

Delegated Report

Planning Ref: 25/00581/FUL

Applicant: Mr Ian Blackman

Ward: Newbold Verdon with Desford & Peckleton



Hinckley & Bosworth
Borough Council

Site: Raman Reti, 43 Church Road, Kirkby Mallory

Proposal: Retrospective change of use of the former stable block to ancillary storage and toilet facilities

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

- 2.1. This planning application seeks full planning permission for the change of use of a stable block building to ancillary storage and toilet facilities at Raman Reti, 43 Church Road, Kirkby Mallory.
- 2.2. The proposal would result in 61.05 square metres of floor space changed in use from stables associated with private manège use to storage and toilet facilities ancillary to the residential use of the site.
- 2.3. The proposal does not involve any external alterations to the existing building. Minor alterations internally to fit out the toilet facilities have already occurred and have not altered the external character and appearance of the building.
- 2.4. The Applicant has advised that the change in use of part of the building to toilet facilities occurred in association with private family events that occurred at the property to the east of the application building. The facilities are intended in future to be used primarily by the groundskeeping staff who manage the gardens at the property, as well as intermittent use for future personal events.

3. Description of the site and surrounding area

- 3.1. The application site is located within the settlement boundary of Kirkby Mallory.
- 3.2. The application site comprises a single storey stable block building and an access driveway and internal vehicle manoeuvring areas.
- 3.3. The stable block building is constructed of red brick and has a low mono-pitched roof. The stable building in its original form comprised three stables and two small storage rooms for tack and laundry.
- 3.4. The stable block building currently comprises two storage rooms within the eastern-most of the former stable rooms, four toilet stalls within the western-most of the former stable rooms, and individual toilet rooms within the two former storage rooms.
- 3.5. The application site forms part of the wider Raman Reti site which contains a large, detached dwelling, the former stable block building, and a former horse riding manège, surrounded by fields and gardens.
- 3.6. The application site has existing access from Church Road along an extended access drive which passes the application building and extends to the rear of the detached dwelling. Church Road is an adopted, unclassified road subject to a speed limit of 30mph.
- 3.7. Beyond the wider Raman Reti site, the application site is generally surrounded by residential development within Kirkby Mallory to the north and north-east. To the

south and east are fields within the designated open countryside. To the west is Mallory Park Racing Circuit.

4. **Relevant planning history**

- 4.1 **78/01516/4M**
Erection of stables
Planning Permission
28.11.1978

5. **Publicity**

- 5.1. The application has been publicised by posting a site notice within the vicinity of the site and sending letters to neighbours.
- 5.2. No comments have been received.

6. **Consultation**

- 6.1. Leicestershire County Council (LCC) Highways, the Local Highway Authority (LHA), are satisfied that it is unlikely the proposal would lead to an intensification of trip to the site. As such, the LHA considered there would not be a material impact on the public highway and had no comments to make.
- 6.2. Hinckley & Bosworth Borough Council (HBBC) Environmental Services (Pollution) had no objections.
- 6.3. Kirkby Mallory, Peckleton and Stapleton Parish Council have queried the management of waste from the toilet facilities, as the application does not note whether this is managed through mains sewer or septic tank.

7. **Policy**

- 7.1. Core Strategy (2009)
- Policy 13: Rural Hamlets
- 7.2. Site Allocations and Development Management Policies Development Plan Document (SADMP) (2016)
- Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM6: Enhancement of Biodiversity and Geological Interest
 - Policy DM7: Preventing Pollution and Flooding
 - Policy DM10: Development and Design
 - 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)
 - National Design Guide (2019)
- 7.4. Other relevant guidance
- Good Design Guide (2020)
 - Leicestershire Highway Design Guide (LHDG) (2024)

8. **Appraisal**

- 8.1. Key Issues

- Assessment against strategic planning policies
- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact upon highway safety and parking provision

Assessment against strategic planning policies

- 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.
- 8.2 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.
- 8.3 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.
- 8.3. The current Development Plan consists of the adopted Core Strategy and the adopted Site Allocations and Development Management Policies Development Plan Document (SADMP) Development Plan Document.
- 8.4. 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 at least once every 5 years and should then be updated as necessary.
- 8.5. Nonetheless, 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.
- 8.6. The proposal involves an existing building located within the settlement boundary of Kirkby Mallory. The development is therefore considered to be sustainable in principle.

Design and impact upon the character of the area

- 8.7. Section 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. Paragraph 135 of the NPPF details the six national policy requirements of development to ensure the creation of well-designed and beautiful places.
- 8.8. Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

- 8.9. Policy DM10 of the 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.
- 8.10. The proposal seeks to regularise the conversion of the existing stable block building for the purposes of storage and toilet facilities ancillary to the residential use of the wider site. The building is located to the north-east of the associated dwelling and formed part of a previous private equestrian use on the site which has since ceased.
- 8.11. The proposal does not involve any external alterations to the existing building, nor any alterations to the original internal layout. The fitting out of three sections of the building with toilet facilities has already occurred and is indiscernible from the exterior of the building.
- 8.12. The application building is well separated from site boundaries and views toward the building from surrounding properties is interrupted or prevented by existing vegetation, including large established trees, and existing boundary treatments and timber fencing internal to the application site.
- 8.13. It is therefore considered that the proposal would have limited impact upon the character of the area and would accord with Policy DM10 of the SADMP.

Impact upon neighbouring residential amenity

- 8.14. Policy DM10 of the SADMP states that development will be permitted provided that it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting and noise and that the amenity of occupiers would not be adversely affected by activities within the vicinity of the site.
- 8.15. The application building is located 18 metres from the nearest boundary of the wider Raman Reti site, and over 45 metres from the nearest neighbouring residential dwelling to the north.
- 8.16. The use of the building for ancillary storage and toilet facility purposes has already been established, and the level of activity is limited to that reasonably anticipated with a large residential site or with small personal events held by owners of the residence.
- 8.17. It is anticipated that the domestic storage and toilet facilities use would have a day-to-day amenity impact upon adjoining residential uses lower than that of a stable block.
- 8.18. HBBC Environmental Services (Pollution) have reviewed the proposal and have no objections on amenity grounds.
- 8.19. It is therefore considered that the proposed development would not have a significant adverse effect on the privacy or amenity of neighbouring residents and as such the proposal complies with Policy DM10 of the SADMP.

Impact upon highway safety and parking provision

- 8.19. Policy DM17 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety. Policy DM18 requires new development to provide an adequate level of parking provision.
- 8.20. The development proposes no alteration to the existing access point, internal driveway and existing car parking spaces on the application site and wider Raman Reti site.
- 8.21. The proposed storage use of the building does not give rise to additional car parking requirements. The proposed toilet facilities would serve groundskeepers on the site and, where they occur, provide facilities for guests at personal family events. For these purposes, parking typically occurs to the rear of the dwelling which has a large, surfaced area at the end of the access drive.
- 8.22. The Local Highway Authority (LHA) have reviewed the proposal and did not consider it likely that the use would increase trips to and from the site.
- 8.23. In light of the above, it is considered that the proposal would not result in adverse impacts upon highway safety and would be in accordance with Policies DM17 and DM18 of the SADMP, as well as the LHDG.

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.
- 9.4 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

10. Conclusion

- 10.1. Taking national and local planning policies into account, and regarding all relevant material considerations, as detailed within the preceding report, it is recommended that planning permission be granted.

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 in complete accordance with the submitted application details, as follows:

- Site Location Plan
- Floor Plans, Elevations, Drg No. MT/1547/1 Rev A
- Design and Access, Planning Statement

All submitted 17.06.2025.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

2. The storage and toilet facility building hereby permitted shall only be used for domestic purposes ancillary to the residential occupation of Raman Reti. The building shall not be used for any commercial or industrial purposes, and shall not be occupied, sold or separately leased or let as an independent unit of residential accommodation.

Reason: To ensure that the building remains ancillary to the residential use of the site is compatible with existing development in the locality in accordance with Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016) and is not occupied as an independent unit of accommodation which may have additional impacts in accordance with Policies DM10, DM17 and DM18 of the Site Allocations and Development Management Policies Development Plan Document (2016).

11.3 Notes to applicant

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at building.control@blaby.gov.uk or call 0116 272 7533.