

Delegated Report

Planning Ref: 24/00396/FUL
Applicant: Mr Peter Baker
Ward: Barwell



Hinckley & Bosworth
Borough Council

Site: 22 Elwell Avenue, Barwell, Leicester

Proposal: Erection of 2 dwellings (re-submission of 21/00356/FUL)

1. Recommendations

1.1. Refuse planning permission subject to:

- Planning reasons detailed at the end of this report.

2. Planning Application Description

- 2.1. This planning application seeks full planning permission for the provision of two semi-detached two-bedroom dwellings at the Land adjacent to 22 Elwell Avenue, Barwell. This application is a resubmission of the approved application 21/00356/FUL, as this previous planning permission has now expired.
- 2.2. Collectively, both dwellings externally measure 8.8m in width by 6.6m in depth, which creates an internal ground floor space of 23.4sqm for each dwelling. The scheme utilises a hipped roof that has a ridge height of 7.8m and an eaves height of 4.9m. Indicatively, the scheme utilises a red brick and rendered finish, but the details of the materials are not confirmed at this stage.
- 2.3. The Case Officer raised concerns to the Applicant about the scheme on 04 February 2025. The Case Officer chased these concerns on 26 February 2025 and no amendments have been made to the development.

3. Description of the Site and the Surrounding Area

- 3.1. The application site is located to the north of, and within the identified settlement boundary of, Barwell and comprises a corner plot that is bounded by Elwell Avenue to the north and Bradgate Road to the west. The land is relatively flat and is bordered by a mature hedgerow along its western boundary and post and rail fencing on its northern boundary. The site features existing garden space associated with 22 Elwell Avenue, which is immediately to east of the site.
- 3.2. The design and layout of the host dwelling, 22 Elwell Avenue, positively contribute to the strong character of Elwell Avenue and Bradgate Road. The street scene within the vicinity of the site predominantly features rendered, semi-detached residential properties with clipped hipped roofs and brick detailing on their principal elevations. More typical, buff and red brick, two-storey, gable-ended dwellings can be experienced to the east of the application site towards Apple Tree Close.

4. Relevant Planning History

4.1 21/00356/FUL

- Erection of 2 dwellings
- Permitted
- 30.06.2021

5. Publicity

5.1 The application has been publicised by sending out letters to local residents and a site notice was posted within the vicinity of the site.

5.2 No responses have been received.

6. Consultation

6.1 There have been no objections from the following consultants:

- Barwell Parish Council
- Hinckley & Bosworth Borough Council (HBBC)'s Drainage Officer
- HBBC's Environmental Services' Pollution Officer
- HBBC's Waste Management Officer
- Leicestershire County Council (LCC)'s Ecology Department (subject to conditions)
- LCC's Minerals Department
- Local Highway Authority (LHA) (subject to conditions)

Ecology

6.2 The County Council's Ecology Department confirmed that given the urban setting of the application site, the development shall only result in the loss of a small section of low value habitat. The Leicestershire and Rutland Environmental Records Centre (LRERC) also did not indicate any ecological constraints for this location.

6.3 The Ecology Department have advised that the recommendations and guidance within Section 5 of this Report should be followed.

6.4 The submitted Biodiversity Net Gain Report indicates that the Proposed Habitat Plan will result in net loss and therefore recommends the Applicant seek offsite compensation such as via the purchase of biodiversity units. The Applicant can provide off-site biodiversity net gains to legally secured and registered habitats, and this can be secured via the deemed biodiversity net gain condition. Should the Applicant seek to achieve off-site biodiversity net gain on off-site third party land, then this will require a Section 106 Agreement to ensure that the biodiversity net gains are created and maintained for a period of 30 years.

6.5 Subject to the Applicant's preference on off-site methods to achieve biodiversity net gain, the County Council's Ecology Department have requested a Construction Environmental Management Plan for Biodiversity (CEMP: Biodiversity) and a Habitat Management and Monitoring Plan (HMMP) and a Biodiversity Plan to be secured via planning condition.

6.6 However, the Applicant has failed to identify how they shall secure off-site biodiversity net gain and whether a legal agreement is required. Therefore, the Applicant has failed to demonstrate that the development can provide mandatory biodiversity net gain, which is contrary to, and in conflict with the mandatory requirements of Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

7. Policy

7.1 Core Strategy (2009):

- Policy 3: Development in Barwell
- Policy 15: Affordable Housing
- Policy 16: Housing Density, Mix and Design

7.2 Site Allocations and Development Management Policies Development Plan Document (SADMP) (2016):

- Policy DM1: Presumption in Favour of Sustainable Development
- 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)
- National Design Guide (2019)
- Planning Practice Guidance (PPG)

7.4 Other Relevant Guidance:

- Good Design Guide (2020)
- Leicestershire Highway Design Guide (LHDG) (2024)
- Technical Housing Standards – Nationally Described Space Standards (2015)

8. Appraisal

8.1. The principle of a development for two dwellings in this location was established via planning application 21/00356/FUL. Therefore, the key issues in respect of this application are therefore:

- Housing land supply
- Design and impact upon the character of the area
- Impact upon residential amenity
- Impact upon parking provision and highway safety
- Planning balance

Housing Land Supply

8.2 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.

8.3 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 house builders to deliver new homes, and are often built out relatively quickly.

8.4 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 out-of-date where local planning authorities cannot demonstrate a five-year supply of deliverable housing sites.

8.5 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 by May 2025 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.

8.6 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.

- 8.7 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.
- 8.8 The development is for two residential properties, and therefore Policy 15 (Affordable Housing) and Policy 16 (Housing Density, Mix and Design) of the adopted Core Strategy are not applicable for this scheme.
- 8.9 Whilst the Council is unable to deliver a five-year supply of land for housing, the benefit of providing two dwellings within this application site 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

- 8.10 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.
- 8.11 Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design (as contained in the National Design Guide and National Model Design Code), taking into account any local design guidance and supplementary planning documents such as design guides and codes.
- 8.12 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.
- 8.13 The Good Design Guide states that:
- “Corner plots play an important role in within the street scene and it is important to recognise that overdevelopment of these plots can create an oppressive quality which can lead to a significant change in the prevailing character of a place.”*

- 8.14 The site is currently utilised for residential garden space associated with 22 Elwell Avenue in a street scene that is wholly defined by residential properties. Therefore, the residential use of the site is unlikely to result in any adverse impacts to the character of the area in principle.
- 8.15 In the immediate surrounding area to the site, Elwell Avenue and Bradgate Road have a prominent style and design that includes two-storey semi-detached dwellings with clipped gable roofs, red brick and rendered finishes, brick arch detailing to windows and doors, and a central chimney. These features positively contribute to the character of the area and its distinct sense of place.
- 8.16 It is appreciated that there are residential properties that can be experienced within the vicinity of the site that do not strictly accord with all the key characteristics of the area, such as properties 16A, 16B, and 16C, and 20A and 20B Elwell Avenue. However, it is considered that their designs appear incongruous to the distinct character of the area and result in a detrimental impact on the wider street scene.
- 8.17 Ultimately, the presence of the anomalous poorly designed buildings in the vicinity of the site does not justify the further deterioration of, and significant harm to, the character of the area.
- 8.18 The proposed materials for the development have not been confirmed at this stage, but these can be secured via planning condition to preserve the character of the street scene.
- 8.19 The proposal does not feature a clipped gable roof. Whilst a course of brick detailing is proposed above the proposed fenestration, the development does not include any arched window or door brick detailing, which is a distinct feature of the character of the area. Therefore, the proposal fails to preserve the distinctive character of the area, and this is considered to result in harm to the character of the area. This harm is heightened due to the prominent location of the development on a corner plot.
- 8.20 Furthermore, neither property has a front door on the front elevation of the scheme. This does not reflect the design and appearance of the wider area and is ultimately considered to represent poor design.
- 8.21 The western side elevation of the property is the principal elevation to Bradgate Road. This visually prominent elevation only features the front door to Plot 2 and its associated porch. The resultant predominantly blank key elevation is considered to represent poor design and is considered to cause significant harm to the character of the surrounding area. This harm is heightened due to the prominent location of the development on a corner plot.
- 8.22 Moreover, the proposed off-street parking provision to the front of Plot 1 extends over the front elevation of Plot 2. This overlap is likely to be larger than what is detailed within the submitted plans because the proposed parking provision does not meet the width requirements detailed within the Leicestershire Highway Design

Guide. This encroachment of off-street parking provision over land in front of the neighbouring proposed property is not considered to represent good design and is detrimental to the character of the wider area.

- 8.23 Although the development's impact on residential amenity shall be discussed further in this Report, it is noted at this stage that the development does not meet the minimum space standards as detailed with the Nationally Described Space Standards and the proposal does not provide sufficient private amenity space. Therefore, the scheme is considered to represent overdevelopment of the plot, which results in significant harm to the character of the site and the surrounding area. This impact is compounded by the prominent corner plot location of the application site.
- 8.24 In summary, by virtue of the design, appearance, and layout of the development, the proposal is not well designed and fails to preserve the distinct character of the surrounding area. Due to the size and scale of the scheme, the development represents overdevelopment of the site. Given the above, the proposal results in significant harm to the character of the site and the surrounding area, and these adverse impacts are exacerbated by the prominent location of the development on a corner plot. As a result, the proposal is contrary to, and in conflict with, Policy DM10 of the SADMP, Chapter 12 of the NPPF, and the Good Design Guide.

Impact upon Residential Amenity

- 8.25 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.
- 8.26 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.
- 8.27 The Good Design Guide requires the way buildings to relate to each other, and their orientation and separation distances, to provide and protect acceptable levels of amenity.
- 8.28 The Good Design Guide recommends that a principal window to a habitable room should ideally be no less than 8m from the blank side of a single storey neighbouring property, rising to 14m for a two-storey property.
- 8.29 In addition, the separation distance between two principal windows to habitable windows should be a minimum of 21m. However, 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."*

- 8.30 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.
- 8.31 The application site is separated from the neighbouring properties to the north and west of the site by Elwell Avenue and Bradgate Road and the minimum separation distances detailed within the Good Design Guide. Therefore, the proposal is not considered to result in any significant adverse impacts to these neighbouring properties as a result of any loss of privacy or overlooking impacts, nor any overbearing or loss of light impacts.
- 8.32 The development is separated from the side of 22 Elwell Avenue by 1.5m. There are two windows on the western elevation of the host dwelling that face towards the application site. These are secondary windows and the window on the first floor is opaque glazed. Given the above, the proposal is not considered to result in any loss of privacy or overlooking between the host dwelling and the proposed development. The development also does not extend beyond the rear elevation of 22 Elwell Avenue and therefore, the scheme is not considered to cause any loss of light or overbearing impacts to either property.
- 8.33 1 Bradgate Road is to the south and rear of the application site. There are two windows on the northern side of 1 Bradgate Road, however these are obscure glazed. Therefore, the development is not considered to result in any overlooking or loss of privacy between the properties and this neighbouring dwelling on this elevation.
- 8.34 However, the two-storey blank side elevation of the 1 Bradgate Road is only 8m from the rear of Plot 2 and the principal habitable windows to the living room and Bedroom 2. This separation distance is less than the minimum 14m separation distance stated within the Good Design Guide. Therefore, Plot 2 is considered to be detrimentally affected by the overbearing impact of 1 Bradgate Road, which results in significant harm to the residential amenity of the future occupants of the scheme.
- 8.35 To support the residential amenity of future occupiers of the scheme, one of the aims of Section 4 (New Residential Development) within The Good Design Guide is to ensure that new residential development exceeds the internal space standards set by the Nationally Described Space Standards (NDSS) (2015) wherever possible.
- 8.36 Proposals for two-bedroom, two-storey dwellings should provide a minimum of 70sqm of floor space and 2sqm of built-in storage in accordance with the NDSS.
- 8.37 In accordance with Paragraph 10(c) of the NDSS, to provide one bed space, a single bedroom should have a floor area of at least 7.5sqm, and a width of at least 2.15m. In order to provide two bed spaces, a double or twin bedroom should have a floor area of at least 11.5m, and a width of 2.75m for the master bedroom, and a

width of 2.55m for every other bedroom in accordance with Paragraphs 10(d) and (e) of the NDSS.

- 8.38 Both properties have an internal floor space of 43.6sqm and are provided with two cupboards. As a result, neither plot complies with the minimum space standards or built-in storage standards detailed within the NDSS. Furthermore, none of the bedrooms within the development comply with the minimum space standards for one bed space in a single bedroom. By virtue of these factors, the proposal fails to provide a high standard of residential amenity to the future occupiers of the scheme, and this is considered to result in significant harm.
- 8.39 To comply with the Good Design Guide, two-bedroom houses should also provide a minimum of 60sqm of private outdoor amenity space with a minimum length of 7m.
- 8.40 The proposal provides 47.6sqm of private outdoor amenity space for the host dwelling, 42.6sqm for Plot 1 and 30.8sqm for Plot 2. This provision for each dwelling is therefore significantly below the minimum private outdoor space requirements detailed within the Good Design Guide. Although Plot 2 benefits from additional outdoor amenity space to the north and west of the site, this is beyond the front elevations of the property and is not considered to represent private amenity space.
- 8.41 Whilst it is appreciated that some of the existing properties in the surrounding area may not meet the space standards detailed within the NDSS and the Good Design Guide, this is not considered to justify the development of two new dwellings that fail to provide a high standard of amenity for its future occupants in these site-specific circumstances.
- 8.42 In light of the above, the development fails to provide a high standard of residential amenity for the future occupiers of the scheme and the existing residents of 22 Elwell Avenue due to the inadequate provision of private outdoor amenity space. The adverse impacts to the residential amenity of the future occupiers of the scheme are exacerbated by the failure to provide the minimum space requirements within the Nationally Described Space Standards (2015). The residential amenity of the future occupiers of Plot 2 is also significantly and adversely impacted by the significant overbearing impact of the two-storey blank side elevation of 1 Bradgate Road on the principal habitable windows to the living room and Bedroom 2. Therefore, the proposal is contrary to, and in conflict with, Policy DM10 of the SADMP, Paragraph 135 of the NPPF, and the Good Design Guide.

Impact upon Parking Provision and Highway Safety

- 8.43 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. 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).

- 8.44 Policy DM18 of the SADMP requires developments to demonstrate an adequate level of off-street parking provision.
- 8.45 The proposed development is the same scheme that was approved via planning application 21/00356/FUL. Within the previously approved application, the Local Highway Authority (LHA) did not consider the development to have an unacceptable impact on highway safety or a severe impact upon the road network when considered cumulatively with other developments.
- 8.46 The LHA has checked its Personal Injury Collision (PIC) database and there have been no recorded PICs in the latest five-year period that occurred along Elwell Avenue or Bradgate Road. Consequently, the LHA do not consider there to be any evidence of any existing highway safety issues within the vicinity of the application, which the development would be likely to exacerbate.
- 8.47 Given the above, the LHA are satisfied that the proposed development would be acceptable in highway and transport terms in accordance with the advice and planning condition contained within their response to the previous planning application.
- 8.48 Although the LHDG has been revised since the determination of the previous application, the LHDG is content that these updates to the LHDG do not alter the LHA's conclusions on the acceptability of the proposed development in highways and transport terms.
- 8.49 However, it is noted that the off-street parking provision for each property does not have sufficient width to comply with the requirements of Figure 44 of the LHDG. In spite of this, there is sufficient room within the site to provide the necessary additional width to these parking spaces, and this can be secured within a hard landscaping via planning condition.
- 8.50 In conclusion, the proposal is not considered to create an unacceptable impact on highway safety or the road network. Therefore, the scheme is regarded as in accordance with Policies DM17 and DM18 of the SADMP, and the LHDG.

Planning Balance

- 8.51 In summary, the 'tilted' balance is engaged whereby in accordance with Paragraph 11(d)(ii) of the NPPF, 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, 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.
- 8.52 It is acknowledged that there are potential 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. Nevertheless, these benefits when associated with one dwelling are modest and are not considered to maintain or enhance the local community. In addition, there are no planning benefits such as affordable housing or essential infrastructure provision as identified within Paragraph 12.13 of the SADMP.

- 8.53 Furthermore, by virtue of the design, appearance, and layout of the development, the proposal is not well designed and fails to preserve the distinct character of the surrounding area. Due to the size and scale of the scheme, the development represents overdevelopment of the plot. Given the above, the proposal causes significant harm to the character of the site and the surrounding area, and these adverse impacts are exacerbated by the prominent location of the development on a corner plot. As a result, the proposal is contrary to, and in conflict with, Policy DM10 of the SADMP, Chapter 12 of the NPPF (including Key Policy paragraph 135), and the Good Design Guide. In accordance with Key Policy Paragraph 139 of the NPPF, development that is not well designed should be refused. Therefore, this attracts significant weight in the planning balance.
- 8.54 In addition, the development fails to provide a high standard of residential amenity for the future occupiers of the scheme and the existing residents of 22 Elwell Avenue due to the inadequate provision of private outdoor amenity space. The adverse impacts to the residential amenity of the future occupiers of the scheme are exacerbated by the failure to provide the minimum internal space requirements detailed within the NDSS. The residential amenity of the future occupiers of Plot 2 is also significantly and adversely impacted by the significant overbearing impact of the two-storey blank side elevation of 1 Bradgate Road on the principal habitable windows to the living room and Bedroom 2. As a result, the proposal is contrary to, and in conflict with, Policy DM10 of the SADMP, Key Policy Paragraph 135 of the NPPF, and the Good Design Guide. This harm attracts significant weight in the planning balance.
- 8.55 It is also noted that the Applicant has failed to demonstrate that the development can provide mandatory biodiversity net gain, which is contrary to, and in conflict with the mandatory requirements of Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).
- 8.56 In conclusion, it is considered that the significant adverse impacts of the development on the character of the area and residential amenity significantly and demonstrably outweigh the benefits of the proposal in these site-specific circumstances.

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 is refused.

11. Recommendation

11.1 **Refuse planning permission** subject to:

- Planning reasons detailed at the end of this report.

11.2 **Reasons**

1. By virtue of the design, appearance, and layout of the development, the proposal is not well designed and fails to preserve the distinct character of the surrounding area. Due to the size and scale of the scheme, the development represents overdevelopment of the plot. Given the above, the proposal causes significant harm to the character of the site and the surrounding area, and these adverse impacts are exacerbated by the prominent location of the development on a corner plot.

As a result, the proposal is contrary to, and in conflict with, Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), Chapter 12 of the National Planning Policy Framework (2024), and the Good Design Guide (2020). These

significant adverse impacts significantly and demonstrably outweigh the benefits of the proposal in these site-specific circumstances. In accordance with Paragraph 139 of the National Planning Policy Framework (2024), the development is refused.

2. The development fails to provide a high standard of residential amenity for the future occupiers of the scheme and the existing residents of 22 Elwell Avenue due to the inadequate provision of private outdoor amenity space. The adverse impacts to the residential amenity of the future occupiers of the scheme are exacerbated by the failure to provide the minimum internal space requirements detailed within the Nationally Described Space Standards (2015). The residential amenity of the future occupiers of Plot 2 is significantly and adversely impacted by the significant overbearing impact of the two-storey blank side elevation of 1 Bradgate Road on the principal habitable windows to the living room and Bedroom 2.

As a result, the proposal is contrary to, and in conflict with, Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), Paragraph 135 of the National Planning Policy Framework (2024), and the Good Design Guide (2020). These significant adverse impacts significantly and demonstrably outweigh the benefits of the proposal in these site-specific circumstances.

3. The Applicant has failed to demonstrate that the development can provide mandatory biodiversity net gain, which is contrary to, and in conflict with the mandatory requirements of Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

a. **Notes to Applicant**

1. The application has been determined in accordance with the following submitted details:
 - Application Form (submitted: 23.04.2024)
 - Biodiversity Net Gain Metric (submitted: 07.01.2025)
 - Biodiversity Net Gain Report (submitted: 07.01.2025)
 - Existing Topographical Survey, Drg No. DB/BB/21/03/01 (submitted: 23.04.2024)
 - Proposed Floor Plans, Elevations, Site Plan, Drg No. DB/BB/21/03/02 Rev C (submitted: 23.04.2024)
 - Site Location Plan (submitted: 23.04.2024)