

## Delegated Report

Planning Reference	25/00823/FUL
Applicant(s)	Mr Mark John Wye
Ward	Ratby, Bagworth and Thornton
Application Site	Woodside Farm, Heath Road, Bagworth Heath
Proposal	<b>Conversion of redundant rural building to dwellinghouse (Use Class C3) and associated works</b>
Case Officer	<b>Sullevan Archer (Senior Planning Officer)</b>



Hinckley & Bosworth  
Borough Council

### 1. Recommendations

- 1.1. **Grant planning permission** subject to planning conditions detailed at the end of this report.

### 2. Planning Application Description

- 2.1. This planning application seeks full planning permission for the conversion of a single storey rural building into a two-storey five-bedroom dwellinghouse (Use Class C3) at Woodside Farm, Heath Road, Bagworth Heath. The scheme would be accessed via the existing unnamed vehicular access from Heath Road and would be served by a new internal driveway.

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

- 3.1. The application site is in an isolated location approximately 1.6km southeast of Bagworth in the National Forest and the designated open countryside on the eastern side of Heath Road.
- 3.2. The application site features a breeze block constructed barn, which was permitted alongside a dwelling and kennels within the wider Woodside Farm site (which are outside of the red line boundary of this scheme) via planning permissions 88/00700/4 and 88/01137/4. The existing dwelling has been modified via planning permissions 10/00371/FUL and 15/00094/HOU and is now a two-storey, five-bedroom, brick-built dwelling that is accompanied by an attached triple garage with accommodation in its roof space, and a detached outbuilding that also features first floor accommodation. The existing dwelling is now under a separate ownership from the barn and the kennels.
- 3.3. Woodside Farm is surrounded by woodland, including beyond Heath Road to the west, and the adopted Natural and Semi-Natural Open Space Bagworth Heath Woods adjoins the northern and eastern boundaries of the site.

3.4. The site features an existing access onto Heath Road, which is an adopted and classified 'C' road that is subject to the National Speed Limit. Heath Road is bounded by existing mature vegetation. Public Right of Way R70 runs 112m to the north of the site.

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

##### **4.1 25/00535/P3CQ**

- Notification to determine if Prior Approval is required for the change of use of an existing agricultural barn into one single dwelling
- Prior Approval Refused
- 23.07.2025

The proposal was refused because the Applicant failed to demonstrate that scheme complied with the limitations of Class Q of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

#### **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. The Applicant provided an email response from the occupiers of Woodside Farm confirming that have no objections to the proposed development. No further responses have been received.

#### **6. Consultation**

6.1 There have been no objections from the Council's Drainage and Waste Management Departments, Leicestershire County Council as the Local Minerals and Waste Planning Authority, nor from the National Forest Company. Leicestershire County Council as the Local Highway Authority referred to standing advice. Leicestershire County Council's Ecology Department, the Council's Environmental Health Department, and Severn Trent Water had no objections to the scheme subject to planning conditions. The requested pre-commencement conditions were agreed to by the Applicant on 22 December 2025. No further responses have been received.

6.2 The Ecology Department requested a planning condition that prevents any works associated with the development that would likely impact breeding or resting places of bats commencing on site until either a Bat Licence has been issued or Natural England has confirmed in writing that a licence is not required.

**Case Officer Note:** *Developments impacting breeding or resting places of bats are required to have a bat licence by law under Regulation 55 of the Conservation of Habitats and Species Regulations 2017 (as amended). As this is a matter that is dealt with outside of the planning process, it is not considered that the requested pre-commencement planning condition would comply with the necessary tests for planning conditions detailed at Paragraph 57 of the National Planning Policy Framework (2024).*

## 7. Policy

7.1 Core Strategy (2009):

- Policy 21: National Forest

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 DM15: Redundant Rural Buildings
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.3 Leicestershire Minerals and Waste Local Plan ('LMWLP') (2019):

- Policy M11: Safeguarding of Mineral Resources

7.4 National Planning Policies and Guidance:

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

7.5 Other Relevant Guidance:

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

## 8. Appraisal

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

- Principle of development
- Housing land supply
- Design and impact upon the character of the area
- Impact upon residential amenity
- Impact upon parking provision and highway safety

### Principle of Development

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. The NPPF is a material planning consideration in planning decisions, and, in accordance with Paragraph 3 of the NPPF, should be read as a whole.

8.3 In accordance with Paragraph 11 of the NPPF, planning decisions should apply a presumption in favour of sustainable development. However, Paragraph 12 of the NPPF confirms 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.

8.4 The current Development Plan consists of the adopted Core Strategy, the adopted Site Allocations and Development Management Policies Development Plan Document ('SADMP'), and the Leicestershire Minerals and Waste Local Plan ('LMWLP'). Paragraph 232 of the NPPF confirms that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the NPPF. Therefore, due weight should be given to existing policies according to their degree of consistency with the NPPF.

8.5 Chapter 15 of the NPPF requires planning policies and decisions to conserve and enhance the natural and local environment. Paragraph 187(b) of the NPPF specifically highlights that this should be achieved by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services.

8.6 Chapter 11 of the NPPF promotes an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. This demonstrates that safeguarding and improving the environment is an effective use of land.

8.7 In order to promote sustainable development in rural areas, Paragraph 83 of the NPPF requires new housing to be located where it will enhance or maintain the vitality of rural communities.

8.8 Key Policy Paragraph 84(c) of the NPPF confirms that planning decisions should avoid the development of isolated homes in the countryside the development would re-use redundant or disused buildings and enhance its immediate setting.

8.9 This is supported by Policy DM4 of the SADMP, which states that the Council will protect the intrinsic value, beauty, open character, and landscape character of the countryside from unsustainable development. To ensure this, Policy DM4(b) of the SADMP considers development in the countryside sustainable where the proposal involves the change of use, re-use or extension of existing buildings which lead to the enhancement of the immediate setting.

8.10 Importantly, Policy DM4 of the SADMP also requires that development meets five further requirements to be considered as sustainable development. These are discussed in detail further in this Report.

8.11 In addition, Paragraph 13.6 of the SADMP confirms that any proposal which relates to the re-use of redundant buildings in the countryside must have specific regard to Policy DM15 of the SADMP.

8.12 Policy DM15 of the SADMP states that development outside settlement boundaries for the re-use or adaptation of redundant or disused rural buildings will be supported where:

- (a) The applicant demonstrates the building is no longer viable in its current use; and
- (b) The applicant has adequately demonstrated the building is in a structurally sound condition and is capable of conversion without significant rebuild or alteration.

8.13 The Applicant stated that the application site has been severed from Woodside Farm due to the selling of the existing dwelling within the wider site. The Applicant has therefore justified the current development by highlighting that the existing building would now be unable to serve a viable purpose in relation to Woodside Farm and the surrounding land.

8.14 The Applicant has also submitted a Structural Calculation Assessment to demonstrate that the building is structurally sound and would be capable of conversion without significant rebuild or alteration. The Structural Calculation Assessment states that the existing building is in a structurally sound condition and would be capable of conversion without significant rebuild or alteration. The Structural Surveyor clarified in writing that an internal frame would not be constructed as part of this development to facilitate the new first floor of accommodation. The conclusions of the Structural Calculation Assessment are not disputed by the Local Planning Authority.

8.15 By virtue of these factors, the proposal would involve the change of use and re-use of an existing disused building it is considered that the proposal would comply with Policies DM15(a) and (b) of the SADMP and therefore Policy DM4(b) of the SADMP and Paragraph 84(c) of the NPPF in principle, subject the development enhancing its immediate setting.

8.16 Therefore, the proposed development would be considered to be acceptable in principle in these site-specific circumstances, subject the development enhancing its immediate setting, and subject to the assessment of all other material considerations. Other material considerations are set out within the next sections of this Report.

### Housing Land Supply

8.17 Chapter 5 of the NPPF requires planning policies and decisions to deliver a sufficient supply of homes to support the Government's objective of significantly boosting the supply of homes without unnecessary delay. The overall aim should be to meet an area's identified housing need, including an appropriate mix of housing types for the local community.

8.18 Paragraph 73 of the NPPF states that small and medium sized sites, such as windfall sites, can make an important contribution to meeting the housing requirements of an area, are essential for Small and Medium Enterprise housebuilders to deliver new homes, and are often built out relatively quickly.

8.19 Paragraph 11(d) of the NPPF states that planning decisions should apply a presumption in favour of sustainable development where there are no relevant Development Plan policies, or the policies which are most important for determining the application are out-of-date. Footnote 8 of Paragraph 11 of the NPPF highlights that housing policies are considered to be out-of-date where local planning authorities cannot demonstrate a five-year supply of deliverable housing sites.

8.20 The Planning Policy team are currently reviewing the latest revisions to the NPPF within the 2024 version of the document and its implications for the Council's Five-Year Housing Land Supply. A revised position will be published by early 2026 once the monitoring for the 2024/25 year has been completed. It is however likely that, with the revised need figure of 682 dwellings (649dpa + 5% buffer as per Paragraphs 62 and 78(a) of the NPPF), that the Council will be unable to demonstrate a Five-Year Housing Land Supply once the revised position is published.

8.21 In light of this, and due to the age of relevant housing policies within the adopted Core Strategy, the 'tilted' balance in Paragraph 11(d) of the NPPF would be triggered in the determination of this application in accordance with Footnote 8 and Paragraph 11 of the NPPF.

8.22 For decision-taking, Paragraph 11(d) of the NPPF requires planning permission to be granted unless:

- i. The application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
- ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

8.23 When the ‘tilted’ balance is engaged, Footnote 9 of the NPPF highlights eight key policy paragraphs to support the determination of planning applications. Key Policy Paragraphs 84, 115, 129, 135, and 139 of the NPPF would be applicable to the current development proposal in these site-specific circumstances.

8.24 Whilst it is unlikely that the Council are unable to deliver a five-year supply of land for housing, the benefit of providing one dwelling within this application site towards the Council’s supply of housing would be considered to attract limited weight in the planning balance.

Design and Impact upon the Character of the Area

8.25 Policy 21 of the adopted Core Strategy confirms that proposals will be supported in the National Forest providing that they contribute to the delivery of the National Forest Strategy. Policy DM4(v) of the SADMP highlights that if the development is within the National Forest, it should contribute to the delivery of the National Forest Strategy in line with Policy 21 of the adopted Core Strategy.

8.26 Based on the submitted details, the proposed development would not contribute to the National Forest Strategy. However, planning conditions could be utilised to ensure that the development would increase woodland cover and enhance biodiversity, which would contribute to the National Forest Strategy in accordance with Policy 21 of the adopted Core Strategy and Policy DM4(v) of the SADMP.

8.27 However, Policy 21 of the adopted Core Strategy also states that the siting and scale of proposals should also be appropriately related to its setting within the Forest, developments should respect the character and appearance of the wider countryside and not adversely affect the existing facilities and working landscape of either the Forest or the wider countryside.

8.28 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.

8.29 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.

8.30 Policy DM15(c) and (d) of the SADMP states that proposed development outside the settlement boundary for the re-sue and/or adaptation of redundant or disused rural buildings will be supported where:

- (c) Any proposed extension(s) or alterations are proportionate to the size, scale, mass, and footprint of the original building and situated within the original curtilage.
- (d) The proposed development accords with Policies DM10, DM11, and DM12 of the SADMP.

8.31 Importantly, Policy DM15 of the SADMP all states that all development proposals for the re-use of redundant rural buildings should result in the enhancement of the immediate setting.

8.32 The proposal would not include any extensions beyond the height or built form of the existing barn. A planning condition could be utilised to remove Permitted Development Rights from the dwelling to ensure that the property is not extended disproportionately in the future.

8.33 However, some of the proposed amendments to the structure including the proposed balconies, use of large modern fenestration, and the proposed use materials would be considered to domesticate the character of the existing structure.

8.34 Nevertheless, it is appreciated that that existing structure is viewed in the context of, and has been previously associated with, the large residential property within the wider Woodside Farm. Furthermore, it is considered that the proposed amendments to the structure would enhance the character of the site in comparison to the character and breeze block finish of the existing structure. As highlighted by the National Forest Company, the proposed timber finish of the structure would also contribute to the character of the National Forest. To ensure this, a planning condition could be utilised to secure the precise materials utilised within this development.

8.35 In summary, by virtue of the development's size, scale, height, layout, design, and use of materials, the proposal would not be considered to result in any significant adverse effects on the designated countryside. The proposed development would be considered to result in the enhancement of the immediate setting of the development, and the scheme would therefore respect the character of the surrounding area and the designated open countryside in accordance with Policies DM4, DM10 and DM15 of the SADMP, Policy 21 of the adopted Core Strategy, and the Good Design Guide.

#### Impact upon Residential Amenity

8.36 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.

8.37 The Good Design Guide requires the way buildings relate to each other, and their orientation and separation distances, to provide and protect acceptable levels of amenity.

8.38 There are no neighbouring residential properties to the north, east, or west of the site. Therefore, the only neighbouring property that would likely be affected by the proposed development in these site-specific circumstances is Woodside Farm to the south.

8.39 Based on the Proposed Site Plan, the two properties are separated by a minimum of 29.6m, which would exceed the minimum separation distances detailed within the Council's Good Design Guide. The use of the site for one residential property would not be considered to result in any significant adverse impacts to the residential amenity of Woodside Farm as a result of noise or disturbance. Given the above, and by virtue of the orientation of both properties, the proposed development would not be considered to result in any significant adverse impacts to the residential amenity of neighbouring properties.

8.40 However, the scheme would be adjacent to the kennels within the wider site, which could result in harm to the residential amenity of the future occupiers of the scheme.

8.2 Paragraph 6.24 of the Applicant's Planning Statement states that the kennels have always been used only for the incidental enjoyment of the occupants of the existing dwelling and the planning permissions for these kennels make no reference to a commercial use.

8.3 Whilst the Applicant's statements are not refuted by the Local Planning Authority, it is noted that neither planning permission 88/00700/4 nor 88/01137/4 prevent these existing kennels from being utilised for commercial uses.

8.4 However, the Proposed Site Plan suggests that the kennels are now redundant and within the ownership of the Applicant. In the interests of protecting the residential amenity of the future occupiers of the development, a planning condition could be utilised to ensure that these kennels are not utilised for a commercial purpose.

8.5 Although Bedroom 4 of the development would be within 6m of the single storey kennels, it is acknowledged that this is not the principal window to this habitable room. Therefore, the existing kennels would not be considered to result in any loss of light or any overbearing impacts to the proposed development.

8.6 The scheme would comply with the minimum internal space standards set by the Nationally Described Space Standards and the proposal would benefit from an area of private outdoor amenity space that exceeds the minimum requirements detailed in the Council's Good Design Guide. As such, the development would be considered to protect the residential amenity of the future occupiers of the scheme.

8.7 By virtue of these factors the proposal would not be considered to result in any significant adverse impacts to the residential amenity of neighbouring properties or the future occupiers of the scheme in accordance with Policy DM10 of the SADMP.

#### Impact upon Parking Provision and Highway Safety

8.8 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.

8.9 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)).

8.10 Policy DM18 of the SADMP requires developments to demonstrate an adequate level of off-street parking provision. Any reduction below minimum standards will require robust justification.

8.11 The proposal would utilise an existing vehicular access onto Heath Road, which would be shared with the existing dwelling Woodside Farm. Although the driveway to this proposed access has been changed prior to the submission of this application, this would not be considered to have a detrimental impact on the safety of the existing site access. Furthermore, whilst the scheme would intensify the use of the site, the use of the site's vehicular access by one additional dwelling, which would replace an existing barn, would not be considered to result in any significant adverse impacts upon highway safety or any severe cumulative impacts on the transport network. Therefore, the proposal would be considered to comply with Policy DM17 of the SADMP.

8.12 In accordance with Table 28 of the LHDG, the development would be supported by three off-street vehicle parking spaces, the dimensions of which would comply with Figure 44 of the LHDG. Therefore, scheme would be provided with an adequate level of off-street parking provision in accordance with Policy DM18 of the SADMP and the LHDG.

## **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.

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

- Proposed Plans (102C) (submitted: 12.11.2025)
- Proposed Site Plan (23 82 100G) (submitted: 05.01.2026)

**Reason:** To ensure a satisfactory form of development in accordance with Policies DM1, DM4, DM10, and DM15 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. Prior to the commencement of development, a scheme for the investigation of any potential land contamination on the site shall be submitted in writing to, and approved in writing by, the Local Planning Authority, which shall include details of how any contamination shall be dealt with. The approved scheme shall be implemented in accordance with the agreed details, and any remediation works so approved shall be carried out prior to the site first being occupied.

**Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. Upon completion of the approved remediation works, a Verification Report shall be submitted to, and approved in writing by, the Local Planning Authority. The Verification Report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the Verification Report together with the necessary documentation detailing what waste materials have been removed from the site.

**Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. If during development contamination not previously identified is found to be present at the site no further development shall take place until an addendum to the scheme for the investigation of all potential land contamination is submitted in writing to, and approved in writing by, the Local Planning Authority, which shall include details of how the unsuspected contamination shall be dealt with. Any remediation works so approved shall be carried out prior to the site first being occupied.

**Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

6. Prior to the commencement of development, drainage plans for the disposal of foul and surface water flows shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first occupied.

**Reason:** To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

7. Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, priority and threatened species shall be submitted in writing to, and approved in writing by, the Local Planning Authority. The Biodiversity

Enhancement Strategy shall be prepared by a suitably qualified ecologist and include, but shall not be limited to, the following details:

- (a) Purpose and conservation objectives for the proposed enhancement measures; and
- (b) detailed designs or product descriptions to achieve stated objectives; and
- (c) locations of proposed enhancement measures by appropriate maps and plans (where relevant); and
- (d) persons responsible for implementing the enhancement measures; and
- (e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.

**Reason:** To enhance protected, priority and threatened 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. Prior to any works above foundation level commencing on site, representative sample of the types and colours of materials to be used on the external elevations of the structures hereby permitted shall be submitted in writing to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented in accordance with those approved materials.

**Reason:** To ensure that the development has a satisfactory external appearance in accordance with Policies DM4, DM10, and DM15 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and Policy 21 of the adopted Core Strategy (2009).

9. Prior to the first occupation of the development hereby permitted, the access arrangements shown on Proposed Site Plan (23 82 100G) (submitted: 05.01.2026) shall be implemented in full and shall be kept as such in perpetuity.

**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) and the National Planning Policy Framework (2024).

10. Prior to the first occupation of the development hereby permitted, the parking and turning facilities shall be implemented in accordance with on Proposed Site

Plan (23 82 100G) (submitted: 05.01.2026). 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 DM18 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

11. Prior to the first occupation of the development hereby permitted, a Lighting Design Strategy for Biodiversity shall be submitted in writing to, and approved in writing by, the Local Planning Authority. The Strategy shall be in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) and shall include, but shall not be limited to, the following details:
  - (a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
  - (b) show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

**Reason:** To protect 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).

12. 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 Policies DM4, DM10, and DM15 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and Policy 21 of the adopted Core Strategy (2009).

13. Notwithstanding the provisions of Classes A, AA, B, C, D, and G of Part 1 of Schedule 2 of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no enlargement, improvement or other alteration to the dwelling shall be carried out unless planning permission for such development has been granted by the Local Planning Authority.

**Reason:** To protect the rural character of the surrounding area and the intrinsic value, beauty, open character, and landscape character of the designated open countryside in accordance with Policies DM4, DM10, and DM15 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

14. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 5 metres of the highway boundary, nor shall any be erected within a distance of 5 metres of the highway boundary unless hung to open away from the highway.

**Reason:** To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

15. The redundant building and the associated land within the blue line boundary of the application site as detailed within the on Proposed Site Plan (23 82 100G) (submitted: 05.01.2026) shall not be used for any events or any commercial or industrial purposes, including the use of the site for commercial kennels.

**Reason:** To ensure that the occupiers of the dwelling hereby permitted are not subject to noise and odours, outside of their control, that would have an adverse impact on their amenity in accordance with Policies DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

16. The development hereby permitted shall be carried in full accordance with the Bat Mitigation Strategy detailed at Section 5 of the Protected Species (Bats) Surveys (submitted: 02.09.2025).

**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).

a. **Notes to Applicant(s)**

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.

Biodiversity Net Gain

2. Your attention is drawn to the Biodiversity Net Gain Condition within the Decision Notice. The development is subject to the Biodiversity Gain Condition. A Biodiversity Gain Plan needs to be submitted to, and approved in writing by, the Local Planning Authority prior to commencement of development. The application can be made online here: [https://www.hinckley-bosworth.gov.uk/info/200249/view\\_planning\\_applications\\_and\\_decisions/1476/does\\_the\\_property\\_comply\\_with\\_planning\\_conditions](https://www.hinckley-bosworth.gov.uk/info/200249/view_planning_applications_and_decisions/1476/does_the_property_comply_with_planning_conditions).

Drainage

3. Surface water should be managed by sustainable methods, preferably those which disperse runoff by infiltration into the ground strata: i.e. soakaways, pervious paving, filter drains, swales, etc., and the minimisation of paved areas, subject to satisfactory porosity test results and the site being free from a contaminated ground legacy. If the ground strata are insufficiently permeable to avoid discharging some surface water off-site, flow attenuation methods should be employed, either alone, or in combination with infiltration systems and/or rainwater harvesting systems.
4. 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).
5. Planning Practice Guidance and Section H of the Building Regulations 2010 detail surface water disposal hierarchy. The disposal of surface water by means of soakaways should be considered as the primary method. If this is not practical and there is no watercourse available as an alternative, other

sustainable methods should also be explored. If these are found unsuitable satisfactory evidence will need to be submitted before a discharge to the public sewerage system is considered. No surface water to enter the foul or combined water systems by any means.

#### Ecology

6. This development will require a European Protected Species ('EPS') License for bats to make it lawful. You must be aware that to proceed with the development without first obtaining an EPS License could result in prosecution.

#### Environmental Health

7. In relation to Conditions 03, 04 and 05, advice from Environmental Health should be sought via [esadmin@hinckley-bosworth.gov.uk](mailto:esadmin@hinckley-bosworth.gov.uk) to ensure that any investigation of land contamination is in accordance with their policy.

#### Waste

8. 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.