

Delegated Report

Planning Ref: 26/00095/REM

Applicant: Mr J Humphries

Ward: Barlestone, Nailstone and Osbaston



**Hinckley & Bosworth
Borough Council**

Site: Belchers Cottage, Ibstock Road, Nailstone

Proposal: Approval of reserved matters (appearance, landscaping, layout and scale) of outline planning permission 22/01223/OUT for the erection of a detached 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 full planning permission for the Reserved Matters (Appearance, Landscaping, Layout and Scale) of outline planning application 22/01223/OUT.
- 2.2. The development proposal is for the provision of 1 dwelling, and a detached garage to the Southeast of Belchers Cottage, Ibstock Road. Access would be off Grange Road, and the dwelling would be sited between Belchers Cottage and the approved detached property at the corner of Grange Road and Ibstock Road.

3. Description of the Site and the Surrounding Area

- 3.1. The site lies on the northern corner of the junction between Ibstock Road (the A447) and Grange Road (the B582), between Belchers Cottage and the previously approved corner dwelling. There is a substantial mature hedge about 2.2m tall along both road frontages, which provides effective screening to the site from all public viewpoints. Close by along Grange Road is a short run of mainly detached houses all with frontage and access to the highway. On the opposite side of the A447 is a mature hedge boundary to the grounds belonging to 'The Larches', a substantial private dwelling. To the south are large agricultural fields.
- 3.2. The site is situated within the small hamlet known as 'Belchers Bar', which is located beyond the south-eastern fringes of Ibstock village, although there is a surfaced footpath to the village centre from Belchers Bar, (1 mile alongside the A447) and also south to Nailstone. There is quite a wide range of amenities in the village centre, including a supermarket and a 24/7 petrol station with associated convenience store together with a primary school and pub at Nailstone.

4. Relevant Planning History

79/01972/4

STANDING OF RESIDENTIAL CARAVAN BELCHERS BAR

Refused

28.05.1980

87/00621/4

STUDY EXTENSION

Planning permission

04.08.1987

89/00818/4

ERECTION OF TANDEM GARAGE

Planning permission

02.08.1989

03/01434/FUL

EXTENSION AND ALTERATIONS TO DWELLING

Planning permission

29.01.2004

20/01337/OUT

Erection of a detached dwelling and garage including the formation of a new vehicle/pedestrian access (outline - access and layout only)

Refused

14.04.2021

22/00090/OUT

Erection of a detached dwelling with all matters reserved except for access and layout, including the formation of a new vehicle/pedestrian access and the closure of an existing vehicle/pedestrian access (re-submission of 20/01337/OUT)

Planning permission

14.10.2022

22/01182/REM

Approval of reserved matters (appearance, landscaping, layout and scale) of planning permission (22/00090/OUT) for residential dwelling

Planning Permission

21.06.2024

22/01233/OUT

Erection of a detached dwelling with all matters reserved except for access including the formation of a new vehicle/pedestrian access, the closure of an existing vehicle/pedestrian access and the formation of a private access driveway

Planning permission

15.02.2023

25/00235/DISCON

Application to discharge conditions 2 (materials) and 6 (landscaping) attached to planning permission 22/01182/REM
Discharged
04.07.2025

5. Publicity

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

6. Consultation

- 6.1 Nailstone Parish Council: No comments received.
- 6.2 National Forest Company: No objections.
- 6.3 HBBC Environmental Health: No objections.
- 6.4 HBBC Waste: Note to applicant and condition requested.
- 6.5 Officer Note- The suggested condition is already in place on the outline permission and will required discharging.
- 6.6 HBBC Drainage: Note to applicant.
- 6.7 LCC Highways: Standing advice.
- 6.8 LCC Ecology: No objection, note to applicant.

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 DM3: Infrastructure and Delivery
 - Policy DM4: Safeguarding the Countryside and Settlement Separation
 - Policy DM7: Preventing Pollution and Flooding
 - Policy DM10: Development and Design
 - Policy DM17: Highways and Transportation
 - Policy DM18: Vehicle Parking Standards
- 7.3 National Planning Policies and Guidance:
- National Planning Policy Framework (NPPF) (2024)

- Planning Practice Guidance (PPG)
- National Design Guide

7.4 Other Relevant Guidance:

- Good Design Guide (2020)

8. Appraisal

8.1. The principle of the development for the erection of one dwelling has been established via the previously approved outline planning permission (22/01233/OUT) which approved the access of the development.

8.2. Therefore, the key issues in respect of this application are therefore:

- Appearance
- Landscaping
- Scale
- Layout

Design and Impact upon the Character of the Area in respect of Appearance and Landscaping

8.3 Policy DM10 of the SADMP seeks to ensure that development complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features and the use and application of building materials respects the materials of existing, adjoining/ neighbouring buildings and the area generally.

8.4 Policy DM4 of the SADMP seeks to protect the intrinsic value, beauty, open character and landscape character of the countryside, from unsustainable development.

8.5 The Good Design Guide SPD outlines principles of good design, which includes the use of high-quality materials, boundary treatments, and overall detailing.

8.6 The following sections will address the reserved matters of appearance, landscaping, scale and layout in relation to this scheme.

Appearance

8.7 The following plan has been submitted, confirming the external appearance of the dwelling:

- Proposed Floor Plans, Elevations, Drg No. HMD/PD/0634/02

8.8 The dwelling is proposed to have two dual pitched gabled design to the site frontage, with a single gable project from the rear. The design includes course detailing and decorative plinths and brick detailing on the windows to the front, side and rear. The windows located on the side elevations served bathrooms and will be obscured

- glazed to ensure to impact of overlooking on Belchers Cottage and the approved dwelling located to the south.
- 8.9 The plot measures 4.65m to the eaves and has a ridge height of 8.4m. The neighbouring existing dwelling is a reasonably large dwelling, which has a mixed design, including both brickwork and render, and a varied roofscape, owing to various extensions which have occurred at the property overtime. The properties located on Grange Road, are of a mix of designs, including two storey detached dwellings and bungalows. There is a similar dwelling which contains dual pitched designs and rendered finishes.
- 8.10 It is confirmed that the final details of materials used will be secured via planning condition, to be discharged prior to construction, to ensure that the development retains a high-quality overall design. It is noted that within the Good Design Guide, the materials used should be suitable to the wider context, and care should be given to the colour and size of bricks, roof tiles, mortar colour, lintels, sills and heads.
- 8.11 The built development, alongside the landscaping, which is assessed in the following section of this report is considered to be of an appropriate design and would be acceptable in terms of its visual impacts on the character of the area. The development is therefore in accordance with Policies DM4 and DM10 of the SADMP.

Landscaping

- 8.12 Within the approved decision for 22/01288/OUT it is confirmed within condition 2 (b) that the landscaping of the site including treatment of private and public space to enhance or protect the site's amenity through hard (boundary treatments) and soft measures and details of boundary planting to reinforce the existing landscaping at the site edges.
- 8.13 Within the provided drawing, "Proposed Site Layout Plan, Drg No. HMD/PD/0634/01", it is confirmed that the access arrangements will utilise the permitted access point and traverse through the site, however, not details of the finish of the private access driveway has been provided, and would therefore be subject to a condition requiring discharge prior to the commencement of the development.
- 8.14 The Good Design Guide confirms that fencing as a form of boundary treatment can be cost effective, and consideration is required to the potential negative impacts on the wider street scene, particularly where this would entirely block through views and create dead frontages.
- 8.15 It is indicated that the new internal boundary treatments will consist of a boundary fence and new hedgerow to be installed, however details of materials and size have not been provided and will be required to be subsequently discharged and will be conditioned accordingly. The location of these internal boundary treatments are considered to be appropriate. Through sufficient retention of the existing boundary hedgerow and indicated hedgerow and tree planting it is not considered that any visual harm will arise as a result of the development, due to sufficient boundary landscaping.

- 8.16 Alongside the retention and additional hedgerow planting, the site layout plan does show the addition of new specimen native tree planting which is welcomed and is considered to be in appropriate location. The development is therefore in accordance with Policies DM4 and DM10 of the SADMP.

Scale

- 8.17 The dwelling is a proposed large detached two-storey property, measuring 4.65m to the eaves with a ridge height of 8.4m. The dwelling measures 13.6m in width and 12m in depth.
- 8.18 When considering the neighbouring plots, including Belchers Cottage and the approved dwelling to the south of the development site, it is considered that the footprint of the dwelling would be proportionate to the site and adjacent plots and would not be considered to be out of character with the area or general arrangement of neighbouring dwellings. The height and scale is however larger and would be more visually prominent than the neighbouring dwellings, ideally the scale and massing would be reduced to complement better the surrounding dwellings. However, the overall appearance and low eaves of the two gables creates an architecturally good design which outweighs the scale. It is noted that amendments were sought on the overall scale of the adjacent corner plot, however, as this dwelling is less visually prominent and doesn't occupy a corner plot a larger scale dwelling can be accommodated in this case. Overall, the development whilst large in scale, would not have an overbearing impact visually or on neighbouring plots.
- 8.19 The scale of the development is therefore considered acceptable and is considered to be in accordance with Policy DM10 of the SADMP.

Layout

- 8.20 The proposed layout is based around the approved access from Grange Road which traverses through the site, from the northeast of the adjacent permitted dwelling, to the southwest of the development site under consideration. The private access driveway is located between the proposed dwelling and Ibstock Road (A447).
- 8.21 The location of the dwelling is central to the plot and follows the general building line, following that of the existing Belchers Cottage, which is set back from the highway and well screened by existing mature hedgerow boundary treatments.
- 8.22 The layout of the site allows for a front and rear garden, providing sufficient levels of residential amenity for future occupiers of the site. Alongside this a detached garage and bin collection point has been included within the plans and is also considered appropriate when considering the site layout as a whole.
- 8.23 From the layout of the site, it is considered that this would be appropriate to the surrounding area and would ensure that the character of the area remains respected

and would not create any detrimental impacts. As such the layout of the development is considered acceptable. The layout of the development is therefore considered acceptable and is considered to be in accordance with Policy DM10 of the SADMP.

Other Matters

- 8.24 Should permission be granted, the development shall still be subject to all 12 planning conditions that were attached to the decision of outline planning application 22/01223/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, it is recommended that planning permission to be granted, subject to the imposition of appropriate conditions.

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:

- Amended Site Location/Block Plan
- Proposed Site Layout Plan, Drg No. HMD/PD/0634/01 A
- Proposed Floor Plans, Elevations, Drg No. HMD/PD/0634/02
- Proposed Floor Plans, Elevations, Drg No. HMD/PD/0634/02

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. Notwithstanding the landscaping shown on plan “Proposed Site Layout Plan, Drg No. HMD/PD/0634/01”, full details of the soft landscaping, confirming species, and hard landscaping, confirming height and materials of boundary treatments, shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the dwelling. The planting shall then be implemented within the first planting season following occupation and shall be maintained for a period of 5 years.

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. No development above slab level shall begin until samples and details of the materials used on the external elements of the dwelling and hardstanding have been submitted to, and approved by the Local Planning Authority (LPA), and the scheme shall be subsequently implemented in accordance with the approved details before the development is complete.

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).

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 buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.
2. 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 area,

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. 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).

3. Habitats on site are potentially suitable for nesting birds and badgers, both protected by law. A survey for these species is recommended before clearance of vegetation. If badger setts are present, specialist ecological advice and mitigation will be needed if works take place within 30m of a sett, and it may be necessary to apply for a licence from Natural England to disturb the sett. Vegetation clearance during the bird-nesting season (March - July inclusive) should be avoided unless it is within 24 hours of a negative bird-nesting survey from an appropriately qualified ecologist.