

Design and Access Statement Incorporating Assessment of Planning Policy

Outline Application for the demolition of commercial buildings and the erection 4 dwellings
(Access & Layout) at: 193 Shaw Lane, Markfield, Leicestershire LE67 9PW

18th December 2023 – Andrew Large

Contents

1.0	Introduction	2
2.0	Site Appraisal	2
2.1	Physical & Environmental Context.....	2
2.2	Site History	2
2.3	Social Context.....	5
2.4	Economic Context.....	5
3.0	Assessment against Planning Policy.....	5
3.1	National Planning Policy Framework	5
3.2	Hinckley and Bosworth – Site Allocation and Development Management Policies DPD (SADMP)	8
3.3	Markfield Parish Neighbourhood Plan.....	13
4.0	Design Component.....	15
4.1	Use	15
4.2	Layout.....	15
4.3	Amount	18
4.4	Scale	18
4.5	Appearance	18
4.6	Landscaping.....	18
5.0	Access Component.....	19
6.0	Conclusion.....	19

DESIGN AND ACCESS STATEMENT

INCORPERATING ASSESSMENT AGAINST PLANNING POLICY

1.0 Introduction

- This statement has been submitted by Andrew Large Surveyors Ltd on behalf of the applicant, Mr A. Moore. The following report provides details of the proposal, as well assessment of planning policy, regarding an Outline Application (Access and Layout to be assessed) for the demolition of existing commercial buildings at: 193 Shaw Lane, Markfield, Leicestershire LE67 9PW.
- Andrew Large Surveyors Ltd carried out a number of site meetings and surveys with the applicant prior to the submission of this formal application. A pre-application was also submitted to the council and was returned on the 21st June 2023.
- Submitted, and to be assessed in conjunction with this report and all working plans are the following surveys: Landscape and Visual Impact Assessment (Including Supporting Figures), Drainage Impact Assessment, Phase 1 Land Survey, Biodiversity Impact Assessment, Bat Survey, Preliminary Eco Survey.
- Plans that have been formulated by Andrew Large Surveyors Ltd for the purpose of the application are: Site Location, Block Plan, Existing Building, Proposed Site Plan, and Swept Path Analysis.

2.0 Site Appraisal

2.1 Physical & Environmental Context

- The site has been run as a haulage yard since the 1980s and consists of a large area of hardstanding with a range of commercial buildings. It was known as D M Haulage and ran 5 heavy good vehicles and two trailers as corroborated by the goods vehicle operator licence. The business employed four full-time workers. The owner of the site Mr Derek Moore passed away on October 12th 2021. The workshop buildings associated paraphernalia and inspection pits have all remained in situ.
- The proposed development will be built in the same location as the existing built form but in a layout which permits the erection of attractive and compatible dwellings. The site is accessed via an existing access from Shaw Lane which was widened to facilitate the safe movement of lorries during its use as a haulage yard. Though the site is located outside the adopted settlement boundary, its physical appearance and previous use constitute it as previously developed land.
- No vegetation is to be lost as part of the proposed development that is of any merit. A Bat survey has been submitted as well as ecology surveys and a Biodiversity impact assessment, demonstrating that a net gain has been incorporated as part of the scheme.

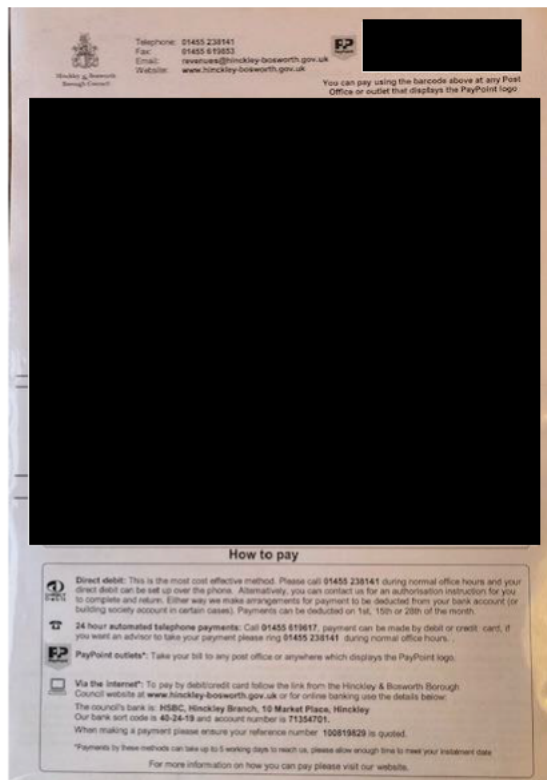
2.2 Site History

- There is no formal planning associated with the site however submitted as part of this planning application is additional detail corroborating the previous use which is summarised below.
- The application site has been run as a haulage yard between circa the 1980's and 2019; trading as D M Haulage. Prior to this date the buildings were in agricultural use.

- D M haulage was owned by Derek Moore who passed away on 12th October 2021.
- The site ran 5 heavy good vehicles and two trailers as corroborated by the attached Goods Vehicle Operator License.



- Figure One: Copy of Operator License for period 1st December 1995 to 30th November 2005
- The business employed four full time workers. Statutory declarations have been obtained from three previous employees; Owen Lynch who worked at the site between 1990 and 2003, Timothy Moore between 1973 and 2007 and John Preston between 1973 to 2019. All corroborate the historic trading activities at the application site.
- The business paid business rates until 10th November 2019, a copy of a bill from 15th November 2019 is attached for reference.



- Figure two: Copy business rates invoice dated 15th November 2019
- Following the death of Derek Moore lorries stopped operating from the site however the workshop buildings including the associated workshop items and paraphernalia have remained together with inspection pits. It is considered therefore that the site can be considered previously developed land on the basis that the site has been used as a haulage yard for in excess of ten years and there has been no material change of use of the land from this use being carried out.
- The defining legislation is outlined below:
- Section 171B(3) of the Town and Country Planning Act 1990 states:

"In the case of any other breach of planning control, no enforcement action may be taken after the end of the period of ten years beginning with the date of the breach."
- Therefore if 10 years of continuous use has occurred from the start of the breach the new use is then immune from enforcement as per Section 191(2)
- (a). The section does not state the need for the continuation of use. Panton and Farmer v. Secretary of State for the Environment, Transport and the Regions [1999] JPL 46, established that a use can be 'dormant' or 'inactive', provided the use had not been abandoned. Key to this was that the material change of use had not been remedied.

- In the case of 193 Shaw Lane whilst lorries no longer operate at the site; the buildings and associated land still exist as a haulage yard with workshop items, inspection pits and associated hardstanding's.
- In addition, to further corroborate the brownfield nature of this site, Shaw lane has been widened at the access to No.193 as shown on the attached highways enquiry plan.
- The proposal is to redevelop this brown field site by demolishing the range of existing buildings and erecting four new dwellings in a courtyard style ostensibly on the same footprint of existing buildings.

2.3 Social Context

- Markfield is a large village situated within the district of Leicestershire. Within the village there are numerous facilities such as a GP surgery, public houses, co-op supermarket, take-aways, newsagent, chemist, post office, library, café and primary school.
- Within a short walking distance from the site (circa 25 metres from the application site entrance) there is a bus stop which is accessible by a public walkway opposite 183 Shaw Lane. This serves the No 29, 29a 29b, x29 and runs hourly between Swadlincote, Ashby and Leicester.

2.4 Economic Context

- All work of the proposed development will provide working opportunities for trades which are local to the immediate and surrounding area.
- As the haulage yard is no longer operational, the site is now underused. It offers an excellent opportunity for previously developed land to be redeveloped into housing on the edge of a sustainable settlement, which is accessible by public transport.

3.0 Assessment against Planning Policy

3.1 National Planning Policy Framework

- The proposed development has been assessed and evaluated against the following listed policies as well as other relevant design criteria associated with the Hinckley and Bosworth Site Allocations and Development Management Policies DPD (SADMP).
- Sustainable development is the crux of the National Planning Policy Framework, with the intent that all development should be sustainable and appropriate whilst minimising its adverse impact.

Achieving Sustainable Development

10. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).

The Presumption in favour of sustainable development

11. Plans and decisions should apply a presumption in favour of sustainable development.

For plan-making this means that:

a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;

b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas⁶, unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area⁷; 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.

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear 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.

- All local councils should show favour in sustainable development where it will have a positive impact on the economic, social, and environmental impact of the area.
- The Council cannot currently demonstrate a 5-year housing supply, and that the housing policies in the adopted Core Strategy (2009) and Site Allocations and Development Management Policies Development Plan Document (2016), are considered to be out of date as they focused on delivery of a lower housing requirement than is now required. Therefore, the 'tilted' balance applies and planning permission should be granted unless the adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole.
- This report will demonstrate that the development will result in no adverse impact and as such, planning should be granted.

Decision-Making

38. Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

- A pre-application enquiry was submitted and returned on the 28th of March 2023. Paragraph 39 of the NPPF reiterates that early engagement can be the most effective approach.

Pre-Application Engagement and front-loading

39. Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality preapplication discussion enables better coordination between public and private resources and improved outcomes for the community.

- The response from the relevant consultees and appointed planning officer dictated how the following submission has been prepared.

Supporting a prosperous rural economy

85. Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exists.

The site is situated outside the adopted boundary of Markfield, however constitutes previously developed land as demonstrated by the attachments to this report. A regular bus service is accessible within 100 metres which provides access to the main village and larger conurbations.

Making effective use of land

119. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

120. Planning policies and decisions should:

c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;

The site can be classed as previously developed land and provides a suitable opportunity for housing within a popular area where there is an existing community.

Achieving well designed new places

130. Planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience

The proposed development has been designed to enhance the site whilst utilising existing and propose vegetation to seclude the new housing from existing neighbours. Though the development is only outline for access and layout to be determined, the finished dwellings will look to incorporate high quality materials which will reflect the best of local architecture.

Conserving and enhancing the natural environment

174. Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;*
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;*
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;*
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and*
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.*

The Landscape and Visual Appraisal undertaken has deemed the character of the proposed site has a low susceptibility to change and a low value. It States that:

‘The proposed site is not a designated landscape and likely landscape effects will be concerned with the physical changes to the site.

Development would have a limited effect on the character of the immediate site context due to the current use of the site.

Therefore, as the area is not deemed sensitive it will result in the scale of change in the local landscape character will be negligible. ‘

The site is classed as previously developed land, and the proposal will result in the buildings being demolished and a courtyard style development being constructed which will be more in keeping with the rural characteristics of the surrounding area. The additional screening proposed will further enhance and limit the impact of the appearance of the site.

3.2 Hinckley and Bosworth – Site Allocation and Development Management Policies DPD (SADMP)

Policy DM1 – Presumption in favour of sustainable development

Planning applications that accord with the policies in the Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date

at the time of making the decision then the Borough Council will grant permission unless material considerations indicate otherwise, taking into account whether:

- a) Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or*
- b) Specific policies in that Framework indicate that development should be restricted.*

The policies within the local plan have been deemed out of date and as such, the tilted balance approach is applied.

Policy DM4 – Safeguarding the countryside and settlement separation.

To protect its intrinsic value, beauty, open character and landscape character, the countryside will first and foremost be safeguarded from unsustainable development. Development in the countryside will be considered sustainable where:

- : a) It is for outdoor sport or recreation purposes (including ancillary buildings) and it can be demonstrated that the proposed scheme cannot be provided within or adjacent to settlement boundaries; or*
- b) The proposal involves the change of use, re-use or extension of existing buildings which lead to the enhancement of the immediate setting; or diversification of rural businesses; or*
- c) It significantly contributes to economic growth, job creation and/or*
- d) It relates to the provision of stand-alone renewable energy developments in line with Policy DM2: Renewable Energy and Low Carbon Development; or*
- e) It relates to the provision of accommodation for a rural worker in line with Policy DM5 - Enabling Rural Worker Accommodation. and:*

The proposal does not accord with any of the above listed. However, DM4 can only be afforded limited weight due to the policies being deemed out of date. The proposal would accord with the policies outlined with National Framework. The development is being built on a brownfield site where there are existing buildings and would lead to an enhancement of the immediate setting as demonstrated within the landscape and visual impact appraisal.

i) It does not have a significant adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside; and

As the housing will be situated on land which has been classed as previously developed, it will not result in any adverse impact effect on the landscape character of the countryside. A landscape and visual appraisal has been undertaken which states that:

‘The proposed development will result in a change to the site through the removal of a collection of derelict commercial buildings and the construction of a new homogeneous built form. The proposed development will not have a significant adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside and does not undermine the physical or perceived separation and open character of the surrounding area and therefore would be compliant with Policy DM4 of the adopted SADMP and Policy M2 of the adopted MNP.’

ii) It does not undermine the physical and perceived separation and open character between settlements; and

- The development is located in an area which already has urban characteristics, given the existing development and adjoining road networks. There would be no effect on the physical and perceived separation and open character between settlements.

iii) It does not create or exacerbate ribbon development;

- The proposal cannot be classed as ribbon development as it will be situated on the footprint of previously developed land and built form. The site is located to the south and west of existing residential development.

iv) If within a Green Wedge, it protects its role and function in line with Core Strategy Policies 6 and 9; and

- The proposal is not located within a green wedge.

v) If within the National Forest, it contributes to the delivery of the National Forest Strategy in line with Core Strategy Policy 21

- The site is located within the National Forest. Core Strategy Policy 21 asks that any development respects the character and appearance of the wider countryside, is appropriately related to its setting within the Forest and it does not adversely affect the existing facilities and working landscape of either the Forest or the wider countryside.

Policy DM6 – Enhancement of Biodiversity and Geological interest

Development proposals must demonstrate how they conserve and enhance features of nature conservation and geological value including proposals for their long term future management.

- A Biodiversity Impact Assessment has been prepared by Heatons Planning Environment Design, which concludes:

In summary, the Biodiversity Metric 4.0 (March 2023) concluded that the proposed restoration plan will have an overall 26.90% net gain in habitat units and 207.93% net gain in hedgerow units.

- No features of geological value have been identified within the studies commissioned.

Policy DM7 – Preventing Pollution and flooding

Adverse impacts from pollution and flooding will be prevented by ensuring that development proposals demonstrate that: drainage function of water bodies in the borough; provided;

a) It will not adversely impact the water quality, ecological value or

b) Appropriate containment solutions for oils, fuels and chemicals are

c) All reasonable steps are taken through design, siting and technological solutions to ensure the abatement of obtrusive light to avoid sky glow, glare and light intrusion;

d) It would not cause noise or vibrations of a level which would disturb areas that are valued for their tranquillity in terms of recreation or amenity;

e) Appropriate remediation of contaminated land in line with minimum national standards is undertaken;

f) It will not contribute to poor air quality; unstable land; and

g) It will not result in land instability or further intensify existing

h) The development doesn't create or exacerbate flooding by being located away from areas of flood risk unless adequately mitigated against in line with national policy.

- The site is located in Flood Zone 1 according to the online flood map, and therefore, has a low probability of flooding from rivers and the sea. A flood and drainage report has been prepared by Gondolin which concludes:

Taking all of the above into account it is considered there is no impediment to the development being granted planning permission on the grounds of surface water and wastewater drainage provision.

- A contaminated land survey has been prepared by ERDA Associates which concludes:

This Phase I Site Appraisal has shown the site is suitable for the proposed development, assuming compliance with all the recommendations contained within this report.

Policy DM10 – Development and Design Developments will be permitted providing that the following requirements are met:

a) 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, air quality (including odour), noise, vibration and visual intrusion; be adversely affected by activities in the vicinity of the site;

- There are residential properties adjacent, however the layout has been devised to ensure there is no overlooking or negative impact on the nearby dwellings. The redevelopment of the site from a haulage yard to residential is more in keeping with the neighbouring uses and would be less intrusive in terms of noise, vibration, and visual intrusion.

b) The amenity of occupiers of the proposed development would not be adversely affected by activities in the vicinity of the site;

- No activities have been identified which would affect the occupiers of the proposed development.

c) It complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features;

- The site and immediate area have been assessed as having a low landscape value.

d) The use and application of building materials respects the materials of existing, adjoining / neighbouring buildings and the local area generally;

- The new dwellings will be constructed of materials that reflect the best of the local distinctive character.

e) It incorporates a high standard of landscaping where this would add to the quality of the design and siting;

- Buffer planting with a proposed rich species and native hedgerow has been incorporated into the scheme.

f) It maximises opportunities for the conservation of energy and resources through design, layout, orientation and construction in line with Core Strategy Policy 24;

- During the construction phase, suitable design and construction methods will be incorporated where feasible.

g) Where parking is to be provided charging points for electric or low emission vehicles are included where feasible;

- The development has no reason to not include electric charging points with each property, and so these will be included in the later details of the development.

h) An appropriate Sustainable Drainage Scheme is submitted to and approved by the relevant Authority. Schemes should incorporate wildlife areas, ponds, swales and permeable paving where appropriate;

- The entirety of the site is flood zone 1.

i) It maximises natural surveillance and incorporates the principles of Secured by Design and has considered the incorporation of fire safety measures.

- The courtyard layout promotes natural surveillance and fire safety measures will be taken account of at the full application stage.

Policy DM17 - Highways and Transportation Development proposals will be supported where they:

a) Seek to make the best use of existing public transport services and, where appropriate, provide opportunities for improving and sustaining the viability of those services;

b) Seek to ensure that there is convenient and safe access for walking and cycling to services and facilities;

c) Demonstrate that there is not a significant adverse impact upon highway safety; and in the case of development that generates significant movement;

d) That the development is located where the need to travel will be minimised and the use of sustainable transport modes can be maximised;

e) Where it can be demonstrated that the residual cumulative impacts of development on the transport network are not severe. Where appropriate, improvements will be required to be undertaken to the highways and transportation network to limit any significant impacts arising from the development (taking into account cost effectiveness). 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 highways authority

- Please see section 4.0 for further clarity.

DM18 Vehicle Parking Standards

All proposals for new development will be required to provide an appropriate level of parking provision justified by an assessment of the site location, type of housing, other modes of transport available (e.g. public transport and cycle provision) and appropriate design. Any development will be expected to provide disabled parking provision. Developments within Hinckley Town Centre should demonstrate that they would not exacerbate existing problems in the vicinity with increased on-street parking.

- Ten new car parking spaces have been incorporated within the layout for the four new dwellings. The mix of housing proposed, whilst submitted outline, allows for 2 x 2/3 beds and 2 x 4+ bed. Regular public transport is accessible within 100 metres of the site, and provision for cycle racks can be incorporated in the detailed drawings, as well as EV Charging points.

3.3 Markfield Parish Neighbourhood Plan

Policy M1: Countryside

The Countryside (land outside the Settlement Boundary defined on Map 2 and the Policies Maps) will be protected for the sake of its intrinsic character, beauty, heritage and wildlife, the wealth of its natural resources and to ensure it may be enjoyed by all.

The following types of development will be supported in countryside locations:

- 1. Recreation and tourism that cannot be provided within the Settlement Boundary;*
- 2. Development by statutory undertakers or public utility providers;*
- 3. The subdivision of an existing residential dwelling; and*
- 4. Development that is otherwise in accordance with: national policies; or strategic planning policies or allocations; or with the other policies of the Neighbourhood Plan.*

- The proposed development is in accordance with the National Planning Policy Framework policies as is for the re-use of previously developed land. The NPPF states that brownfield land should be used for housing. The Landscape and Visual Appraisal has shown that there will be no effect on the intrinsic character, beauty, heritage and wildlife locally.

Policy M2: Landscape Character

Development should be located and designed in a way that is sensitive to its landscape setting, retaining and, where possible, enhancing the distinctive qualities of the landscape character area (identified on Figure 3) which it would affect.

Development should:

- 1. Conserve and, where possible, enhance the character and qualities of the local landscape through appropriate design of development proposals;*
- 2. Retain and where possible enhance woodland, hedgerows, mature trees, and stone walls as features of landscape importance unless it is demonstrated this is not viable or practicable;*
- 3. Be well integrated within the landscape with planting to soften urban edges;*
- 4. Be located and designed so as not to significantly harm the important long views from the publicly accessible locations at Billa Barra Hill, Hill Hole, and Altar Stones identified on the Map of Views; and*
- 5. Provide appropriate landscape mitigation and/or suitable off-site enhancements.*

- The above policy identifies an important long view from Billa Barra Hill from which the site may be visible. The Landscape Visual Assessment states that this is a far reaching view with the western end of Shaw Lane and dwellings fronting South Lane visible in the middle distance. The proposed site is screened by intervening trees and woodland. As such the proposed development is unlikely to be visible from Billa Barra Hill and therefore would be compliant with Policy M2.

Policy M10: Design

To be supported development must be sympathetic to local character and history, unless the development is of exceptional quality or innovative design. Development must also:

- 1. Be in keeping with the scale, form and character of its surroundings;*

- The proposed design is commensurate with that locally in terms of scale and character.

2. Protect important features such as jitties 1, granite setts, traditional walls, hedgerows and trees;

- All identified hedgerows and trees will be preserved on site.

3. Have safe and suitable access;

- There is an existing access which served the haulage yard and is capable of ensuring safe traffic movements to and from the site.

4. Integrate into its surroundings by reinforcing existing connections and creating new ones, while also respecting existing buildings and land uses around the development site;

- The proposed courtyard style layout has been devised to take account of the rural land use around the site.

5. The amenities of residents in the area should not be significantly adversely affected, including by loss of daylight/sunlight, privacy, air quality, noise and light pollution;

- The design proposed ensures that there is no adverse impact to residents in terms of the above.

6. Create a place with a locally inspired or otherwise distinctive character and:

a) Resist the encroachment of modern, generic, domestic forms along key historic routes such as Main Street and the Green;

b) Ensure development responds to the agricultural and quarrying precedents in the village through materials and form;

c) Protect the influence of agricultural buildings and quarrymen's cottages to the south and west of the village. d) Meets the general design principles of the National Forest.

- The design has taken inspiration from the agricultural precedents in the village, with the layout taking the form of a courtyard range of red brick buildings, similar to a traditional farmstead in appearance.

7. Take advantage of existing topography, landscape features (including water courses), wildlife habitats, existing buildings, site orientation and microclimates;

- Existing landscape features would be complemented with the introduction of new woodland planting and native hedgerow.

8. Ensure buildings are designed and positioned to enhance streets and spaces;

- The new dwelling are being built on a brownfield site and will replace an existing range of buildings.

9. Be designed in a way that encourage low vehicle speeds;

- The layout and positioning of parking spaces encourages low vehicle speeds.

10. Ensure parking is integrated so that it does not dominate the street;

- All parking proposed is off street.

11. Ensure public and private spaces are clearly defined and designed to be attractive, well managed and safe; and

- *Each dwelling will have private amenity space in line with the design criteria.*

12. Provide adequate external storage space for bins and recycling as well as vehicles and cycles.

- *External storage will be incorporated into the plans at the reserved matters stage.*

4.0 Design Component

4.1 Use

- The proposal is for the demolition of the workshops, structure, and hardstanding on site, and the erection of 4 new dwellings.

4.2 Layout

- As part of pre-application engagement the area planning officer advised:

The dwellings in the vicinity of the site form a ribbon development of terraced housing fronting onto Shaw Lane with long narrow rear gardens extending to the rear. The submitted scheme layout proposes an L shaped development consisting of 4 dwellings arranged around a hard-surfaced turning area with parking provided predominantly to the frontage of each dwelling and each provided with a private rear garden. No proposed elevations or floorplans have been submitted with this application but by virtue of the dwellings being located to the rear of the existing terraced dwellings and without any proper road frontage to Shaw Lane, the scheme would fail to complement the prevailing pattern and character of existing development in the surrounding area.

The development would be akin to "backland" development which as outlined in the adopted Good Design Guide requires clear and convincing justification in relation to its context. In this respect there would be conflict with Policy DM10 of the adopted SADMP and Policy M10 of the MNP.

Notwithstanding the above advice, should you wish to proceed to an application in my opinion, the garden area of Units 2 & 3 should be bigger and this should be considered to provide a more visually attractive scheme with more amenity space for any future occupier. Also the opportunity should be taken to enhance the screening of the larger site with suitable trees and hedgerow, especially along the boundary at the rear of dwellings along Shaw Lane to soften its appearance and reduce any potential light pollution.



- Figure three: Proposed site layout
- *The proposed layout takes the form of a courtyard style. This has been done for two reasons. Firstly, to ensure the built form is built within the same footprint as the previous buildings, structures and associated hardstanding and secondly the courtyard style will be more agrarian visually than four detached dwellings, and therefore more in keeping with rural location.*
- *Whilst the courtyard built form is located on the footprint of previously developed land it has been repositioned further south to that previously relayed at the pre-application stage so as to incorporate woodland to the north of the site to effectively screen the development from the adjoining properties on Shaw Lane. This would improve the current situation with a brownfield site currently clearly visible to adjoining properties.*
- *A native species rich hedgerow has also been included to the western boundary of the proposed garden boundaries. This would create a natural screen to views looking easterly towards the site.*
- *The pre-application advice specifically highlighted backland development guidance contained within the Councils adopted Good Design Guide which is copied below for ease of reference:*

Backland sites

Aim: providing guidance on the subdivision of existing sites to create new development.

Where an existing plot is proposed to be subdivided to create additional development in 'backland' locations, this will require clear and convincing justification in relation to its context. Some sites may be able to accommodate this type of development, whereas others will not. At a minimum, it will need to demonstrate that it will not result in loss of amenity to neighbouring properties by way of overlooking, overshadowing or noise.

Habitable rooms within a rear elevation should ideally not be less than 8m from the blank side of a single storey neighbouring property, rising to 14m for a two storey property and above. Principal windows to habitable rooms within the rear elevations of neighbouring properties should never be less than 21m apart from a proposed principal window to a habitable room.

It will also be required to demonstrate that the density is also in keeping with the prevailing character of the surrounding area. A figure ground plan can provide a useful tool to demonstrate how new development can sit comfortably within its environment.

Where these conditions can be demonstrated, existing access arrangements should be used to serve new development wherever possible, to avoid unnecessarily 'puncturing' the character of the streetscene and allowing highways to dominate.

Development should respect wider building lines and not back onto the street. Boundary treatments should also be carefully utilised to assimilate new development into its context, reflecting those seen in the wider frontage and seeking to avoid gaps that break down sense of place.

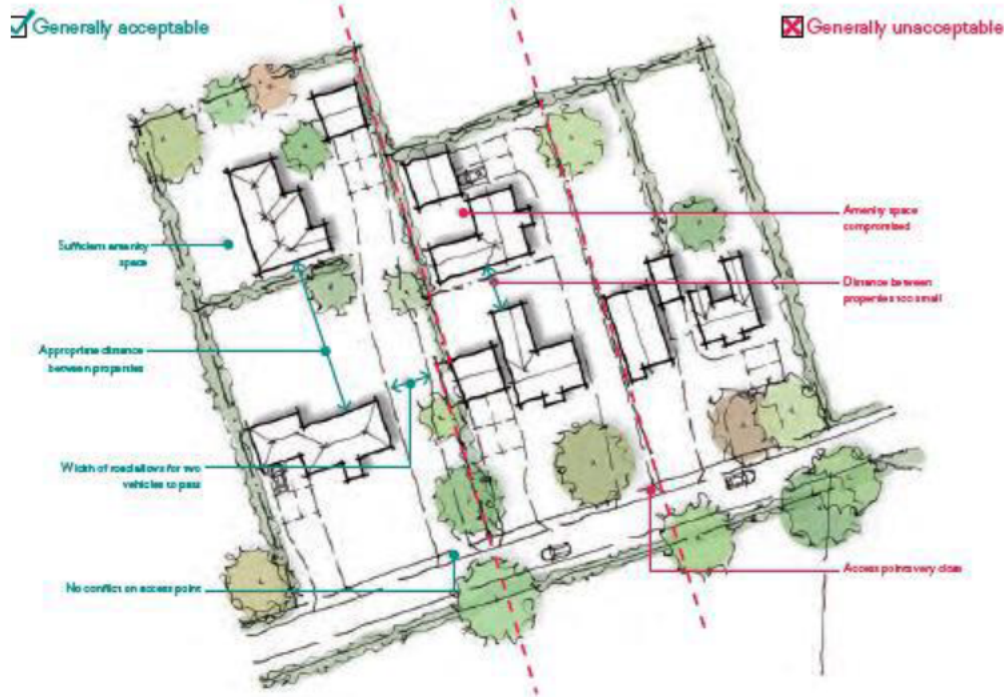


Figure 33 | Backland site: design considerations

- Assessing the submitted scheme against this guidance the proposal would strictly speaking be termed backland development given it sits to the rear of existing residential dwellings which form a ribbon style however contextually the site exists as a brownfield site having previously operated as a haulage yard for 36 years with associated buildings, structures and areas of hard standing. The proposal therefore falls to be assessed against this historical use and therefore is considered more suitable for a backland style proposal.
- Neighbouring residential properties would be positioned well in excess of the minimum overlooking distances and result in a betterment when allowing for the inclusion of additional screening and planting and given the nature of historic uses at the site; removing an industrial use from close

proximity to residential use and replacing it with the same improving noise, pollution, traffic and overall amenity.

- The proposed development would utilise an existing vehicular access and incorporate native hedgerows to create boundaries to private amenity / garden space which would assimilate into the wider rural setting. The inclusion of new planting to the north of the application site would effectively screen the development and mitigate any potential for light pollution.*

4.3 Amount

- Site area:
- 0.29ha
- Plot 1:
- Gross External Area:
- Dwelling – 197.62sqm
- Plot 2:
- Gross External Area:
- Dwelling – 54.12sqm
- Plot 3:
- Gross External Area:
- Dwelling – 54.12sqm
- Plot 4:
- Gross External Area:
- Dwelling – 147.12sqm
- Total – 452.98sqm
- Total being demolished – 460.82sqm

4.4 Scale

- The scale is commensurate with the adjoining residential buildings and the previous quantum of built form at the site. The outline drawings show a mix of house types being 2/3 bed and 4+ bed houses.

4.5 Appearance

- The finished appearance of the properties will be dealt with during the reserved matters stage of the application, however, high quality materials will be utilised which will reflect the character of the local area.

4.6 Landscaping

- In terms of landscaping, proposed planting has been incorporated to screen the development from neighbours, there is a new native hedgerow to the western boundary effectively enclosing private

amenity space and with scope to include biodiversity enhancement well in excess of minimum requirements.

5.0 Access Component

- The development proposal would see a significant reduction in vehicular numbers and type operating from the site. Historically the site operated five Heavy Goods Vehicles, seven days per week. In addition, there was daily movements associated with four members of staff and other deliveries and visits associated with a haulage business such as delivery of consumables and service items. It is considered the proposed 4 residential units would give rise to between 24-32 vehicular movements per day significantly less than those associated with the pre-existing use.
- 10 parking spaces have been incorporated within the proposed layout and swept path analysis is provided showing that the largest anticipated vehicle can enter and exit in a forward gear.

6.0 Conclusion

- The proposed development has been assessed against national, regional and local policy during the application stage, and as has been highlighted in this statement, the proposal meets all of the relevant national criteria.
- The development provides an excellent opportunity for the council to meet its housing supply targets whilst delivering housing on a brownfield site which is easily accessible by sustainable transport.
- It is for these reasons that the application should be granted.

Signed *Andrew Large*

Andrew J Large MRICS FAAV

Dated 18th December 2023