

Delegated Report

Planning Ref: 25/00651/REM

Applicant: Mr W Moss

Ward: Hinckley Clarendon



**Hinckley & Bosworth
Borough Council**

Site: Doral, Nutts Lane, Hinckley

Proposal: Approval of reserved matters (appearance, landscaping, layout and scale) of outline planning permission 22/00136/OUT for a proposed residential dwelling

1. Recommendations

- 1.1. Approval of Reserved Matters** subject to:
- Planning conditions outlined at the end of this report.

2. Planning Application Description

- 2.1.** This planning application seeks approval of the Reserved Matters (appearance, landscaping, layout and scale) of outline planning application 22/00136/OUT at Doral, Nutts Lane, Hinckley.
- 2.2.** The proposal is for the provision of one detached dwelling with hard and soft landscaping and boundary treatments to the rear of the existing dwelling, Doral. The proposed dwelling is a 1.5 storey four-bedroom dwelling with front and rear projecting gables and front dormer windows.
- 2.3.** The proposed dwelling has a footprint of 93 square metres. It has an eaves height of 4 metres and a ridge height of 7 metres. The dwelling is to have TBS Old Coach House red facing brickwork with a Marley Ashmore Old English Dark Red tiled roof.
- 2.4.** The proposal provides three car parking spaces to the front of the dwelling along the northern side boundary of the site. This area will also provide two car parking spaces for the existing dwelling, Doral, which also has use of an existing double garage building to the south of the site.
- 2.5.** The proposed hard and soft landscaping scheme includes paving to the front, side and rear of the dwelling and to the bin collection point adjacent Nutts Lane and gravel surfaced driveway and parking areas. It includes the planting of new hedgerow mix along the rear boundary of the site, shrub mixes to the front of the dwelling and mixed planting of two crab apple tree variants between the proposed parking spaces for the application dwelling and for the existing dwelling, Doral.
- 2.6.** The proposed boundary treatments for the site include 1.8 metre high close boarded timber fencing to the side and rear boundaries. Existing 2 metre high timber panel fencing is to be retained along a portion of the northern side boundary. The proposal also involves the erection of a 1.8 metre high brick wall to separate the private outdoor amenity area for Doral from the internal driveway.

3. Description of the Site and the Surrounding Area

- 3.1. The application site is located within the settlement boundary of Hinckley.
- 3.2. The application site comprises land to the rear of an existing two-storey detached dwelling, Doral, which currently contains two static caravans and an existing access driveway serving Doral, the application site, and the neighbouring squash court currently undergoing conversion to a dwelling.
- 3.3. The site has existing vehicle access from Nutts Lane to the east. Nutts Lane is an unclassified road of mixed adoption that is subject to a speed limit of 30mph. The section of Nutts Lane from which the application site gains access is part of the adopted section of the road.
- 3.4. To the south of the site is a former squash court previously associated with Doral and located to the rear of Ambien House, which is currently under conversion to residential use. The conversion of the squash court and the outline permission for the proposed dwelling were considered concurrently.
- 3.5. To the north of the site are the rear gardens of Hazel House and Lewarne. To the east is the existing dwelling and rear garden space of Doral. To the west is an agricultural building within a large field.
- 3.6. The wider surrounding area is varied in character with predominantly residential development to the north, industrial and commercial development further to the east, and residential and nursery school uses to the south between the site and the A5. To the west of the site adjacent the open field is the Bungalow caravan park and the Hinckley railway line.
- 3.7. The surrounding residential development in the locality predominantly comprises two-storey detached dwellings of red brick construction with grey, brown or red tiled roofing. There is significant variation in window style and colour finish among the existing surrounding dwellings.

4. Relevant Planning History

4.1 22/00136/OUT

- Proposed new residential dwelling with access and parking arrangements (all matters reserved except access)
- Outline Planning Permission
- 02.09.2022

5. Publicity

- 5.1 The application has been publicised by sending out letters to local residents.
- 5.2 No responses were received.

6. Consultation

6.1 LCC Highways, the Local Highway Authority (LHA), have referred the Local Planning Authority (LPA) to standing advice. Notwithstanding this, they have directed the LPA's attention to the following:

- Parking provision should be provided as three parking spaces for a dwelling with four or more bedrooms with spaces measuring a minimum of 2.4m x 5.5m with an additional 0.5 metre strip where bound by a wall/hedge/fence or other similar obstruction. Garage dimensions should also be in accordance with Leicestershire Highway Design Guide (LHDG).

6.2 Hinckley and Bosworth Borough Council (HBBC) Drainage had no objections to the proposal.

6.3 HBBC Environmental Services (Pollution) had no comments.

6.4 No response was received from HBBC Waste.

7. Policy

7.1 Core Strategy (2009):

- Policy 1: Development in Hinckley

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: Highway Design
- 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)
- Technical Housing Standards – Nationally Described Space Standards (2015)

8. Appraisal

- 8.1. The principle of the development has been established via the outline planning permission 22/00136/OUT.
- 8.2. The key issues in respect of this application are therefore:
- Design and impact upon the character of the area
 - Impact upon residential amenity
 - Impact upon parking provision and highway safety
 - Other matters

Design and impact upon the character of the area

- 8.3 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. Paragraph 135 of the NPPF details the six national policy requirements of development to ensure the creation of well-designed and beautiful places.
- 8.4 Policy DM10(c) 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.
- 8.5 The outline planning permission established that the backland siting of the proposed dwelling was acceptable in the context of the site and surrounding buildings and approvals to the rear of dwellings along Nutts Lane.
- 8.6 The proposed dwelling is located to the rear of the two-storey dwelling Doral and to the north of the former squash court building that is currently under conversion to a two-storey detached dwelling. It has a footprint of 93 square metres and has a 1.5 storey external presentation with projecting front and rear gables and two front dormer windows. It has an eaves height of 4 metres and a ridge height of 7 metres.
- 8.7 The proposed dwelling is to have TBS Old Coach House red facing brick and Marley Ashmore Old English Dark Red roof tiles. It is to have uPVC windows with an oak finish and a composite grey front door.
- 8.8 The proposed footprint is consistent with or at a slightly reduced scale to the footprint of surrounding dwellings, including the neighbouring squash court currently under conversion. The siting is consistent with the positioning of the existing squash court building but set slightly behind the associated building line of the squash court to maintain appropriate outlook for habitable room windows on the neighbouring building.
- 8.9 The proposed materials are consistent with those seen on surrounding dwellings along Nutts Lane, which has a varied character of residential finishes.
- 8.10 The Good Design Guide states that front dormer windows are only acceptable where this is a prevailing feature of the surrounding context.

- 8.11 There are some examples of dwellings with front dormer windows along Nutts Lane, though none of these are closely located to the application site. Nonetheless, given there are examples in the wider street scene and that as a backland development the proposed dwelling will have limited legibility from Nutts Lane, it is considered that the inclusion of front dormers would not harm the prevailing character of the area.
- 8.12 Policy DM10(e) requires that development incorporate a high standard of landscaping where this would add to the quality of design and siting.
- 8.13 Condition 2 of 22/00136/OUT required the provision of landscaping details as part of the particulars of the reserved matters. Condition 3 of 22/00136/OUT required the provision of details on means of enclosure, car parking layouts, hard surfacing materials, minor artefacts and structures, and waste collection provision and points.
- 8.14 The submitted plans demonstrate the planting of new hedgerow to the rear of the private garden space for the proposed dwelling. Forward of the dwelling the planting of mixed shrubs is proposed to provide landscape relief between the parking areas and the principal elevation. Between the parking areas for the application dwelling and those to be allocated for the existing dwelling, Doral, the planting of two species of crab apple trees is proposed. All planting is to be carried out in the first planting and seeding season following occupation of the dwelling or completion of the development, whichever is sooner.
- 8.15 The proposed landscape plantings are considered to reasonably take advantage of the limited space outside of internal driveway and parking areas for plantings. The inclusion of trees provides delineation between the separate car parking areas, while the shrubs forward of the dwelling provide a visual link between the proposed dwelling and its associated parking area.
- 8.16 The submitted plans demonstrate that proposed boundary treatments include 1.8 metre high close-boarded timber fencing to the side and rear of the proposed dwelling, as well as retention of an existing 2 metre high panelled timber fence along a portion of the northern boundary. To provide enclosure to the rear garden area of Doral, a 1.8 metre high brick wall is proposed adjacent to the driveway and the rear parking areas.
- 8.17 The hard landscaping details provided demonstrate that beyond the first 5 metres of the access, surfaced in tarmac for highway safety purposes, the internal driveway and parking areas will be gravel surfaced. The front pathway and areas to the side and rear of the proposed dwelling will be paved, as will the waste collection point adjacent the highway boundary.
- 8.18 It is therefore considered that the development would complement the character of the surrounding area and that the scale and layout of the proposal is appropriate for the locality and the application site. The proposed landscaping scheme would improve the surrounds of the application site and provide visual delineation between rear parking areas for the application site and for Doral. The proposal is thereby

considered to be in accordance with Policy DM10 of the SADMP and the Good Design Guide.

Impact upon residential amenity

- 8.19 Paragraph 135(f) of the NPPF requires that planning decisions ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 8.20 Policy DM10(a) and (b) of the SADMP states 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.
- 8.21 The Good Design Guide requires the way buildings to relate to each other, and their orientation and separation distances, to provide and protect acceptable levels of amenity.
- 8.22 To accord with the Good Design Guide's separation distance requirements, a principal window to a habitable room should ideally not be less than 8 metres from the blank side of a single storey neighbouring property, rising to 14m for a two-storey property and above. Moreover, principal windows to habitable rooms of neighbouring properties should be no less than 21m apart, unless they are across a road.
- 8.23 The outline planning permission established that the separation distances afforded to the indicative siting of the proposal were appropriate, but that this would need to be supported by the erection of boundary treatments to the rear of Doral.
- 8.24 The proposed dwelling directly neighbours two existing buildings, one in existing residential use and the other under conversion for residential use. These existing buildings are Doral to the east and the squash court to the south. The proposal also directly neighbours the rear garden of Lewarne to the north.
- 8.25 The proposed dwelling is separated from the rear elevation of Doral by 43 metres and from the rear of the private garden of Doral by 26 metres. The proposal involves the planting of crab apple trees between the principal elevation of the proposed dwelling and the rear of Doral. It is also proposed to construct a 1.8 metre brick wall to the side and rear of the garden space at Doral, to ensure its privacy and separation from the proposed dwelling and the adjacent squash court, as well as the internal driveway area.
- 8.26 The proposed dwelling is separated from the northern elevation of the squash court building by 2.2 metres. The squash court building has two habitable room windows its northern elevation, a living room window on the ground floor and a bedroom window on the first floor. The projecting gable of the proposed dwelling has been pushed west to ensure that the outlook from the habitable room windows on the

squash court building are not adjacent the blank southern elevation of the proposed dwelling. It is also noted that both the living room and bedroom of the squash court building have eastern principal elevation windows in addition to the northern side elevation windows, allowing for sufficient outlook.

- 8.27 The proposed dwelling is sited 1.1 metres from the northern side boundary with an eaves height of 4 metres. There is an existing 2 metre high wooden fence along the boundary in this section of the site, which the wall of the dwelling would project 2 metres above at eaves height. The plot shape of Lewarne has an 'L' shape wherein the garden areas adjacent to the proposed development site shape away from the rear of the associated dwelling. This area of the rear gardens of Lewarne contain a number of domestic outbuildings and are fenced off from the remainder of the site's primary garden areas.
- 8.28 It is noted that no objections from neighbouring properties were received for this application.
- 8.29 The Good Design guide seeks that properties with three or more bedrooms provide 80 square metres of private outdoor amenity space with a minimum length of 7m.
- 8.30 The private outdoor amenity space for the proposed dwelling is 87 square metres in area and has a minimum dimension of 5.8 metres from the projecting gable end and 7 metres from the remainder of the dwelling. It is noted that the projecting gable was pushed back in this direction to ensure sufficient outlook to the neighbouring squash court windows. This conflict arose following the permissions granted for the outline consent on this site and have required a balanced adjustment to the proposed dwelling layout.
- 8.31 Notwithstanding the shortfall in garden depth from the rear gable end, the remainder of the dwelling demonstrates sufficient garden depth and the total area of the rear amenity space meets the minimum sought by the Good Design Guide. The proposed rear hedgerow will add visual interest to the rear boundary, and there are otherwise open fields to the rear of the site. It is therefore considered that the quality of the private rear garden space of the proposed dwelling would be sufficient in these site-specific circumstances.
- 8.32 To support the residential amenity of future occupiers of the scheme, one of the aims within the Good Design Guide is to ensure that new residential development exceeds the internal space standards set by the Technical Housing Standards (THS) (2015) wherever possible.
- 8.33 The proposed dwelling comprises four bedrooms, of which two meet the NDSS standards for double bedrooms and two meet the standards for a single bedroom. The dwelling has an internal floor area of approximately 150 square metres and over 5 square metres of storage space, which exceeds the minimum requirements of the NDSS for a four-bedroom, six-person dwelling.
- 8.34 It is therefore considered that the development would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent

buildings, nor on the future occupants of the proposed dwelling. The proposal is thereby in accordance with Policy DM10 of the SADMP and the Good Design Guide.

Impact upon parking provision and highway safety

- 8.35 Paragraph 115(b) of the NPPF states that planning decisions should ensure that developments provide safe and suitable access to the site for all users. In accordance with Paragraph 115(d) of the NPPF, 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 through a vision-led approach.
- 8.36 Ultimately, 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, following mitigation, would be severe, taking into account all reasonable future scenarios in accordance with Paragraph 116 of the NPPF.
- 8.37 To support this, Policy DM17 of the SADMP states that development proposals need to demonstrate that there is not a significant adverse impact upon highway safety, and that the residual cumulative impacts of development on the transport network are not severe. Policy DM18 of the SADMP requires developments to demonstrate an adequate level of off-street parking provision.
- 8.38 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).
- 8.39 Table 28 of the LHDG requires that dwellings with four or more bedrooms provide a minimum of three off-street parking spaces. Any reduction below the minimum standards will require robust justification.
- 8.40 The LHDG requires that parking spaces have minimum dimensions of 2.4 metres in width by 5.5 metres in depth, and an additional 0.5 metres in width is required if the parking space is bounded by a wall, fence, hedge, line of trees or other similar obstruction on one side and an additional 1 metre in width where the space is bounded on both sides.
- 8.41 The matter of access was addressed at the outline stage of the planning process and the location of the access point from Nutts Lane was determined to be acceptable under that permission.
- 8.42 The proposal involves the provision of three parking spaces forward of the proposed dwelling. The site plan also demonstrates two parking spaces to the east of these spaces, separated by landscape plantings, which will be allocated for use by the residents of Doral. The residents at Doral also have use of an existing double garage to the south of the internal driveway. The residents of the squash court conversion

are provided with three parking spaces at the culmination of the internal driveway, to the south of the proposed dwelling's parking spaces.

- 8.43 The proposed parking spaces for the proposed dwelling and the additional two provided for Doral all meet the minimum dimensions as specified by the LHDG.
- 8.44 A turning space is provided at the western end of the internal driveway, forward of the proposed dwelling and the squash court building, ensuring that cars can enter and exit the site in a forward direction.
- 8.45 It is therefore considered that the proposal would not create an unacceptable impact on highway safety and would provide sufficient off-street parking of which two spaces are within an enclosed building, in accordance with Policy M10 of the Markfield Neighbourhood Plan, Policies DM17 and DM18 of the SADMP, and the LHDG.

Other matters

- 8.46 The development shall remain subject to the planning conditions that were attached to the outline planning permission 22/00136/OUT.

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 the reserved matters be approved.

11 Recommendation

- 11.1 **Approve Reserved Matters** subject to:

- Planning conditions outlined at the end of this report.

11.2 Conditions and Reasons

1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details received by the Local Planning Authority as follows:

- Proposed Block, Site Location Plan, Sheet 1 of 3, Drg No. 21.4070.19B (submitted: 22.12.2025)
- Proposed Site, Roof Plan, Street Scene, Sheet 2 of 3, Drg No. 21.4070.20C (submitted: 02.02.2026)
- Proposed Elevations and Floor Plans, Sheet 3 of 3, Drg No. 21.4070.21C (submitted: 02.02.2026)

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 materials to be used on the external elevations of the proposed building shall accord with the approved plan:

- Proposed Elevations and Floor Plans, Sheet 3 of 3, Drg No.21,4070.21C (submitted: 02.02.2026)

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. The approved hard and soft landscaping scheme shall be carried out in accordance with the Proposed Site, Roof Plan, Street Scene, Sheet 2 of 3, Drg No. 21.4070.20C in the first planting and seeding seasons following the occupation of the dwelling or the completion of the development, whichever is the sooner. The soft landscaping shall be maintained for a period of five years from the date of planting. During this period, any trees or shrubs which die or are damaged, removed, or seriously diseased shall be replaced by trees or shrubs of a similar size and species to those originally planted at which time shall be specified in writing by the Local Planning Authority.

Reason: To ensure that work is carried out within a reasonable period and thereafter maintained in accordance with Policies DM6 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

a. **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.
2. The conditions imposed on outline planning permission 22/00136/OUT shall also be complied with.