

Delegated Report

Planning Ref: 25/00968/FUL
Applicant: Singular Homes Ltd
Ward: Twycross, Sheepy & Witherley



Hinckley & Bosworth
Borough Council

Site: Hall Farm, The Green, Orton on the Hill

Proposal: Conversion of an outbuilding to form a single dwellinghouse with garaging and associated works (retrospective)

Case Officer: Ashleigh Gade (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 conversion and extension of a redundant stable building to form a single dwellinghouse with integrated garaging and associated works at Hall Farm, The Green, Orton on the Hill. The proposal is retrospective and is nearing completion on site.
- 2.2. The application building was originally constructed as a stable building in association with private equestrian use on the wider Hall Farm site. The original building was single storey and accommodated stable areas as well as general agricultural storage.
- 2.3. The conversion and extension of the application building was granted planning permission under planning application 22/00689/FUL. The permission under 22/00689/FUL established the south-eastern extension which created an 'L' shaped layout to the originally rectangular stable building footprint.
- 2.4. This application follows construction undertaken on site to convert and extend the building that does not entirely comply with the approved plans of 22/00689/FUL. This application seeks to regularise the works that have been physically undertaken on site, where they differ from those originally permitted.
- 2.5. The application results in the conversion of the original stable building to a 5-bedroom dwelling. The original section of the building is to be raised to allow for two-storey development, with a resulting eaves height of 5.5 metres and a ridge height of 7.8 metres.
- 2.6. The south-western extension has dimensions of 25.6 metres in length by 6.9 metres in width. Its central section comprising the living areas of the extension has an eaves height of 3.65 metres and a ridge height of 7.5 metres. Its eastern section comprising

the garage has an eaves height of 2.5 metres and a ridge height of 6.2 metres, siting it 1.3 metres lower than the ridge height of the remainder of the south-western extension.

- 2.7. This application differs from the form approved under 22/00689/FUL by way of reduction in eaves and ridge height, increased length of the south-western extension, removal of the previously proposed external staircase, amendments to fenestration on all elevations including two additional dormer windows, and revision of the internal layout.
- 2.8. The additional length of the south-western extension facilitates the inclusion of additional living space on the ground and first floors and the subsequent relocation of the garage area to a separate area of the footprint, at a lower scale to the remainder of the extension.

3. Description of the Site and the Surrounding Area

- 3.1. The application site is located within the designated open countryside, to the south-west of the settlement boundary of Orton on the Hill. It is located within the Orton on the Hill Conservation Area.
- 3.2. The application site comprises a former stable building which is currently under conversion to a detached dwelling. The existing building has been extended as part of the conversion. The site otherwise comprises paved and gravel driveway areas forward of the dwelling and grassed private open space to the rear, with wooden post and rail fencing and recently planted hedgerows.
- 3.3. The application site forms part of Hall Farm, a former farmstead site that is now no longer in agricultural use. The site has also more recently been used for private equestrian purposes, a use which has also ceased. The wider site comprises a cluster of further former agricultural, equestrian and other outbuildings, two of which have also been converted for residential use, as well as a series of small, fenced fields.
- 3.4. There are no listed buildings on the Hall Farm site, however it is located at varying proximity to three listed buildings within the Orton on the Hill Conservation Area. Church Farmhouse, Grade II listed, and the Church of St Edith, Grade I listed, are both located north of the site. To the east of the site is Lower Farm, a Grade II listed building accessed from Pipe Lane. Due to intervening development and vegetation, there is no direct visibility between any of the listed buildings and the application site.
- 3.5. The site is accessed via long private driveway from The Green. The Green is an adopted and classified 'C' road subject to a speed limit of 30mph. The long access driveway serves the Hall Farm farmhouse as well as the surrounding converted buildings, including the application building.
- 3.6. There are two Public Rights of Way (PROWs) in proximity to the application site. To the north is Footpath from The Green which extends from the edge of the public highway, The Green, along a section of road that then leads to the private driveways

serving Hall Farm, Church Farm, 16 The Green, 18 The Green and 6 The Green. To the south is Footpath T3 which runs between land beside Warton Lane to the west and meets with Pipe Lane to the east and passes through the field immediately south of the application site.

- 3.7. The site is neighboured to the north and east by residential development within or on the edges of the Orton on the Hill settlement. To the north, beyond the Hall Farm site, and to the west, the site is neighboured by agricultural fields within the designated open countryside.

4. Relevant Planning History

4.1 25/00967/HOU

- Erection of garage/carport (retrospective) (amended design works to Unit 1 approved in 22/00689/FUL)
- Under Assessment

4.2 22/00689/FUL

- Proposed extension and alteration of Hall Farm house along with conversion of four outbuildings to form dwelling houses with associated works
- Planning Permission
- 30.11.2022

4.3 13/00904/FUL

- Erection of detached barn with stables
- Planning Permission
- 18.12.2013

5. Publicity

- 5.1 The application was publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site and a notice was displayed in the local press.

- 5.2 No responses were received.

6. Consultation

- 6.1 National Gas Transmission originally responded indicating that further assessment would be required from Asset Protection. This was followed by a revised response which concluded that National Gas Transmission had no objection to the proposal, provided that the Applicant adhered to necessary conditions.

- 6.2 Leicestershire County Council (LCC) Archaeology advised that the application building is not considered to possess a historic interest. They did not require any action on missed opportunities to investigate archaeological buried remains within the site, given the retrospective nature of the proposal. LCC Archaeology therefore advised that no further archaeological involvement would be required.

- 6.3 LCC Ecology advised they have no objection.
- 6.4 LCC Highways, the Local Highway Authority (LHA), referred the Local Planning Authority to standing advice.
- 6.5 Hinckley & Bosworth Borough Council (HBBC) Conservation Officer noted that the original building was single storey and used for storage and stabling. Its use of traditional construction materials reflecting its rural contexts mean it made a neutral contribution to the significance of the Orton on the Hill Conservation Area.

The Conservation Officer noted that the approved design for the building conversion in 2022 involved extension into an 'L' shape with both single and two storey extensions. The works undertaken and to be regularised by this application include a lower height for the two-storey extension, alterations to position and form of fenestration, and use of rendered finish on a section of the existing and new areas.

The Conservation Officer considered that the proposal still maintained the integrity of the original development and that the proposal would preserve the character and appearance of Hall Farm and the wider Orton on the Hill Conservation Area.

- 6.6 HBBC Drainage had no objection and provided notes on drainage.
- 6.7 HBBC Environmental Services (Pollution) have noted that the previous application 22/00689/FUL required an investigation of contamination risk prior to commencement of development that was never discharged. HBBC Environmental Services have therefore advised that this condition should be applied to this application.
- 6.8 HBBC Waste have advised that the waste collection point is from the adopted highway boundary. They have recommended the imposition of a condition requiring the provision of waste collection and storage area details.
- 6.9 No response was received from Twycross Parish Council.

7. Policy

- 7.1 Core Strategy (2009):
- Policy 13: Rural Hamlets
- 7.2 Site Allocations and Development Management Policies Development Plan Document (SADMP) (2016):
- Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM4: Safeguarding the Countryside and Settlement Separation
 - Policy DM6: Enhancement of Biodiversity and Geological Interest
 - Policy DM7: Preventing Pollution and Flooding
 - Policy DM10: Development and Design
 - Policy DM11: Protecting and Enhancing the Historic Environment
 - Policy DM12: Heritage Areas

- 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)
- National Design Guide (2019)
- Planning (Listed Buildings and Conservation Areas) Act (1990)

7.4 Other Relevant Guidance:

- HBBC Good Design Guide (2020)
- Leicestershire Highway Design Guide (LHDG) (2024)
- Technical Housing Standards – Nationally Described Space Standards (2015)
- Orton on the Hill Conservation Area Appraisal (2009)

8. Appraisal

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

- Principle of development
- Housing land supply
- Design and impact upon the Conservation Area
- Impact upon residential amenity
- Impact upon parking provision and highway safety
- Conditions of 22/00689/FUL

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.

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). Both the Core Strategy and the SADMP are over 5 years old and were adopted prior to the publication of the current NPPF.

- 8.5 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. Nevertheless, in accordance with Paragraph 232 of the NPPF, due weight should be given to existing policies according to their degree of consistency with the NPPF.
- 8.6 Chapter 15 of the NPPF requires planning policies and decisions to conserve and enhance the natural and local environment. Paragraph 187(b) of the NPPF specifically highlights that this should be achieved by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services.
- 8.7 Key Policy Paragraph 84 of the NPPF confirms that planning decisions should avoid the development of isolated homes in the countryside except where certain circumstances apply. Paragraph 84(c) clarifies that one such exception is where a development would re-use redundant or disused buildings and enhance its immediate setting.
- 8.8 These policies are supported by Policy DM4 of the SADMP, which states that Council will protect the intrinsic value, beauty, open character, and landscape character of the countryside from unsustainable development. Policy DM4(b) confirms that development in the countryside can be considered sustainable where it involves the change of use, re-use or extension of existing buildings which lead to the enhancement of the immediate setting.
- 8.9 Importantly, Policy DM4 of the SADMP also requires that development meets five further requirements to be considered as sustainable development. These are discussed in further detail in subsequent sections of this report.
- 8.10 Paragraph 13.6 of the SADMP confirms that any proposal that relates to the re-use of redundant buildings in the countryside must have specific regard to Policy DM15 of the SADMP.
- 8.11 Policy DM15 of the SADMP states that development outside settlement boundaries for the re-use and/or adaption of redundant or disused rural buildings will be supported where:
- a) The applicant demonstrates the building is no longer viable in its current use; and
 - b) The applicant has adequately demonstrated the building is in a structurally sound condition and is capable of conversion without significant rebuild or alteration.
- 8.12 The Applicant demonstrated that the stables were no longer in active use and that they were structurally capable of being converted during the assessment of 22/00689/FUL. As the conversion was commenced and construction undertaken in the first instance in accordance with 22/00689/FUL, and that no details provided with

this application are contrary to requirements DM15(a) or (b), the basis of its acceptability against Policy DM15 is considered to remain consistent.

- 8.13 It is therefore considered that the proposal continues to be acceptable in principle in these site-specific circumstances, subject to the assessment of all other material considerations. Other material considerations are set out within subsequent sections of this report.

Housing Land Supply

- 8.14 Chapter 5 of the NPPF requires planning policies and decisions to deliver a sufficient supply of homes to support the Government's objective of significantly boosting the supply of homes without unnecessary delay. The overall aim should be to meet an area's identified housing need, including an appropriate mix of housing types for the local community.
- 8.15 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.
- 8.16 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.
- 8.17 The Planning Policy team have reviewed the revised NPPF and implications for the Council's Five Year Housing Land Supply. As of April 2024, the Council had 5.26 years of housing supply. However, the Council can no longer demonstrate a 5 year housing land supply and the latest figures are expected to show up to 3.95 years of supply as of April 2025.
- 8.18 Given 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. 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.

- 8.19 Footnote 9 of the NPPF confirms that these key policies include Paragraphs 66 and 84 of Chapter 5 (Delivering a Sufficiently Supply of Homes), 91 of Chapter 7 (Ensuring the Vitality of Town Centres), 110 and 115 of Chapter 9 (Promoting Sustainable Transport), 129 of Chapter 11 (Making Effective Use of Land), and 135 and 139 of Chapter 12 (Achieving Well-Designed Places).
- 8.20 The proposed development is for one dwelling. Notwithstanding that the Council is unlikely to be able to deliver a five-year supply of land for housing, the benefits associated with the provision of one residential property within the application site is considered to attract limited weight in the planning balance.

Design and Impact upon the Conservation Area

- 8.21 The Planning (Listed Buildings and Conservation Areas) Act 1990 places duties on the Local Planning Authority (LPA) when determining applications for development. Section 72 of the Act states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 8.22 Section 16 of the NPPF provides the national policy on conserving and enhancing the historic environment. In determining planning applications. Paragraph 212 of the NPPF requires great weight to be given to the conservation of designated assets and the more important the asset, the greater the weight should be.
- 8.23 Paragraphs 213-215 of the NPPF require that great weight 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.
- 8.24 Paragraph 219 of the NPPF states that local planning authorities should look for opportunities for new development within conservation areas and the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.
- 8.25 Policy DM11 and DM12 of the SADMP seek to protect and enhance the historic environment and heritage assets. Policy DM11 states that conservation and enhancement of the historic environment in the borough will be done through the careful management of development that might adversely impact both designated and non-designated heritage assets. Policy DM12 states that proposals should ensure the significance of a conservation area is preserved and enhanced through the consideration and inclusion of important features.
- 8.26 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. Paragraph 135 of the NPPF details the six national policy requirements of development to ensure the creation of well-designed and beautiful places.

- 8.27 Policy DM4(i) of the SADMP states that development in the countryside will be considered sustainable where it does not have a significant adverse effect on the intrinsic value, beauty, open character, and landscape character of the countryside.
- 8.28 Policy DM10(c) of the SADMP states that developments will be permitted where they complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.29 Policy DM15 of the SADMP states that proposed development outside the settlement boundary for the re-use and/or adaption 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.
- 8.30 Policy DM15 also confirms that all development proposals for the re-use of redundant rural buildings should result in the enhancement of the immediate setting.
- 8.31 The application site is located within the Orton on the Hill Conservation Area. It is also located within proximity to three listed buildings: Church Farmhouse, Grade II listed, and the Church of St Edith, Grade I listed, and Lower Farm, Grade II listed.
- 8.32 Notwithstanding its relative proximity to the three abovementioned listed buildings, none of these buildings have visibility to or from the application site. This remains unchanged from the assessment of 22/00689/FUL. The proposal is therefore not considered to impact the setting of the surrounding listed buildings.
- 8.33 The Hall Farm farmhouse and attached buildings are referred to in the Orton on the Hill Conservation Area Appraisal Map as 'unlisted buildings of local historic or architectural importance'. The application building does not form part of the historic buildings within the Hall Farm site as it was constructed within the past two decades, and it is not identified on the Appraisal Map.
- 8.34 The originally proposed conversion and extension of the application building was assessed under 22/00689/FUL. It was determined that the scale of the additions and the materiality of the proposal maintained the integrity of the wider Conservation Area. Furthermore, the Officer Report for 22/00689/FUL concluded that the proposed additions and their external materials would be sympathetic to the existing building

and the character of its surrounds, and therefore represented development that would not have an adverse impact upon the surrounding countryside.

- 8.35 This application is retrospective and seeks to regularise works undertaken in the conversion and extension of the application building that are inconsistent with those permitted under 22/00689/FUL.
- 8.36 These works involve a reduction to the eaves and ridge height of the building, increased length of the south-western extension, removal of the external staircase, amendments to fenestration on all elevations and the inclusion of two additional dormer windows. The internal layout of the dwelling has also been amended.
- 8.37 It is not considered that the amended proposal would have any additional impacts upon the wider Orton on the Hill Conservation Area given the relative separation of the application building from the wider Conservation Area setting, and that the overall appearance and materiality of the building has not been significantly altered.
- 8.38 Council's Conservation Officer has reviewed the proposal and concluded that the development as amended would continue to maintain the integrity of the original development and preserve the character and appearance of the Conservation Area.
- 8.39 The reduction to the overall height of the proposed conversion reduces the visual impact of the resulting dwelling. The removal of the previously proposed external staircase removes an otherwise incongruous visual element that was not present on the original building nor on surrounding buildings.
- 8.40 The proposed dormer windows are located on the front and rear roof elevations and are central to two existing dormer windows on either elevation permitted in 22/00689/FUL. As dormer windows were a feature of the original proposal, the addition of two further dormer windows is not considered to have any significant impact upon the resulting design of the dwelling.
- 8.41 This application involves an increase to the originally proposed south-western extension. The additional area increases the length of the principal elevation by 10 metres and has a depth of 6.9 metres to match the remainder of the south-western wing.
- 8.42 The additional area of extension is set down from the ridge height of the remainder of the south-western extension by 1.3 metres, meaning its resulting form is subservient to the remainder of the dwelling. The external materials are to match materials used on the remainder of the building.
- 8.43 The additional extension area comprises an integrated double garage. The relocation of the integrated garage to this area facilitates the expansion of the ground floor living areas into the section of the building originally intended for garaging.
- 8.44 Overall, the scale, design, architectural features and material finishes of the dwelling conversion are consistent with those found on adjacent buildings within the Hall Farm

Site. It is considered that the dwelling therefore sits comfortably in the context of its surrounds.

- 8.45 The details submitted during assessment of 22/00689/FUL did not confirm the resulting landscape and boundary treatment details for the development. These elements are now in-situ on the site and comprise entrance walkway shrubbery to the front of the building between the principal elevation and the parking and turning areas for the wider site, as well as hedgerow to the western front and rear western, southern and eastern garden boundaries alongside low-height post-and-rail wooden garden fencing.
- 8.46 It is considered that while the development introduces a clearly domesticated feature to this area of the designated open countryside and this application increases its overall scale, the boundary treatments contribute positively to the setting of the resulting dwelling in its surrounds. This provides modest improvement to the setting of the site as compared to the previous details submitted for application 22/00689/FUL.
- 8.47 It is therefore considered that the proposal continues to preserve the character and appearance of the Orton on the Hill Conservation Area, responds to the context of its surroundings by way of scale, design and materiality, and provides modest landscape improvement to its immediate surroundings within the countryside compared to the previous permission, thereby complementing the character of its setting in accordance with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Sections 12 and 16 of the NPPF, and Policies DM10, DM11, DM12 and DM15 of the SADMP.

Impact upon Residential Amenity

- 8.48 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.
- 8.49 Policy DM10(a) and (b) of the SADMP states development will be permitted provided that it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting and noise and that the amenity of occupiers would not be adversely affected by activities within the vicinity of the site.
- 8.50 The Good Design Guide outlines that development will need to demonstrate that it will not result in loss of amenity to neighbouring properties by way of overlooking, overshadowing or noise.
- 8.51 The Good Design Guide recommends that a principal window to a habitable room should ideally be no less than 8 metres from the blank side of a single storey neighbouring property, this rises to 14 metres for a two-storey property. The separation distance between two principal habitable room windows should be a minimum of 21 metres. The Good Design Guide also states that, “An exception to

this rule is in an urban location where it may be acceptable to have a reduced distance where issues of amenity and overlooking are dealt with by good design.”

- 8.52 Notwithstanding this, these separation distances are the minimum standards that are required, and every application will be assessed on its own merits depending on the individual characteristics of the site such as orientation, ground levels, window positions, garden size and shape.
- 8.53 It is noted that under 22/00689/FUL the glazed garden building directly north-east of the application building was also to be converted to a dwelling. This conversion has not taken place at this time and as per information from the Applicant is now in ownership associated with one of the other dwelling conversions on the site, with the conversion of the garden building to a dwelling therefore not intended to proceed.
- 8.54 The amendments to the originally permitted proposal under this application involve changes to fenestration on all elevations. This includes additional windows on the north-western side elevation, additional doors and an additional dormer window in place of two former rooflights on the rear elevation, an additional ground floor window and additional dormer window in place of two former rooflights on the principal elevation, and a reduction in number of windows on the south-eastern side elevation.
- 8.55 The additional dormer window on the principal elevation is located centrally to two dormer windows permitted under 22/00689/FUL. These windows have a south-western orientation and look toward the enclosure containing the glazed garden building.
- 8.56 It is not considered that the additional dormer window would adversely impact upon the garden building and its surrounds in its current form as it is currently a non-habitable outbuilding. If the conversion of this building as permitted by 22/00689/FUL were to be undertaken, then the additional window would be separated from the parking and front garden areas of the dwelling by a minimum of 16 metres.
- 8.57 The additional dormer window is also located within the main bedroom of the dwelling, which is already the location of another one of the existing dormer windows. The overlooking potential of the proposal has therefore not been significantly exacerbated as to what was already permitted by 22/00689/FUL.
- 8.58 The additional ground floor principal elevation windows face the existing boundary treatments to the south of the garden building. They maintain an outlook of approximately 16 metres in distance.
- 8.59 There are no adjacent dwellings or private garden spaces within 50 metres of the side elevations or the rear elevation of the application dwelling.
- 8.60 To comply with the Good Design Guide, dwellings comprising three or more bedrooms should provide a minimum of 80 square metres of private outdoor amenity space with a minimum length of 7 metres.

- 8.61 The amendments to the development do not reduce the rear garden space and therefore the proposal continues to meet the minimums required by the Good Design Guide.
- 8.62 To support the residential amenity of future occupiers of the scheme, Section 4 of the Good Design Guide seeks to ensure that new residential development exceeds the internal space standards set by the Nationally Described Space Standards (NDSS) wherever possible.
- 8.63 The proposal meets the relevant standards of the NDSS with regard to bedroom size and dimensions, overall floor area and the provision of built-in storage.
- 8.64 It is therefore considered that the proposal would not result in any significant adverse impacts to the residential amenity of neighbouring properties or to future occupiers of the development in accordance with Policy DM10 of the SADMP and the Good Design Guide.

Impact upon Parking Provision and Highway Safety

- 8.65 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. In accordance with Paragraph 115(d) of the NPPF, 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 through a vision-led approach.
- 8.66 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.
- 8.67 To support this, Policy DM17 of the SADMP states that development proposals need to demonstrate that there is not a significant adverse impact upon highway safety, and that the residual cumulative impacts of development on the transport network are not severe. Policy DM18 of the SADMP requires that new development provide an appropriate level of parking provision.
- 8.68 All proposals for new development 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).
- 8.69 The proposal would continue to gain access from The Green via the existing internal driveway, with parking and turning areas located to the front of the proposed dwelling. This is consistent with the access arrangements permitted by 22/00689/FUL.
- 8.70 Table 28 of the LHDG requires that dwellings with four or more bedrooms provide a minimum of three off-street parking spaces. The LHDG requires that parking spaces have minimum dimensions of 2.4 metres in width by 5.5 metres in depth, and an

additional 0.5 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 metre in width where the space is bounded on both sides.

- 8.71 For parking provided within garages, the LHDG requires that a double garage have minimum internal dimensions of 6 metres by 6 metres. A standard single-width garage door should have a minimum door width of 2.3 metres.
- 8.72 The original permission under 22/00689/FUL involved provision of a three-car integrated garage with three further parking spaces indicated forward of the garage doors within the parking and turning area on the site.
- 8.73 The amended proposal relocates the integrated garage and reduces the overall size to provide only two car spaces. The internal dimensions of the garage meet LHDG requirements. It is noted that each garage door is 0.1 metres short of LHDG requirements for single garage doors, however it is not considered that this would prevent reasonable use of these openings.
- 8.74 No further parking spaces are indicated on the plan, though it is noted that the parking space forward of the building remains available for parking and is considered likely to accommodate between three to four cars.
- 8.75 It is therefore considered that the proposal would provide safe and suitable access and a sufficient number of off-street parking spaces, and thereby not create an unacceptable impact on highway safety or the wider road network in accordance with Policies DM17 and DM18 of the SADMP, and the requirements of the LHDG.

Conditions of 22/00689/FUL

- 8.76 Planning Permission for 22/00689/FUL was subject to 9 conditions, of which 4 were pre-commencement conditions. None of the pre-commencement conditions for 22/00689/FUL were discharged.
- 8.77 Condition 3 of 22/00689/FUL required the provision of a written scheme of investigation for archaeological purposes prior to the commencement of development. It is noted that the purpose of the condition predominantly related to a historic building survey and recording of the older buildings on site which did not include the application building.
- 8.78 Notwithstanding the above, LCC Archaeology have been consulted on this application to ensure there are no further requirements for archaeological work in association with this development. LCC Archaeology have confirmed no further archaeological involvement is required. Condition 3 will therefore not be reapplied.
- 8.79 Condition 6 of 22/00689/FUL required the provision of updated bat and bird surveys prior to the commencement of development. LCC Ecology have been consulted on this application to ensure there are no further requirements for bat and bird survey details in relation to the application building. LCC Ecology have confirmed that they

have no objection to the proposal and have not requested the reapplication of this condition.

- 8.80 Condition 7 of 22/00689/FUL required the provision of a scheme for the investigation for any potential land contamination on the site prior to commencement of development. HBBC Environmental Health have been consulted on this application and have advised that this condition should be reapplied. As this is now a retrospective application and development has already commenced on site, the imposition of this condition will require provision of the details prior to occupation rather than prior to commencement.
- 8.81 Condition 8 of 22/00689/FUL related to Condition 7 and required addendum to the scheme of investigation where further contamination was identified later during development. For consistency with Condition 7 as per the above, this condition will also be reapplied.
- 8.82 Condition 9 of 22/00689/FUL required the provision of a scheme for waste and recycling storage and collection across the site prior to the commencement of development. HBBC Waste have been consulted on this application and have advised that this condition should be reapplied. As this is now a retrospective application and development has already commenced on site, the imposition of this condition will require provision of the details prior to occupation rather than prior to commencement.
- 8.83 Conditions 4 and 5 relating to materials and parking and turning facilities respectively will also be reapplied.

9. Equality Implications

- 9.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states: -
- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2 Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

- 9.3 There are no known equality implications arising directly from this development.
- 9.4 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

10. Conclusion

- 10.1 Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission to be granted, subject to the imposition of appropriate conditions.

11. Recommendation

- 11.1 **Grant planning permission** subject to:

- Planning conditions detailed at the end of this report

11.2 Conditions and Reasons

1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details received by the Local Planning Authority as follows:

- Site Location
 - Existing Site Layout Plan Dwg no HMD/PD/0592/01A
 - Existing Floor Plans & Elevations Dwg no HMD/PD/0592/03
- All received by the Local Planning Authority on 26.09.2025.

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

2. The materials to be used on the proposed development shall accord with the information as detailed in the submitted application documents.

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).

3. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Existing Site Layout Plan Dwg no HMD/PD/0592/01A. Thereafter, the onsite parking and turning provision shall be kept available for such uses in perpetuity.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally and to enable vehicles to enter and leave the site in a forward direction in the interests of highway safety and in accordance with the National Planning Policy Framework (2024).

4. Prior to occupation of the dwelling a scheme for the investigation of any potential land contamination on the site shall be submitted to and agreed in writing by the Local Planning Authority and 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).

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

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

6. No occupation of the 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 that the development makes adequate provision for waste and recycling storage in accordance with Hinckley and Bosworth Borough Council's Wheeled Bin and Contained Policy (updated March 2018) and Section 46 of the Environmental Protection Act 1990.

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. All work must be carried out in accordance with National Gas Transmission requirements. The Applicant's attention is drawn to the guidance contained within the consultee comments from National Gas received on 20 October 2025.