discussions have taken place with the applicant and officers to ensure that the design of the buildings reflect their historic form. Amended plans have been received to reduce the number of openings and to ensure existing features such as doorways and openings are retained.....For the reasons discussed above it is therefore concluded that the design of the proposal is in keeping with Policies BE20, BE1 and NE5 of the Local Plan (2001) and Supplementary Planning Guidance on the Conversion of Agricultural Buildings.

6.12 Therefore, it is necessary to consider the changes proposed between the previously approved scheme and the currently proposed scheme to consider whether there is any planning justification for a different conclusion to be reached.

6.13 The proposed scheme is based on the same footprint as previously approved and existing door and window openings are utilised as per the previously approved scheme. The submitted scheme does include for the inclusion of rooflights but these would be conservation style rooflights. There is a requirement to insert two

doors and two windows on the rear elevation of the building to provide light into the converted rooms and outlook towards the rear garden. Overall, the proposed scheme is considered to respect the historic form and character of the building and represent a sensitive conversion that would provide a new use to the existing redundant building.

- 6.14 There would also be enhancements to the immediate setting by the removal of existing concrete hardstanding to the rear of the building as set out in Paragraph 6.2 of this statement.
- 6.15 The submitted plans demonstrate that the site could provide the proposed dwelling with sufficient levels of amenity space, parking, turning and landscaping.
- 6.16 Overall, it is considered that the proposed scheme would respect the character and appearance of the surrounding area and would have a suitable design. The proposal would comply with Policies DM4 and DM10 of the SADMP, the provisions of the NPPF, the National Design Guide and the Good Design SPD.

Access and Parking

- 6.17 Paragraph 116 of the NPPF states that development should only 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.
- 6.18 Access for the proposed dwelling would be from the existing approved access off Desford Lane which has good forward visibility in both directions. The width of the access is 5 metres for a distance of approximately 12 metres from the highway and the existing gate set back of 12 metres is such that vehicles can pull clear of the road carriageway and pass each other. Within the gate the unmade track narrows but without defined boundaries which allows vehicles to pass up to the

dwelling which is located approximately 890 metres from Desford Lane. The proposal to convert the existing building to a two bedroom dwelling would not therefore result in any adverse impact on highway safety or generate traffic movements on a scale that would exceed the capacity of the highway network.

- 6.19 It should also be noted that the Council have recently allowed for the subdivision of the existing dwelling on the site which would increase the total number of dwellings on the site from one to two. Therefore, there is an existing fallback position that allows for vehicle movements associated with two dwellings to operate from the existing access. The applicant is willing to relinquish the existing subdivision application that has been granted on the site under application reference 25/00438/FUL if necessary.
- 6.20 The submitted plans show for areas of parking to the front and rear of the property that would be sufficient for the proposed two bedroom dwelling. In addition, the plans show adequate space for turning in order for vehicles to exit the site in a forward gear.
- 6.21 The proposed development would not have an unacceptable impact on highway safety, nor would the residual cumulative impacts on the road network be severe. Overall, therefore, the highway safety aspects of the scheme are considered acceptable. The proposal is considered acceptable in relation to DM17 and DM18 of the SADMP, the advice in paragraph 116 of the NPPF and the LHDG.

Living conditions of neighbouring properties

- 6.22 It is considered that the only residential property that has the potential to be impacted upon is Holywell Farmhouse which is the host dwelling and where the applicant currently resides.

- 6.23 The existing structures on the site have previously been granted planning permission to be converted to separate residential dwellings and ancillary residential accommodation (as set out in Section 2.0). The buildings are set out in a courtyard formation with suitable separation distances and due to the orientation of the properties around the courtyard the outlook and windows would be at a right angles to other buildings.
- 6.24 Upper floor side windows would not directly face the neighbouring farmhouse building. Upper floor windows to the rear would face the open countryside so there would be no overlooking or loss of privacy. Based on the submitted plans, there would be suitable rear amenity space for future occupiers of the dwelling.
- 6.25 It should also be noted that the Council have previously considered the residential amenity impacts of the subdivision of the dwelling to be acceptable. As part of the consideration of 13/00719/FUL the Council concluded that:
- By virtue of the proposed layout, design and external materials, the proposal demonstrates that the dwelling can be converted to provide satisfactory amenity to the future occupiers.*
- 6.26 Having regard to the above, the proposals would not have a significant impact on the living conditions of occupiers of nearby dwellings. The impact on the living conditions of existing residents close to the proposals would be minimised and their amenity would be safeguarded in accordance with LP Policies D1 and D2. The proposals also comply with the general thrust of the NPPF so far as it seeks to ensure acceptable living standards.

Other matters

Trees

- 6.27 The application site does not contain any trees which are protected by a Tree Preservation Order and the site is not located in a Conservation Area. There are no trees on the application site that would need to be removed as part of the proposed development.

Drainage/Flooding

- 6.28 The site is located in Flood Zone 1 which is classified as an area of low probability to flooding. Matters in relation to surface water drainage would need to be considered as part of any subsequent Building Regulations approval. Such matters should not form planning conditions on any approval as this would duplicate a requirement for compliance with other regulatory requirements and be contrary to the advice in paragraph 56 of the NPPF (see APP/F2415/W/22/3303898 for further information).

Ecology

- 6.28 The proposal would be exempt from BNG requirements because it would be subject to the de minimis exemption. This is set out in Paragraph: 003 Reference ID: 74-003-20240214 and Paragraph: 004 Reference ID: 74-004-20240214 of the NPPG. It provides the following similar example of development that would be considered to be de minimis:

Scenario 1: A development solely on a sealed surface

The development is a new commercial building on an existing car park. There are no other habitats (e.g. a green verge or tree) within the red line boundary of the

development. The development would be exempted from biodiversity net gain by the de minimis exemption as:

the development does not impact on any onsite priority habitat;

the car park would be classified as developed land: sealed surface which has a biodiversity value of zero under the statutory biodiversity metric; and

there are no other onsite habitats.

- 6.29 The application is accompanied by a BNG exemption statement from Croft Ecology which confirms that mandatory BNG would not apply in this instance because the development results in no impact on any priority habitat and the proposed application impacts on less than 25 square metres of habitat.
- 6.30 The submitted PEA concludes that the proposal would result in the loss of habitats with limited ecological potential. No further survey work is required but sensitive timing and appropriate method of on-site working are recommended. It is also recommended that bat and bird boxes are included within the final development in order to provide for on-site biodiversity enhancements. These measures can be secured through appropriately worded planning conditions.
- 6.31 The submitted PRA and bat emergence surveys identified no bat roosts within the existing building. However, two day roosts of common pipistrelle are considered to be impacted by the proposed renovation works. Therefore, a Natural England mitigation license will be required for works to proceed. A series of mitigation and compensation measures are included in the report which can be secured through appropriately worded planning conditions.

Archaeology

- 6.32 The site is located within the vicinity of Bury Camp, a scheduled ancient monument. However, it is not considered that the development would impact upon this heritage asset due to the separation distance. LCC Archaeology broadly welcomed the conversion of the buildings previously, retaining the courtyard layout subject to appropriate planning conditions. There are no planning grounds for a different conclusion to be reached in this instance.

7.0 CONCLUSIONS

- 7.1 At the heart of the NPPF is a presumption in favour of sustainable development such that development proposals that are in accordance with the development plan should be approved. The NPPF does not change the statutory status of the development plan as the starting point for decision making. Section S38(6) of the Planning and Compensation Act 2004 requires that any decision on a planning application should be made in accordance with the policies of the development plan unless material considerations indicate otherwise.
- 7.2 In terms of the principle of development, Policy DM4 and DM15 of the SADMP are the most important development plan policy for determining this application. The proposal fully accords with Policy DM4. Policy DM15 requires a series of criteria to be considered regarding the conversion of redundant rural buildings. Whilst the proposal does not fully align with the requirements of sub-section (b) of Policy DM15 of the SADMP, the extent of harm arising is deemed to be limited as planning permission has previously been granted for a similar level of work to this existing building where a pragmatic approach was taken and weight afforded to bringing back into use vernacular farm buildings via its sensitive repair and reconstruction.
- 7.3 Hinckley and Bosworth Borough Council are unable to demonstrate a five-year supply of land for housing. In light of the housing land supply position, the 'tilted' balance in Paragraph 11(d) of the NPPF is triggered. Among other things, this says that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

- 7.4 The proposal would provide a small but meaningful contribution towards addressing the Council's housing shortfall. The additional dwelling would be provided and would not result in any significant adverse impacts on the character and appearance of the area, the residential amenity of the occupiers of neighbouring properties, highway safety, biodiversity or flooding. Indeed, the proposals would represent the re-use of previously developed land and would result in the removal of significant areas of concrete hardstanding which would provide for a significant enhancement to the immediate setting. There are no other material planning considerations that indicate that planning permission should not be granted.
- 7.5 The sustainable development objectives of the NPPF require economic, social and environmental objectives, which are interdependent and need to be pursued in mutually supportive ways.
- 7.6 The economic objective in paragraph 8 of the NPPF is achieved by the proposals through the development of an additional dwelling which would result in the support for local construction work and jobs, an additional ongoing contribution towards council tax and the new occupiers of the dwellings would use and support local services which would help them to be maintained.
- 7.7 The social objective in paragraph 8 of the NPPF is achieved by the proposals through the provision of additional smaller housing. There would also be social benefits in terms of new residents supporting the existing services in the surrounding area.
- 7.8 The environmental objective in paragraph 8 of the NPPF is achieved by the proposals as they would not result in any unacceptable impacts on the natural, built or historic environment. The proposal would redevelop previously developed land and utilise an existing building. The planning statement has demonstrated that the application would have an acceptable impact on highway

safety, visual amenity, residential amenity, drainage and flooding, ecology and trees.

- 7.9 In conclusion, the proposal is generally in accordance with the relevant policies of the development plan and it is in accordance with the NPPF taken as a whole and the presumption in favour of sustainable development applied given the tilted balance. When viewed in their wider context, the proposals make a positive contribution towards each of the three objectives of sustainable development in a mutually supportive way. There are no adverse impacts that would significantly and demonstrably outweigh the benefits of the proposal and any outstanding concerns that the Council might have are capable of being addressed by negotiation and/or the imposition of conditions.