

## Delegated Report

**Planning Reference** 26/00287/FUL  
**Applicants** Mr and Mrs Mark Shorrocks  
**Ward** Twycross, Sheepy & Witherley



Hinckley & Bosworth  
Borough Council

**Application Site** 17 Ormes Lane, Ratcliffe Culey

**Proposal** Demolition of the existing dwelling and garage and the erection of a replacement self-build dwelling, new detached garage, ancillary garden outbuilding, outdoor swimming pool, access gates, amendments to the site access, and associated works

**Case Officer** Sullivan Archer (Senior Planning Officer)

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### 1. Recommendations

- 1.1. **Grant planning permission** subject to planning conditions detailed at the end of this Report and the provision of a Unilateral Undertaking securing that the dwelling is built and occupied in accordance with the Self-Build and Custom Housebuilding Act 2015.

### 2. Planning Application Description

- 2.1. This planning application seeks full planning permission for the erection of a replacement two-storey, four-bedroom dwelling alongside the provision of a new detached garage, a new outbuilding, a 27.8sqm outdoor swimming pool, new access gates, amendments to the existing site access, and associated works at 17 Ormes Lane, Ratcliffe Culey. To facilitate the development, the existing dormer bungalow and detached garage within the site would be demolished.
- 2.2. The proposed replacement dwelling would externally measure 21.7m in width by 14.8m in depth, which would create an overall footprint of 273.9sqm. The property would be constructed with a 8.7m hipped roof, that would feature two gable-fronted pitched roof protrusions on either side of the front and rear elevations of the property that have a ridge height to match that of the overall dwelling. A smaller 7.1m high central gable-fronted pitched roof protrusion is also proposed in the centre of the principal elevation. The property would be constructed with a brick finish and timber detailing.

- 2.3. The proposed 65.9sqm detached double garage would externally measure 9.9m in width by 7.1m in depth and would feature accommodation in its roof space for a home office. The structure would be sited 8m in front of the proposed replacement dwelling to the southwest and be constructed with a 7.1m high gable-ended pitched roof and a timber-cladded finish.
- 2.4. The proposed 55.2sqm outbuilding would be sited 20.4m to the rear and east of the replacement dwelling and would externally measure 9.9m in width by 5.6m in depth. The structure would be constructed with a 5.4m high gable-ended pitched roof and a brick finish. The main roof would also include a 4.5m wide by 3.5m deep gable-fronted pitched roof protrusion to support the provision of a covered dining area.
- 2.5. The scheme would also widen the existing access into the site from 3.2m to 4.6m and include 4.7m wide and 2m high timber entrance gates that would be set back from the public highway by 7.1m. The entrance gates would be bounded by a total of 8.5m of 1.8m high brick walls that would feature four 2.3 high stoned capped pillars.

### **3. Description of the Site and the Surrounding Area**

- 3.1. The 0.5-hectare application site is to the southeast of, but within, Ratcliffe Culey and comprises a four-bedroom dormer bungalow, and a detached double garage at 17 Ormes Lane, Ratcliffe Culey. Ormes Lane is a cul-de-sac that is wholly residential in character, and the majority of properties are to the northwest of the application site, which predominantly are single storey in massing and often feature accommodation in their roof spaces. There are two further residential properties to the south of the site. Opposite the application site is the Ormes Lane Ratcliffe Culey Playing Fields. Public Footpath T35 runs approximately 55m to the north of the site from Ormes Lane and heads in a south-easterly direction to the rear and east of the application site.
- 3.2. The existing 127.5sqm property within the application site is set back from the public highway by 60m and features a large rear garden, half of which is in the designated open countryside. The existing bungalow externally measures 13.8m in width by 9.3m in depth and is constructed with a 6.9m high gable-ended pitched roof. The existing 43.7sqm garage externally measures 6.8m in width by 6.4m in depth and features two 3.9m high gable-fronted pitched roofs. Both structures are constructed with a buff brick finish and concrete roof tiles. The application site benefits from well-established vegetation that separates the site from the open countryside to the north and east.

#### **4. Relevant Planning History**

- 4.1 There is no relevant planning history within this application site that would be applicable to the current development proposals.

#### **5. Publicity**

- 5.1 The application has been publicised by sending out letters to local residents and a site notice was posted within the vicinity of the site. No responses have been received.

#### **6. Consultation**

- 6.1 The Council's Drainage and Environmental Health Departments and the Council's Arboricultural Officer did not object to the proposal.
- 6.2 The County Council's Ecology Department raised no objections, subject to a planning condition to ensure the development complies with the Mitigation for Bats and Methods of Working section within the submitted Preliminary Bat and Bird Survey.
- 6.3 Leicestershire County Council as the Local Highway Authority referred to standing advice and the requirements of Table 13 of the Leicestershire Highway Design Guide.
- 6.4 No further responses have been received.

#### **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 DM4: Safeguarding the Countryside and Settlement Separation
  - 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') (2026)
- National Design Guide ('NDG') (2019)
- Planning Practice Guidance ('PPG')
- Levelling-Up and Regeneration Act ('LURA') (2023)
- Self-Build and Custom Housebuilding Act (2015)

### 7.4 Other Relevant Guidance:

- Good Design Guide (2020)
- Leicestershire Highway Design Guide ('LHDG') (2024)
- Nationally Described Space Standards ('NDSS') (2015)

## 8. Appraisal

8.1. NPPF Policy S4(1) confirms that development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in the Framework.

8.2. The proposal would be for the provision of a replacement dwelling within the identified settlement boundaries of Ratcliffe Culey. As a result, the proposed development would be considered to be acceptable in principle in accordance with NPPF Policy S4, subject to the assessment of all other material considerations.

8.3. The key issues in respect of this application would therefore be:

- Self-build and custom housing
- Design and impact upon the character of the area
- Impact upon residential amenity
- Impact upon parking provision and highway safety

### Self-Build and Custom Housing

8.4 Section 2A of the Self-Build and Custom Housebuilding Act places a statutory duty on the Local Planning Authority to give permission to a sufficient number of self-build and custom housebuilding developments on serviced plots to meet the demand for self-build and custom housebuilding in the Authority's area.

- 8.5 The demand for self-building and custom housebuilding arising in an authority's area in a base period is evidence by the number of entries added during that period to the authority's Self-Build and Custom Housebuilding Register. At the end of each base period, the Local Planning Authority have three years in which to approve an equivalent number of plots of land for self-build and custom housebuilding on serviced plots of land as there are entries for that base period. However, there is no duty for the Local Planning Authority to grant permission for land that specifically meets the requirements expressed by those on the Register.
- 8.6 NPPF Policy HO7 states that substantial weight should be given to the benefits of providing homes which will contribute towards meeting the evidenced accommodation needs of the community, which includes people wishing to commission or build their own homes as identified at NPPF Policy HO1(i).
- 8.7 The Applicant states that the proposed development would be classified as a self-build and custom house-build scheme within the definition provided within the Self-Build and Custom Housebuilding Act 2015. The application is supported by a Self and Custom Build Evidence Form and a Unilateral Undertaking. This is a material consideration within this planning application.
- 8.8 Currently, the Council has supplied less suitable cumulative permissions than the cumulative required demand for self-build and custom house-build dwellings at the end of Base Period 10, which results in a shortfall of 17 self-build and custom-house build dwellings.
- 8.9 The proposal would legally secure the development as a self-build and custom housing scheme, which would contribute to the current unmet demand and the cumulative need for this form of development. As such, the potential benefits of this contribution would attract substantial weight in the planning balance, as required by NPPF Policy H07.
- 8.10 However, the proposal would only provide one additional dwelling to this supply. As such, whilst substantial weight would be given to the potential benefits of contribution, the benefits of this small contribution towards the Council's unmet demand for self-build and custom housebuilding would be modest. As such, this benefit would be considered to attract moderate positive weight in the planning balance.

### Design and Impact upon the Character of the Area

- 8.11 NPPF Policy DP3(1) confirms that development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings.
- 8.12 Policy DM4(i) of the 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. 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.
- 8.13 The replacement dwelling would increase the massing of the property on site to two-storey and would increase its height by 1.8m. The scheme would also increase the width of the property by 7.8m and its overall footprint by 147.1sqm. The size of the proposed garage and outbuilding would be considered to be subordinate to the character of the replacement dwelling.
- 8.14 Although the replacement dwelling and its associated outbuildings would be significantly larger than the existing built form within the site, it is acknowledged that the scheme is in the settlement boundaries of Ratcliffe Culey and within a large established residential plot that could accommodate a larger development than the existing property within the site. The new dwelling would also be set back by 61.1m from Ormes Lane, which would reduce the main public views of the development, and the proposed entrances gates and associate boundary walls would further limit the public views of the site. In light of the above and the requirements of NPPF Policy S4, the proposal would be considered to be acceptable in these site-specific circumstances in accordance with NPPF Policy DP3 and Policy DM10 of the SADMP.

### Impact upon Residential Amenity

- 8.15 By virtue of its distance from neighbouring residential properties, the development would not be considered to result in any significant adverse impacts to neighbouring residential amenity. It is considered that the proposed size of replacement dwelling and its substantial private outdoor amenity space would protect the residential amenity of the future occupiers of the scheme. A planning condition could be utilised to ensure that the proposed outbuildings are not used as independent residential properties. Given the above, the proposal would be considered to accord with NPPF Policy P2 and Policy DM10 of the SADMP.

### Impact upon Parking Provision and Highway Safety

- 8.16 The proposal would utilise the existing access to the site via Ormes Lane, which is proposed to be widened as part of this application. The provision of a replacement dwelling within the site would not be considered to materially intensify the use of the site access. The proposed gates would exceed the minimum set back requirements from the public highway required by Table 16 of the LHDG.
- 8.17 Notwithstanding the proposed garage, the site is of a sufficient size to accommodate the necessary off-street parking requirements of a property of this proposed capacity.
- 8.18 In light of the above, the proposal would not be considered to create an unacceptable impact on highway safety or the road network in these site-specific circumstances in accordance with NPPF Policy TR6, and Policies DM17 and DM18 of the SADMP.

## **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, it is recommended that planning permission to be granted, subject to the imposition of appropriate conditions.

## 11 Recommendation

- 11.1 **Grant planning permission** subject to planning conditions detailed at the end of this Report and the provision of a Unilateral Undertaking securing that the dwelling is built and occupied in accordance with the Self-Build and Custom Housebuilding Act 2015.

## 8.1 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 received by the Local Planning Authority as follows:

Submitted: 13.08.2026

- Location Plan (361 01B)
- Proposed First Floor Plan (361 21F)
- Proposed Front & Rear Elevations (361 23E)
- Proposed Garage Plans (361 25C)
- Proposed Ground Floor Plan (361 20F)
- Proposed Outbuilding (361 26C)
- Proposed Side Elevations (361 24E)

- Proposed Site Floor Plan (361 11F)
- Proposed Site Plan (361 10F)

Submitted: 25.03.2026

- Proposed Entrance Gates, Drg No. 361 PL - 27

**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).

3. Prior to the first occupation of the development hereby permitted, the access arrangements shown on the Proposed Site Plan (361 10F) and the Proposed Entrance Gates, Drg No. 361 PL- 27 (submitted: 25.03.2026) shall be implemented in full.

**Reason:** To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. Prior to the first occupation of the development hereby permitted, the parking and turning facilities shall be implemented in accordance with the Proposed Site Plan (361 10F) and the Proposed Garage Plans (361 25C) (submitted: 13.08.2026). Thereafter the onsite parking (and turning) provision shall be kept available for such uses in perpetuity.

**Reason:** To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. Prior to the first occupation of the development hereby permitted, the access drive (and any turning space) shall be surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.

**Reason:** To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) in the interests of highway safety and in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

6. Prior to the first occupation of the development hereby permitted, a scheme of hard and soft landscaping works, including boundary treatments, for the site including an implementation scheme, shall be submitted in writing to, and approved in writing by, the Local Planning Authority.

The scheme shall be carried out in full accordance with the approved landscaping scheme in the first planting and seeding seasons following the occupation of the development or the completion of the development, whichever is sooner. The soft landscaping scheme 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 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).

7. The development hereby permitted shall be carried out in strict accordance with the methods of working, and mitigation measures/works for bats and birds shall be carried out in accordance with the details contained on Pages 34 to 40 of the Preliminary Bat and Bird Survey (submitted: 10.08.2026). The proposed bat nesting boxes and bat boxes shall be installed prior to the first occupation of the developed hereby permitted and once installed shall be retained thereafter in perpetuity.

**Reason:** To conserve protected and priority species in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and Section 40 of the NERC Act 2006 (as amended).

8. The ancillary accommodation within the detached garage and the outbuilding hereby approved shall only be used for purposes ancillary the residential accommodation of the dwelling known as 17 Ormes Lane and shall not be occupied, sold or leased or let, on a permanent or temporary basis, as an independent unit of residential accommodation at any time.

**Reason:** To ensure that the property is not occupied as an independent unit of residential accommodation, which may have additional impacts on the area in accordance with Policies DM10, DM17 and DM18 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

**a. Notes to Applicants**

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](mailto:building.control@blaby.gov.uk) or call 0116 272 7533.
2. The suitability of the ground strata for soakaway drainage should be ascertained by means of the test described in BRE Digest 365, and the results approved by the Building Control Surveyor before development is commenced. The soakaway must be constructed either as a brick or concrete-lined perforated chamber with access for maintenance, or alternatively assembled from modular surface water storage/soakaway cell systems, incorporating silt traps. Design and construction of all types of soakaways will be subject to the approval of the Building Control Surveyor.
3. Any 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).
4. Hinckley & Bosworth Borough Council's recycling and refuse collection services are from the boundary to the adopted highway and do not travel along, nor collect from private roads or driveways. Please refer to the policies within the Wheeled Bin and Container Policy (updated March 2018).

It would be advisable to include an area near the roadside for the safe placement of the various containers on collection day. This will then keep the access clear to allow vehicular access. It will be the responsibility of the occupiers to ensure that all containers/wheeled bins are brought to the collection point.