

Delegated Report

Planning Ref: 25/00314/REM

Applicant: Mr & Mrs K Bell

Ward: Markfield, Stanton & Fieldhead



**Hinckley & Bosworth
Borough Council**

Proposal: Approval of reserved matters (appearance, layout and landscaping) of outline permission 24/00240/OUT for the erection of a single 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, layout and landscaping) of outline planning application 24/00240/OUT at 44 Ratby Lane, Markfield.
- 2.2. The proposal is for the provision of one detached dwelling with associated detached garage and landscaping. The proposed dwelling is a four-bedroom dormer bungalow with front and side dormer windows.
- 2.3. The proposed dwelling has a footprint of 134 square metres. It has an eaves height of 2.7 metres and a ridge height of 6.6 metres. The dwelling is to have red multicolour facing brickwork with a grey tiled roof.
- 2.4. The proposed garage has dimensions of 6.3 metres in width by 6.3 metres in depth. It has an eaves height of 2.6 metres and a ridge height of 4.8 metres. The garage is to have red multicolour facing brickwork with a grey tiled roof, to match the associated dwelling.
- 2.5. The proposed hard and soft landscaping scheme aims to complement and enhance the existing screening afforded to the site by surrounding mature vegetation and offset the loss of trees established during the outline permission stage. The proposal involves planting adjacent to all boundaries of the site, excluding only the area required for the access drive.

3. Description of the Site and the Surrounding Area

- 3.1. The application site is located within the designated open countryside to the south of Markfield. It is located within a cluster of residential properties approximately 500 metres south of the Markfield settlement boundary.

- 3.2. The application site historically formed part of the private garden space associated with the bungalow at 44 Ratby Lane. The site contains scattered trees and mature hedgerow along its norther, easter and western boundaries.
- 3.3. The site is located on the corner of Thornton Lane and Ratby Lane. Thornton Lane and Ratby Lane are both adopted and classified 'C' roads with speed limits of 40mph.
- 3.4. The site is neighboured to the south and west by residential properties. There are further residential properties to the north across Thornton Lane. To the east of the site across Ratby Lane is a field.
- 3.5. The surrounding area is predominantly residential and represents an established cluster of residential development outside the Markfield settlement boundary. The character of the surrounding residential development varies widely, with examples of two storey dwellings and bungalows of varying architectural styles and material finishes.
- 3.6. The street scene on Thornton Lane typically comprises two storey dwellings with intermittent commercial and community uses. The architectural style of dwellings along Thornton Lane is varied but dwellings are typically detached and of brick construction, located on large plots that are well screened by mature vegetation.
- 3.7. The broader surrounds of the subject site include the centre of Markfield to the north, the M1 to the west and the A50 to the north-east.

4. Relevant Planning History

4.1 24/00240/OUT

- Outline planning permission (access, landscaping, layout and scale) for the erection of a single dwelling
- Planning Permission
- 24.05.2024

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 responses were received.

6. Consultation

- 6.1 Leicestershire County Council (LCC) Ecology have advised that the make and model, height and position of the proposed bird box is acceptable.
- 6.2 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:

- *The proposals show that the Applicant may need to remove a section of grassed highway verge. Whilst this may be acceptable there may be statutory undertaker apparatus located within the verge fronting the site; the Applicant will need to undertake surveys and potentially works to relocate these services. Any additional cost that arises as a result of this would be entirely at the Applicant's expense.*
- *It should also be noted that, irrespective of planning permission, the Applicant would need to apply to Leicestershire County Council [LCC] to create a new vehicular access onto the adopted highway network. Further information on this is contained within the Vehicular Access (Dropped Kerbs) Information Pack <https://www.leicestershire.gov.uk/sites/default/files/2023-02/VA1-Information-Pack.pdf> more information can be found at <https://www.leicestershire.gov.uk/roads-and-travel/cars-andparking/vehicle-access-dropped-kerb>.*

6.3 Hinckley and Bosworth Borough Council (HBBC) Drainage had no objections to the proposal but provided drainage notes to the Applicant.

6.4 HBBC Environmental Services (Pollution) and the National Forest Company had no comments.

6.5 No response was received from Markfield Parish Council, HBBC Waste and Friends of Charnwood Forest.

7. Policy

7.1 Core Strategy (2009):

- Policy 7: Key Rural Centres
- Policy 8: Key Rural Centres Relating to Leicester

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: Highway Design
- Policy DM18: Vehicle Parking Standards

7.3 Markfield Neighbourhood Plan (2021)

- Policy M1: Countryside
- Policy M2: Landscape Character
- Policy M5: Trees
- Policy M10: Design

7.4 National Planning Policies and Guidance:

- National Planning Policy Framework (NPPF) (2024)
- Planning Practice Guidance (PPG)
- National Design Guide (2019)

7.5 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 24/00240/OUT.

8.2. Therefore, 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
- Enhancement of biodiversity
- Other matters

Design and impact upon the character of the area

8.3 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.

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 Policy DM10(e) requires that development incorporate a high standard of landscaping where this would add to the quality of design and siting. Policy M5 of the Markfield Neighbourhood Plan seeks that where development results in the unavoidable loss of trees or hedgerows, that it includes replacement planting of native species in locations where they will have the opportunity to grow to maturity.

8.6 The outline planning permission established that the proximity of the site to other residential properties along Thornton Lane and Ratby Lane meant that it would not represent a physically or visually isolated dwelling. It stated that the indicative single storey massing and scale of the dwelling footprint would sit acceptably in its surrounds, provided that the strong screening surrounding the application site was maintained and enhanced.

- 8.7 The proposed dwelling is located centrally on the site and addresses Thornton Lane. It has a footprint of 134 square metres and is a bungalow with first floor located within the roof space. It has an eaves height of 2.7 metres and a ridge height of 6.6 metres. There are two front dormer windows facing Thornton Lane and one side dormer window facing Ratby Lane.
- 8.8 The proposed detached garage has a footprint of 39.69 square metres and is located in the south-western corner of the site, a minimum of 1.1 metres from the site boundaries. It has an eaves height of 2.6 metres and a ridge height of 4.8 metres
- 8.9 Both the proposed dwelling and associated garage are to have red multicolour facing brick and grey tiled roofing.
- 8.10 The proposed footprint and siting of the dwelling and garage are consistent with the scale and layout indicated within the outline planning permission. The proposal was amended during assessment to ensure that the principal elevation of the dwelling addressed Thornton Lane, upon which the appropriateness was assessed within the outline permission.
- 8.11 The proposed materials are consistent with those seen on surrounding dwellings fronting Thornton Lane and will complement the appearance of residential development in the surrounds.
- 8.12 The Good Design Guide states that front dormer windows are only acceptable where this is a prevailing feature of the surrounding context. There are multiple examples of front dormer windows of a comparable form to the proposed scheme on dwellings fronting Thornton Lane, and it is therefore considered their inclusion reflects the local character.
- 8.13 Condition 8 of 24/00240/OUT required the provision of hard and soft landscaping details including boundary treatments and an implementation scheme to be provided and approved by the Local Planning Authority (LPA).
- 8.14 The submitted hard and soft landscaping plan demonstrates planting of additional vegetation along all site boundaries, excluding only the area required for the access drive. The plantings are located to the rear of and between existing vegetation on the Thornton Lane and Ratby Lane boundaries, to increase the existing coverage of screening. The new plantings along the boundaries with 44 Ratby Lane and the Hawthorns will reduce the visibility of the proposed dwelling from neighbouring sites and provide additional visual privacy between properties.
- 8.15 The plantings include a mix of native species as sought by Policy M5 of the Markfield Neighbourhood Plan. The species mix includes hazel, hawthorn, beech and rowan all of which have mature heights that will ensure a high level of coverage in combination with the existing vegetative screening. All planting is to occur prior to first occupation of the dwelling.

- 8.16 Condition 5 of 24/00240/OUT sought the provision of a waste and recycling storage scheme to ensure that the proposal provided appropriate and convenient storage locations that would minimise potential visual impacts of such storage.
- 8.17 The proposal involves provision of a hard-surfaced waste and recycling storage area adjacent to the front boundary of the application site. The location of the storage area is well screened by existing trees and hedgerow and will be further concealed by additional proposed planting as part of the landscaping scheme.
- 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 add to the quality of the siting by reducing the visibility of the proposed dwelling from surrounding roads, as per the prevailing character of the area. The proposal is thereby considered to be in accordance with Policy M5 of the Markfield Neighbourhood Plan, Policies DM4 and DM10 of the SADMP and the Good Design Guide.

Impact upon residential amenity

- 8.19 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.
- 8.20 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.
- 8.21 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.
- 8.22 The proposed dwelling neighbours two residential properties; The Hawthorns to the south-west and 44 Ratby Lane to the south-east. The proposed dwelling is separated from the side elevation of Hawthorns by 12 metres and has no habitable room windows on this elevation. The proposed dwelling is separated by over 21 metres from the habitable room windows to the rear of 44 Ratby Road, as well as by an existing brick wall and tall boundary landscaping.
- 8.23 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.
- 8.24 The private outdoor amenity spaces for the proposed dwelling are split to the rear of the building and to the side adjacent to Ratby Lane. This is considered acceptable

given the existing and proposed landscaping along the Ratby Lane boundary, which ensures this space is sufficiently private.

- 8.25 The total private outdoor space provided for the dwelling exceeds 180 square metres and both the side and rear areas have a minimum length of at least 7 metres.
- 8.26 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.
- 8.27 The proposed dwelling comprises four bedrooms, of which three meet the THS standards for double bedrooms and one meets the standards for a single bedroom. The dwelling has an internal floor area of approximately 190 square metres and over 8 square metres of storage space, which exceeds the minimum requirements of the THS.
- 8.28 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

- 8.29 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.
- 8.30 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).
- 8.31 Policy DM18 of the SADMP requires developments to demonstrate an adequate level of off-street parking provision. Policy M10 of the Markfield Neighbourhood Plan seeks that parking be integrated so that it does not dominate the street.
- 8.32 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.
- 8.33 The matter of access was addressed at the outline stage of the planning process and the location of the access point from Thornton Lane was determined to be acceptable under that permission.
- 8.34 The proposal involves a detached garage with sufficient space to accommodate two cars under LHDG standards. Two further cars can be parked forward of the garage on the internal driveway.

- 8.35 A turning space is provided to the north-east of the garage ensuring that cars can enter and exit the site in a forward direction.
- 8.36 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.

Enhancement of biodiversity

- 8.37 Policy DM6 of the 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. Where on-site features are removed or damaged the development shall only be acceptable where it can be demonstrated the proposal will result in no net loss of biodiversity and where the integrity of local ecological networks can be secured.
- 8.38 The outline planning permission established that the loss of seven trees and one area of hedgerow was acceptable in order to allow for the siting of the proposed dwelling. The acceptability of this loss was based on the low arboricultural merit of the impacted vegetation.
- 8.39 Condition 7 of 24/00240/OUT was requested by LCC Ecology to ensure that the proposal demonstrated sufficient biodiversity enhancements in light of the vegetation to be removed. Condition 7 required:

No development shall take place until a biodiversity enhancement scheme has been submitted to and approved in writing by the LPA. Enhancements shall include (but is not limited to) at least two woodcrete /integrated bird boxes, or a single woodcrete /integrated sparrow terrace with at least two entrances, the make/model and their locations. Any enhancement measures need to be shown on all relevant submitted plans. All works are to proceed strictly in accordance with the approved scheme.

- 8.40 The proposal incorporates a Vivara Pro WoodStone House sparrow nest box with a double chamber, to be attached to the gable end on the eastern side elevation of the dwelling. LCC Ecology have advised that the type and position of the box are acceptable.
- 8.41 The proposed development therefore demonstrates sufficient enhancement such that the loss of trees would not result in a net loss of biodiversity on the site, thereby complying with Policy DM6 of the SADMP.

Other matters

- 8.42 The development shall remain subject to the planning conditions that were attached to the outline planning permission 24/00240/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:
 - Site Location Plan – 005 (submitted: 25.03.2025)
 - Site Plan & Bin/Recycling Store Location – 006A (submitted: 03.09.2025)
 - Hard & Soft Landscaping Plan – 006.1C (submitted: 29.09.2025)
 - Proposed Floor Plans – 004A (submitted: 29.07.2025)

- Proposed Elevations – 003A (submitted: 29.07.2025)
- Proposed Garage Plans & Elevations – 003.2 (submitted: 28.03.2025)
- Street Scene – 003.1A (submitted: 29.07.2025)

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

- Proposed Elevations – 003A (submitted: 29.07.2025)

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 Hard & Soft Landscaping Plan 006.1C (submitted: 29.09.2025) prior to first occupation of the dwelling. 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 24/00240/OUT shall also be complied with.
3. 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 soakaway will be subject to the approval of the Building Control Surveyor.

Any proposed 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. The proposals show that the Applicant may need to remove a section of grassed highway verge. The Local Highway Authority (LHA) advise that whilst this may be acceptable there may be statutory undertaker apparatus located within the verge fronting the site; the Applicant will need to undertake surveys and potentially works to relocate these services. Any additional cost that arises as a result of this would be entirely at the Applicant's expense.
5. The Local Highway Authority (LHA) advise that irrespective of planning permission, the Applicant would need to apply to Leicestershire County Council (LCC) to create a new vehicular access onto the adopted highway network.