



PLANNING STATEMENT

on behalf of R Sheppard

Proposed replacement dwelling and revised site
access

At Basin Bridge Farm, Stoke Golding

Prepared by: Simon Tindle, Divisional Partner

For and on behalf of Brown & Co.

Brown & Co is a leading provider of agency, professional and consultancy services across the whole range of rural, commercial, residential, and agricultural markets.

Date: March 2024.

Reference: 044944.

1. Introduction

- 1.1 This statement has been prepared by Brown & Co to support of a full planning application submitted on behalf of Mr R Sheppard for the replacement of the dwelling and revised access at Basin Bridge Farm, Hinkley Lane, Stoke Golding.
- 1.2 The purpose of this statement is to set out the background to the applicant's proposals and the key planning issues raised by them. The statement is structured as follows:
- **Section 2:** describes the physical characteristics of the **site and its surroundings**;
 - **Section 3:** outlines the **proposed development**;
 - **Section 4:** summarises the relevant national and local **planning policy context**;
 - **Section 5:** provides a **planning assessment** of the key considerations raised by the proposal; and
 - **Section 6:** sets out in brief our overall **conclusions** on the proposal.
- 1.3 This statement should be read in conjunction with the following application documents submitted as part of the full application:
- Location Plan
 - 22.106.S0001_P1 - Site Plan As Existing
 - 22.106.K0001_P2 - Site Plan As Proposed
 - 22.106.K0002_P1 - Site Plan As Proposed Detail
 - 22.106.K0003_P1 - Plans As Proposed
 - 22.106.K0004_P2 - Elevations As Proposed
 - 22.106.K0005_P2 - Artists Impressions As Proposed
 - 22.106.K0006_P1 - Landscape and Ecological Management Plan
 - 22.106.K0007_P1 - Soft Landscape Scheme
 - 22.106.K0008_P1 - Construction Management Plan
 - Sheppard 044944 Landscape and Ecological Management Plan
 - 3065 - Highways Statement
 - C3045-1 - Ecological Impact Assessment - 31st March 2023
 - Arboricultural Implication Study Incorporating Method Statement and Tree Constraints and Protection Plan – March 2023
 - UK23.6353 - Phase I Geo-Environmental Desk Study - Basin Bridge Bungalow
 - 22.106- Construction & Environment Management Plan

2. Site and surroundings

- 2.1 Basin Bridge Farm is located approximately 1-mile due south of the village of Stoke Golding and approximately 2 miles northwest of Hinckley.
- 2.2 The site is currently in agricultural use and hosts several large agricultural and a single dwelling. It is bounded by the Ashby de la Zouch Canal along its eastern boundary and agricultural land to the remainder. The site is accessed from Hinckley Lane.
- 2.3 The site is not subject to any heritage designations. The closest heritage assets are in nearby settlements.

2.4 Situated in flood zone 1, the site is at low to very low risk from any sources of flooding.



Figure 1 – Aerial photo of the site [source Google Maps]

3. Proposal

- 3.1 Full planning permission is sought for the demolition of the existing dwelling and the erection of a replacement, self-build dwelling, with ancillary hardstanding. The proposed dwelling is to be 1.5-storey and situated towards the centre of the site.
- 3.2 The application also seeks approval for a revised vehicular access to the site from Hinckley Lane, an adopted highway to the south of the site. The existing access currently has substandard visibility due to the proximity of the canal bridge and it is the intention to relocate the access further west to aid better visibility.
- 3.3 Save for a small section of hedge which is being removed to facilitate the revised access, present boundary landscaping is proposed to be retained.
- 3.4 A similar application for a replacement dwelling was approved on 8th November 2023. After the applicant would like an alternative house type to that previously approved (23/00758/FUL).

Planning History

- 3.5 Several planning applications have been submitted on the site;
 - Erection of dwelling to replace existing dwelling; Ref. No: 95/00298/out | status: Refused
 - Erection of dwelling to replace existing dwelling; Ref. No: 95/00654/out | Status: Refused

- Erection of replacement dwelling; Ref. No: 98/00010/out | Status: Refused
- Erection of storage unit; Ref. No: 04/01010/gdo | Status: General Development Order
- Extensions and alterations to framed cattle shed; Ref. No: 09/00750/ful | status: Planning Permission
- Proposed portal framed infill to form enlarged new cattle shed (retrospective); Ref. No: 10/00877/ful | status: Planning Permission
- Proposed erection of farm building; Ref. No: 14/00667/ful | status: Planning Permission
- Erection of replacement dwelling; Ref. No: 16/00273/ful | status: Planning Permission
- Demolition of existing dwelling and erection of replacement two-storey, two-bedroom dwelling; Ref. No: 17/00695/ful | status: Refused
- Replacement dwelling; Ref. No: 19/00676/ful | status: Planning Permission
- Demolition of existing bungalow and construction of single dwelling including revised access, parking and landscaping Ref. No: 23/00758/FUL | Approved - 8th November 2023

Changes since last application

3.6 The following alterations are proposed from the dwelling as approved;

- The total height of the proposal has been increased by 1.0 metre from 6.6 metres to 7.6 metres;
- An external chimney has been added;
- The hipped roof has been altered to a gable;
- Addition of a veranda to each elevation;
- Materials (walls) altered to brick.
- Inclusion of Soft Landscaping Scheme
- Inclusion of Construction and Environment Management Plan
- Inclusion of Landscape and Ecological Management Plan

4. Planning policy context

4.1 Planning law requires that planning applications are determined in accordance with the development plan, unless material considerations indicate otherwise¹. The development plan is, therefore, the starting point for the assessment of all planning proposals. Development plan policies of particular relevance to this application are summarised in paragraphs 4.3 to 4.11 below.

4.2 The Government's planning policies, as set out in the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), are also a significant material consideration in deciding planning applications. National planning policies of particular relevance to this application are summarised in paragraphs 4.12 to 4.20 below.

¹ Section 38(6) of the Planning & Compulsory Purchase Act 2004 and Section 70(2) of the Town & Country Planning Act 1990.

Development plan policies

- 4.3 In Hinkley and Bosworth Borough, the Development Plan currently comprises of the Core Strategy DPD and the Site Allocations & Development Management Policies DPD

Core Strategy DPD

- 4.4 Spatial Objective 5: Housing for Everyone - To ensure sufficient housing is provided to meet the requirements of the East Midlands Regional Plan to enable all residents of the borough to have access to a suitable home which they can afford in a range of sustainable locations, tenures and house types. The focus of development will be in and around the Hinckley urban area, with more limited development in the rural areas to meet local needs. All housing will be high quality, locally distinctive, sustainable developments.

Site Allocations & Development Management Policies DPD

- 4.5 Policy DM1 - 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.
- 4.6 Policy DM6 - Development proposals must demonstrate how they conserve and enhance features of nature conservation and geological value including proposals for their long term future management.
- 4.7 Policy DM7 - Adverse impacts from pollution and flooding will be prevented.
- 4.8 Policy DM10 - Provides a checklist of criteria setting out the requirements of good design in the district. This includes ensuring landscape, character of the area and amenity of occupiers are protected.
- 4.9 Policy DM14 - A proposal for the demolition and rebuild of an existing dwelling outside the settlement boundary will be supported where:
- a) It leads to an enhancement of the immediate setting and general character of the area; and
 - b) The new dwelling is proportionate to the size, scale, mass and footprint of the original dwelling and situated within the original curtilage; and
 - c) The proposed development accords with Policy DM10: Development and Design, DM11: Protecting and Enhancing the Historic Environment and DM12: Heritage Assets.
- 4.10 Policy DM17 - Development proposals will be supported where they amongst other things, demonstrate that there is not a significant adverse impact upon highway safety.
- 4.11 Policy DM18 - All proposals for new development will be required to provide an appropriate level of parking provision.

National Planning Policy Framework

- 4.12 The NPPF sets out the Government's planning policies and how these are expected to be applied and advises that the purpose of the planning system is to contribute to the achievement of sustainable development. This was most recently updated in December 2023.
- 4.13 Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses.
- 4.14 To support the government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet as much of an area's identified housing need as possible, including with an appropriate mix of housing types for the local community.
- 4.15 The size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).
- 4.16 In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs.
- 4.17 The NPPF advocates that Development proposals that accord with an up-to-date development plan should be approved without delay.

National Planning Practice Guidance

- 4.18 The Government's Planning Practice Guidance provides a web-based resource of national planning guidance covering a wide range of topics. Of particular relevance to this application is the guidance set in the sections of the NPPG relating to self-build housing and use of planning conditions.
- 4.19 "What are the benefits of self-build and custom housebuilding? - Self-build or custom build helps to diversify the housing market and increase consumer choice. Self-build and custom housebuilders choose the design and layout of their home and can be innovative in both its design and construction".
- 4.20 The government's PPG expressly states, "Conditions restricting the future use of permitted development rights or changes of use may not pass the test of reasonableness or necessity. The scope of such conditions needs to be precisely defined, by reference to the relevant provisions in the Town and Country Planning (General Permitted Development) (England) Order 2015, so that it is clear exactly which rights have been limited or withdrawn. Area-wide or blanket removal of freedoms to carry out small scale domestic and non-domestic alterations that would otherwise not require an application for planning permission are unlikely to meet the tests of reasonableness and necessity. The local planning authority also has powers under article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 to enable them to withdraw permitted development rights across a defined area, where justified."

5. Planning assessment

Principle of development

- 5.1 It is acknowledged that the site is located within the open countryside, however there is extant permission in place to construct a new dwelling and access (23/00758/FUL). The proposal at hand is simply an alteration in house type on the same site. The 2023 permission remains extant and a fall-back position. The principle of development is therefore established.

Effects on Landscape/ local character

- 5.2 The site is a large, flat well contained agricultural farmstead surrounded by strong boundary hedging which acts as screening for the site. To the rear of the site are several very large utilitarian agricultural buildings.
- 5.3 The existing vegetated site boundaries will help contain the development from the wider landscape. The site has previously been considered as an eye sore. Since the applicant has purchased the site, he has made a concerted effort to improve the area. A soft landscaping scheme is included as a part of the application.
- 5.4 The new dwelling will be a slight alteration in design for the dwelling as approved, increasing the height by 1.0m. The proposed changes are minor and cosmetic and will have minimal impact upon the wider landscape/ character of the area.

Design

- 5.5 In preparing the design of the dwelling, a high-quality site-specific bespoke design has been formulated. The dwelling is proposed to be constructed from brick, a brick chimney feature and verandah.
- 5.6 A one and a half-storey dwelling, the building is positioned centrally on the site, as the previously approved house.
- 5.7 Boundary treatments will remain in situ, save for a small section to be amended to reposition the access point. Native hedgerows are intended to be retained and strengthened. High quality landscaping is presented, along with native tree planting in suitable locations. This is shown in the soft landscaping scheme.
- 5.10 In design terms it is advocated that the development achieves high quality and locally distinctive design, whilst protecting the character and setting of the surrounding area in accordance with Policy DM10.

Access and parking

- 5.11 Alternative vehicular access to the site has been previously approved (23/00758/FUL). The proposed access is identical to that approved and accords with Policy DM17.
- 5.12 The part of the access abutting the highway will be undertaken in agreement with the Local Highway Authority and by authorised contractors to LHA specification. The access will be appropriately drained in order that surface water does not run off onto the highway.

- 5.13 Suitable vehicular parking is offered on site with four spaces and turning shown on site. Turning space includes an area for small delivery vehicles. Covered and secure cycle storage can be provided within the garage, in accordance with policy requirements.
- 5.14 Electric vehicle charging infrastructure can be provided and this can be secured with a well worded planning condition. The implementation of this can be controlled with a compliance condition, requiring this to be installed before occupation. Although, this is now a requirement of building regulations.

Ecology

- 5.15 The application is accompanied by a Preliminary Ecological Appraisal which sets out the baseline ecological conditions and suggests enhancement. A Landscape and Ecological Management Plan details how habitats and other ecological enhancements will be managed and maintained over a five-year period.
- 5.16 Relocation of the access to the west will result in the removal of approximately 17m of species poor hedgerow. As a part of the development, new native species-rich hedgerow will be planted along the new access road and to infill the existing site access point. This is set out in the mitigation and compensation section of the PEA.

Ground Investigation

- 5.17 A Phase I Environmental Desk Study prepared by EPS accompanies the application. The report advises a Phase II assessment prior to commencement of development. This can be controlled via a well worded planning condition, with any remediation being undertaken prior to commencement.

Trees

- 5.18 An Arboricultural Implication Study, Method Statement and Tree Constraints Protection Plan has been undertaken by JAG Arboricultural Consultancy and accompanies the application. No category A trees were present on site.
- 5.19 The report concludes that the development will not result in the removal of any trees and where development is proposed within the root protection area of trees, tree protection is suggested along with a method statement, to ensure existing trees are protected.
- 5.20 The tree constraints plan indicates the location of the new hedge and provides a specification. It is considered that the tree protection and planting of new hedge can be controlled by a suitably worded planning condition.

Landscaping

- 5.21 Save for a small section of hedge being removed to facilitate access, the boundary landscaping will remain in situ. Details of the hard landscaping are included on the application form, soft landscaping scheme also forms a part of the application.
- 5.22 No significant changes in levels are proposed.

Other matters

Flood Risk

- 5.23 The application site falls within Flood Zone 1 is therefore considered to be at low risk of flooding. The site is at low risk of surface water flooding.

Drainage

- 5.24 Surface water drainage will be dealt with via on site attenuation and permeable surfacing. The site is sufficiently large to accommodate drainage on site.
- 5.25 Foul water drainage will be connected to a package treatment plant to be located on site.

Residential waste

- 5.26 Suitable area for storage of waste and recyclables is provided for on-site to the rear of the property. The receptacles will be brought to the edge of the highway for collection.

Lifetime Homes

- 5.27 The proposed dwelling is designed to Accessibility Category M4 (2) (Optional – equivalent to Lifetime Homes standard).

Construction Management

- 5.28 A Construction Management Plan is included as a part of the application, detailing how the site will be managed during the construction and demolition phase. It is hoped that this can be conditioned as a part of any approval.

Conditions

- 5.28 The previous approval was subject to the following condition which we request is reviewed as it is unnecessary;
- Condition 16 – Given the government advice within the PPG (para. 4.20 above), we request that should this condition be considered necessary that the requirements are more focused. At present the condition would make it necessary for a planning application to be submitted for even the most minor of alterations.

6. Summary

- 6.1 We advocate that the proposal is in accordance with the development plan and therefore and should be considered in accordance with the NPPF's presumption in favour of sustainable development.
- 6.2 Planning application 23/00758/FUL has established the development of a dwelling on this site. The proposal is appropriate in principle and is an efficient use of land.

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- 6.3 In design terms, it is advocated that the development is of a reasonable scale, achieves a high quality and distinctive design, using high quality materials and protects the character and setting of the surrounding area.
 - 6.4 With a strong boundary surrounding the site, visual effects will be restricted to a localised geographical area and will not result in substantial harm to landscape character beyond the site boundary, nor will there be substantial detrimental effects to visual amenity across a wide area.
 - 6.5 Suitable access has previously been approved to the site. The application at hand is identical to that approved. Vehicular parking is offered on site with parking spaces and turning shown on site. All vehicles will be able to enter and leave the site in a forward gear. The revised access will provide a significant improvement from that as existing.
 - 6.6 Accordingly, the proposals are in accordance with the development plan and therefore the application should be considered acceptable.