

Officer Report

Planning Ref: 25/00831/HOU

Applicant: Mr Rob Duncan

Ward: Ambien



Hinckley & Bosworth
Borough Council

Site: Rowden Cottage Fenn Lanes Fenny Drayton

Proposal: Erection of a garage.

Case Officer(s): Zahra Jam-Rotbeh (Planning Officer)

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions detailed at the end of this report.

2. Planning Application Description

- 2.1. The applicant seeks full planning permission for the erection of a triple single storey garage at Rowden Cottage Fenn Lanes Fenny Drayton.
- 2.2. The proposed garage would be located to the southeast of the main dwelling, and it would have a width of 10.81 metres and a depth of 6.25 metres. It would also feature a gabled roof with an eave height of 2.40 metres and a ridge height of 4.85 metres.
- 2.3. A driveway to provide vehicle access to the garage is also proposed as part of this application.
- 2.4. The external walls will be finished in facing brickwork to match existing that complement the existing materials and finishes.

3. Description of the Site and the Surrounding Area

- 3.1. The site is located within the countryside, set back from Fenn Drayton Lane significantly, and is accessed via a private footpath. The site lies within a predominantly rural area, with a pond located to the rear and several other ponds nearby. The surrounding landscape includes mature trees and hedgerows, leading out into the wider agricultural landscape. The site includes a single storey dwelling, and a storage outbuilding to the southeast.

4. Relevant Planning History

00/00556/CLU

- CERTIFICATE OF EXISTING LAWFUL USE OF EXISTING DWELLING TO REMOVE AGRICULTURAL OCCUPANCY CONDITION
- CERTLE
- 13.11.2000

10/00188/CLU

- CERTIFICATE OF LAWFUL PROPOSED DEVELOPMENT FOR EXTENSION AND ALTERATIONS TO DWELLING
- REFLEU
- 17.05.2010

10/00392/FUL

- EXTENSION AND ALTERATIONS TO DWELLING
- PER
- 05.07.2010

23/00750/HOU

- Garden room to replace conservatory
- APPRET
- 07.09.2023

90/00668/4

- REMOVAL OF AGRICULTURAL OCCUPANCY CONDITION
- REF
- 23.10.1990

92/00991/4

- EXTENSION TO DWELLING
- PER
- 15.01.1993

79/00960/4

- ERECTION OF AGRICULTURAL WORKER S BUNGALOW DETAIL PLANS
- APRREM
- 26.07.1979

5. Publicity

5.1 The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site.

5.2 No response has been received.

6. Consultation

6.1 An objection was received from LCC Ecology requesting a Preliminary Ecological Appraisal (PEA). This was provided by the applicant on 04 March 2026, and following the results of the survey, Ecology removed their objection on 25 March 2026.

6.2 No Objection have been received from Higham on the Hill Parish Council.

7. Policy

7.1 Core Strategy (2009):

- Policy 12: Rural Villages

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 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)
- National Design Guide (2019)
- Planning Practice Guidance (PPG)

7.4 Other Relevant Guidance:

- Good Design Guide (2020)
- National Design Guide (2024)
- Leicestershire Highway Design Guide (LHDG) (2024)

8. Appraisal

8.1. The key issues in respect of this application are:

- Assessment against strategic planning policies
- Design and impact upon the character of the area
- Impact upon residential amenity
- Impact upon Highways and Parking Provision
- Ecology matters

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. Paragraph 2 of the NPPF also identifies that the NPPF is a material planning consideration in planning decisions. Paragraph 12 of the NPPF states 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, permission should not usually be granted unless other material considerations indicate otherwise.

- 8.3. The development plan in this instance consists of the Core Strategy (2009) and the Site Allocations and Development Management Policies (SADMP) Development Plan Document (2016).
- 8.4. The application site is located within the countryside. Policy DM4 states that to protect its intrinsic value, beauty, open character and landscape character, the countryside will first and foremost be safeguarded from unsustainable development.
- 8.5. According to Policy DM4 of the SADMP, development in the countryside will be considered sustainable where:
- a) It is for outdoor sport or recreation purposes (including ancillary buildings) and it can be demonstrated that the proposed scheme cannot be provided within or adjacent to settlement boundaries; or
 - b) The proposal involves the change of use, re-use or extension of existing buildings which lead to the enhancement of the immediate setting; or 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.
- 8.6. The proposal is for the erection of a triple garage and a connecting driveway serving Rowden Cottage, all located within the countryside. The proposed garage would be positioned at a distance from the host dwelling, with a driveway linking it to the main access. Given its subordinate scale, its siting on lower topography within the layout, and the fact that it would not obstruct or harm views of the surrounding landscape, the development is considered acceptable in visual terms. The use of matching materials further ensures that the garage integrates well with the existing built form. As a result, the proposal is not considered to harm the character or beauty of the countryside and is therefore compliant with Policy DM4.

Design and Impact upon the Character of the Area

- 8.2 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.
- 8.3 Policy DM10 requires new development to complement or enhance the character of the surrounding area with regards to scale, layout, density, mass, design, materials, and architectural features.
- 8.4 Policy DM4 states that to protect its intrinsic value, beauty, open character and landscape character, the countryside will first and foremost be safeguarded from unsustainable development.
- 8.7. The proposed triple garage follows a design that is generally consistent with the existing dwelling and would be positioned to the southeast of the main building. There is also an existing timber storage building to the northwest of the proposed garage, and this structure is larger than the new garage. Due to its appropriate size, design, and siting, the proposed garage is considered subordinate to the main dwelling. It is

therefore concluded that it would not have any adverse impact on the character of the countryside or the application site.

- 8.8. The original cottage contains six bedrooms. A driveway is proposed between the main dwelling and the garage entrance. While this would remove a small portion of the existing garden hedgerow and green landscaping, the remaining garden space would continue to comply with the Good Design Guide principles, with a substantial area retained as garden. Therefore, the proposal is not considered to cause harm to the design of the main dwelling or to the character of the surrounding countryside.
- 8.9. The proposal is therefore considered to be in accordance with Policies DM4 and DM10 of the SADMP.

Impact upon neighbouring residential amenity

- 8.10. Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings. The policy also states that the amenity of the occupiers of the proposed development would not be adversely affected by activities within the vicinity of the site.
- 8.11. The proposed development is not situated close to neighbouring dwellings and remains a reasonable distance from the nearest property, Rowden Gorse. Due to the nature and position of the proposed garage, along with all openings facing inward toward the site, it is considered that the development would not result in any adverse impacts on the occupants of any neighbouring properties and amenities. The proposal is therefore deemed to comply with Policy DM10 of the SADMP.

Impact upon highway safety

- 8.12. Policies DM17 and DM18 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety and requires new development to provide an appropriate/justified level of parking provision.
- 8.13. Table 28 (Residential Parking Standards) of the LHDG requires dwellings with four or more bedrooms to provide a minimum of three off-street parking spaces. The proposal does not increase the number of bedrooms, and the proposed triple garage would provide sufficient parking provision for the dwelling. As the site is located a significant distance from Fenny Lane, the development is not considered to have any adverse impact on highway or pedestrian safety. Therefore, the proposal is regarded as having a positive impact on parking provision and no adverse impacts on highway or pedestrian safety.
- 8.14. Therefore, the scheme is regarded as being in accordance with Policies DM17 and DM18 of the SADMP, and the LHDG.

Ecology matters

- 8.5. Policy DM6 of SADMP 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.
- 8.6. The proposed development is located within the existing garden area and comprises the erection of a garage, the construction of a track from the existing dwelling to the

garage and removal of a section of hedgerow. The site lies within a predominantly rural area, with a pond located to the rear and several other ponds nearby. The surrounding landscape includes mature trees and hedgerows, leading out into the wider agricultural landscape. This offers suitable habitat and commuting corridors for protected species and may provide suitable Great Crested Newt (GCN) terrestrial habitat. According to Ecology response received on 07 October 2025 'We have records that confirm the presence of GCN in two nearby ponds, along with two other nearby ponds considered to be probable GCN breeding ponds. All four lie within 200m of the proposed development site. the proximity of these known and probable GCN ponds, the presence of a pond onsite, and overall habitat connectivity, the submission of a Preliminary Ecological Appraisal (PEA) is required. We also note the application form proposes the removal of a section of hedgerow. This should be included and assessed as part of the PEA.' Therefore, based on the nature of the works and surrounding habitats, a Preliminary Ecological Appraisal (PEA) was required.

- 8.7 The applicant submitted an ecological survey, provided with the support of a licentiate ecologist, on 04 March 2026. The survey was reconsulted upon, and following this process, the Ecology team withdrew their objection on 25 March 2026, while they have provided comments on Great Crested Newts (GCN) and confirmed that '*The onsite habitat provides limited suitable terrestrial habitat for GCN. However, the report notes the presence of multiple ponds within 250 m of the site, including ponds historically known to support GCN located within 200m. Suitable habitat connectivity from these ponds, such as from P3, has also identified. Nevertheless, the onsite pond (P1) has been assessed to provide poor suitability to GCN. Given this, and the limited terrestrial habitat available onsite, a non-licensed mitigation plan has been proposed.*' As such, a condition has been recommended which is detailed at the end of this report.
- 8.8 The ecology team also stated about Biodiversity Enhancements in their final letter that '*In line with the National Planning Policy Framework (NPPF), the application must demonstrate measurable net gains for biodiversity. Recommended enhancements have been suggested within the report including, bat, bee and bird boxes. Any enhancement measures must be shown on all relevant submitted plans and include details of the make/model, installation height and location. Locations should be adjusted to meet species specific requirements and must be retained thereafter. For example, integrated/woodcrete bat boxes should be installed onsite, at least 4 meters above ground and the bird box at least 2 meters above ground. All works are to proceed strictly in accordance with the approved scheme.*' As such, a condition has been recommended which is detailed at the end of this report.

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 As outlined in the report the development complies with the relevant policies of the Development Plan therefore, 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.

11.2 Conditions and Reasons

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

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

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

- Proposed Floor Plan, Elevations, Drg No. 25 05 03
- Site Location Plan, Drg No. 25.05.01
- Site Plan, Drg No. 25 05 02

received by the local planning authority on 03 September 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).

3. The materials to be used on the external elevations of the extension shall match the corresponding materials of the existing dwelling.

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).

4. The development hereby approved shall be implemented in strict accordance with the Precautions Working Methods within the Preliminary Ecological Appraisal (Arbtech, Nov 2025)

Reason: In order to protect and enhance protected wildlife species and their habitats in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. No development above slab level shall take place until a biodiversity enhancement scheme has been submitted to and approved in writing by the Local Planning Authority. Enhancements shall include (but is not limited to) at least one woodcrete/integrated bat box, and woodcrete/integrated bird box, specifying the make/model and their locations. Any enhancement measures need to be shown on all relevant submitted plans. Thereafter all works are to proceed strictly in accordance with the approved scheme and the shall be retained and maintained in perpetuity.

Reason: In order to protect and enhance protected wildlife species and their habitats in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

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. All new planting should be composed of native species. All new planting should be composed of native species of local provenance and species to attract pollinating insects as identified in the RHS' 'Plants for Pollinators' database.