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PLANNING STATEMENT

Address:

The Hayloft
1 Boston Sidings
Bull in the Oak, Cadeby
CV13 0FD

Project:

Erection of a detached garage/workshop

Client Name:

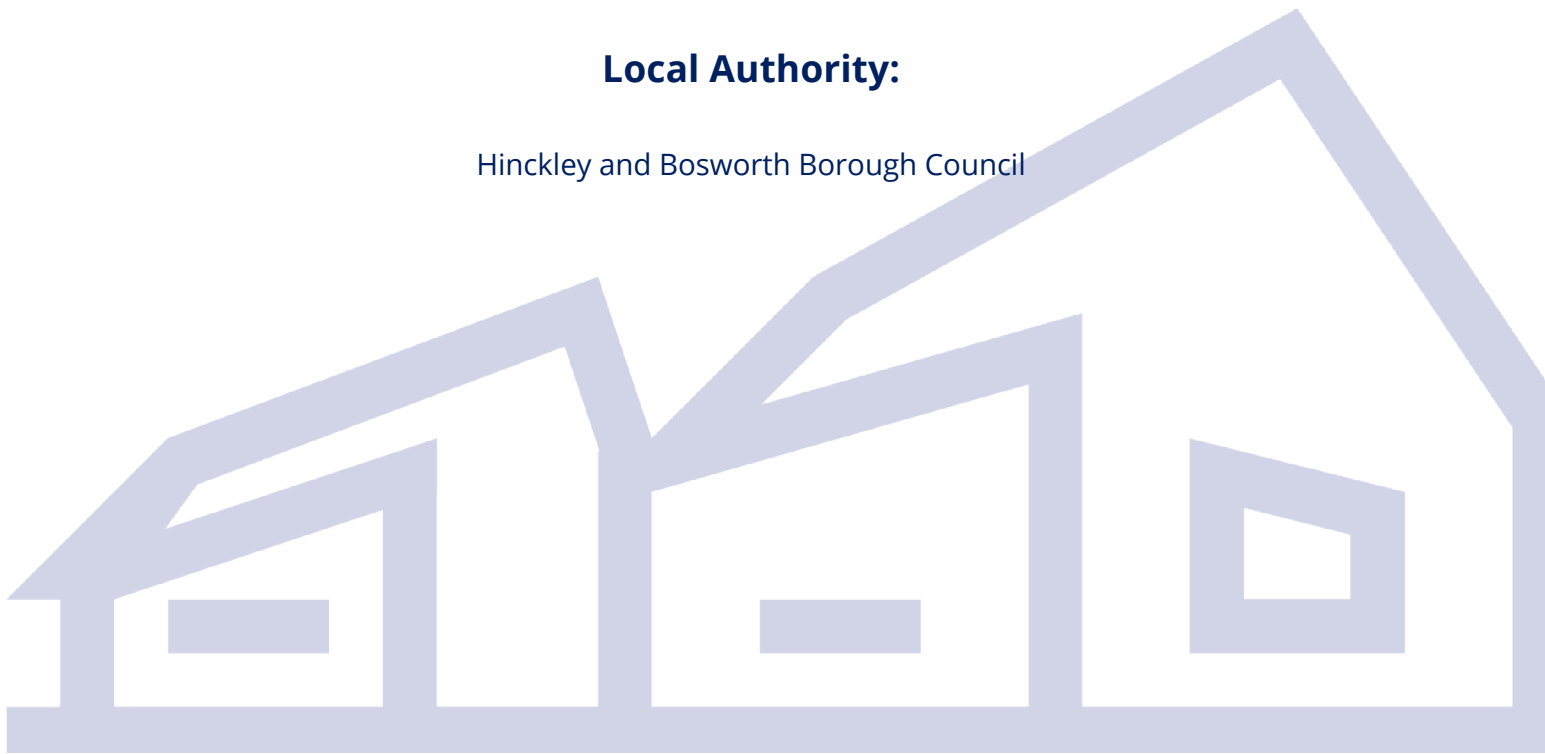
Mr and Mrs Wood

Date of Issue:

August 2026

Local Authority:

Hinckley and Bosworth Borough Council





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- Appendix 2 Officer Report, Application Ref. 25/01222/HOU
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1.0 INTRODUCTION AND SITE DESCRIPTION

- 1.1 This Planning Statement has been prepared on behalf of Mr and Mrs Wood in support of a householder planning application for the erection of a detached garage/workshop at The Hayloft, 1 Boston Sidings, Bull in the Oak, Cadeby, CV13 0FD.
- 1.2 The application follows the dismissal of Appeal Reference 6007042 on 28 May 2026. The appeal related to an earlier garage/workshop proposal under application 25/01222/HOU. The current scheme has been materially redesigned to respond directly to the architectural concerns identified by the Inspector, principally through a reduced footprint, reduced overall height and the adoption of a barrel-vaulted roof form which reflects the host dwelling and the established design language at Boston Sidings.
- 1.3 This statement should be read in conjunction with the accompanying application drawings and supporting documents, including Drawing 25.4523.05B (Block Plan and Site and Roof Plan), Drawing 25.4523.06D (Floor Plan and Elevations), the previously prepared arboricultural information and the other site-specific information previously submitted in relation to the proposed siting.
- 1.4 The site is located off Bosworth Road, close to its junction with the A447, within a small cluster of buildings known as Boston Sidings/Bull in the Oak. The host dwelling forms part of a high-quality redevelopment of a former agricultural complex comprising five dwellings arranged around an internal access drive.



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- 1.5 The Hayloft is a substantial two-storey detached dwelling of contemporary agricultural character. It is finished predominantly in vertical timber cladding and has a shallow metal barrel-vaulted roof. The adjoining development contains a mixture of contemporary Dutch-barn forms and more traditional steeply pitched barn forms, creating a deliberately varied but coherent agricultural architectural composition.
- 1.6 The dwelling has a generous front garden containing a protected mature tree and substantial areas of landscaping as demonstrated by Figure 1 below.



Figure 1 - Application site and surrounding Boston Sidings development

- 1.7 The Old Farmhouse, Bull in the Oak, a Grade II listed building, lies approximately 70 metres to the south-east. The site is not within a conservation area. The appeal Inspector expressly found that the previous garage would not itself have a direct



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impact on the setting of the listed building, although the overall design quality of Boston Sidings remained relevant to the wider heritage context.

- 1.8 The application site remains outside the settlement boundaries identified in the adopted development plan and is therefore treated locally as countryside. The current proposal, however, is a small-scale ancillary building within an established residential curtilage and would not introduce a new dwelling, independent use or material increase in travel demand.





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2.0 PLANNING HISTORY

2.1 The site and wider Boston Sidings development have been subject to the following planning decisions of particular relevance to the current application:

Reference	Description	Decision
17/00149/FUL	Removal of existing residential and agricultural buildings and erection of five dwellings and associated works	Permitted 08.08.2018
22/00629/HOU	Detached garage serving a neighbouring dwelling at Boston Sidings	Permitted
23/00799/FUL	Change of use of agricultural field to private equestrian use with stable block and horse exercising area	Permitted 20.05.2024
25/00660/HOU	Proposed new garage at The Hayloft	Refused 03.10.2025
25/01222/HOU	Erection of a garage at The Hayloft	Refused 16.02.2026
Appeal 6007042	Appeal against refusal of 25/01222/HOU	Dismissed 28.05.2026

2.2 The May 2026 appeal decision is an important material consideration. The Inspector identified the main issue as the effect of the proposal on the character and appearance of the surroundings. No separate objection was identified in principle to the provision of an ancillary garage/workshop in connection with the dwelling.

2.3 The Inspector also accepted that the building could be constructed without significant harm to the protected tree subject to compliance with the submitted arboricultural measures. In heritage terms, the Inspector found that the building would not obviously figure in the immediate setting of The Old Farmhouse, would not affect the historic courtyard or the important open land opposite the listed building, and would not itself have a direct impact on the listed building's setting.



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- 3.4 The former appeal scheme used a shallow dual-pitched roof. As shown in Figure 3 below, the current proposal instead adopts a barrel-vaulted roof which directly reflects the host dwelling and the other contemporary Dutch-barn form within the original Boston Sidings development.

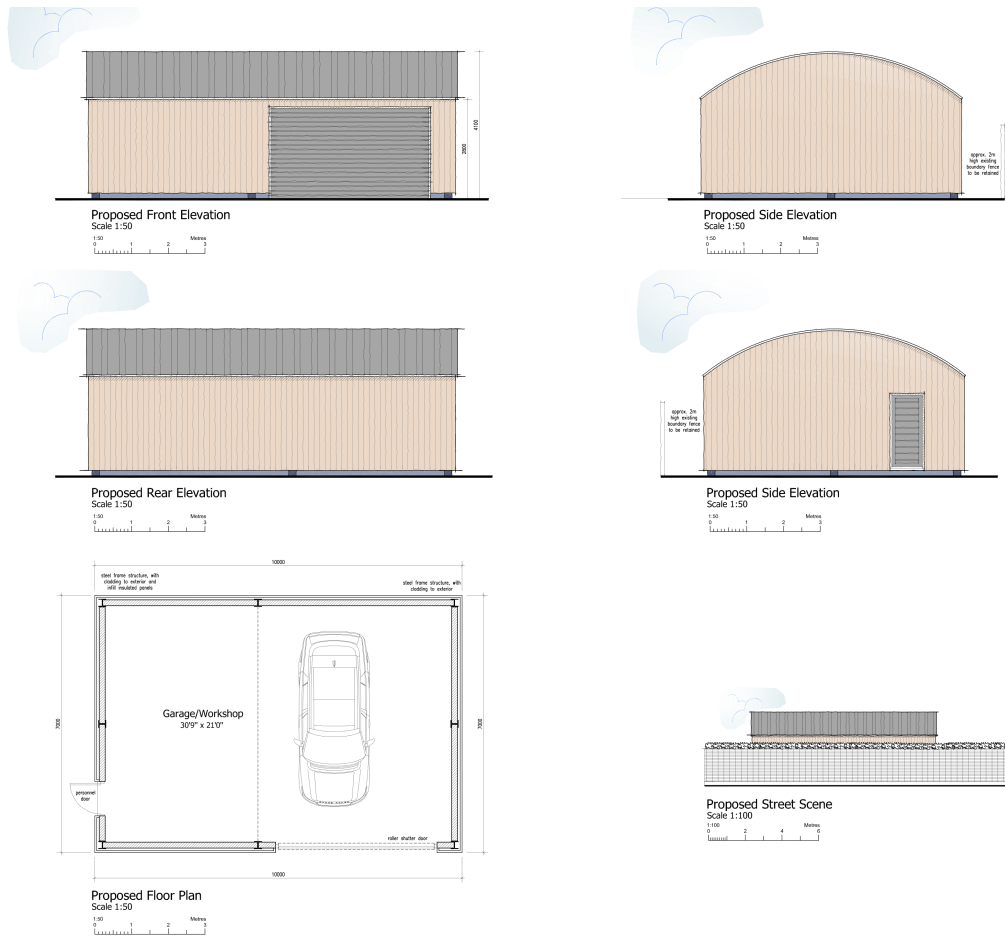


Figure 3 - Drawing 25.4523.06D: revised floor plan and elevations



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3.5 The current scheme is also materially smaller than the appeal proposal. The principal changes are summarised below:

Design element	Appeal scheme 25/01222/HOU	Current scheme
Footprint	12m x 7m (84sqm)	10m x 7m (70sqm)
Overall height	Approx. 4.575m	Approx. 4.1m
Roof form	Shallow dual-pitched roof	Barrel-vaulted roof
Wall finish	Vertical timber cladding	Vertical timber cladding to match host dwelling
Roof finish	Metal sheeting	Metal roof sheeting reflecting host dwelling
Visual response	Agricultural-inspired but distinct from host roof	Directly reflects host dwelling / Dutch-barn design language

3.6 The footprint has therefore been reduced by 14 square metres, or approximately 16.7%, and the maximum height has been reduced by approximately 0.475 metres. The length of the structure is also reduced by 2 metres. These changes reduce massing and prominence whilst allowing the building to perform its intended garage/workshop function.



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4.0 MAIN ISSUES

- 4.1 Section 70(2) of the Town and Country Planning Act 1990 requires Local Planning Authorities to have regard to the development plan, so far as material to the application, and to other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions to be made in accordance with the development plan unless material considerations indicate otherwise.
- 4.2 Having regard to the nature of the proposal, the previous decisions and the appeal decision, the principal matters are considered to be:
- the principle of a detached ancillary garage/workshop in this location;
 - design, scale, massing and the effect on the character and appearance of Boston Sidings and the countryside;
 - the effect on the significance and setting of The Old Farmhouse, Grade II listed building;
 - other material planning considerations.
- 4.3 The main planning policies that are relevant to these main issues are included in Section 5.0 below.



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5.0 PLANNING POLICIES

- 5.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, an application for planning permission should be determined in accordance with the Development Plan unless other material considerations indicate otherwise.
- 5.2 The National Planning Policy Framework (August 2026) (NPPF) sets out the Government's policies for plan-making and for making decisions on development proposals in England. It does not alter the statutory requirement that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. However, the national decision-making policies (NDMPs) within the NPPF are material considerations of critical importance in decision making and should be read alongside the policies of the Development Plan.
- 5.3 The Development Plan comprises the Core Strategy (adopted 2009) (CS) and the Site Allocations and Development Management Policies DPD (adopted 2016) (SADMP). The remaining relevant policy and guidance context is provided by the NDMPs contained within the NPPF, together with relevant Planning Practice Guidance (PPG).
- 5.4 Annex A of the NPPF confirms that its policies are material considerations which must be taken into account in decision-making from the day of publication. It also confirms that Development Plan policies, or parts of those policies, which are materially inconsistent with the national decision-making policies in the NPPF should be given very limited weight, unless they have been examined and adopted



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or made against the August 2026 Framework. Other Development Plan policies should not be given reduced weight simply because they pre-date the NPPF.

- 5.5 Those policies which are the most important for determining this planning application are set out below.

Core Strategy (2009) (CS)

- 5.6 No relevant policies.

Site Allocations and Development Management Policies DPD (2016) (SADMP)

- 5.7 *Policy DM1 – Presumption in Favour of Sustainable Development* repeats the presumption in favour as found in the Framework.
- 5.8 *Policy DM4 – Safeguarding the Countryside and Settlement Separation* seeks to protect the intrinsic value, beauty, open character and landscape character from unsustainable development and lists suitable sustainable development, subject to satisfying certain criteria.
- 5.9 *Policy DM10 – Development and Design* provides a series of design-based criteria to which new development is required to meet.
- 5.10 *Policy DM11 – Protecting and Enhancing the Historic Environment* sets out the Council's approach to applications affecting heritage assets.



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- 5.11 *Policy DM12 – Heritage Assets* sets out the Council's approach to development and specific heritage assets.
- 5.12 *Policy DM17 – Highways and Transportation* confirms that development proposals should be in accordance with highways design standards as set out in the most up to date guidance adopted by the relevant Highway Authority.

The National Planning Policy Framework 2026 (NPPF)

- 5.13 The purpose of the planning system remains to contribute to the achievement of sustainable development. The NPPF identifies three overarching and interdependent objectives: economic, social and environmental. The environmental objective includes protecting and enhancing the natural, built and historic environment, while the social objective includes fostering well-designed, beautiful and safe places.
- 5.14 NDMP S3 – *Presumption in Favour of Sustainable Development* confirms that decisions on development proposals should apply a presumption in favour of sustainable development. For development outside settlements, Policy S5 is to be applied. It also confirms that development proposals which accord with both an up-to-date Development Plan and the national decision-making policies in the NPPF should be approved without delay.
- 5.15 NDMP S5 – *Principle of Development Outside Settlements* identifies the forms of development which should be approved outside settlements. Where a proposal falls within one of the categories identified by Policy S5(1), it should be approved



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unless the benefits of doing so would be substantially outweighed by adverse effects when assessed against the national decision-making policies in the NPPF.

- 5.16 NDMP *DM3 – Determining Development Proposals* requires Local Planning Authorities to work with applicants in a positive and proactive manner and, where necessary, seek solutions to problems arising from proposals to enable a timely decision. It also requires a proportionate approach to the consideration of planning matters and confirms that applications which should clearly be approved, having regard to the Development Plan, the policies in the NPPF and other material considerations, should not be refused.
- 5.17 NDMP *DP3 – Key Principles for Well-Designed Places* requires development proposals to respond appropriately to their context, including the character and features of the site and its setting, so that they integrate with and enhance their surroundings through appropriate built form, materials and architectural features. Proposals should be refused where, without clear justification, they conflict with these principles or relevant Development Plan design standards.
- 5.18 NDMP *HE4 – Securing the Conservation of Heritage Assets* requires heritage assets to be conserved in a manner appropriate to their significance.
- 5.19 NDMP *HE5 – Assessing Effects on Heritage Assets* requires proposals affecting heritage assets to be accompanied by a proportionate assessment of their significance, including any contribution made by their setting, and the potential effect of the proposal upon that significance. The policy makes clear that it is the effect upon the significance of the heritage asset, rather than simply the scale of the development, which should be considered.



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5.20 NDMP HE6 – *Proposals Affecting Designated Heritage Assets* confirms that substantial weight should be given to the conservation of a designated heritage asset, irrespective of whether any effect would amount to a positive effect, harm, substantial harm or total loss. Where development would harm the significance of a designated heritage asset, that effect should be weighed against any public benefits resulting from the proposal.

Other Policy and Guidance

5.21 Although not having the formal status and weight of adopted planning policy there are a number of other pieces of guidance relevant to decision-making within Hinckley and Bosworth including:

- National Planning Practice Guidance - March 2014 (as amended)
- Good Design Guide SPD – 2019
- National Design Guide – October 2019
- Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990





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6.0 PLANNING ASSESSMENT

Principle of Development

- 6.1 The proposal comprises the erection of a garage/workshop to serve the existing dwelling. The garage would be sited within the curtilage of the dwelling and would be subservient in use and scale.
- 6.2 No issues were raised regarding the principle of a garage in this location as part of previously refused applications (25/00660/HOU and 25/01222/HOU or appeal reference 6007042).
- 6.3 The application site forms part of the lawful residential curtilage of The Hayloft, a permanent dwelling within the established Boston Sidings development. The NPPF definition of previously developed land expressly includes the curtilage of developed land. Although the definition excludes residential gardens in built-up areas, Boston Sidings is not within a built-up area: it is a small group of dwellings in the countryside, outside the defined settlement boundary. The residential garden exclusion therefore does not apply and the application site constitutes previously developed land for the purposes of the NPPF.
- 6.4 The proposal involves additional built development within that previously developed residential curtilage and can be properly regarded as redevelopment of previously developed land for the purposes of NDMP S5(1)(d). The proposal does not extend the residential curtilage or introduce development onto adjoining undeveloped countryside. NDMP S5(1)(d) therefore provides direct support for the principle of development and establishes that the proposal should be approved



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unless its benefits would be substantially outweighed by adverse effects when assessed against the national decision-making policies.

- 6.5 As such, it is considered the principle of the development remains acceptable.

Design, Scale, Massing and Character

- 6.6 SADMP Policy DM10 and NDMP DP3 require the design to respond positively to its context. Boston Sidings is not characterised by a single traditional architectural form. It is a purpose-designed contemporary redevelopment of a former agricultural complex in which different but complementary barn forms are deliberately combined.
- 6.7 The appeal Inspector described Boston Sidings as having an “*overtly modern character*” and observed that Nos. 1 and 2 have shallow barrel-vaulted roofs which echo large Dutch-barn agricultural structures. The Inspector considered that the development had plainly been conceived as a whole and made an impressive contemporary architectural statement. These findings provide the clearest site-specific description of the design context against which the current proposal should be assessed.
- 6.8 The Inspector’s objection to the appeal scheme was on the basis that the garage was considered to stand out because of its different roof construction. The shallow pitched roof did not correspond with the steeply pitched slate roofs elsewhere and, importantly, did not replicate the barrel-vaulted form of the host dwelling. The Inspector considered the neighbouring garage harmonious because it reflected buildings in the group in both materials and architectural form.



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- 6.9 The present scheme seeks to directly address the Inspector's concerns. The roof is now barrel-vaulted and the walls remain vertically timber clad. The resulting building shares the two most distinctive architectural characteristics of The Hayloft: the curved metal roof and vertical timber elevations. Metal roof sheeting is no longer an isolated material applied to a shallow pitched roof; it is used in the same architectural manner as on the host dwelling.
- 6.10 The scheme has also been amended so that the overall structure is smaller. Reducing the length from 12 metres to 10 metres decreases the footprint from 84 square metres to 70 square metres and reduces the length of the elevation first perceived on entering the development. The maximum height reduces from approximately 4.575 metres to approximately 4.1 metres. The combined effect is a building with appreciably less mass and visual presence than that considered at appeal.
- 6.11 The existing boundary fence and landscaping would continue to screen much of the lower part of the structure when viewed from Bosworth Road. From within Boston Sidings, the building would be experienced against the backdrop of a substantial host dwelling and a varied group of garages, barns and dwellings rather than as an isolated object in open countryside.
- 6.12 The Council's Good Design Guide advises that garages should generally be set back so as not to dominate the street scene. The circumstances here are unusual because the host dwelling is itself set deeply within a large irregular plot and restrictions prevent the building being sited in the rear paddock. The building is nevertheless well set back from Bosworth Road and the reduction in length, height



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and massing would all contribute to reducing its prominence from the site entrance.

6.13 Indeed, the applicant has received post-appeal correspondence from the Council's Planning Manager confirming that a barrel-vaulted roof would represent an acceptable design response (see Appendix 1). The correspondence specifically records that the applicant had previously been advised to adopt either a barrel-vaulted or dual-pitched roof and confirms that the dual-pitched option pursued was the "less concordant" of those alternatives. The current proposal therefore adopts the roof form now expressly supported by the Council, alongside a material treatment which relates directly to the host dwelling and the original design concept of Boston Sidings.

6.14 The revised scheme therefore satisfies SADMP Policy DM10 and NDMP DP3. It responds to the site's distinctive identity, uses a coherent palette of materials and architectural features and reinforces rather than undermines the contemporary agricultural character of the development.

Historic Environment

6.15 The Old Farmhouse is a Grade II listed building and the statutory duty in Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 is engaged. Special regard must therefore be given to the desirability of preserving the listed building and its setting.

6.16 The Inspector found that the former garage would be some distance from The Old Farmhouse, would not obviously figure in its immediate setting, would not affect the historic courtyard to the rear, and would not affect the open land opposite the



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listed building which is important to its setting. The Inspector expressly concluded that the garage would not itself have a direct impact on the setting of the listed building.

- 6.17 The revised proposal is smaller and lower than the appeal scheme and adopts a barrel-vaulted roof which is more closely related to the established architecture of Boston Sidings. There is therefore no basis to reach a different conclusion in heritage terms; the proposal would not harm the significance or setting of the listed building.
- 6.18 The proposal would have no harmful effect on the significance of The Old Farmhouse through its setting. It therefore accords with SADMP Policies DM11 and DM12 and NDMP HE4 and HE5. As no harm is identified, the balancing exercise in NDMP HE6(4) is not engaged.

Other Planning Considerations

- 6.19 The Council and appeal Inspector raised no objection in respect of highway safety, parking, residential amenity or protected trees. The revised proposal does not materially alter the previously assessed access or parking arrangements, retains the same general siting and is smaller and lower than the appeal scheme.
- 6.20 The previously accepted arboricultural safeguards can be secured by condition where necessary. The proposal accordingly complies with SADMP Policies DM17 and DM18 and NDMP TR6 in respect of highways and parking, SADMP Policy DM10 in respect of residential amenity, and SADMP Policy DM6 and NDMPs N2 and DP3 in respect of protected trees.



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7.0 CONCLUSION AND PLANNING BALANCE

- 7.1 The application seeks permission for a 10 metre by 7 metre detached garage/workshop within the established domestic curtilage of The Hayloft. It follows two previous applications and the May 2026 appeal decision and has been specifically redesigned in response to the Inspector's findings.
- 7.2 The principal change is the replacement of the former shallow dual-pitched roof with a barrel-vaulted metal roof which directly reflects the architectural form of The Hayloft and the contemporary Dutch-barn character of Boston Sidings. The footprint has also been reduced by approximately 16.7% and the maximum height reduced to approximately 4.1 metres, materially reducing the scale, massing and visual prominence of the building.
- 7.3 The Inspector's previous concern was that the appeal building did not relate satisfactorily to the buildings in the locality and would not be in keeping with its surroundings. The revised building is smaller, lower and adopts the established architectural language and materials of The Hayloft. It therefore accords with SADMP Policy DM10 and NDMP DP3.
- 7.4 The previous assessment also established that the garage would not harm highway safety, parking provision or residential amenity, and that the protected tree could be retained subject to the agreed arboricultural safeguards. Those matters are unchanged or improved by the reduced scale of the current proposal.
- 7.5 The revised building would also have no harmful effect on the significance of the Grade II listed Old Farmhouse through its setting. Its reduced scale and closer



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architectural relationship with the surrounding Boston Sidings development reinforce the conclusions previously reached in respect of heritage. The proposal therefore accords with SADMP Policies DM11 and DM12 and NDMPs HE4 and HE5.

- 7.6 The site comprises previously developed land and the proposal falls within NDMP S5(1)(d). The development would provide functional garage and workshop accommodation ancillary to the existing dwelling, improve storage and deliver a building which is materially better integrated with its surroundings. No adverse effects have been identified in relation to design, heritage, highways, residential amenity or protected trees which would substantially outweigh those benefits.
- 7.7 Taking the Development Plan and material considerations as a whole, the revised proposal overcomes the design concern identified by the Inspector and is acceptable in all other respects. Planning permission should therefore be granted, subject to the previously accepted arboricultural safeguards and any other necessary conditions.





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Appendix 1 Appeal Decision, Appeal Ref. 6007042, dated 28 May 2026



Planning Inspectorate

Appeal Decision

Site visit made on 7 May 2026

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCIArb MCIL

an Inspector appointed by the Secretary of State

Decision date: 28 May 2026

Appeal Reference: 6007042

1 Boston Sidings, Bull in the Oak, Cadeby CV13 0FD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mr. O. Wood against the decision of Hinckley & Bosworth Borough Council.
- The application reference is 25/01222/HOU.
- The development proposed is described in the application form as the "erection of a garage".

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr. O. Wood (the Appellant) against the Hinckley & Bosworth Borough Council. This application is the subject of a separate Decision.

Main issue

3. The main issue to be determined in this appeal is the effect of the proposed development on the character and appearance of the surroundings.

Reasons

4. The appeal site is located in the countryside, in a rural and predominantly agricultural landscape, close to the junction of Bosworth Lane and Bosworth Road with Ashby Road, which is a main north-south traffic route (the A447). There is a small cluster of buildings at the road junction, including the development at Boston Sidings. 'The Old Farmhouse' occupies the corner of Bosworth Road and Ashby Road, with a courtyard behind 'The Old Farmhouse' where new residential properties have been created (accessed from Boston Sidings). 'The Old Farmhouse' is listed (Grade II) as a "building of special architectural or historic interest".
5. Boston Sidings is a modern redevelopment scheme that incorporates the buildings at the rear of 'The Old Farmhouse' but which has an overtly modern character. The new buildings are primarily faced with vertical oak cladding and, while most of the buildings have steeply pitched slate roofs, the houses at numbers 1 and 2 Boston Sidings have shallow barrel-vaulted roofs, echoing the design of large "Dutch barn" agricultural buildings. The layout is irregular in pattern, again reflecting the site's

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history. The design has plainly been conceived as a whole and it makes an impressive contemporary architectural statement.

6. A newer garage building at 'Hereford Cottage', opposite the appeal site has been added to the original scheme but it makes use of building materials and architectural form to match the original redevelopment scheme, with a steeply pitched roof.
7. Number 1 Boston Sidings ('The Hayloft'), is a substantial two-storey dwelling. The exterior incorporates substantial glazed areas as well as vertical oak cladding and the roof has a shallow barrel vault. It has a large front garden, where there is an important mature tree (protected by a Tree Preservation Order), and a formal back garden. This house also has the benefit of an adjoining paddock to the rear (north) of the development.
8. It is now proposed to construct a detached garage building in the front garden at number 1 Boston Sidings, with timber cladding (to match the host dwelling), metal roof sheeting and metal doors and windows.
9. The 'National Planning Policy Framework' emphasises the aim of "achieving well designed places" in the broadest sense (notably at Section 12), while making effective use of land and encouraging economic activity. It is aimed at achieving good design standards generally, by adding to the overall quality of the area and being visually attractive and sympathetic to local character and history, although it is also recognised that appropriate change may include increased densities.
10. Provisions in the Planning (Listed Buildings and Conservation Areas) Act 1990 impose obligations on those considering whether to grant planning permission for development that would affect a listed building. In such cases, it is necessary to have special regard to the desirability of preserving the setting of the listed building (among other things). Those formal requirements are reinforced by the 'National Planning Policy Framework', especially at Section 16, which emphasises the importance of conserving or enhancing the historic environment.
11. An emphasis on the importance of protecting heritage assets and of encouraging good design more generally is also to be found in the Development Plan, specifically in the Council's 'Site Allocations and Development Management Policies DPD' (adopted in July 2016). Policy DM10 is concerned with design considerations and, among other criteria, it identifies the need for new development to complement or enhance the character of the surrounding area and for building materials to be used in a way that respects the surroundings. Policies DM11 and DM 12 are aimed more directly at protecting and enhancing the historic environment.
12. The Council's Supplementary Planning Document, 'The Good Design Guide' (dated 2020), is also relevant but it does not have the force of the statutory Development Plan.
13. Of course, the application of all these policies requires a judgement to be made and a degree of subjectivity cannot be avoided in doing this.
14. The proposed new building would be a relatively large "garage/workshop", with space for ground maintenance equipment. It would be located in the front garden of the house, near to an important protected tree. Even so, the building could be

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constructed without causing significant harm to the tree, provided that it were to be constructed carefully in accordance with measures to protect the tree (as identified in the submitted "Arboricultural Impact Assessment").

15. The new garage would be a significant building in its context because of its size on plan. It would stand out as being out of character with the remainder of the development, however, because of its very different roof construction. The pitched roof would be shallow, unlike the other pitched roofs within the enclave, and the metal sheeting would be unlike the slate finish on other pitched roofs. The metal clad barrel vaulting on the much larger buildings at numbers 1 and 2 Boston Sidings, are distinctive in their context, as an echo of large Dutch barn structures, but the new garage would not be comparable in size and would not relate to its surroundings or the site's history in the same way. The new building would have some features in common with larger modern agricultural buildings generally but it would not relate to the buildings in this locality and I share the opinion that it would be unsympathetic to its surroundings.
16. The location of the proposed new garage in a prominent position, towards the Bosworth Road frontage of the development, would add to its visual importance in the streetscene. I accept that the garage that has been built nearby is also a prominent feature but, nevertheless, I do not find that garage to be unharmonious in its setting, since it reflects other buildings in the group, both in respect of the materials used in its construction and in its architectural form.
17. By contrast, the proposed garage at number 1 Boston Sidings would clash with its neighbours, in an architectural sense, and would be even more obvious due to its position. In consequence, I am convinced that it would be clearly alien and incongruous in its surroundings, in spite of the choice of similar wall cladding, and that it would undermine the high quality of the existing development.
18. The new garage would be some distance away from 'The Old Farmhouse', however. It would not obviously figure in the immediate setting of this listed building, nor would it affect the courtyard at the rear which is more obviously associated with the historic use of the site. Nor would the open land opposite the listed building, which is important to its setting, be affected.
19. The high design quality of the development at Boston Sidings may be said to enhance the setting of 'The Old Farmhouse', albeit in a way that reinterprets historical features in a contemporary style. Thus, although the proposed garage would not itself have a direct impact on the setting of the listed building, the quality of the development at Boston Sidings as a whole, is still relevant.
20. I acknowledge that the proposed new building would be useful in itself, but I am convinced that the harm that would be done to the setting of the existing house and to the surroundings outweighs the benefits of the project. Hence, I have concluded that the scheme before me would conflict with both national and local planning policies (including the Development Plan) and that it ought not to be allowed. Although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.
21. In reaching these conclusions I have considered whether the appeal could be allowed but subject to conditions that might overcome the visual concerns that I have identified. In view of all the uncertainties involved, however, I have formed the opinion that it would not be possible to frame precise conditions to address the

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design objections that I have identified and that therefore the appeal must be dismissed.

Roger C. Shrimplin

INSPECTOR

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Appendix 2 Officer Report, Application Ref. 25/01222/HOU

Delegated Report

Planning Ref: 25/01222/HOU
Applicant: Mr Ollie Wood
Ward: Cadeby Carlton M Bosworth & Shackerstone



Hinckley & Bosworth
Borough Council

Site: The Hayloft, 1 Boston Sidings Bull In The Oak Cadeby

Proposal: Erection of a garage

1. Recommendations

- 1.1. **Refuse planning permission** subject to the reasons at the end of this report.

2. Planning application description

- 2.1. The application seeks full planning consent for the erection of a garage at The Hayloft, 1 Boston Sidings, Bull In The Oak, Cadeby.
- 2.2. The proposed garage would be situated within the curtilage of the application site to the south-east of the host dwelling and to the west of the main access road. It would measure 7.00 metres in depth and 12.00 metres in width, comprising a dual-pitched roof form with an eaves height of 3.20 metres and a ridge height of 4.57 metres. The proposal would be constructed from metal with timber cladding to the walls, metal sheeting to the roof and metal to the openings which consists of two roller shutter doors to the front (western) elevation and a personal door to the side (northern) elevation.
- 2.3. The submitted Planning Statement states that the proposal would be *'partially for domestic storage purposes but also to allow for the storage of machinery and equipment in relation to the upkeep of a rear paddock.'*
- 2.4. Planning permission for the erection of garage of a similar scale at the application site was refused in 2025.

3. Description of the site and surrounding area

- 3.1. The application site relates to a two-storey detached dwelling situated to the north of Cadeby and to the east of Market Bosworth, outside of any identified settlement boundaries within the open countryside.
- 3.2. The application dwelling forms a group of dwellings known as 'Boston Sidings', a set of five dwellings all which have been designed to reflect the former agricultural use of the site (approved via planning permission 17/00149/FUL). All dwellings are of differing yet complementary architectural styles. Cadeby Homes who developed the site in 2019 and describes the site as a *'collection of five outstanding and unique properties [which] have been carefully designed to the highest quality reflecting the traditional craftsmanship whilst fusing together the feeling of luxury contemporary living'*.
- 3.3. The application dwelling itself, has a metal barrel vaulted roof and is finished predominantly in timber cladding, reflecting its two nearest neighbouring dwellings. It also has an integrated double garage (partially converted) and off/street driveway space which is designed to fit two vehicles and which forms part of the original building design. Along with the rear garden space and paddock land to the north of the dwelling, it also features a large garden (with an established protected tree and generous green space) to the property frontage which is perceived upon entry to the complex. The remaining dwellings on the gated estate (to the north and west of the application site) include two similarly designed traditional two-storey courtyard barn type dwellings and two dwellings resembling contemporary Dutch barn conversions.





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The dwellings immediately to the south (outside of the complex) have significant heritage value (detailed further below) and are constructed using older red brick and tile, some of which are built as single storey barn conversions arranged around a courtyard along with the original two storey farmhouse that they historically served.

- 3.4. Permitted development rights relating to extensions and outbuildings were removed from the development under the 17/00149/FUL permission.
- 3.5. The application dwelling alongside the four other dwellings are all accessed via Bosworth Road, which is an adopted, classified, 'B' road that is subject to the National Speed Limit. Beyond these residential dwellings and the Bosworth Road is further open agricultural fields. There are also three trees, a Sycamore and two Common Ash trees which are protected under Tree Preservation Order, 23/00002/TPORD, adjacent to 1 Boston Sidings and Bosworth Road.
- 3.6. A Grade II listed late 18th Century farmhouse ('The Old Farmhouse', Bull in the Oak) is also located a relatively short distance to the east of the application site. The Farmhouse dates from the late 18th century and is a grade II listed building of special historic and architectural interest. Whilst its heritage significance is inherent in its built form, it does also draw some significance from its predominantly rural setting which includes surrounding agricultural fields and converted agricultural buildings formerly associated with its use and function. The application property is one of five modern dwellings constructed on part of the former farm complex. The dwellings have a combination of traditional and contemporary designs which positively reflect the former agricultural use of the site. As a result, the dwellings and the application site subject to this proposal are a positive presence within the setting of the listed building.

4. Relevant planning history

17/00149/FUL

- Removal of existing residential and agricultural buildings for the erection of 5 new dwellings and associated works
- Planning Permission
- 08.08.2018

23/00799/FUL

- Retrospective application for change of use of agriculture field to equestrian (sui generis) for private use, with the retention of a stable block and horse exercising area
- Planning Permission
- 20.05.2024

25/00660/HOU

- Proposed new garage
- Refused
- 03.10.2025

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. Following the publications no comments have been received.





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6. Consultation

6.1. Cadeby Parish Council:

- No comments have been received.

6.2. HBBC Arboricultural Officer:

'I raise no arboricultural objection to the proposed garage/workshop, as no tree removals are required and the scheme can be delivered with appropriate safeguards.

If permission is granted, it should be subject to full compliance with the submitted Tree Protection Plan, including installation and retention of protective fencing/Construction Exclusion Zone prior to commencement, and use of the specified pad & beam foundation solution where works fall within the influence of T1.

For avoidance of doubt, all service runs/drainage must be routed outside the CEZ/RPAs, and any hard surfacing/landscaping within T1's RPA should be delivered using a clearly defined low-dig/no-dig specification within an Arboricultural Method Statement prior to commencing.'

6.3. HBBC Conservation Officer:

'The Bull in the Oak Farmhouse is located a relatively short distance to the east of the application site. The Farmhouse dates from the late 18th century and is a grade II listed building of special historic and architectural interest. Whilst its heritage significance is inherent in its built form, it does also draw some significance from its predominantly rural setting which includes surrounding agricultural fields and converted agricultural buildings formerly associated with its use and function. The application property is one of five modern dwellings constructed on part of the former farm complex. The dwellings have a combination of traditional and contemporary designs which positively reflect the former agricultural use of the site. As a result, the dwellings and the application site subject to this proposal are a positive presence within the setting of the listed building.

I agree with the concerns you have raised regarding the siting, scale, mass and unsympathetic industrial design of the garage, and as currently proposed it would be an uncharacteristic development that would not reflect the design quality of the associated modern dwellings nor respect the character of the wider area. Therefore, I agree with the current conflict with Policy DM10 of the Site Allocations and Development Management Policies DPD (SADMP). In my opinion, for these same reasons the garage as currently proposed would also likely be a minor negative presence within the wider setting of the listed Farmhouse, causing an adverse impact (at the lower end of less than substantial harm) upon its heritage significance. In determining the application as decision-taker you shall have to undertake a harm vs public benefit balancing exercise as per paragraphs 212, 213 and 215 of the National Planning Policy Framework (NPPF) (2024), Policies DM11 and DM12 of the SADMP, and determine whether the proposal meets the statutory duty of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Should the balancing exercise not come out in favour of the proposal then this should form a reason for refusal of the application based on the conflict with Policies DM11 and DM12 of the SADMP, Section 16 of the NPPF and not meeting the statutory duty of Section 66 of the Act 1990.'

7. Policy

7.1. Core Strategy (2009)

- Policy 13: Rural Hamlets





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- 7.2. Site Allocations and Development Management Policies DPD (2016)
- Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM4: Safeguarding the Countryside and Settlement Separation
 - Policy DM6: Enhancement of Biodiversity and Ecological Interest
 - Policy DM10: Development and Design
 - Policy DM11: Protecting and Enhancing the Historic Environment
 - Policy DM12: Heritage Assets
 - 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 (2019)
 - Planning (Listed Buildings and Conservation Areas) Act (1990)
- 7.4. Other relevant guidance
- Hinckley and Bosworth Good Design Guide (2020)
 - Leicestershire Highways Design Guide (2024)
- 8. Appraisal**
- 8.1. Notwithstanding the countryside location outside of any settlement boundary, extensions and alterations to existing domestic properties are generally considered to be sustainable development in principle. The key issues in respect of this application are therefore:
- Design and impact upon the character of the area and the wider countryside
 - Impact upon the significance and setting of the Grade II listed building ('The Old Farmhouse', Bull in the Oak)
 - Impact upon neighbouring residential amenity
 - Impact upon parking provision and highway safety
 - Impact upon protected trees
- Design and impact upon the character of the area
- 8.2. Chapter 12 of the NPPF confirms that good design is a key aspect of sustainable development, and the creation of high quality, beautiful, and sustainable buildings and places is fundamental to what the planning and development process should achieve.
- 8.3. Key Policy Paragraph 135 of the NPPF details the six national policy requirements of development to ensure the creation of well-designed and beautiful places. Paragraph 135 of the NPPF states that planning policies and decisions should ensure that development:
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
 - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.





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- 8.4. Policy DM4 of the SADMP seeks to protect the safeguard the countryside and requires development to not have a significant adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside and states extensions would only be permitted where they lead to an enhancement of the immediate setting. Policy DM4 of the SADMP allows for sustainable development in the countryside where it meets specific criteria. Criterion b) allows for development where it is for the extension of the existing buildings which lead to the enhancement of the immediate setting and therefore the proposal is acceptable subject to 5 sub-criteria that must be also met. Criterion i) is most relevant and requires that the development represents no significant adverse effects to the intrinsic value, beauty, open character and landscape character of the countryside location.
- 8.5. Criterion ii – v of Policy DM4 of the SADMP would not be relevant to this application as the proposal would not undermine the separation between settlements, not create or exacerbate ribbon development and is not located in the Green Wedge or the National Forest.
- 8.6. Policy DM10 of the adopted 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.
- 8.7. Guidance Point C1 of the NDG confirms that well-designed new development should respond positively to the features of the site itself and the surrounding context beyond including the existing built development and landscape character, amongst others. Guidance Point I1 of the NGD highlights that new developments should consider the composition of street scenes and individual buildings and their elements including the height, scale, massing and relationship between buildings, as well as views, vistas, landmarks, and landscaping, amongst others.
- 8.8. This application is for the erection of a detached garage to serve The Hayloft, 1 Boston Sidings, Bull In The Oak. Planning Permission for the erection of garage on a similar quantum at the application site was refused in 2025 (reference; 25/00660/HOU). Following the refusal the proposal has been reduced in depth from 8.00 metres to 7.00 metres, reduced at the eaves from 3.40 metres to 3.20 metres, increased at the ridge from 3.85 metres to 4.75 metres to accommodate a dual-pitched form, set 0.50 metres further in from the boundary and the external materials altered from metal cladding to timber cladding.
- 8.9. The Councils Good Design Guide states that '*Garages and car ports should generally be set back from the existing building so as not to dominate the streetscene*'
- 8.10. The proposed garage would remain to be sited forward of the perceived principal frontage of the dwelling. The plot itself and particularly the garden to the front of the dwelling play an important part of the setting of the development as the area is highly visible from the highway. Whilst the garden is bounded by fencing the perception of open space allows clear views to the dwelling beyond which by virtue of its design is a high quality asset to the area and this in part is due to the courtyard style arrangement and its setting within the wider complex of agrarian themed dwellings.
- 8.11. The Good Design Guide states that '*corner plots play an important role in the establishment of a local street scene and overdevelopment on corner plots can create an oppressive quality and lead to a change in the character of a place.*'
- 8.12. As acknowledged within the 2025 Officer Report, while the dwelling is not considered a corner plot, the front garden occupies a prominent corner position within the complex and thus the design of the garage should follow the design principles of the Good Design Guide. The proposed garage would measure 7.00





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metres in depth and 12.00 metres in width remaining to be of a substantial footprint which alongside its incorporation of a dual-pitched roof at 4.57 metres in height would appear bulky and not subordinate to its surroundings. Its scale, massing and form would in turn over-dominate the street scene, a harmful impact further exacerbated by its prominent siting.

- 8.13. In addition, the considerable 12.00-metre-wide side elevation being the first aspect visible when entering the complex and highly prominent to pedestrians and passing drivers remains to lack any meaningful fenestration or architectural detailing. This further contributes to the proposal's harmful and unsympathetic character.
- 8.14. The submitted Planning Statement references a nearby garage outbuilding that was permitted previously at 5 Boston Sidings (Ref: 22/00629/HOU) in attempt to justify the proposal. This previously approved development is, however, not considered to be comparable, particularly given its notably different positioning within the complex and offers no justification for support of this application. Furthermore, the scheme at no.5 highlights the prominence of garages and is not considered to represent a good design feature to be replicated at No.1 Boston Sidings given that the orientation of the garden and further enclosure to the front of the development would harm the character of the development.
- 8.15. Overall, whilst amendments have been made to overcome the LPA's concerns addressed within the 2025 refusal, these are not considered to be significant with regards to the scale and siting of the garage. The garage remains to be visually dominant regrettably becoming the focal point of an otherwise well designed, unique, agrarian scheme which would erode the quality it currently hosts. It would neither complement nor enhance the countryside in this regard and would instead be seen as an incongruous feature. By virtue of the above, the proposal would therefore be contrary to Policies DM4 and DM10 of the adopted SADMP, the Councils Good Design Guide, the NDG and the NPPF.

Impact upon the significance and setting of the Grade II listed building ('The Old Farmhouse', Bull in the Oak)

- 8.16. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on the local planning authority when considering whether to grant planning permission to have special regard to the desirability of preserving the building or its setting or any features of special architectural and historic interest which it possesses.
- 8.17. Policies DM11 and DM12 of the adopted SADMP seek to protect and enhance the historic environment and heritage assets. All proposals for extensions and alterations of listed buildings will only be permitted where it is demonstrated that the proposals are compatible with the significance of the building. Development proposals should ensure the significance of a conservation area is preserved and enhanced.
- 8.18. The Bull in the Oak Farmhouse is located a relatively short distance to the east of the application site. The Farmhouse dates from the late 18th century and is a grade II listed building of special historic and architectural interest. Whilst its heritage significance is inherent in its built form, it does also draw some significance from its predominantly rural setting which includes surrounding agricultural fields and converted agricultural buildings formerly associated with its use and function. The application property is one of five modern dwellings constructed on part of the former farm complex. The dwellings have a combination of traditional and contemporary designs which positively reflect the former agricultural use of the site. As a result, the dwellings and the application site subject to this proposal are a positive presence within the setting of the listed building.





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- 8.19. The proposed structure's proximity to a Grade II listed building, combined with its positioning, scale and massing, disrupts the historic and rural character of the area by introducing an intrusive built form. This stark contrast undermines the heritage value of the setting and conflicts with local planning policies DM11 and DM12, which aim to protect such environments. The proposal is therefore considered to result in a significant adverse impact on the heritage asset. The harm to the designated heritage asset is considered to be less than substantial in terms of the NPPF.
- 8.20. The Council's Conservation Officer states that *'the garage as currently proposed would also likely be a minor negative presence within the wider setting of the listed Farmhouse, causing an adverse impact upon its heritage significance'*
- 8.21. Paragraph 213 of the NPPF seeks to ensure that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 8.22. Paragraph 215 of the NPPF and Policies DM11 and DM12 if the adopted SADMP seeks to ensure that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 8.23. Public benefits may arise from many developments and can include anything that delivers economic, social, or environmental progress, as described in Paragraph 8 of the NPPF.
- 8.24. Public benefits may also include heritage benefits, as specified in Paragraph 20 of the Planning Practice Guidance (Conserving and Enhancing the Historic Environment), such as:
- Sustaining or enhancing the significance of a heritage asset and the contribution of its setting.
 - Reducing or removing risks to a heritage asset.
 - Securing the optimum viable use of a heritage asset in support of its long-term conservation.
- 8.25. It is not considered that there are any public benefits of the proposal. The scheme, in its entirety, is not considered to sustain or enhance the significance of the heritage asset or the contribution of its setting. Therefore, the proposal does not demonstrate any heritage benefits.
- 8.26. While the proposal may offer functional advantages for the occupier in allowing them to store agricultural and domestic equipment (the former for maintaining the paddock to the rear), these are private benefits and not public ones and are far outweighed by the harm that is caused to the setting of the listed farmhouse and therefore to the significance of the heritage asset.
- 8.27. In weighing the public benefits against the harm as required by paragraph 215 of the Framework it is evident that the harm to the setting of the listed farmhouse is such that the proposal is contrary to Policies DM11 and DM12 of the SADMP and the requirements of Section 16 of the NPPF and that the application should be refused.
- Impact upon neighbouring residential amenity
- 8.28. Paragraph 135(f) of the NPPF requires planning policies and decisions to ensure that developments create places that are safe, inclusive, and accessible, which promote health and well-being, and a high standard of amenity for existing and future users.



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- 8.29. Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings.
- 8.30. The Councils Good Design Guide states that *'Habitable rooms within rear elevations of neighbouring properties should never be less than 21m apart.'* And that *'A habitable room within a rear elevation should ideally not be less than 8m from the blank side of a single storey neighbouring property, rising to 12m for a two storey property.'*
- 8.31. As the dwellings within the development are all mostly separated by a single carriageway and the minimum distance from the proposed garage to the nearest neighbouring dwelling is 21.00 metres over the shared site access there is not considered to be any loss of amenity in regard to loss of light, loss of privacy or overdominance according with Policy DM10 of the adopted SADMP and Paragraph 135(f) of the NPPF in this regard. No neighbouring objections have been received.
- Impact upon parking provision and highway safety
- 8.32. Ultimately, development should not be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe, in accordance with Paragraph 116 of the NPPF.
- 8.33. Policy DM17 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety. Policy DM18 of the SADMP requires new development to provide an appropriate/justified level of parking provision.
- 8.34. Section 9 of the NPPF promotes sustainable transport. Paragraph 115 of the NPPF states that planning decisions should ensure that developments provide appropriate opportunities to promote sustainable transport modes, given the type of development and its location and a safe and suitable access to the site for all users. Any proposal should ensure that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 8.35. 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).
- 8.36. Table 16 of the LHDG requires roller-shutter garage doors to be set back from the highway boundary by a minimum of 5.50 metres.
- 8.37. The occupiers would utilise the existing access to obtain access to the proposed garage via the gate and hardstanding to the west of Boston Sidings. A new hardstanding would also be formed forward of the garages front (western) elevation which faces away from the highway boundary and towards the adjacent fields. With the above in mind, the proposal would bear no adverse impacts upon highway safety in accordance with Policy DM17 of the adopted SADMP and the LHDG.
- 8.38. The LHDG requires that double garages have a minimum internal footprint of 6.00 x 6.00 metres, with a minimum door width of 4.20 metres for a double door and 2.30 metres for two single doors. It also requires a four-bedroom dwelling to provide an off-street parking provision for a minimum of three vehicles.
- 8.39. The proposed garage would measure 6.43 metres x 11.42 metres internally with door widths of 3.00 metres, satisfying the LHDG. With this in mind, alongside the aforementioned integral double garage and the additional gravel-surfaced parking the level of off-street parking provision would be more than adequate to serve the



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existing/resulting four bedroomed dwelling in accordance with Policy DM18 of the adopted SADMP and the LHDG.

Impact upon protected trees

- 8.40. Paragraph 136 of the (NPPF) (2024) seeks to ensure that existing trees that make an important contribution to the character and quality of environments are retained wherever possible.
- 8.41. Paragraph 187 of the NPPF requires that planning policies and decisions should contribute to and enhance the natural and local environment by:
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- 8.42. Policy DM6 of the adopted SADMP seeks to preserve and enhance features of nature conservation. It requires that such features should be retained, buffered and managed favourably to maintain their ecological value.
- 8.43. The submitted Arboricultural Impact Assessment confirms that no trees would be removed as part of the scheme. The garage would fall within the roof protection zone of T1 (named as T2 within the confirmed tree preservation order reference; 23/00002/TPORD) the Councils Arboricultural Officer has nonetheless raised no objections to the scheme and is satisfied that the scheme can be delivered with appropriate safeguards.
- 8.44. Furthermore, the Councils Arboricultural Officer has states that *'If permission is granted, it should be subject to full compliance with the submitted Tree Protection Plan, including installation and retention of protective fencing/Construction Exclusion Zone prior to commencement, and use of the specified pad & beam foundation solution where works fall within the influence of T1.*
- 8.45. *For avoidance of doubt, all service runs/drainage must be routed outside the CEZ/RPAs, and any hard surfacing/landscaping within T1's RPA should be delivered using a clearly defined low-dig/no-dig specification within an Arboricultural Method Statement prior to commencing.'*
- 8.46. In light of the above, subject to the Arboricultural Impact Assessment being fully adhered to the proposed garage would not result in any significant adverse impacts, either during or post construction, on the long term viability or biodiversity or visual amenity value of the protected trees. The proposal would therefore accord with Policy DM6 of the adopted SADMP and Paragraphs 136 and 187 of the NPPF in this respect.

9. Equality implications

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.





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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.
3. There are no known equality implications arising directly from this development.

10. Conclusion

- 10.1. Notwithstanding that the proposal would not have any adverse impacts upon residential amenity, parking provision, highway safety or protected trees, the garage remains to be visually dominant regrettably becoming the focal point of an otherwise well designed, unique, agrarian scheme which would erode the quality it currently hosts. It would neither complement nor enhance the countryside in this regard and would instead be seen as an incongruous feature. Furthermore, in weighing the public benefits against the harm as required by paragraph 215 of the Framework it is evident that the harm to the setting of the listed farmhouse would not be outweighed.
- 10.2. By virtue of the above, the proposal would therefore be contrary to Policies DM4, DM10, DM11 and DM12 of the adopted SADMP, the Planning (Listed Buildings and Conservation Areas) Act (1990), the overarching principles of the NPPF and the NDG and would fail to have due regard for the Councils Good Design Guide. The proposal is therefore recommended for refusal on these grounds.

11. Recommendation

- 11.1 **Refuse planning permission** subject to the reasons at the end of this report.

11.2 Reasons

1. The proposed development, by virtue of its scale and massing, incongruous design and siting, fails to complement or enhance the character of the area and the surrounding countryside. The proposal is therefore contrary to Policies DM4 and DM10 of the Site Allocations and Development Management Policies (2016), the principles outlined in the Council's Good Design Guide (2020), Paragraph 135 of the National Planning Policy Framework (2024) and the National Design Guide (2019).
2. The development's close proximity to The Old Farmhouse, Bull in the Oak a Grade-II listed building, combined with its scale, massing and detailed design introduces an incongruous and visually harmful structure into the setting of a Grade II listed building. The proposal results in less than substantial harm to the significance of the designated heritage asset and there are no public benefits that outweigh the harm that is caused. The proposal is therefore contrary to Policies DM11 and DM12 of the SADMP, the Planning (Listed Buildings and Conservation Areas) Act (1990) and the requirements of Section 16 of the NPPF.



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Appendix 3 Post decision correspondence with the Planning Manager

Bill Cullen MBA (ISM), BA(Hons) MRTPI
Chief Executive

Please ask for: Ed Stacey
Direct Dial/Ext: 01455 255918
Email: edward.stacey@hinckley-bosworth.gov.uk
Your Ref:
Our Ref: Complaint 2558
Date: 30 June 2026



Hinckley & Bosworth
Borough Council

Mr Oliver Wood
1 Boston Sidings
Cadeby
CV13 0FD

Dear Mr Wood

YOUR STAGE 1 COMPLAINT 2558

Thank you for bringing your complaint about the Development Management team to our attention. Your complaint has been investigated at stage 1 of our complaints process and I apologise for my delay in sending this response to you.

1. Complaint definition

We have defined your complaint as:

You are unhappy about the outcome of your planning application in addition to advice given by planning officer.

2. My decision on your complaint

Following consideration of the background to the complaint and information you provided, I can confirm that I do not uphold the complaint.

3. Reasons for my decision

Your complaint relates to two planning applications for an outbuilding forward of 1 Boston Sidings, Cadeby. Application reference 25/00660/HOU ("**your first application**") was refused due to its impact on the character of the area and harm to a nearby listed building. Application reference 25/01222/HOU ("**your second application**") was refused for identical reasons and dismissed at appeal by the Planning Inspectorate. The Planning Inspectorate offered clear support for the assessed harm to the character of the area, but provided less support for the harm to the nearby listed building.

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Your first application

In an email dated 17 September 2025, your agent informed the Council that you chose to proceed with the submitted, unacceptable, drawings so they could be appealed through the Planning Inspectorate. Before refusing the application, the case officer suggested three clear amendments regarding the scale, materials and roof design of the garage.

I agree that the first application should have been refused and that the advice provided was reasonable. This was an attempt to provide advice given your clear desire for a garage on the site. Indeed, a case officer who fails to suggest any amendments to a scheme that could be acceptable may be accused of being unnecessarily obstructive. However, such informal advice cannot lawfully prejudice future decision making, as each application has to be considered on its own merits. I find no fault in the Council's actions with regards to the first application.

Your second application

You were advised to reduce the scale/footprint of the garage, but I note the garage in your second application measured only 1m shorter in depth, 0.2m shorter to the eaves and was 0.7m higher at the ridge. You were advised to clad the building to match the host dwelling, and I can see that you have tried to do that. You were advised to barrel vault the ridge or make it dual pitched, and you chose to dual pitch the roof.

In my opinion, the scale of the building was the principal issue, and you did not address this sufficiently. In addition, your choice of roof was the less concordant of the options offered. You and your agent were informed that your second application remained unacceptable via emails on 15 January 2026, 3 February 2026 and a site meeting, and the application was refused on 16 February 2026. I note that in your email dated 3 February you again made the decision to appeal the Council's decision rather than make a compromise that would be acceptable to all. I consider that you had sufficient opportunity to amend the scheme if you were minded to and find no fault in this regard.

The dismissal of the appeal by the Planning Inspectorate is further proof that the Council's professional judgement was reasonable on both your applications.

Conclusion

It is likely that were you to have made substantial amendments to your first application, the case officer would have approved the scheme. The same applies to your second application. Alternatively, you could have appealed your first application and made substantial amendments to your second application. This would have given you at least one approval and was suggested by Emma Baumber, Team Leader, when she met with you on site.

Overall, I find no fault in the Council's processing of your applications.

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If you are not satisfied with this response or with how your complaint has been handled, you can request a review of the complaint by contacting Rebecca Owen, Democratic Services Manager in writing at the address below or by email to complaints@hinckley-bosworth.gov.uk

Yours sincerely

Ed Stacey MRTPI
Planning Manager (Development Management)

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