

Ian Blackman

Planning Statement

**Retrospective change of use of stable block to storage
and toilet facilities**

43 Church Road, Kirkby Mallory, LE9 7QE





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1 INTRODUCTION

- 1.1 This Planning Statement has been developed on behalf of our client, Ian Blackman (the “Applicant”), and accompanies a Full Planning Application for the retrospective change of use of a stable block for domestic storage.
- 1.2 An electronic version of this statement has been submitted today through the Planning Portal and is accompanied by the following drawings/documents. The drawings are prepared by XXXX:
- XXXX
- 1.3 The purpose of this statement is to assess the proposal against relevant policies from the Development Plan and material planning considerations.
- 1.4 This Statement is structured as follows:
- In **Section 2** we set out a description of the site, and its context to surroundings;
 - In **Section 3** we present the proposed development;
 - In **Section 4** we identify the planning policy context against which the application proposals fall to be considered;
 - In **Section 5** we undertake a planning and sustainability assessment against relevant considerations;
 - In **Section 6** we set out our conclusions.



2 SITE CHARACTERISTICS AND CONTEXT

- 2.1 The application site is located at 43 Church Road, Kirkby Mallory. The site consists of a large detached dwelling, a former stable block and former menage area. The site is well screened with a significant amount of tree planting, mature hedgerow and also benefits from a sizeable garden and associated land.
- 2.2 The former stables, as seen in the image below is a brick built rectangular single storey structure, benefitting from three stable doors and three window openings. There is a small side extension to the left-hand side of the former stables which now serves as a toilet facility. The structure has a flat roof which slopes downwards from the rear to the front. The former stable block is located on an area of existing hardstanding consisting of tarmacadam.



Image 1, The former stable block as existing

- 2.3 As shown in the image above, the former stable block is well screened to the rear by existing trees and shrubbery, and to the side by the applicants' 1.8m boundary fence.



i. Planning History

2.4 The planning history for the site is summarised in the table below.

3 Ref No.	Description	Date of Decision	Decision
99/00910/FUL	CONSTRUCTION OF ALL WEATHER SURFACE MANEGE INCLUDING INSTALLATION OF 5 No 4.0 METRE HIGH FLOODLIGHT POLES	8 Dec 1999	Permitted
00/00615/FUL	FORMATION OF LANDSCAPED EMBANKMENT	14 Aug 2000	Permitted
03/00610/FUL	TWO AND SINGLE STOREY EXTENSIONS AND ALTERATIONS TO DWELLING	17 Jul 2003	Permitted
04/00479/TPO	WORKS TO TREES	10 Jun 2004	Permitted
20/01067/CTPO	Works to 4x Yew, 8x Sycamore, 1x Oak, 3x Ash protected by LCC Kirkby Mallory (The Old Rectory) TPO 1971	23 Oct 2020	Decided
22/00278/CTPO	Works to trees	4 Apr 2022	Decided
23/00331/CTPO	T25 - Cedar - Reduce the lowest limb on the west side by 2-3 metres to reduce the risk of failure. T27 - Sycamore -Lowest 3 limbs to be removed because they are overhanging the adjacent property. T29 - Ash - Remove lowest 5 or 6 limbs to reduce the spread of the crown towards the house and into the adjacent Yews.	18 Apr 2003	Decided



	T31 - Sycamore - Remove the mainstem (right back to the main crotch) overhanging the new toilet block so that the tree stands more upright. T33 - Sycamore - Fell tree because it is leaning towards the marquee and is suffering from sooty bark disease. There have already been 2 failed main stems and prolific ivy. T34 - Sycamore - Fell tree and burn waste to prevent spread of disease because tree shows evidence of suffering from sooty Ash disease. T35 - Sycamore - 4 stemmed coppice/tree - 2 stems with dieback and poor bases. In danger of falling because of poor base - fell 2 east side stems. T8 is shown for reference purposes only - no work required to this tree at the moment.		
23/01238/CTPO	T8 - Oak - Reduce upper crown branches back to previous pollard points T9 - Sycamore - Reduce upper crown branches back to previous pollard points T10 - Sycamore - Reduce upper crown branches back to previous pollard points T29 - Ash - Pollard back by approx 2-3 metres to match adjacent trees and to reduce risk of failure over the entrance road. T30 - Laurel - Pollard tree to	19 Jan 2024	Decided



	regenerate into smaller bush . T36 - Sycamore - Heavily leaning tree over the boundary fence and neighbours expensive shed. Fell tree		
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Table 1 – Planning history of the site

3 PROPOSED DEVELOPMENT

- 3.1 The proposal is for the retrospective change of use of the former stable block to serve as ancillary storage and toilets in conjunction to the host dwelling of 43 Church Road.
- 3.2 The retrospective application for planning permission comes following a letter from Hinckley & Bosworth Borough Council Planning Enforcement, which indicated that there was an ongoing breach of planning control at the applicants' property. The letter related to two separate elements, firstly the siting of a large marquee which is in the process of being sold and removed from the site, and additionally, the unauthorised change of use of the former stable block – which is subject to this retrospective planning application. The large marquee was erected at the site to host a small number of large family events, including the weddings of the applicant's children's. The stable block was at this stage amended to storage and toilet facilities to meet the demand for the small number of family events which were held at the property.
- 3.3 The proposal does not include any external alterations to the former stable block, retaining its visual appearance. The proposed development as mentioned, includes the toilet facilities which were originally introduced to serve for the applicants' family weddings which were held at the property. The toilet facilities are now utilised by the groundskeeping staff who manage the properties gardens.
- 3.4 The storage proposed is not dissimilar to that of a conventional garage/shed at a residential property.



4 RELEVANT PLANNING POLICY

- 4.1 We have carried out a policy assessment and the proposal has been designed whilst paying regard to the National Planning Policy Framework (NPPF) 2025 and to the following relevant policies from the Local Development Plan which comprises the Hinckley & Bosworth Borough Council Local Plan 2006 – 2025 (July 2016) – Site Allocations and Development Management Policies DPD and the Good Design Guide SPD.

Hinckley & Bosworth Borough Council Local Plan 2006 – 2026 (July 2016) – Site Allocations and Development Management Policies DPD

- 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

Relevant Supplementary Planning Documents:

- Good Design Guide SPD



5 PLANNING ASSESSMENT

i. Principle of Development

- 5.1 The proposed development is for the retrospective change of use of the former stable block to storage and toilet facilities ancillary to the main dwelling. The stable block is located within the curtilage of 43 Church Road, Kirkby Mallory, and is within the settlement boundary.
- 5.2 Policy DM1 of the Site Allocations and Development Management Policies DPD (SADMP) 2016, relates to a presumption in favour of sustainable development. The policy states that planning applications that accord with policies in the Local Plan (and, where relevant, with policies in the neighbourhood plan) will be approved without delay, unless materials considerations indicate otherwise.
- 5.3 The proposal is for a retrospective change of use of the former stable block. The proposal does not include any external alterations with the building remaining visually the same. The building is currently being used as storage for items in conjunction to the residential property, with additional toilet facilities which are utilised by the applicants groundskeeping staff.

ii. Design and Impact on Character and Appearance of the Area

- 5.4 Policy DM10 of the SADMP states that developments will be permitted providing that it complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 5.5 Paragraph 135 of the NPPF (2025) states that developments are sympathetic to local character.
- 5.6 The former stable block is located within the grounds of 43 Church Road, Kirkby Mallory. The site is located to the south of Church Road, and is accessed along a private round. The site is not visible from the highway given the distance, buildings and mature trees and hedgerow which and located between the site and the highway.



- 5.7 The former stable block in question is also well screen by mature hedgerow and trees from the private road and is therefore only significantly visible from within the applicants' site.
- 5.8 The retrospective change of use of the former stable block has proposed no external alterations, with all stable windows and doors remain in situ, thus not altering the external appearance. The Councils Good Design Guide SPD confirms that building that have an agricultural and rural visual appearance shall be retained, such as retaining windows and door openings where possible.
- 5.9 The proposal would have no impact on the character of the area, and due to the nature of the proposal being a change of use, the design of the former stable block has not been altered. As such the proposal is in accordance with Policy DM10 of the Councils adopted Site Allocations and Development Management Policies DPD 2016.

iii. Neighbourhood Amenity

- 5.10 Policy DM10 of the SADMP states that developments will be permitted providing that the development would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting, air quality (including odour), noise, vibration and visual intrusion.
- 5.11 Paragraph 135 of the NPPF (2025) seeks to ensure that developments should create places that have a high standard of amenity for existing and future users.
- 5.12 The proposal is located within the curtilage of 43 Church Road and is distanced significantly from neighbouring properties. The proposal does not include any additional openings. The existing openings face into the applicant's site. It is also confirmed that the use of the former stable block as storage and a toilet facility would not give rise to any noise disturbance to neighbouring residents.
- 5.13 The proposal therefore would give no rise to issues relating to neighbouring residential amenity, including issues of overbearing and overlooking issues. The



proposal is thus in accordance with Policy DM10 of the Councils adopted Site Allocations and Development Management Policies DPD 2016.

iv. Highways Matters

- 5.14 Policy DM17 of the Site Allocations and Development Management Policies DPD 2016, states that development proposals will be supported where they can demonstrate that there is not a significant adverse impact on highway safety.
- 5.15 Policy DM18 of the Site Allocations and Development Management Policies DPD 2016 confirms that all proposals shall be required to provide an appropriate level of parking provision.
- 5.16 The proposed development is for the change of use of an existing building at the site, as such there are no changes to the existing parking at the property. The property itself has an ample supply of existing off-street parking provision.
- 5.17 The proposal also does not give rise to any detrimental impacts to highway safety, as such the proposal is in accordance with Policies DM17 and DM18 of the Councils adopted Site Allocations and Development Management Policies DPD 2016.

v. Flood Risk and Drainage

- 5.18 Policy DM7 of the Site Allocations and Development Management Policies DPD 2016 confirms that adverse impacts from pollution and flooding will be prevented ensuring that developments would not exacerbate flooding and be located away from areas of high flood risk.
- 5.19 The application site falls wholly within Flood Zone 1 where there is a low probability of flooding.
- 5.20 The development will not increase the footprint of the existing structure, nor the impermeable area of the site and as such the proposals are not considered to create detrimental impacts to the existing low flood risk and drainage conditions at the site.



- 5.21 Therefore, the proposed scheme can clearly proceed without incurring unacceptable flood risk problems, nor increasing flood risk elsewhere in compliance with the Local Development Plan, and relevant guidance from the NPPF (2025).

vi. Ecology and Biodiversity Net Gain

- 5.22 Policy DM6 of the Site Allocations and Development Management Policies DPD 2016 confirms 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.
- 5.23 Paragraph 187 of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment. Paragraph 187(d) states that this shall be done by minimising impacts on and providing net gains for biodiversity.
- 5.24 Paragraph 192(b) of the NPPF states that plans should “pursue opportunities for securing measurable net gains for biodiversity”.
- 5.25 Net Gain (BNG) is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 12 of the Environment Act 2021). Developers must delivery a BNG of 10%, from 12th February 2024.
- 5.26 The development does not create impact a priority habitat and impacts less than 25 square metres (5m by 5m) of on-site habitat, as the proposal relates to the change of use of the building and does not propose any extensions to the unit. As such the proposal is exempt from mandatory BNG.

6 CONCLUSIONS AND PLANNING BALANCE

- 6.1 This proposal seeks to regularise the breach of planning control at the site, as raised by Hinckley & Bosworth Planning Enforcement department. The retrospective application is for the change of use from a stable block to ancillary



storage and toilet facilities.

- 6.2 The ancillary storage is used by the applicant/owner of 43 Church Road, and the toilet facilities are utilised by the applicants' groundskeepers whilst working on the extensive gardens of the site.
- 6.3 The proposal does not include any changes to the external appearance of the building and is not highly visible from public vantage points, as such there would be not impact on the design and character of the area. Similarly, there would be no impact on neighbouring residential amenity given the distance from the site to neighbouring properties and the extensive existing boundary treatments in situ. The development proposes not changes to the existing generous off-street parking provision nor does it give rise to issues of highways safety.
- 6.4 The change of use is in accordance with the Policies outlined within the Site Allocated and Development Management Policies (2016) and wider NPPF (2025) and as such, there is not reason for which the proposal should not be approved.