

Delegated Report

Planning Reference 26/00729/FUL
Applicant Mr D Lovegrove
Ward Ratby, Bagworth and Thornton



Hinckley & Bosworth
Borough Council

Application Site 11 Danehill, Ratby

Proposal Erection of a single storey dwelling and associated alterations to existing dwelling (re-submission of 25/00201/FUL)

Case Officer Sullivan Archer (Senior Planning Officer)

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 provision of a bungalow at 11 Danehill, Ratby. This application is a resubmission of, and is identical to, the development allowed at appeal following the refusal of planning application 25/00201/FUL.
- 2.2. The only difference between the two schemes is that the current development would remove the self-build and custom house build status of the scheme. This is because the proposal would now be exempt from the statutory biodiversity net gain requirements due to the size of the site and the changes in national legislation.

3. Description of the Site and the Surrounding Area

- 3.1. The 500sqm application site is on the western side of Danehill, 85m northeast of its confluence with Station Road in the settlement of Ratby. The application site comprises an existing semi-detached bungalow, 11 Danehill, and its associated garden space. The site is located on a corner plot at the end of Nicholas Drive as it connects to Danehill. The surrounding area is wholly residential in character.

4. Relevant Planning History

- 4.1 **26/00024/PP** Allowed (determined: 16.07.2026)
Proposed self-build and custom-build bungalow and associated infrastructure and alterations and partial demolition to existing property
- 4.2 **25/00201/FUL** Refused (determined: 13.03.2026)
Proposed self-build and custom-build bungalow and associated infrastructure and alterations and partial demolition to existing property

5. Publicity

- 5.1 The application has been publicised by sending out letters to local residents. One objection has been received from a member of the public regarding concerns of harm to neighbouring residential amenity. No further responses have been received.

6. Consultation

- 6.1 No objections have been received from the Council's Drainage or Environmental Health Departments. Leicestershire County Council as the Local Highway Authority raised no objections to the development, subject to planning conditions. No further responses have been received.

7. Policy

- 7.1 Core Strategy (2009):
- Policy 7: Key Rural Centres
 - Policy 8: Key Rural Centres Relating to Leicester
- 7.2 Site Allocations and Development Management Policies Development Plan Document ('SADMP') (2016):
- Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM7: Preventing Pollution and Flooding
 - Policy DM10: Development and Design
 - 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') (2026)
- National Design Guide ('NDG') (2019)
- Planning Practice Guidance ('PPG')
- Nationally Described Space Standards ('NDSS') (2015)

7.5 Other Relevant Local Authority Guidance:

- Good Design Guide ('GDG') (2020)
- Leicestershire Highway Design Guide ('LHDG') (2024)

8. Appraisal

8.1. The proposal is located within the settlement of Ratby, and a scheme identical in appearance to the current application was allowed at appeal within this site. The scheme would therefore be considered to be acceptable in principle and the updated NPPF does not materially alter this view. The key issues in respect of this application would therefore be:

- Design and impact upon the character of the area
- Impact upon residential amenity
- Impact upon parking provision and highway safety

Design and Impact upon the Character of the Area

8.2 The design and appearance of the proposed scheme was assessed and allowed at appeal. Paragraph 10 of this appeal decision confirmed that a proposal identical to that submitted within this application site would not result in a harmful effect on the character and appearance of the surrounding area. In light of this significant material consideration, the proposal would be considered to accord with NPPF Policy DP3 and Policy DM10 of the SAMDP.

Impact upon Residential Amenity

8.3 The scheme's impact on the residential amenity of neighbouring properties and the future occupiers of the scheme was assessed and allowed at appeal. Paragraph 13 of this appeal decision confirmed that a proposal identical to that submitted within this application would provide acceptable living conditions for future occupiers and would not cause significant harm to neighbouring properties, with specific reference to the occupiers of 1 and 3 Gillbank Drive. Given the above, the proposal would be considered to accord with NPPF Policy P3 and Policy DM10 of the SADMP.

Impact upon Parking Provision and Highway Safety

- 8.4 The development's proposed parking provision and the scheme's impact upon highway safety was allowed at appeal. Leicestershire County Council as the Local Highway Authority ('LHA') confirmed that their previous observations within the determination of 25/00201/FUL would still apply and as such the LHA confirmed that, in its view, the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. By virtue of these factors, the scheme would be considered to accord with NPPF Policies TR4 and TR6, and Policies DM17 and DM18 of the SADMP.

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.

11.1 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 Elevations (03G) (submitted: 11.08.2026)
- Proposed Site and Floor Plans (02G) (submitted: 19.08.2026)

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. Prior to the first occupation of the development hereby permitted, the parking facilities for the proposed dwelling and 11 Danehill shall be implemented in accordance with the details shown on Proposed Site and Floor Plans (02G) (submitted: 19.08.2026). Thereafter, these parking facilities shall be kept available for such use 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 in the interests of highway safety and in accordance with Policy DM17 of the adopted Site Allocations and

Development Management Policies Development Plan Document (2016).

4. 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 to, and approved in writing by, the Local Planning Authority. Approved boundary treatment shall be erected prior to first occupation of the dwelling. Planting 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. 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.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. Notwithstanding the provisions of Classes B and C of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or and Order revoking and re-enacting that Order with or without modification), no enlargement or alterations to the roof of the dwelling hereby approved shall be carried out unless planning permission for such development has been granted by the Local Planning Authority.

Reason: To protect the character of the surrounding area and to safeguard the privacy and amenity of neighbouring dwellings from potential overlooking in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

6. The bathroom window on the rear elevation of the dwelling hereby permitted shall be fitted with obscure glazing to a minimum of level 3 of the Pilkinton scale. Once so provided, the window shall be permanently maintained as such at all times thereafter.

Reason: To safeguard the privacy and amenity of neighbouring dwellings from potential overlooking in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

a. Notes to Applicant

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at building.control@blaby.gov.uk or call 0116 272 7533.
2. Planning Permission does not give you approval to work on the public highway. Therefore, prior to carrying out any works on the public highway, the Applicant must ensure all necessary licences/ permits/ agreements are in place. For further information, please telephone 0116 305 0001. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.
3. Nesting birds are protected under the Wildlife & Countryside Act 1981) as amended); therefore, all removal of trees, shrubs, and hedges should take place outside the breeding season (March to August inclusive) unless carefully checked beforehand by a suitably qualified person.
4. 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.
5. 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).