

Planning Committee 2 June 2026
Report of the Assistant Director of Planning and Regeneration

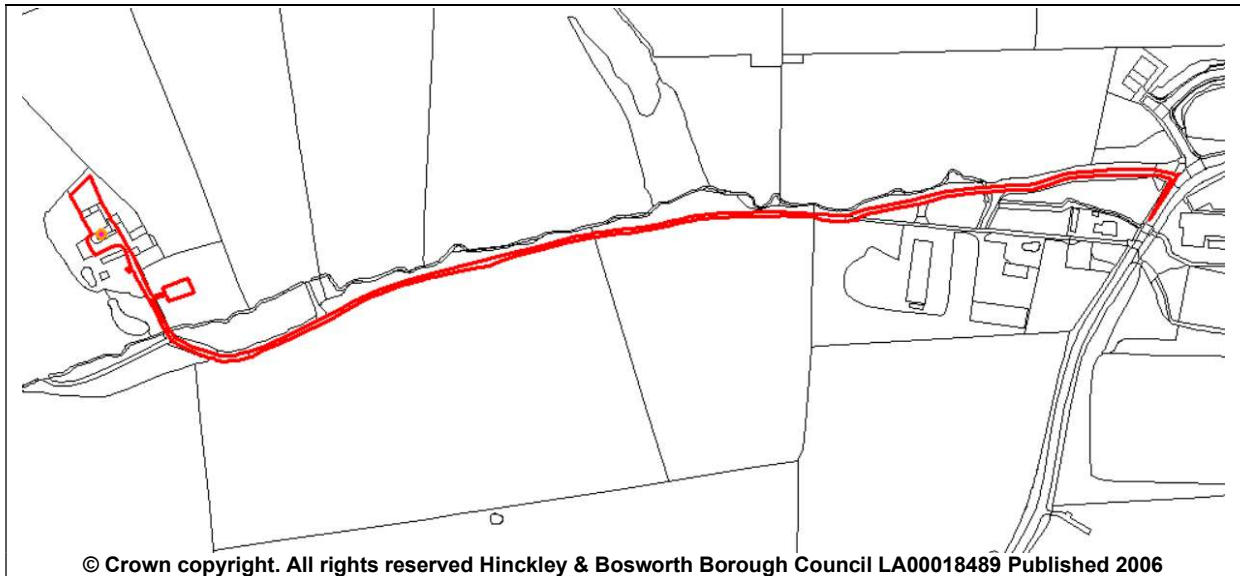
Planning Ref: 26/00244/FUL
Applicant: Mr Mike Watts
Ward: Ratby Bagworth And Thornton



Hinckley & Bosworth
Borough Council

Site: Holywell Farm Desford Lane Ratby

Proposal: Conversion of traditional barn into a dwelling



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1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions and notes to applicant outlined at the end of this report
- That the Assistant Director Planning and Regeneration be given powers to determine the final detail of planning conditions.

2. Planning application description

- 2.1. The application seeks full planning permission for the conversion of a traditional barn into a dwelling (specifically Barn A) at Holywell Farm, Desford Lane, Ratby.
- 2.2. As part of the conversion the roof on the left-hand side of the barn is to be raised and additional window openings would be created. The Dutch barns to the rear of the site are also proposed to be demolished. A full breakdown of works are enclosed within the submitted Building Condition Statement. The proposed plans mirror those granted planning permission in 2015 and 2019 under application reference: 14/00206/FUL and 19/01239/FUL.

3. Description of the site and surrounding area

- 3.1. The application site is located within the designated open countryside to the west of the settlement boundary of Ratby, within the National Forest and Charnwood Forest. Ratby is a Key Rural Centre located on the periphery of Leicester.

- 3.2. The application site consists of the existing Holywell Farm farmhouse alongside a number of outbuildings and a number of agricultural fields. The outbuilding subject to the application is situated immediately to the north-west of the access track.
- 3.3. The Holywell Farm site contains the Scheduled Monument, Bury Camp, an Iron Age hillfort which is located approximately 160 metres north-west of the application site. The historic farm complex is likewise a non-designated heritage asset in its own right.
- 3.4. The existing access from Desford Lane, an adopted and classified 'C' road subject to a 60mph speed limit is hard surfaced at the point of entrance with passing room for vehicles traveling in either direction. The remainder of the access is via a long and narrow farm track. A public bridleway (R42) follows most of the access drive and passes to the south of the application building. To the east of the application site public footpath (R43) crosses the access drive and meets with the public bridleway.
- 3.5. The application site is immediately surrounded by land within the designated open countryside. To the east of the site (approximately 821.00 metres away) beyond other farms is Ratby Medical Centre and the Ratby Sports Club, which mark the western entry to Ratby along Desford Lane.

4. Relevant planning history

04/00926/GDO

- Erection of grain silo
- General Development Order
- 18.08.2004

05/00117/CLU

- Certificate of lawfulness for an existing use as a residential dwelling house and its curtilage within class 3 of the schedule of the town and country planning (use classes) order 1987
- Certificate of Existing Use
- 26.05.2005

06/00477/GDO

- Erection of barn
- General Development Order
- 06.06.2006

06/00892/FUL

- Proposed new access drive and works to divert watercourse
- Planning Permission
- 05.10.2006

07/00302/FUL

- Rebuilding rear elevation, partial rebuilding of south elevation, rebuilding and extension to north elevation and new roof with alterations
- Refused
- 03.05.2007

07/00868/FUL

- Rebuilding rear elevation, partial rebuilding of south elevation, north elevation and new roof with alterations (re-submitted scheme)
- Planning Permission

- 03.09.2007

09/00102/FUL

- Extensions and alterations to dwelling
- Planning Permission
- 14.04.2009

13/00719/FUL

- Subdivision of existing dwelling into two dwellings
- Planning Permission
- 11.12.2013

14/00206/FUL

- Conversion of existing outbuilding to form dwelling together with works to outbuilding to form ancillary accommodation
- Planning Permission
- 08.09.2015

16/00220/FUL

- Temporary siting of mobile home unit to be removed upon first occupation of previously approved barn conversion
- Planning Permission
- 27.05.2016

19/00555/CQGDO

- Prior notification for the change of use from agricultural buildings into two dwellings (C3)
- Prior Approval Refused
- 11.07.2019

19/01059/GDO

- Agricultural Machinery Storage Building
- General Development Order
- 17.10.2019

19/01239/FUL

- Conversion of two traditional barns into two dwellings
- Planning Permission
- 20.03.2020

22/01168/AGDO

- General agricultural storage building, steel framed, single span. Clad in dark green panel sheeting with concrete panel sides. Enclosed on 3 sides
- General Development Order
- 15.12.2022

24/00485/FUL

- Change of use of agricultural building and yard to the storage of drainage materials and associated trade counter (Class B8)
- Planning Permission
- 01.10.2024

25/00438/FUL

- Subdivision of the existing dwelling into two dwellings
- Planning Permission
- 18.08.2025

25/00993/FUL

- Works to outbuilding to form dwelling
- Refused
- 18.08.2025

26/00245/FUL

- Works to outbuilding to form ancillary accommodation
- Pending consideration

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. At the date of publication of this report, no representations have been received.

6. Consultation

- 6.1. At the date of publication of this report, no representations have been received from the below consultees:
 - Charnwood Forest;
 - National Grid;
 - Severn Trent.
- 6.2. The following consultees raise no objections:
 - LCC Minerals;
 - National Forest.
- 6.3. The comments from the below consultees have been incorporated into the body of this report:
 - HBBC Conservation Officer;
 - HBBC Drainage;
 - HBBC Environmental Services (Pollution);
 - HBBC Waste;
 - LCC Archaeology;
 - LCC Ecology;
 - LCC Highways.

No objections have been received subject to conditions.

- 6.4. Ratby Parish Council have objected to the scheme for the reasons summarised below:
 - The proposal represents inappropriate and unsustainable development within the open countryside and is contrary to the development plan;
 - The proposal would result in an urbanising effect that would cause significant harm to the intrinsic value, beauty, open character and landscape character of the countryside;
 - The erosion of openness and tranquillity would be harmful to the character of the area;
 - It has not been demonstrated that the proposal would avoid adverse impacts on biodiversity, including potential habitat loss and disturbance;

- If permitted, the proposal would set an undesirable precedent for similar forms of development within the countryside, leading to incremental encroachment, erosion of rural character, and the weakening of policies designed to safeguard settlement separation.

7. Policy

7.1. Core Strategy (2009)

- Policy 7: Key Rural Centres
- Policy 8: Key Rural Centres Relating to Leicester
- Policy 21: National Forest
- Policy 22: Charnwood Forest

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

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM4: Safeguarding the Countryside and Settlement Separation
- Policy DM6: Enhancement of Biodiversity and Geological Interest
- Policy DM10: Development and Design
- Policy DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets
- Policy DM13: Preserving the Boroughs Archaeology
- Policy DM15: Redundant Rural Buildings
- 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)

7.4. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)
- Leicestershire Highways Design Guide (2024)
- Planning (Listed Buildings and Conservation Areas) Act 1990
- Technical Housing Standards – Nationally Described Space Standards (2015)

8. Appraisal

8.1. Key Issues

- Principle of development
- Design and impact upon the character of the area, countryside and heritage assets
- Impact upon neighbouring residential amenity
- Impact upon highway safety
- Impact upon ecology
- Impact upon archaeology
- Impact upon drainage
- Impact upon land contamination
- Impact upon waste

Principle of development

- 8.1 Paragraph 2 of the National Planning Policy Framework (NPPF) identifies that planning law requires that applications for planning permission must be determined

in accordance with the Development Plan unless material considerations indicate otherwise. The NPPF is a material planning consideration in planning decisions.

- 8.2 Paragraph 7 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The three overarching objectives of sustainable development (economic, social, and environmental) are detailed within Paragraph 8 of the NPPF. Therefore, in accordance with Paragraph 11 of the NPPF, planning decisions should apply a presumption in favour of sustainable development.
- 8.3 However, Paragraph 12 of the NPPF confirms that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision making. Where planning applications conflict with an up-to-date plan, development permission should not usually be granted unless other material considerations indicate otherwise.
- 8.4 The current Development Plan consists of the adopted Core Strategy and the adopted Site Allocations and Development Management Policies Development Plan Document (SADMP). The spatial distribution of growth across the Borough during the plan period 2006-2026 is set out in the Core Strategy. This identifies and provides allocations for housing and other development in a hierarchy of settlements within the Borough.
- 8.5 Both the Core Strategy and the SADMP are over 5 years old and were adopted prior to the publication of the current NPPF. Paragraph 34 of the NPPF states that policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary.
- 8.6 Nevertheless, in accordance with Paragraph 232 of the NPPF, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the NPPF. Due weight should be given to existing policies according to their degree of consistency with the NPPF. Ultimately, the closer the policies in the plan are to the policies in the NPPF, the greater weight they may be given. Therefore, this report sets out the relevant adopted Core Strategy and SADMP policies and refers to the NPPF and notes any inconsistencies between them.

Assessment of Residential Development in the Designated Open Countryside

- 8.7 Concerns have been raised by the Parish that the proposal represents inappropriate and unsustainable development within the open countryside and is contrary to the development plan. That if permitted, the proposal would set an undesirable precedent for similar forms of development within the countryside, leading to incremental encroachment, erosion of rural character, and the weakening of policies designed to safeguard settlement separation.
- 8.8 As highlighted above, outside the defined settlement boundaries, the countryside is generally not regarded as a sustainable location for new development. Section 15 of the NPPF requires planning policies and decisions to conserve and enhance the natural and local environment. Paragraph 187(b) specifically highlights that this should be achieved by, "Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services."
- 8.9 This is supported by Policy DM4 of the SADMP which states that the Council will protect the intrinsic value, beauty, open character, and landscape character of the countryside from unsustainable development. Policy DM4 of the SADMP only considers development in the countryside sustainable where:

- (a) It is for outdoor sport or recreation purposes (including ancillary buildings) and it can be demonstrated that the proposed scheme cannot be provided within or adjacent to settlement boundaries; or
 - (b) The proposal involves the change of use, re-use or extension of existing buildings which lead to the enhancement of the immediate setting; or
 - (c) It significantly contributes to economic growth, job creation and/or diversification of rural businesses; or
 - (d) It relates to the provision of stand-alone renewable energy developments in line with Policy DM2: Renewable Energy and Low Carbon Development; or
 - (e) It relates to the provision of accommodation for a rural worker in line with Policy DM5 - Enabling Rural Worker Accommodation.
- 8.10 As the proposal is for the conversion of a redundant agricultural building, which has some historic merit, the proposal would result in the re-use of the building and therefore comply with Policy DM4(b) subject to complying with criterion i-v.
- 8.11 Moreover, in accordance with Paragraph 13.6 of the SADMP, all proposals which relate to the re-use of redundant buildings in the countryside must comply with Policy DM15 of the adopted SADMP.
- 8.12 Within Policy DM15, Paragraph 14.57 of the SADMP highlights that it should be recognised that not all buildings in the countryside are suitable for conversion or adaptation to new uses as they may be poorly designed or constructed. Redundant buildings proposed for re-use should be structurally sound to ensure they are able and appropriate for conversion. This should be demonstrated through an up to date structural survey submitted with any planning application. Demolition should be avoided at all costs to retain the character of the rural vernacular.
- 8.13 Within Policy DM15, Paragraph 14.60 of the SADMP highlights that where buildings are isolated or where the existing access via sustainable modes of transport is poor, proposals for their re-use which lead to a significant intensification of activities are unlikely to be supported.
- 8.14 Proposed development for the re-use and/or adaption of redundant or disused rural buildings in the countryside are supported by Policy DM15 of the SADMP when the Applicant can demonstrate that:
- (a) The applicant demonstrates the building is no longer viable in its current use; and
 - (b) The applicant has adequately demonstrated the building is in a structurally sound condition and is capable of conversion without significant rebuild or alteration; and
 - (c) Any proposed extension(s) or alterations are proportionate to the size, scale, mass and footprint of the original building and situated within the original curtilage; and
 - (d) The proposed development accords with Policy DM10: Development and Design and relevant design guidance, DM11: Protecting and Enhancing the Historic Environment and DM12: Heritage Assets. All development proposals for the re-use of redundant rural buildings should result in the enhancement of the immediate setting.
- 8.15 The applicant has adequately demonstrated that the building is no longer viable in its current use and has not been used for agricultural purposes for a significant period of time satisfying Policy DM15(a).

- 8.16 The application is accompanied by a Building Condition Statement, which recommends a number of repairs. The repairs include the removal and re-use of the existing roof coverings, timber treatment and cut and splice repairs to the existing roof structure, the minor re-building specifically to the upper section of the left-hand side of the courtyard elevation, isolated re-pointing and replacement/turning of badly spalled bricks with matching re-claimed bricks, the replacement of the dilapidated/missing timber frames and installations with sympathetic installations, the re-instatement of stepped eaves courses at high level, first-floor joist repairs and creation of ground-floor floors. The recommended changes are not substantial that they would significantly alter the character and appearance of the buildings. The survey demonstrates the building is in a reasonable condition and subject to the recommended repairs would be suitable for living accommodation. It is therefore considered that the property is in a structurally sound condition and is capable of conversion without significant rebuild or alteration and the changes are not significant enough to warrant a refusal. The proposal is therefore in accordance with Policy DM15(b).
- 8.17 Whilst the proposed structure would have some differences to the existing building, it would remain proportionate to the size, scale, mass and footprint of the existing building, retaining its character similar to the existing agricultural building, and respecting the intrinsic character of the countryside and that of the immediate area, satisfying Policy DM15(c).
- 8.18 Compliance with Policy DM15(d) will be assessed further within the below sections.
- 8.19 Importantly, the principle of development was established under planning permissions 14/00206/FUL and 19/01239/FUL (not implemented). Although these permissions are not a realistic fall-back as they have expired, from the submitted evidence the Council still believe that the scheme complies with the relevant criteria of DM4 and DM15 of the adopted SADMP.

Assessment of the Transport Sustainability of the Application Site

- 8.20 Paragraph 161 of the NPPF confirms that the planning should support the transition to net zero by 2050. It should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and association infrastructure.
- 8.21 Section 9 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. Key Policy Paragraph 115 of the NPPF states that in assessing specific applications for development, it should be ensured that sustainable transport modes are prioritised taking account of the vision for the site, the type of development, and its location, and ensure a safe and suitable access to the site can be achieved for all users. Nevertheless, it is appreciated that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. Paragraph 135 of the NPPF states that decisions should ensure that developments create places that are safe, inclusive and accessible.
- 8.22 In order to promote sustainable development in rural areas, Paragraph 83 of the NPPF requires new housing to be located where it will enhance or maintain the vitality of rural communities.
- 8.23 This is reinforced by Policy DM17(b) of the adopted SADMP, which requires development proposals to be located where the need to travel will be minimised, and the use of sustainable transport modes can be maximised. Policy DM17 of the

SADMP also states that development proposals should seek to ensure that there is convenient and safe access for walking and cycling to services and facilities; and that scheme should make the best use of existing public transport services.

- 8.24 Highway Development Management (HDM) Policy 1 of the Leicestershire Highway Design Guide (LHDG) states that development must be accessible for all highway users and maximise the uptake of sustainable travel choices.
- 8.25 Guidance Point M2 of the National Design Guide (NDG) confirms that in well-designed places, people should not need to rely on the car for everyday journeys, including getting to workplaces, shops, schools and other facilities
- 8.26 The application site is in an isolated location that is 887.66m outside of the rural village, Ratby, in the designated open countryside. Ratby itself is a Key Rural Centre and is judged to be a sustainable location for housing with a good level of services including schools, retail provision, a medical centre and public transport links. However, Ratby and its services can only be accessed from the site via an unlit, bridleway (R42) which brings you to Desford Lane (approximately 875m from the site). Desford Lane is a classified road subject to the National Speed Limit to the south-west and a 30mph speed limit to the north-east or via the adjoining unlit footpath (R42) at approximately 518.18m down the bridleway. The public footpath runs for approximately 505.77m and brings you out onto Burroughs Road, an unclassified road subject to the National Speed Limit.
- 8.27 Given the above, the application site is in an unsustainable and isolated location that is outside of any identified settlement boundaries and suffers from poor transport sustainability. Therefore, the future occupiers of the scheme are highly likely to be dependent on private motorised travel to meet their day-to-day needs. This is considered to result in significant environmental harm in principle that is contrary to, and in conflict with, the overarching sustainable ambitions of the NPPF, including Key Policy Paragraph 115, and Paragraphs 83 and 161, and Chapter 9 of the NPPF, as well as Policy DM17 of the SADMP, HDM Policy 1 of the LHDG, and the National Design Guide.

Housing Land Supply

- 8.28 Chapter 5 of the NPPF requires planning policies and decisions to deliver a sufficient supply of homes to support the Government's objective of significantly boosting the supply of homes without unnecessary delay.
- 8.29 Paragraph 73 of the NPPF states that small and medium sized sites, such as windfall sites, can make an important contribution to meeting the housing requirements of an area, are essential for Small and Medium Enterprise housebuilders to deliver new homes, and are often built out relatively quickly.
- 8.30 Paragraph 11(d) of the NPPF states that planning decisions should apply a presumption in favour of sustainable development where there are no relevant Development Plan policies, or the policies which are most important for determining the application are out-of-date. Footnote 8 of Paragraph 11 of the NPPF highlights that housing policies are considered to be out-of-date where local planning authorities cannot demonstrate a five-year supply of deliverable housing sites.
- 8.31 The Planning Policy team are currently reviewing the latest revisions to the NPPF within the 2024 version of the document and its implications for the Council's Five-Year Housing Land Supply. A revised position will be published soon once the monitoring for the 2024/25 year has been completed. It is however likely that, with the revised need figure of 682 dwellings (649dpa + 5% buffer as per Paragraphs 62 and 78(a) of the NPPF), that the Council will be unable to demonstrate a Five-Year Housing Land Supply once the revised position is published.

- 8.32 In light of this, and due to the age of relevant housing policies within the adopted Core Strategy, the 'tilted' balance in Paragraph 11(d) of the NPPF is triggered in accordance with Footnote 8 and Paragraph 11 of the NPPF.
- 8.33 For decision-taking, Paragraph 11(d) of the NPPF requires planning permission to be granted unless:
- i. The application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or
 - ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
- 8.34 When the 'tilted' balance is engaged, Footnote 9 of the NPPF highlights eight key policy paragraphs to support the determination of planning applications. Key Policy Paragraphs 115, 129, and 135 of the NPPF are applicable to the current development proposal in these site-specific circumstances.
- 8.35 In summary, the 'tilted' balance of Paragraph 11(d) of the NPPF is engaged whereby planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. Whilst it is unlikely that the Council are unable to deliver a five-year supply of land for housing, the benefit of providing a single dwelling towards the Council's supply of housing is considered to attract limited weight in the planning balance.

Design and impact upon the character of the area, countryside and heritage assets

- 8.36 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. 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.
- 8.37 Section 16 of the National Planning Policy Framework (NPPF) provides the national policy on conserving and enhancing the historic environment. Paragraphs 212-215 of the NPPF require great weight to be given to the conservation of designated heritage assets when considering the impact of a proposed development on its significance, for any harm to the significance of a designated heritage asset to have clear and convincing justification, and for that harm to be weighed against the public benefits of a proposal.
- 8.38 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.
- 8.39 Policy DM4 of the adopted SADMP states that development in the countryside will be considered sustainable where it does not have a significant adverse effect on the intrinsic value, beauty, open character, and landscape character of the countryside. It further states that development should lead to the enhancement of the immediate setting.

- 8.40 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.
- 8.41 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.
- 8.42 Policy DM15 of the adopted SADMP states that proposed development outside the settlement boundary for the re-use and/or adaptation of redundant or disused rural buildings will be supported where:
- c) Any proposed extension(s) or alterations are proportionate to the size, scale, mass and footprint of the original building and situated within the original curtilage; and
 - d) The proposed development accords with Policy DM10: Development and Design and relevant design guidance, DM11: Protecting and Enhancing the Historic Environment and DM12: Heritage Assets.

All development proposals for the re-use of redundant rural buildings should result in the enhancement of the immediate setting.

- 8.43 Concerns have been raised by the Parish that the proposal would result in an urbanising effect that would cause significant harm to the intrinsic value, beauty, open character and landscape character of the countryside and that the erosion of openness and tranquillity would be harmful to the character of the area.
- 8.44 As stated by the Council's Good Design Guide, Hinckley is a predominantly rural Borough, agricultural buildings and groups are a significant part of Hinckley and Bosworth's built form. They are vital to the character of its diverse open countryside and its historic villages. When converting an agricultural building it is of paramount importance that the building does not become domestic in appearance and retains its agricultural character regardless of its new use.
- 8.45 The existing barn is highly screened from public vantage points with small glimpses only being available from adjacent Public Bridleway (R42).
- 8.46 The largest alteration involves increasing the height of the roof to the south-west side of the building to 6.37 metres, 0.40 metres below that of the main ridge. The alteration is considered to be modest, proportionate to the size, scale and mass of the original building and importantly would retain the inherent form of the building, including its rectangular plan and pitched roof profile. Furthermore, the alteration was deemed acceptable in the previous planning permissions.
- 8.47 In terms of fenestration, a number of the existing openings are to be retained/re-used. New openings are also to be created which should be as a rule avoided, nonetheless, they would be restricted to a minimum whilst also being purposely placed in an unsymmetrical manner and being of a simplistic design as to avoid an over domesticated appearance. The proposal would introduce one floor to eaves height feature window on the front elevation, but this would correspond well with its current openness. Overall, it is considered that the quantity and design of the proposed openings are reflective and relatable to the existing openings of the building and result in the building appearing predominantly rural, with only the necessary amendments being implemented to make the building habitable.

- 8.48 The materials would largely be re-used to ensure that the character and appearance of the building is retained. Initially the openings were proposed to be uPVC, however at the request of the case officer amended plans have been received altering this to aluminium as although naturally more modern in their appearance, they have a slim design more closely matching the structural aesthetic of traditional agricultural building. A condition is further considered necessary to ensure that the materials have a satisfactory appearance.
- 8.49 The addition of timber fencing to the rear is necessary to ensure privacy between the gardens, but it would unarguably create a minor urbanising effect on the immediate surrounds of the proposed dwellings. Notwithstanding this, the application building is not visible from surrounding roads and is not prominently visible from surrounding public footpaths or bridleways by virtue of the surrounding topography and established mature trees. The fence would also not detract from the original grouping of agricultural buildings.
- 8.50 A condition removing permitted development rights is considered appropriate to protect the building from further uncontrolled domestic additions.
- 8.51 The proposal is contained within the historic farmstead so there are no impacts upon any other heritage assets, such as the scheduled monument Bury Camp, within the wider vicinity of the application site. The resulting development would overall retain the linear form and general footprint of the previous. The proposal would largely reflect the local vernacular character of a barn conversion and preserve the character of the historic farmstead.
- 8.52 Overall, subject to conditions, it is considered that the design is in keeping with the countryside location and, as such, would not have a significantly adverse impact upon the character of the existing building, and countryside. The proposal is contained within the historic farmstead so there are no impacts upon any other heritage assets. The proposal therefore complies with Policies DM4, DM10, DM11, DM12 and DM15 of the adopted SADMP, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Chapter 12 and Section 16 of the NPPF.

Impact upon neighbouring residential amenity

- 8.53 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.
- 8.54 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.
- 8.55 There is one residential dwelling situated to the north-west of the site within the historical farmstead which it is understood remains under the applicant's ownership. The remainder of the site is bound by agricultural fields. Furthermore, it is understood that at the time of writing none of the surrounding former agricultural buildings are in active use, due to their dilapidated condition. As such, the amenity impacts of the proposal pertain to the original farmhouse itself.
- 8.56 The proposed development is not considered to result in additional harm upon the farmhouse (sub-divided or not) in regard to loss of light as the existing two-storey structure has historically sat in this location. An opening is proposed to the first-floor of the immediate side elevation but would look directly onto a blank elevation.

Future occupiers

- 8.57 To support the residential amenity of future occupiers of the scheme, one of the aims of Section 4 (New Residential Development) within the Councils Good Design Guide is to ensure that new residential development exceeds the internal space standards set by the Technical Housing Standards (THS) (2015) wherever possible.
- 8.58 The dwelling is proposed with three bedrooms. Information on the number of occupiers has not been provided. From the dimensions of the rooms the LPA are therefore under assumption that the proposed dwelling would accommodate four-persons.
- 8.59 The THS seeks to ensure that proposals for three-bedroom, four-person two-storey accommodation should provide a minimum floor space of 84.00sqm and 2.50sqm of built-in storage.
- 8.60 Bedroom 1 would satisfy the double-bed guidelines with bedrooms 2 and 3 satisfying the single-bed guidelines. The floor space of the dwelling would further exceed 84.00sqm with 2.50sqm of storage.
- 8.61 The Councils Good Design Guide states that *'Gardens are an important part of the quality of life afforded by a house. Over-development leaving a significantly reduced garden area can affect its appeal in the longer term. Homeowners should ensure that a single extension or cumulative smaller extensions do not result in a significant loss of total garden space as this can render the plot out of keeping with its context.'*
- A general guideline for garden sizes is:*
- *A minimum garden length of 7m*
 - *80sqm: three bedroom house*
 - *60sqm: two bedroom house.*
- 8.62 The proposal would provide a more than adequate rear amenity space which would exceed 7.00m in width and 80.00sqm.
- 8.63 By virtue of the above, the development would accord with Policy DM10 of the SADMP, Paragraph 135(f) of the NPPF, the THS and the Councils Good Design Guide.
- Impact upon highway safety
- 8.64 Paragraph 115(b) of the NPPF states that planning decisions should ensure that developments provide safe and suitable access to the site for all users. Ultimately, development should only 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, following mitigation, would be severe, taking into account all reasonable future scenarios in accordance with Paragraph 116 of the NPPF.
- 8.65 To support this, Policy DM17 of the adopted SADMP states that development proposals need to demonstrate that there is not a significant adverse impact upon highway safety, and that the residual cumulative impacts of development on the transport network are not severe.
- 8.66 Policy DM18 of the adopted SADMP requires developments to demonstrate an adequate level of off-street parking provision.
- 8.67 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).
- 8.68 The Local Highway Authority (LHA) have referred the Local Planning Authority (LPA) to current standing advice provided by the LHA dated September 2011.

Parking Provision

- 8.69 The LHDG requires three-bedroom dwellings to provide an off-street parking provision for a minimum of two vehicles and requires that parking spaces have minimum dimensions of 2.40m in width by 5.50m in depth, and an additional 0.50 metres in width is required if the parking space is bounded by a wall, fence, hedge, line of trees or other similar obstruction on one side and an additional 1.00m in width where the space is bounded on both sides.
- 8.70 Three off-street parking spaces would serve the dwelling, the spaces would measure 2.40m x 5.50m and would be set away from the boundary treatments either side satisfying the LHDG.

Public Right of Way (PRoW)

- 8.71 Notwithstanding that, the Local Highways Authority (LHA) have raised no concerns in regard to highway safety or parking provision, they seek to ensure that the enjoyment of Public Bridleway (R42) is not significantly affected by the proposed development.
- 8.72 As the proposed development is small in scale, any site traffic will be limited. However, construction vehicle drivers should be made aware that pedestrians, horse-riders and bike riders may also be using the farm track at any time and have a legal right to do so. Notwithstanding this, the LHA are satisfied that the use and enjoyment of Public Bridleway (R42) should not be significantly affected subject to informatives.
- 8.73 By virtue of the above, subject to informatives, the development would accord with Policy DM17 and DM18 of the SADMP, the LHDG and Paragraph 115(b) and 116 of the NPPF.

Impact upon ecology

- 8.74 Policy DM6 of the adopted SADMP states that proposals must demonstrate how they conserve and enhance features of nature conservation and geological value including proposals for their long-term future management.
- 8.76. On site features should be retained, buffered and managed favorably to maintain their ecological value, connectivity and functionality in the long-term. The removal or damage of such features shall only be acceptable where it can be demonstrated the proposal will result in no net loss of biodiversity and where the integrity of local ecological networks can be secured.
- 8.77. Proposals which are likely to result in the loss or deterioration of an irreplaceable habitat would only be acceptable where:
- e) The need and benefits of the development in that location clearly
 - f) It has been adequately demonstrated that the irreplaceable habitat
 - g) Appropriate compensation measures are provided on site wherever possible and off site where this is not feasible.
- 8.78. If the harm cannot be prevented, adequately mitigated against or appropriate compensation measures provided, planning permission will be refused.
- 8.79. Concerns have been raised by the Parish that it has not been demonstrated that the proposal would avoid adverse impacts on biodiversity, including potential habitat loss and disturbance.
- 8.80. County Ecology have reviewed the submitted Preliminary Ecological Appraisal, Barn B (Croft Ecology, March 2026) and Preliminary Roost Assessment & Bat Emergence Survey Report (Croft Ecology, October 2025 amended April 2026) and

are satisfied that there is sufficient ecological information available to support determination of this application.

Bats

- 8.81. 2019 surveys of the building identified two, day roosts of common pipistrelle bats. The June and July 2025 emergence surveys concluded no emerging or re-entering bats. However, the building is in the same condition as 2019 survey and day roosts are common, the buildings are still considered to support two, day roosts of the species. As such the submitted ecology report recommends a Natural England bat licence will be required for works to proceed lawfully.
- 8.82. The bat mitigation licence will require updated emergence surveys from the most recent active bat season (i.e. May-August). If works are to commence after May 2026, an ecologist should be consulted for advice.
- 8.83. Mitigation will be required for the loss of the roosts. The Preliminary Roost Assessment & Bat Emergence Survey Report (October 2025, amended April 2026) is proposing a series of mitigation measures in section 4.5 of the report which have been secured by condition.
- 8.84. The report is also proposing a pre-commencement 2F Schwegler bat box (or similar approved) to be sited on a tree northeast of the building in advance of the works (Figure 3).
- 8.85. The report is proposing an integrated bat box is installed within the new dwelling as a permanent compensatory roost. This is clearly shown on plan, Front Elevation in Appendix D (25.335.BP2_1:500) and is accepted by LCC Ecology.

Birds

- 8.86. There is evidence of nesting swallows and wren. Demolition works will be required to be undertaken outside the bird nesting season which runs from March to August inclusive to avoid disturbing nesting birds. If this is not possible then a nesting bird check will be required by a suitably experienced ecologist no more than 24 hours prior to removal and active nests left in place until fledged.

Great Crested Newts (GCN) and Reptiles

- 8.87. Two ponds and a small stream were subject to Habitat Suitability Index (HSI) assessments with the ponds later subject to GCN eDNA sampling which were returned negative. There is a positive GCN pond over 500.00 metres away and the derelict buildings offered some potential for sheltering and hibernating reptiles and amphibians therefore it is recommended works proceed outside of the hibernation period and in accordance with the mitigation measures outlined in section 4.5 of the Preliminary Ecological Appraisal, Barn A report.

Biodiversity Enhancements

- 8.88. There will be a loss of swallow and wren nesting habitat as part of the works. Therefore, 2 swallow nest cups will be required to compensate and 1 open fronted nest box to provide a biodiversity net gain, as per the NPPF and NERC Act 2006. It is also recommended that landscaping includes native species of local provenance that will provide a range of plants to support pollinating insects as identified in the RHS plants for pollinators. This is secured by conditions.

Biodiversity Net Gain (BNG)

- 8.89. The statutory framework for BNG has been designed as a post-permission matter to ensure that the biodiversity gain objective of achieving at least a 10% gain in biodiversity value will be met for development granted planning permission. Once planning permission has been granted, a 'Biodiversity Gain Plan' must be submitted

and approved prior to commencement of the development. However, the PPG is clear that BNG is not just a post-permission matter, that it is a material consideration and that when determining a planning application LPA's need to consider whether the BNG condition is capable of being discharged successfully through the imposition of conditions and/or a legal agreement.

- 8.90. BNG strategic significance and Statutory Condition Assessment sheets have been received. Currently, the 10% Biodiversity Net Gain is achievable on site with a +14.47% increase in Habitat Units. The significant on-site BNG will need to be secured for a period of 30 years for monitoring and compliance. A Habitat Management and Monitoring Plan (HMMP) and Biodiversity Gain Plan will also be secured by condition.

- 8.91. By virtue of the above, subject to conditions, the development would accord with Policy DM6 of the adopted SADMP.

Impact upon archaeology

- 8.92 Policies DM11 and DM12 of the adopted SADMP seek to protect and enhance the historic environment.

- 8.93 Policy DM13 of the adopted SADMP confirms that where a proposal has the potential to impact a site of archaeological interest, developers should set out in their application and appropriate desk-based assessment, and, where applicable, the result of a field evaluation detailing the significance of any affected asset.

- 8.94 The proposal involves the conversion of a traditional barn building (barn A on the submitted plans and documents), part of the Holywell Farm complex, a mid-18th century post-enclosure courtyard farm layout (Ratby was enclosed c.1760) consisting of a farmhouse and various barns (HER Ref.: MLE20922). Appraisal of the Leicestershire and Rutland Historic Environment Record (HER) indicates the building is, or has the potential to constitute a heritage asset (or assets) with an archaeological and heritage interest (National Planning Policy Framework (NPPF) Section 16, paragraph 207 and Annex 2). The retention of the historic farm building is welcomed, and County Archaeology would recommend retention of historic fabric wherever feasible. The submitted details indicate that the proposed works may affect or expose significant archaeological information, including surviving historic fabric within the affected building. County Archaeology therefore, recommend that the planning authority require the applicant to complete an appropriate level of building recording prior to alteration, to record and advance the understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance (NPPF Section 16, paragraph 218).

- 8.95 This will require provision by the applicant for a level of building recording, to equate with a Level 2 'Descriptive Survey', as specified in Historic England's Understanding Historic Buildings. A Guide to Good Recording Practice, HE 2016). With reference to the development impact, both the exterior and interior of the building will be investigated, described and photographed. The examination of the building will produce an analysis of its development and use and the record will include the conclusions reached. The survey will result in the preparation of accurate plans, elevations and/or sections, where applicable utilising available survey data or plan records.

- 8.96 The Leicestershire and Rutland Historic Environment Record (HER) also shows that the application site is situated within an area of archaeological interest. The name Holywell refers to a spring and small pond in the garden, where a medieval papal bull (religious seal) and pin have been recovered (MLE3118). Slightly further west, Roman pottery and building material have been identified, indicating Roman settlement in the vicinity (MLE3107), which may extend into the application area.

The Scheduled Monument of Bury Camp, which is an Iron Age hillfort, lies c.180m to the north-west of the application site (NHLE Ref.: 1005079) and finds of Neolithic, Bronze Age and Roman date have also been recorded there (MLE7245, MLE6361, MLE7951).

- 8.97 A condition is therefore recommended requiring that where the proposals entail ground works or excavations (e.g. for new flooring, services and landscaping) the applicant will make provision for a programme of professional archaeological attendance for inspection and recording during the groundworks, to ensure that any archaeological remains present are dealt with appropriately.
- 8.98 By virtue of the above, subject to conditions, the development would accord with Policies DM11, DM12 and DM13 of the adopted SADMP and Paragraph 218 of the NPPF.

Impact upon drainage

- 8.99 Policy DM7 of the adopted SADMP states that adverse impacts from pollution will be prevented by ensuring that development proposals demonstrate that a development would not cause noise or vibrations of a level which would disturb areas that are valued for their tranquillity in terms of recreation or amenity.
- 8.100 Paragraph 181 of the NPPF requires Local Authorities, in determining planning applications, to ensure that flood risk is not increased elsewhere.
- 8.101 According to the Environment Agency (EA) website, the application site is located within Flood Zone 1, designated as low probability of flooding from rivers and sea, and the principle of development in low flood risk areas is acceptable. The EA Surface Water mapping, however, indicates that the application site is located in an area at risk of flooding from surface water. Despite this, the Council's Drainage Officer has no objection to the proposals on sustainable drainage grounds subject to the below informatives being imposed.
- 8.102 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.
- 8.103 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).
- 8.104 By virtue of the above, subject to informatives, the development would accord with Policy DM7 of the adopted SADMP and Paragraph 181 of the NPPF

Impact upon land contamination

- 8.105 Policy DM7 of the adopted SADMP seeks to prevent adverse impacts from pollution appropriate remediation of contaminated land should be undertaken.
- 8.106 The building to be converted into a dwelling has previously been used for general agricultural use; including the storage of machinery and tasks related to cattle farming. Environmental Health (Pollution) has been consulted on the application and recommended a condition in relation to the investigation of land contamination prior to commencement. It is considered this condition is reasonable and necessary.

- 8.107 Subject to the above condition it is considered the proposal would have a minimal impact on land contamination and be in accordance with Policy DM7 of the adopted SADMP.

Impact upon waste

- 8.108 The Councils Waste team acknowledges that the distance from the dwelling to the highway boundary is considerable. As a scheme for adequate provision for waste and recycling storage of containers and collection across the site has not been submitted this should be secured by condition.

Planning balance

- 8.109 The Council cannot demonstrate a 5-year housing land supply and the housing policies in the adopted Core Strategy and the housing policies of the adopted SADMP are considered to be out of date as they focused on delivery of a lower housing requirement than is now required. It is necessary therefore to consider that the 'tilted' balance in paragraph 11(d) of the NPPF applies and planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 8.110 The principle of a new build dwelling in this location is contrary to Policy DM17 of the adopted SADMP, as it is in an unsustainable and isolated location that is outside of any identified settlement boundaries and suffers from poor transport sustainability which would highly likely require the future occupiers of the scheme to be dependent on private motorised travel to meet their day-to-day needs. The benefits of the development are further limited and are through the provision of one dwelling and its associated social/economic benefits through construction and occupation. Nonetheless, as the proposal is for the conversion of a redundant agricultural building, which is no longer viable in its current use; and is in a structurally sound condition capable of conversion without significant rebuild or alteration and would further remain proportionate to the size, scale, mass and footprint of the existing building the proposal is supported by Policy DM4(b) and Policy DM15 (a)(b)(c) of the adopted SADMP.
- 8.111 There would be no material impact on highway safety, neighbouring amenity, ecology and biodiversity, archaeology, drainage, waste or heritage assets. Therefore, in summary the sustainability harm of the development is outweighed by the benefits of the re-use of the redundant agricultural building would clearly outweigh the unsustainable location of the site.

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 in the consideration of this application. The Committee must also ensure the same when determining this planning application.
- 9.3 There are no known equality implications arising directly from this development.

10. Conclusion

It is considered that the proposed development would be in accordance with Policies DM1, DM4, DM6, DM10, DM11, DM12, DM13, DM15, DM17 and DM18 of the adopted Site Allocations and Development Management Plan (2016), the Leicestershire Highways Design Guide (2024), the Planning (Listed Buildings and Conservation Areas) Act 1990, the Technical Housing Standards – Nationally Described Space Standards (2015), the Councils Good Design Guide and the overarching principles of the National Planning Policy Framework (2024). The proposal is therefore recommended approval subject to the below conditions.

11. Recommendation

11.1 See paragraph 1.1

11.2 Conditions and Reasons

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

- Site Location Plan, Drg No. 25.335.OS2_1:1250;
- Part Block Plan, Drg No. 25.335.BP2_1:500;
- Site Layout - Sheet 1 of 3 , Drg No. 25.335.20;
- Site Layout - Sheet 2 of 3 , Drg No. 25.335.21 as received by the Local Planning Authority on the 16th March 2026.
- Planning Drawing - Sheet 3 of 3 Proposed Details, Drg No. 25.335.22 Rev A as received by the Local Planning Authority on the 21st April 2026.

Reason: To ensure a satisfactory form of development in accordance with Policies DM4, DM6, DM7, DM10, DM11, DM12, DM15, DM17 and DM18 of the adopted Site Allocations and Development Management Plan (2016).

3. No development above foundation level shall commence on site until representative sample of the types and colours of materials to be used on the external elevations of the structures hereby permitted have been submitted to, and approved in writing by, the Local Planning Authority.

Additionally, prior to the commencement of development above foundation level, details outlining:

- Windows, doors and glazed detailing (including style, specification frame material, finish, colour, reveal, cill and header treatments)
- Rainwater goods (including style, specification, frame and colour)

These details shall be deposited with and approved in writing by the local planning authority, and the scheme shall be implemented in accordance with these approved details.

Reason: To ensure that the development has a satisfactory appearance in the interests of visual amenity in accordance with Policies DM4, DM10, DM11, DM12 and DM15 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. Prior to occupation of the proposed dwelling, detailed plan (or plans) indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority. The approved boundary treatment shall be completed in full accordance with the approved details prior to the first occupation of the dwelling to which it relates.

Reason: To ensure that an adequate boundary treatment is provided to safeguard the visual amenities of the area, the amenities of the future occupiers of the dwelling and the occupiers of adjoining properties and in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. No demolition/development shall take place/commence until written schemes of investigation (WSIs for Historic building recording and Archaeological Attendance) have been submitted to and approved by the local planning authority in writing. For land that is included within the WSIs, no demolition/development shall take place other than in accordance with the agreed WSIs, which shall include the statement of significance and research objectives, and;

- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI

The Written Schemes of Investigation (WSIs) must be prepared by an archaeological contractor acceptable to the Planning Authority. To demonstrate that the implementation of the written schemes of investigation have been secured the applicant must provide a signed contract or similar legal agreement between themselves and their approved archaeological contractor.

The "Programme of Work" referred to will in this case be the historic building survey recording and the archaeological field work during development, in accordance with the Specification to be agreed.

Reason: To ensure satisfactory archaeological investigation and recording in accordance with Policy DM13 of the adopted Site Allocations Development Management Policies Development Plan Document (2016).

6. The development hereby approved shall be implemented in strict accordance with the measures stated in section 4.5 of the Preliminary Roost Assessment & Bat Emergence Survey Report (Croft Ecology, October 2025) and section 4.5 of the Preliminary Ecological Appraisal, Barn A (Croft Ecology, March 2026).

Reason: To ensure that species and habitats are protected in accordance with Policy DM6 of the adopted Site Allocations and Development Management Plan (2016).

7. No development shall take place until a biodiversity enhancement plan has been submitted to and approved in writing by the Local Planning Authority. Enhancements shall include (but are not limited to) at least two swallow nest cups, and one open fronted bird box with the makes/models and their locations provided with the submitted information. The biodiversity enhancement scheme shall include planting of hedgerows and trees of native species of local provenance and species to attract pollinating insects as identified in the RHS' 'Plants for Pollinators' database. Hedgerow mixes should include: 80% hawthorn (*Crataegus monogyna*), plus any one or more of the following: field maple (*Acer campestre*), dogwood (*Cornus sanguinea*), dog rose (*Rosa canina*) and holly (*Ilex aquifolium*). Any enhancement measures need to be shown on all relevant submitted plans. Thereafter all works are to proceed strictly in accordance with the approved scheme and the bird boxes shall be retained and maintained in perpetuity.

Reason: To ensure that species and habitats are protected and to enhance biodiversity in accordance with the in accordance with Policy DM6 of the adopted Site Allocations and Development Management Plan (2016).

8. The development shall not commence until a 30 year Habitat Monitoring and Management Plan (HMMP), prepared in accordance with an approved Biodiversity Gain Plan, has been submitted to and approved in writing by the local planning authority. The approved HMMP shall be strictly adhered to and implemented in full for its duration and shall contain the following:
 - a) Description and evaluation of the features to be managed;
 - b) Ecological trends and constraints on site that may influence management;
 - c) Aims, objectives and targets for management - links with local and national species and habitat action plans;
 - d) Description of the management operations necessary to achieving aims and objectives;
 - e) Preparation of a works schedule, including annual works schedule;
 - f) Details and a timetable of the monitoring needed to measure the effectiveness of management;
 - g) Details of the persons responsible for the implementation and monitoring;
 - h) mechanisms of adaptive management to account for necessary changes in work schedule to achieve the required targets; and
 - i) Details of methodology and frequency of monitoring reports to be submitted to the Local Planning Authority to assess biodiversity gain.

Reason: To enhance biodiversity in accordance with the National Planning Policy Framework, Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990, and Policy DM6 of the adopted Site Allocations and Development Management Plan (2016).

9. No development approved by this permission shall be commenced until a scheme for the investigation of any potential land contamination on the site has

been submitted to and agreed in writing by the Local Planning Authority which shall include details of how any contamination shall be dealt with.

The approved scheme shall be implemented in accordance with the agreed details and any remediation works so approved shall be carried out prior to the site first being occupied.

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

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

Any remediation works so approved shall be carried out prior to the site first being occupied.

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

11. No development shall take place until a scheme makes adequate provision for waste and recycling storage of containers and collection across the site which has been submitted to and approved in writing to the Local Planning authority. The details should address accessibility to storage facilities and confirm adequate space is provided at the adopted highway boundary to store and service wheeled containers.

Reason: To ensure the bin storage on site is not detrimental to the street scene and overall design of the scheme in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

12. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 Classes A-E and G and Article 3, Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no enlargement, improvement or other alteration to the hereby approved dwelling, buildings incidental to the enjoyment of the dwelling or the erection of means of enclosure shall be carried out unless planning permission for such development has been granted by the Local Planning Authority.

Reason: To ensure that the development has a satisfactory appearance in the interests of visual amenity in accordance with Policies DM4, DM10, DM11, DM12 and DM15 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Notes to applicant

- a) Your attention is drawn to the below Biodiversity Net Gain note which explains that the development is subject to the statutory "biodiversity gain condition". A Biodiversity Gain Plan needs to be submitted to and approved in writing by Hinckley and Bosworth Borough Council prior to commencement of development.
- b) 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.
- c) 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.
- d) 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).
- e) Prior to construction, measures should be taken to ensure that users of the Public Right(s) of Way are not exposed to any elements of danger associated with construction works.
- f) A Public Right of Way must not be re-routed, encroached upon or obstructed in any way without authorisation. To do so may constitute an offence under the Highways Act 1980.
- g) Public Rights of Way must not be further enclosed in any way without undertaking discussions with the local Highway Authority (telephone 0116 305 0001).
- h) If the developer requires a Right of Way to be temporarily diverted, for a period of up to six months, to enable construction works to take place, an application should be made to networkmanagement@leics.gov.uk at least 12 weeks before the temporary diversion is required.
- i) Any damage caused to the surface of a Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Local Highway Authority.
- j) No new gates, stiles, fences or other structures affecting a Public Right of Way, of either a temporary or permanent nature, should be installed without the written consent of the Local Highway Authority. Unless a structure is authorised, it constitutes an unlawful obstruction of a Public Right of Way and Leicestershire County Council as Local Highway Authority may be obliged to require its immediate removal.
- k) As per the Preliminary Roost Assessment & Bat Emergence Survey Report (Croft Ecology, October 2025 amended April 2026). This development will require a bat licence from Natural England to make it lawful. You must be

aware that to proceed with the development without first obtaining an EPS Licence could result in prosecution.

- l) Nesting birds are protected under the Wildlife & Countryside Act 1981 (as amended); therefore, building demolition and significant alteration or vegetation clearance should take place outside the breeding season (March to August inclusive) unless carefully checked beforehand by a suitably qualified person.
- m) In relations to conditions 9 and 10 advice from Environmental Health should be sought via esadmin@hinckley-bosworth.gov.uk, to ensure that any investigation of land contamination is in accordance with their policy.