

Planning Committee 2nd December 2025

Report of the Assistant Director Planning and Regeneration

Planning Ref: 25/00775/OUT

Applicant: Mr Iain Long

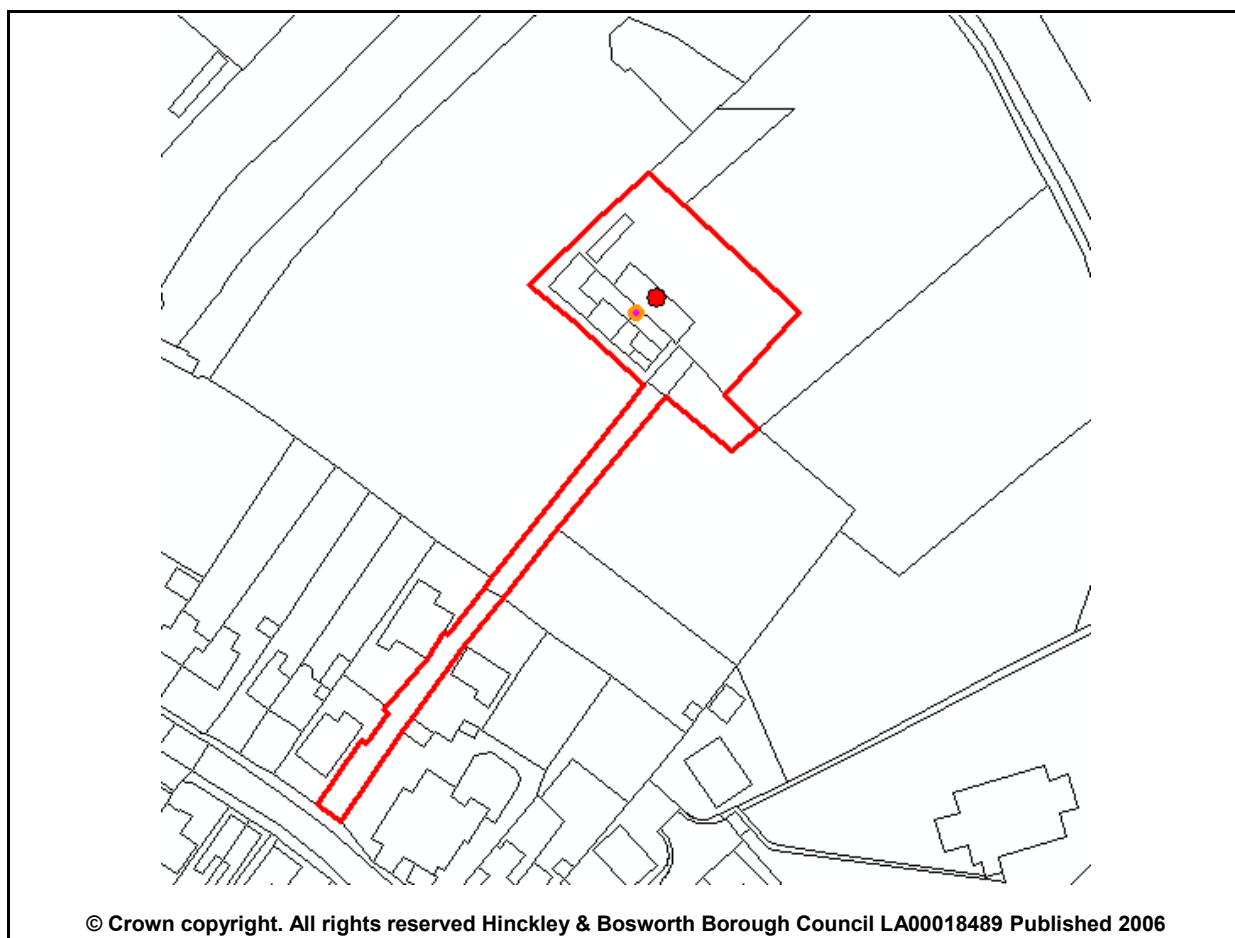
Ward: Ratby, Bagworth and Thornton

Site: 223A Main Street, Thornton, Coalville



Hinckley & Bosworth
Borough Council

Proposal: Outline planning permission for the demolition of all existing buildings and structures and erection of a self-build dwelling (All matters reserved except access and layout)



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1. Recommendations

- 1.1 **Refuse planning permission** subject to:
- Reason outlined at the end of this report.

2. Planning application description

- 2.1 This application seeks outline planning permission for the provision of one self-build dwelling at land north of Main Street and to the rear of number 223A. Only access

and layout are sought for approval within this outline application, and all other matters are reserved.

- 2.2 Indicative elevation plans show a single storey dwelling with a footprint of 7.8m by 16m sited towards the southern end of the site.
- 2.3 Two car parking spaces are shown on the proposed site plan to the southeastern corner of the site.
- 2.4 The site would be accessed from Main Street between numbers 223A to 231.
- 2.5 The application is being presented at Planning Committee due to the number of representations received in support of the application, contrary to Officer recommendation, and in accordance with the HBBC Scheme of Delegation.

3. Description of the site and surrounding area

- 3.1 The site measures approximately 2 hectares and consists of stables, manege, dog kennels, storage and hardstanding. It lies 50m to the northeast of the settlement boundary of Thornton and is accessed via a 120m long shared drive with 223A, 225 and 227 Main Street.
- 3.2 The “National Forest Way” footpath runs parallel with Thornton Reservoir at a distance of approximately 60m from the northern boundary of the site.
- 3.3 The site is bound by open countryside and Thornton Reservoir approximately 80m to the north, with densely wooded areas to the east, west, and south, with the rear gardens of 225 and 227 Main Street beyond.

4. Relevant planning history

- **91/0656/4** – Erection of stable block – Permission 28.08.1991
- **98/00261/FUL** – Formation of all-weather riding surface – Permission 18.05.1998

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, and a notice was displayed in the local press.
- 5.2 As of 17 November 2025, nine representations have been received from separate addresses, comprising of six representations in support and three in objection.
- 5.3 Six representations from members of the public support the proposal for the following reasons:
 - Appropriate use of previously developed land for residential use, rather than further development of a greenfield site.
 - Speed survey and visibility at the access is within acceptable limits.
 - Unlikely to result in an increase in traffic over existing equestrian use.

- Highway safety would be improved by decrease/loss of HGV traffic for existing use.

5.4 Three representations from members of the public object to the proposal for the following reasons:

- Outside settlement boundary and would set an unwelcomed precedence.
- Inappropriate development in the countryside.
- Appropriate use of previously developed land for residential use, rather than further development of a greenfield site.
- Beyond established building line.
- Adverse impact on visual amenity and natural beauty of the area and Thornton reservoir.
- Unduly prominent from a Public Right of Way around reservoir.

6. Consultation

6.1 No objections, some subject to conditions from:

- HBBC Drainage
- LCC Highways
- LCC Ecology
- HBBC Pollution
- HBBC Waste
- National Forest Company

6.2 Objection received from Bagworth and Thornton Parish Council for the following reasons:

- Site falls outside defined settlement boundary (Site Allocations and Development Management Policies DPD)
- Contrary to Local Plan Policy DM4
- Contrary to Local Plan Policy DM9
- Contrary to NPPF paragraph 7
- Contrary to NPPF paragraph 180
- Contrary to existing Core Strategy Policy 8 and Draft Local Plan identifying Thornton as a Rural Village and limiting development.
- Unacceptable impact on limited local services and school places
- Contrary to aims of progressing Neighbourhood Plan
- To ensure that growth meets local need and is appropriately sited

7. Policy

7.1 Core Strategy (2009)

- Policy 10: Key Rural Centres within the National Forest

7.2 Site Allocations and Development Management Policies DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM4: Safeguarding the Countryside and Settlement Separation
- Policy DM6: Enhancement of Biodiversity and Geological Interest
- Policy DM7: Preventing Pollution and Flooding
- Policy DM10: Development and Design

- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.3 National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2024)
- Planning Practice Guidance (PPG)
- Self-Build and Custom Housebuilding Act (2015) (as amended by the Housing and Planning Act 2016)
- Self-build and Custom Housebuilding Regulations 2016
- Self-build and Custom Housebuilding (Time for Compliance and Fees) Regulations 2016

7.4 Other relevant guidance

- Leicestershire Highways Design Guide
- Good Design Guide (2020)
- National Design Guide (2019)
- HBBC Custom and Self-build Register
- HBBC Settlement Hierarchy Review (December 2021)

8. Appraisal

8.1 Key Issues

- Principle of development
- Custom and self-build housing
- Design and impact upon the character of the area
- Residential amenity
- Parking provision and highway safety
- Other matters
- Planning balance

Principle of development

8.2 Paragraph 2 of the National Planning Policy Framework (NPPF) (2024) states that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise and that the NPPF is a material consideration in determining applications. 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.

8.3 Paragraph 11 of the National Planning Policy Framework (NPPF) and Policy DM1 of the Site Allocation and Development Management Policies Development Plan Document (SADMP) set out a presumption in favour of sustainable development, and state that development proposals that accord with the development plan should be approved unless other material considerations indicate otherwise. The development plan in this instance consists of the adopted Core Strategy (2009) and the Site Allocations and Development Management Policies DPD (2016).

8.4 The Council is currently unable to demonstrate a Five-Year Housing Land Supply. Therefore, the application should be determined against Paragraph 11(d) of the Framework whereby permission should be granted unless adverse impacts would

significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

- 8.5 Policy DM17 of the Site Allocations and Development Management Policies DPD states that development proposals will be supported where they demonstrate that there is not a significant adverse impact upon highway safety and that the development is located where the need to travel will be minimised. Thornton is identified as a Key Rural Centre in the Development Plan. Key Rural Centres are settlements with populations over 1,500 people, including a primary school, local shop, post office, GP etc., with localised public transport provision.
- 8.6 Notwithstanding this, the site is located outside of the settlement boundary for Thornton, thus falling within open countryside. Therefore, Policy DM4 is applicable and states that the countryside will first and foremost be safeguarded from unsustainable development. Development in the countryside will be considered sustainable where:
- 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
 - The proposal involves the change of use, re-use or extension of existing buildings which lead to the enhancement of the immediate setting; or
 - It significantly contributes to economic growth, job creation and/or diversification of rural businesses; or
 - It relates to the provision of stand-alone renewable energy developments in line with policy DM2: Renewable Energy and Low Carbon Development; or
 - It relates to the provision of accommodation for a rural worker in line with Policy DM5: Enabling Rural Worker Accommodation.
- and:
- It does not have a significant adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside; and
 - It does not undermine the physical and perceived separation and open character between settlements; and
 - It does not create or exacerbate ribbon development.
- 8.7 The site does not fall under any of the categories identified in Policy DM4 of the SADMP as sustainable development and so there is conflict between the proposed development and the policy. This issue will need to be carefully weighed in the planning balance along with the detailed assessment of the other relevant planning considerations in this case.
- 8.8 The proposed development does not meet the criteria in Policy DM4 of the SADMP as it would fall outside of the settlement boundary. The emphasis of DM4 is to promote sustainable development proposals within the countryside and to safeguard it from unsustainable schemes. In this regard, Policy DM4 is consistent with, and accords with, the NPPF, and therefore it can be afforded significant negative weight within the planning balance.

Custom and self-build housing (CSB)

- 8.9 Paragraph 63 of the NPPF states that the need, size, type, and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include (but are not limited to) those who required affordable housing; families with children; older people (including those who

require retirement housing, housing-with-care, and care homes); students; people with disabilities; service families; travellers; people who rent their homes; and people wishing to commission or build their own homes.

- 8.10 As of 31 January 2024, Section 123 of the Levelling Up and Regeneration Act 2023 (LURA) came into force regarding amendments to the duty in relation to self-build and custom housebuilding within Section 2A of the Self-Build and Custom Housebuilding Act 2015.
- 8.11 Section 2A of the Self-Build and Custom Housebuilding Act places a statutory duty on the Local Planning Authority to give permission to a sufficient number of self-build and custom housebuilding developments on serviced plots to meet the demand for self-build and custom housebuilding in the Authority's area.
- 8.12 Section 6 of Section 2A of the Self-Build and Custom Housebuilding Act confirms that the demand for self-build and custom housebuilding in an authority's area in respect of a base period is an aggregate of:
- i. The demand for self-build and custom housebuilding arising in the authority's area in the base period; and
 - ii. Any demand for self-build and custom housebuilding that arose in the authority's area in an earlier base period and in relation to which:
 - a. The time allowed for complying with the duty in Subsection (2) expired during the base period in question, and
 - b. The duty in Subsection (2) has not been met.
- 8.13 The demand for self-building and custom housebuilding arising in an authority's area in a base period is evidence by the number of entries added during that period to the authority's Self-Build and Custom Housebuilding Register. At the end of each base period, the Local Planning Authority have three years in which to approve an equivalent number of plots of land for self-build and custom housebuilding on serviced plots of land as there are entries for that base period. However, there is no duty for the Local Planning Authority to grant permission for land that specifically meets the requirements expressed by those on the Register.
- 8.14 Section 5 of the Self-Build and Custom Housebuilding Act confirms that a "Serviced plot of land," means a plot of land that has access to a public highway, and has connections for electricity, water, and wastewater, or can be provided with those things in specified circumstances or within a specified period. For clarity, "Specified" in this instance means specified by regulations.
- 8.15 Section 1 of the Self-Build and Custom Housebuilding Act defines self-build and custom housebuilding as the building or completion of houses by individuals, associations of individuals, or persons working with or for individuals or associations of individuals to be occupied by as homes by those individuals.
- 8.16 The Applicant states that the proposed development is classified as a 'self-build; within the definition provided within the Self-Build and Custom Housebuilding Act 2015, which is a material consideration within this planning application. The application submission makes no reference to the possibility of the applicant entering into a legal agreement with the LPA ensuring of the occupancy of the proposed dwelling by the applicant. As the principle of the proposed development is considered

unacceptable, the LPA did not enter into any discussions with the applicant regarding such a legal agreement.

- 8.17 There are no adopted local/neighbourhood planning policies referencing CSB proposals. Therefore, were the 'tilted balance' not engaged with regards to the age of the Local Plan in general, it would be applied on this basis alone.
- 8.18 There are currently 63 people on the HBBC CSB Register. The Local Planning Authority notes that the Applicant is on the Local Planning Authority's Custom and Self Build Register, and the submission states that the land is serviced and the applicant intends to live in the dwelling. That said, there is no requirement to match names on the register to permissions.
- 8.19 Consideration should be given not only to the numbers on the Register, but also to the data obtained on the Register in relation to the demand for; the type of homes, the location of; and nature of plots. Out of 63 individuals on the Register:
- 28 individuals are seeking a 4-bedroom house, and 14 further individuals are seeking a 5+ bedroom house, demonstrating the demand for larger properties.
 - 59 individuals are seeking a detached house, demonstrating the demand for this type of serviced plot.
 - Only 32 out of the 63 people on the register have specified that they would prefer to build in the rural area.
 - 56 individuals are not interested in building in a group, demonstrating the demand for this nature of serviced plot.
- 8.20 The Register operates on a yearly basis with each year ending on 30 October. HBBC have three years after the end of the registration year to ensure that it has provided sufficient suitable permissioned plots to meet the demand equating to the number on the register for that base period. This includes carrying over unmet demand on a cumulative basis.
- 8.21 Hinckley and Bosworth Borough Council currently has a shortfall of 17 self-build and custom housebuilding. The result is a cumulative need for 27 permissions to be granted by the end of the current base period (31 Oct 2025 - 30th Oct 2026 – the end of Base Period 11).
- 8.22 The LPA acknowledges that the shortfall of CSB permissions has increased from Base Period 9 to Base Period 10, from a shortfall of 6 to 17 CSB dwellings.
- 8.23 Overall, the provision of the self-build plot, were this secured by a legal agreement, would contribute to the unmet demand of 17 plots and cumulative need for permissions by the end of this base period. Whilst HBBC are now failing to meet the statutory duty to permit a sufficient number of CSB permissions the proposal would only add one additional dwelling to the supply of self-builds. As such it would make a small contribution in addressing the limited current shortfall in provision and moderate weight would therefore be attributed to the benefits of contributing one self-build dwelling to the supply of self-build and custom build dwellings.

Design and impact upon the character of the area

- 8.24 Policy DM10(c), (d) and (e) of the SADMP seeks to ensure that development complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features and the use and

application of building materials respects the materials of existing, adjoining/neighbouring buildings and the area generally and incorporates a high standard of landscaping.

- 8.25 Policy DM4 aims to ensure that development does not have a significant adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside
- 8.26 The site is located approximately 120m northeast of Main Street and is accessed via an existing access serving the site and 223A, 225 and 227 Main Street. The site is isolated from surrounding development and sits between woodland plantations, with open countryside and Thronton Reservoir to the north. The site therefore has a distinctly rural character and the existing buildings are small in scale and rural in their appearance.
- 8.27 The grain of development along Main Street is mainly linear with dwellings being either set directly adjacent to the highway or set back slightly. There are some examples of backland development in the vicinity, but these are not necessarily considered to represent good design that the LPA would seek to replicate on other sites. The Good Design Guide sets out that where an existing plot is proposed to be subdivided to create additional development in 'backland' locations it will require clear and convincing justification in relation to its context. In this case, the proposed dwelling would lie approximately 50m northeast outside of the settlement boundary and would represent a significant inconsistency in the surrounding pattern of development.
- 8.28 As the site lies within the open countryside, the criteria under Policy DM4 of the Core Strategy which seeks to protect the intrinsic value, beauty, open character, and landscape character of the countryside from unsustainable development is relevant. Policy DM4 also requires that development does not undermine the physical or perceived separation and open character between settlements or create or exacerbate ribbon development. Policy DM10 of the SADMP also seeks to ensure that development complements or enhances the character of the surrounding area.
- 8.29 The proposed site plan and indicative elevation plans indicate that the amount of hardstanding and built footprint would be reduced overall as part of the proposal. Notwithstanding this, the encroachment of residential development into the countryside would not follow the existing and established residential building line and form.
- 8.30 The site levels fall significantly enough from south to north towards the reservoir, to result in good visibility of the site from the National Forest Way as it is elevated from eye level. It is considered that the erection of a new dwelling, with associated vehicles and domestic paraphernalia, would introduce a form of development which would be at odds with the existing rural character of the site and surrounding area, resulting in significant harmful urbanisation of the area. Views from the National Forest Way would be significantly and permanently altered from one of a traditional small equestrian/mixed rural use that rural in character to a solid form building, with parking and hardstanding areas, associated residential paraphernalia and clearly residential in character. The introduction of new residential development in this area would therefore significantly and permanently alter the rural character of the area, causing significant and demonstrable harm in conflict with Policies DM4 and DM10 of the SADMP.

- 8.31 In summary, it is considered that the proposed development would cause significant and permanent environmental and visual harm to the intrinsic, undeveloped rural character and verdant appearance of the site and surrounding countryside. The proposal would therefore be contrary to Policies DM1, DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), and the overarching principles of the National Planning Policy Framework (2024).

Residential amenity

- 8.32 Policy DM10 of the adopted SADMP requires that the amenities of the occupiers of proposed developments would not be adversely affected by activities within the vicinity of the site.
- 8.33 It is considered that the requisite separation distances could be met between the proposed and existing dwellings, and that there would be no unacceptable impacts on neighbouring amenity within the site or to the surrounding dwellings. In summary, the proposal is not considered to have a significant impact on residential amenity and in accordance with policy DM10 of the SADMP.

Parking provision and highway safety

- 8.34 Policy DM17 of the SADMP supports development that would not have any significant adverse impacts on highway safety. Policy DM18 requires new development to provide an appropriate level of parking provision to serve the development proposed. Paragraph 116 of the NPPF (2024) states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the cumulative impacts on the road network would be severe.
- 8.35 The Local Highway Authority were consulted and raise no objections to the proposal, subject to conditions for visibility splays and the provision of parking spaces to be provided in accordance with the specified standards.

Other matters

- 8.36 HBBC Drainage have reviewed the proposal, advising an informative note to the applicant for soakaway drainage to be ascertained by the appropriate standards and in accordance with Building Regulations.
- 8.37 LCC Ecology considers the proposal acceptable, subject to a condition for the proposal to ensure the inclusion of the proposed two bat boxes, with the addition of two swift nest boxes.
- 8.38 The National Forest Company (NFC) considers the proposal below the threshold for to require National Forest planting. In addition, NFC advises that National Forest character and native tree planting for landscaping is secured at reserved matters stage.

Planning Balance

- 8.39 The Council cannot demonstrate a 5-year housing land supply. 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.

- 8.40 It is acknowledged that the Council has a shortfall in the supply of custom and self-build developments of 17 from base period 10, with 27 permissions now required within Base Period 11 31st October 2025 to 30th October 2026. The Framework states that small and medium sized sites can make an important contribution to meeting housing requirements of an area and can be built out quickly. The proposal would deliver one new dwelling which would make a positive contribution to addressing the minor shortfall in self-build plots. As the scheme is only for one dwelling and the shortfall is not considered to be significant, nor is it a persistent shortfall with the LPA having just entered this, the LPA affords moderate positive weight to this aspect of the proposal.
- 8.41 There are social benefits from the scheme such as providing housing for a range of occupants including families, and economic benefits associated with the construction of the dwelling and the future occupant's opportunity to act as new customers and employees for local businesses and services. Notwithstanding this, as the application proposal is for the provision of a single dwelling, these social and economic benefits are afforded limited weight.
- 8.42 Policy DM4 of the SADMP is considered to be broadly consistent with the overall aims of the NPPF in seeking to protect the intrinsic character of the countryside and steering development to sustainable locations, and therefore significant weight should be attached to the fact that the proposal is contrary to the Development Plan and undermines the plan led approach endorsed by the Framework.
- 8.43 The proposed development does not meet the criteria in Policy DM4 of the SADMP as it would fall outside of the settlement boundary. Similarly, the proposal fails to meet the criteria in Policy DM10, as the proposal is not considered to complement or enhance the character of the surrounding area. In this regard, Policies DM4 and DM10 are consistent with, and accord with, the NPPF, and therefore can be afforded significant negative weight within the planning balance.
- 8.44 The development is considered to result in an adverse and irreversible harmful impact on the intrinsic value, beauty, open character, and landscape character of the open countryside. As a result, it is considered that the development conflicts with the Good Design Guide, Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), as well as Sections 2, 11, 12, and 15 of the National Planning Policy Framework (December 2024).

9. Equality implications

1. Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-
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.

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

11. Recommendation

- 11.1 Refuse planning permission subject to:

- Reasons outlined at the end of this report. Planning conditions outlined at the end of this report

12. Conditions and Reasons

1. The development represents unjustified residential development outside the existing built form into the open countryside. This results in an irreversible and detrimental urbanising effect on the character of the countryside. The provision of one self-build dwelling, with the associated economic and social benefits, would not outweigh the harm, which is significant and demonstrable in this case. Therefore, the proposal is in conflict with the Good Design Guide, Policies DM4, DM10 and DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), as well as Sections 2, 11, 12, and 15 of the National Planning Policy Framework (December 2024).