



TOWN AND COUNTRY PLANNING ACT 1990

Planning Design and Access Statement

**Construction of a detached bungalow with
associated parking and landscaping;
alterations to existing property**

**In respect of
11 Dane Hill
Ratby
Leicester
LE6 0NG**

**Statement on behalf of
Mr Lovegrove**

March 2025 – V2

**Prepared by
Hayden Todd
BRP (Hons) MRTPI**

CONTENTS

1	Introduction	3
2	The Site and Surrounding Area	3
3	Proposed Development	5
4	Relevant Planning History	6
5	Planning Policy Framework	7
6	Planning Justification	12
7	Conclusion	20

1. INTRODUCTION

- 1.1 This Statement has been prepared in support of a planning application for the construction of a detached bungalow with associated parking and landscaping at 11 Dane Hill, Ratby, Leicester, LE6 0NG.
- 1.2 The proposed development introduces a much needed dwelling into a sustainable settlement. A high quality design has been achieved that respects the local context. The careful arrangement and modest size of the dwelling would ensure the proposal would not harm the amenity of the surrounding occupiers. A high quality environment would be achieved for the future occupiers. The proposal provides an appropriate level of parking provision for this locality.
- 1.3 This Statement demonstrates why the proposed development is acceptable having regard to the adopted Development Plan and national planning guidance.

2. SITE DESCRIPTION AND SURROUNDING AREA

- 2.1 The Application Site is a residential corner plot located on the west side of Dane Hill, near the junction with Nicholas Drive. Embedded within Ratby, the Site is sustainably located near Main Street where there are a range of local facilities and services circa 400 – 500 metres away. Bus stops are approximately 150 metres away on Station Road. These are served by Arriva bus route 27/28, offering an hourly service between Leicester and Coalville via Ratby and a number of other villages Monday to Sunday, albeit with a constrained timetable of 1000 – 1800 on Sundays.



Approximate extent and location of the Site

- 2.2 The surrounding area is residential and consists of a mixture of detached and semi-detached one and two storey dwellings. Forming a post war estate, the buildings are predominantly constructed from brick and tile, with gable roofs dominant. The properties tend to provide relatively simple architectural styles, and offer relatively linear building rows with front gardens and parking between the properties and highway. The Application Site however forms an exception to this, with the collection of bungalows arranged as a crescent around an area of informal open space.
- 2.3 The Site consists of a semi-detached bungalow with a simple pitched roof form. The bungalow has two front bay windows and a prominent chimney stack centrally positioned in the front roofslope. It has flat roof single storey side (porch) and rear extensions. The bungalow is constructed in facing brickwork with a tiled roof



Streetview of the Site and adjoining development

- 2.4 The bungalow is set back from the highway with an open, landscaped front garden and parking area. A 1.8m high close board fence extends around the land to the side and rear of the dwelling, enclosing a larger than standard rear garden. There are several sheds and areas of hardstanding in the rear garden.
- 2.5 The Site has a single access point of Dane Hill, with space on the frontage for two vehicles.

Designations

- 2.6 The Site is located within the designated settlement boundary of Ratby, which is identified as a Key Rural Centre in the Core Strategy. The Site is not in a Conservation Area or near any Listed Buildings. It is in Flood Zone 1 where it is at low risk of flooding.

3. PROPOSED DEVELOPMENT

- 3.1 Planning permission is sought for the construction of a detached bungalow with associated parking and landscaping.
- 3.2 The proposed bungalow would have two bedrooms with an open plan layout.
- 3.3 The bungalow would be positioned to the side of the existing bungalow, slotting in between the existing building and the highway that runs to the side of the property. It is set back from the front elevation of the existing house and has a stepped footprint with a double pitched roof. The bungalow would be constructed in brickwork with small sections of cladding, set below a tiled roof.
- 3.4 The bungalow would be accessed via the existing vehicle crossover, with only minor amendment to it. The parking arrangement would be revised to provide two spaces for the existing and proposed bungalows, which would be positioned on either side of the centrally positioned accessway. This allows vehicles to manoeuvre on site and leave in a forward gear.
- 3.5 Part of the existing close board fence would be removed to provide an open frontage for the new bungalow. New landscaping would be introduced.
- 3.6 The porch on the side elevation of the existing house would be removed to allow for the construction of the new bungalow. A side window in rear section of the house would be infilled to mitigate any potential impact on the existing occupiers. Two rear facing windows will continue to serve this room.



Proposed layout

4. RELEVANT PLANNING HISTORY

Application Site

Lounge Extension (83/00323/4)

- 4.1 A planning application for a lounge extension was approved on 12 May 1983. This permission relates to the flat roof rear projection.

Porch (80/01490/4)

- 4.2 A planning application for the erection of a porch was approved on 02 December 1980. This permission relates to the flat roof side extension.

Other relevant applications

New dwelling at 12 Park Road, Ratby (24/00516/FUL)

- 4.3 A planning application for a two storey dwelling was granted conditional permission on 25 October 2024. This recent and nearby permission is relevant as it confirmed that new residential development is acceptable in principle in Ratby and that the tilted balance is engaged due to the age of the housing policies in the Core Strategy.

5. PLANNING POLICY FRAMEWORK

Local Planning Policy

- 5.1 The starting point for assessing development proposals is always the Development Plan. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states *“if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise”*.
- 5.2 The Development Plan relevant to the assessment of this proposal consists of the Hinckley and Bosworth Core Strategy and the Site Allocations and Development Management Policies DPD. The Leicestershire Highway Design Guide, Good Design SPD and National Planning Policy Framework are also an important planning consideration.

Hinckley and Bosworth Core Strategy

- 5.3 Hinckley and Bosworth Core Strategy was adopted December 2009. It sets out the vision and strategic context for managing and accommodating growth within the Borough until 2026. Policies relevant to the assessment of this proposal are set out below.
- 5.4 The Plan period runs from 2006 to 2026, with the East Midlands Regional Plan requiring 9,000 homes to be built within Hinckley and Bosworth during this period (paragraph 4.2). This equates to 450 dwellings per annum. Table 1 identified that at the date of adoption (2009) there was a remaining requirement to allocate land for 5046 additional dwellings.
- 5.5 The Key Diagram sets out the hierarchy of the settlements within the Borough. The Hinckley Urban Area is noted to consist of Hinckley, Burbage, Barwell and Earl Shilton. All other settlements are noted as either Key Rural Centres, Rural Villages or Rural Hamlets. Ratby is noted as a Key Rural Centre.

Policy 7 Key Rural Centres

- 5.6 Confirms that the Council will support housing development within settlement boundaries of Key Rural Centres.

Policy 8 Key Rural Centres relating to Leicester

- 5.7 Recognising the relationship to Leicester, this policy recognises the relationship that some settlements will have to the nearby city. Ratby is included on this list and notes that a minimum of 75 dwellings will be allocated at Ratby, and that developments will be expected to meet the housing need of the village, providing a mix of house types.

Policy 16 Housing Density, Mix and Design

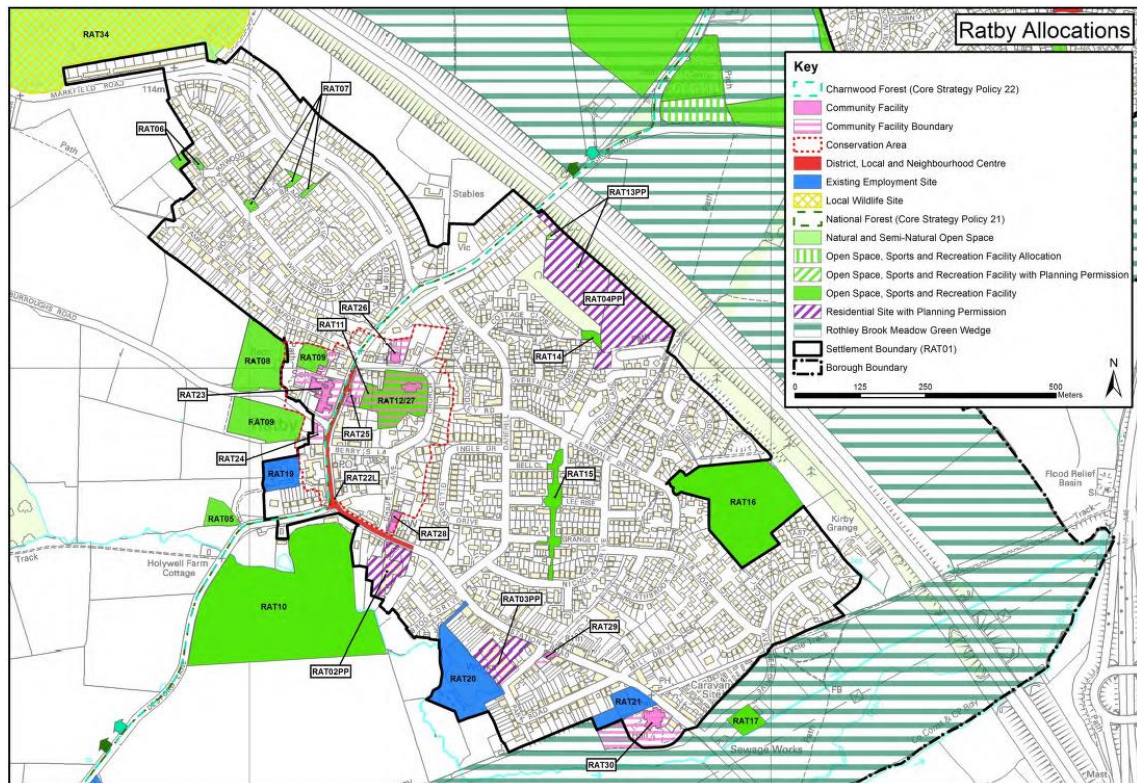
- 5.8 Proposals for new residential development will be required to meet a minimum net density of at least 30 dwellings per hectare within and adjoining the Key Rural Centres.

Policy 24 Sustainable Design and Technology

- 5.9 The council expects new development in Key Rural Centres to meet the sustainability targets set out in Building a Greener Future.

Site Allocations and Development Management Policies DPD

- 5.10 Site Allocations and Development Management Policies DPD (SADMP) was adopted July 2016. It identifies sites for future development and contains the detailed policies used to assess planning applications over the plan period. Policies relevant to the assessment of this proposal are set out below.
- 5.11 Sections on each settlement are included within the DPD, offering information about the proposed allocations, any designations and defining the limits to development. The Ratby plan on page 56 of the document confirms the Application Site as being within the limits to development but not subjected to any specific designations.



Copy of Proposal Map for Ratby

Policy DM1: Presumption in Favour of Sustainable Development

- 5.12 The Council apply a presumption in favour of sustainable development, which mirrors that contained within the National Planning Policy Framework.

Policy DM6: Enhancement of Biodiversity and Geological Interest

- 5.13 This policy requires new development to demonstrate how they conserve and enhance features of nature conservation and geological value.

Policy DM7: Preventing Pollution and Flooding

- 5.14 Policy DM7 seeks to avoid adverse impacts from developments that affect water quality, ecological value or the drainage functions in the Borough. Proposals should not exacerbate flooding. All matters relating to contaminant, noise and air quality and land instability need to be appropriately addressed.

Policy DM10: Development and Design

- 5.15 This policy confirms that developments will be permitted provided the following criteria are met:

- a) *It would not have an adverse impact on the privacy and amenity of neighbours*
- b) *It would provide a good standard of environment for future occupiers*
- c) *It complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features*
- d) *Appropriate materials are used*
- e) *It incorporates a high standard of landscaping where this would add to the quality of the design and siting*
- f) *It maximises opportunities for the conservation of energy and resources*
- g) *Where feasible, electric or low emission vehicles are catered for (charging points etc)*
- 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*
- i) *It maximises natural surveillance and incorporates the principles of Secured by Design and has considered the incorporation of fire safety measures*

Policy DM17: Highways and Transportation

- 5.16 Policy DM17 seeks to ensure there is convenient and safe access for walking and cycling to services and facilities, and which demonstrate that there is not a significant adverse impact on highway safety. Development should be located where the need to travel will be minimised and sustainable transport modes can be maximised.

Policy DM18: Vehicle Parking Standards

- 5.17 All new developments are required to provide an appropriate level of parking provision in order to protect highway safety.

National Planning Policy Framework (2024)

- 5.18 Central Government advice relevant to this application is contained within the recently revised National Planning Policy Framework. The most relevant aspects of the Framework are summarised below.
- 5.19 The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 5.20 Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. Paragraph 8 identifies the three dimensions to sustainable development which are economic, social and environmental.

- 5.21 Paragraph 11 sets out the presumption in favour of sustainable development as the central aspect of planning policy and decision taking. In terms of determining development proposals, this means approving schemes which accord with the Development Plan without delay. 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 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*
- 5.22 Section 4 requires local planning authorities to approach decisions on proposed development in a positive and creative way. Paragraph 39 states that decisionmakers should seek to approve applications for sustainable development where possible.
- 5.23 Section 5 ‘Delivering a sufficient supply of homes’, addresses housing development and the need for growth. Paragraph 61 confirms the Government’s objective of significantly boosting the supply of homes. Paragraph 73 recognises that small sites can make an important contribution to meeting the housing requirements of an area and that great weight should be given to the benefits of using suitable sites within settlements for homes.
- 5.24 Section 9 ‘Promoting sustainable transport’ at paragraph 116 confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.25 Section 11 ‘Making effective use of land’ states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses. It promotes and supports the development of under-utilised land, especially if this would help to meet identified needs for housing where land supply is constrained.
- 5.26 Section 12 ‘Achieving well-designed places’, at paragraph 131 states that creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. It notes that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

6. PLANNING JUSTIFICATION

- 6.1 The main issues to consider in the assessment of this application is the principle of the proposed development, character and appearance, amenity, highway safety and green infrastructure.

Principle of Development

- 6.2 The National Planning Policy Framework (NPPF) and Policy DM1 of the Site Allocation and Development Management Policies Development Plan Document (SADMP) set out a presumption in favour of sustainable development, and states that development proposals that comply with local policies should be approved unless other material considerations indicate otherwise.
- 6.3 Policy 7 of the Core Strategy relates specifically to Key Rural Areas and confirms that the Council will support new housing development within settlement boundaries that provides a mix of housing types and tenures.
- 6.4 Policy 8 of the Core Strategy is concerned with the Key Rural Centres relating to Leicester and seeks to ensure local people have access to a range of housing and services.
- 6.5 Policy DM17 of the SADMP requires development proposals to be located where, the need to travel will be minimised, and the use of sustainable transport modes can be maximised.
- 6.6 The proposed development introduces a much needed dwelling within the settlement boundary of the Key Rural Centre of Ratby, where local policies support and encourage appropriate residential development. In this case, the new dwelling would be located in an established residential area where it would respect the local context. The new dwelling is positioned within easy walking distance of the village centre and main bus routes of this Key Rural Centre, which is identified as a sustainable settlement in the Core Strategy.
- 6.7 The proposed bungalow would be ideal for a young couple, small family or elderly residents looking to downsize. The proposed development would therefore contribute positively towards the range of housing types available to local people. Bungalows have also been under-represented within the recent developments constructed/approved. Provision of even a single dwelling therefore expands the offer of accommodation types within the village. Additionally, the future occupiers would help support local services and facilities, contributing positively towards the viability and vitality of the Village.
- 6.8 The principle of residential development in this Key Rural Centre was recently confirmed in the assessment of a nearby application for a two storey dwelling at 12 Park Road, Ratby (24/00516/FUL), where the Council stated the following:

The development is located in a sustainable location within the identified settlement boundary of Ratby. Therefore, the development is acceptable in principle, subject to the assessment of all other material considerations.

- 6.9 The proposed residential development is therefore acceptable in principle and complies with the provisions of Policies 7 & 8 of the Core Strategy, Policy 17 of SADMP and the NPPF.

Housing Supply

- 6.10 The NPPF places great weight on the need to provide enough housing. Local authorities are required to objectively set out the housing needs for their area and then to identify land to meet these needs. It is essential for Councils to demonstrate how they can deliver the required levels through a housing trajectory, and how a 5 year supply will be maintained. Importantly, the NPPF makes it clear that where a 5 year land supply cannot be shown to exist, the relevant policies cannot be considered to be up-to-date. This point is crucial in determining how proposals for housing should be considered.
- 6.11 Hinckley & Bosworth Borough Council have previously claimed to have a 5.6 year supply of housing. However, under the new standard methodology the Government has recently increased local housing targets from 432 to 649 dwellings. This is a significant increase and as a result it is likely that the Council can no longer demonstrate a 5 year supply of housing. As such, the Council have failed to significantly boost the supply of housing as required by the NPPF. The tilted balance under paragraph 11 of the NPPF is in effect, which sets a high threshold and requires the planning benefits to be significantly and demonstrably outweighed by the adverse impacts.
- 6.12 Notwithstanding the above, the housing target in the Core Strategy is derived from the former East Midlands Regional Plan, dating from 2004. That housing target has been superseded using different methodologies and new requirements to address unmet housing demand, resulting in higher housing targets. As such, the Development Plan does not reflect current housing needs. Therefore, regardless of the actual housing land supply position, the policies relating to the provision of housing are out-of-date and the tilted balance is in effect. The Council have accepted this on numerous planning appeals and thus should not be an area of disagreement.
- 6.13 Whilst the proposal would only provide one dwelling, paragraph 73 of the NPPF identifies the importance of small sites in contributing towards the housing requirements of an area. It confirms that this type of windfall development in settlements needs to be given great weight. The proposed development makes a small but important contribution to local housing supply.
- 6.14 Given the emphasis within the new NPPF of addressing housing needs, and the importance of optimising sustainable sites within settlements, together with the local

housing shortfall, the proposed dwelling attracts substantial weight in favour of the application.

Character and Appearance

- 6.15 The NPPF confirms good design is a key aspect of sustainable development, creating better places in which to live and work and helping to make development acceptable to communities. The NPPF seeks a high quality design and that new development is sympathetic to local character, while not preventing appropriate innovation or change.
- 6.16 Policy DM10 of the SADMP seeks to ensure that new development should complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 6.17 Dane Hill and the surrounding area consists of a mixture of one and two storey detached and attached dwellings. The dwellings typically closely grouped on relatively small plots. Many have been designed in similar architectural styles and constructed from a limited palette of materials, resulting in a consistent and identifiable residential character.
- 6.18 The Site comprises a single storey attached dwelling which conforms to the general character of the surrounding built environment. However, in contrast to the majority of the surrounding properties, the dwelling is set in a large residential plot. The introduction of the proposed dwelling into the generously sized side and rear gardens would respect and respond appropriately to the local context.

Acceptable layout

- 6.19 The proposed dwelling is set back from the common boundaries and fronts the highway, reflecting the general arrangement of the surrounding development. The proposed dwelling follows the curvature of the road and repeats the stepped arrangement of the properties directly opposite, ensuring the proposal responds appropriately to the pattern of development in this part of the street scene. The proposal would also repeat the general arrangement of the detached dwelling which adjoins the rear boundary, adding to the case the proposal responds appropriately to the layout of the surrounding development. Furthermore, the rear section of the dwelling would be largely screened by the closed board fence, reducing its visual prominence and any potential impact on the local character.



The new dwelling fronts the highway and repeats the stepped arrangement of the properties extending along the opposite side of Dane Hill



The proposal would repeat the arrangement of the adjoining detached dwelling

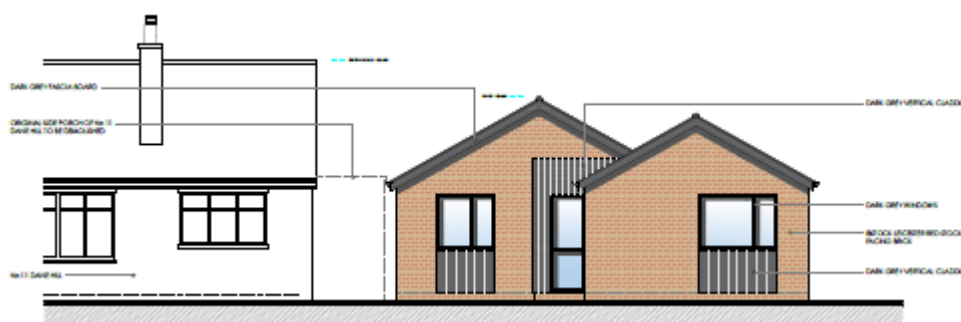


Streetview showing the existing boundary treatment which would partly conceal the new dwelling, reducing its visual impact

- 6.20 The proposed dwelling is set back from the highway and in from the common boundaries, enabling the appropriate assimilation of the dwelling within the plot. The resulting plot sizes would compare favourably to many of the surrounding properties, with both properties having full parking requirements provided and decent rear gardens which the properties directly overlook. As such, the existing and proposed dwellings would offer a logical and coherent layout that respects the character of the surrounding built environment.

Scale, Size and Massing

- 6.21 The proposed dwelling is modest in size with a low profile. The size, massing and scale of the proposed dwelling would be similar to the existing house and the surrounding bungalows. The proposal would also be smaller in size and scale to the nearby two storey dwellings. The modest size, set back position and partly concealed nature of this corner plot would reduce its visual impact. The proposal respects the domestic scale of the surrounding development and would sit comfortably within this street scene. The removal of the porch to the existing property has no material impact upon the street scene.



The proposal respects the size, massing and scale of the surrounding development

High Quality Design

- 6.22 The proposed dwelling has a simple pitched roof form that reflects the general design of the surrounding development, helping to integrate the proposal into this established residential area. The proposal includes some contemporary features, including glazing and cladding, which along with the stepped form and articulation of the elevations, introduces visual interest and results in an aesthetically pleasing appearance. A high quality design has been achieved.
- 6.23 The gable ended and gable fronted relationship with the existing house, is a common arrangement in this area, allowing integration within the mixed property design of the estate.



*Streetview of a gable fronted dwelling, adjacent to gable ended houses,
on a nearby corner plot on a junction with Danes Hill*

- 6.24 The proposed dwelling would be constructed in brick and tile, which are similar in colour and tone to the prevailing materials used on the surrounding buildings. Precise materials can be conditioned to ensure this occurs. This results in a cohesive appearance and helping to blend the proposal into the street scene.

Trees and Landscaping

- 6.25 The proposal would not result in the loss of any mature trees or vegetation that contributes positively towards the character of the area. There is ample opportunity for landscaping around the parking area and existing and proposed dwellings to soften the impact of the proposal and to provide a pleasant residential setting for the new development. It is noted that the parking area is relatively small and this type of arrangement could be constructed without planning permission. Furthermore, many of the surrounding properties have larger hardstanding areas used for parking, adding to the case this aspect of the scheme would not harm visual amenity within this context.

Amenity

- 6.26 A core planning principle set out in the NPPF is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. This key principle is reflected in Policy DM10 of the SADMP which seeks to avoid significant adverse effects on the privacy and amenity.

Neighbouring amenity

1 & 3 Gilbank Drive

- 6.27 The proposed development has been carefully designed and arranged to avoid harming the amenity of the adjoining occupiers. The modest size, low profile, stepped

form, narrow proportions and gable form of the proposed dwelling, would ensure the proposal would not have an overbearing impact on the occupiers 1 and 3 Gilbank Drive. Additionally, the proposed dwelling is set in from the common boundaries and would only be partly visible above the fence line of these properties, mitigating any potential impact.

- 6.28 The proposed dwelling is located a considerable distance from the rear elevation of 1 and 3 Gilbank Drive, which together with the narrow form and modest scale, would ensure the proposal would not have a harmful impact on light. It is noted that the proposal would not intrude into the 25 degree BRE test taken from the rear elevation of these houses, confirming that the proposal would not adversely impact natural light.
- 6.29 The only rear facing window in the proposed dwelling serves a non-habitable room and could therefore be glazed in obscure glass to prevent any potential views into the adjacent two storey dwelling at 3 Gilbank Drive. Boundary treatment would prevent views from all other windows into the adjoining properties.

Existing house (11 Dane Hill)

- 6.30 The proposed dwelling would be set back further from the highway than the existing house, resulting in the proposal intruding into a 45 degree line taken on a horizontal plane from the centre of the nearest adjoining rear window. However, BRE guidance confirms that for a proposal to harm light, it must intrude into both a horizontal and vertical 45 degree line. In this case, given the separation distance and low profile of the proposed dwelling, it would not intrude into the 45 degree vertical test, confirming the proposal would not harm light to this property. Additionally, there are two rear facing windows to the extension at 11 Dane Hill. The second window complies with the BRE 45 degree test in both the vertical and horizontal planes.
- 6.31 The in-set distance, low profile and stepped arrangement of the proposed dwelling would also ensure the proposal would not have an overbearing impact on the occupiers of 11 Dane Hill. Additionally, the roof is pitched away from the existing house and the new boundary treatment would largely screen views of the proposed dwelling, adding to the case it would not harm the amenity or living conditions of the occupiers.

Car Parking and Highway Safety

- 6.32 The NPPF seeks to provide safe and suitable access for all users. It sets out the Government's approach to promoting sustainable transport and encourages solutions which reduce congestion and facilitate the use of sustainable modes of transport. The NPPF confirms that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

- 6.33 Policy DM17 of the SADMP states that all new development should be in accordance with the highway design standards. Policy DM18 seeks to ensure that new development provides appropriate parking provision.
- 6.34 The existing and proposed dwellings would be accessed via the existing crossover. One additional dwelling would not significantly increase the intensity of this entrance/exit point and good forward visibility would be maintained.
- 6.35 The revised parking layout provides sufficient manoeuvring space to allow vehicles to enter and exit in a forward gear. This is an enhancement compared to the current situation.
- 6.36 The Site is located in a sustainable settlement and within walking distance of the village centre, where there are a range of services, facilities and employment opportunities. The Site is also positioned near various bus stops, offering access to higher order settlements. The proposed development provides two parking spaces for the existing and proposed dwellings, which is appropriate in this sustainable area and complies with the standards contained in the Leicestershire Highway Design Guide.
- 6.37 The generously sized plots would provide ample space for cycle and bin storage.
- 6.38 It is concluded that the proposal accords with relevant highway policies and guidance. It would not therefore give rise to conditions prejudicial to highway safety.

Natural Environment

- 6.39 The proposal would not result in the loss of any mature trees, important landscaped areas or natural habitats.

Flooding and Drainage

- 6.40 Policy DM7 of the SADMP seeks to ensure that development does not create or exacerbate flooding. The Site is located within Flood Zone 1 where it is at very low risk of sea or river flooding. The risk of surface water flooding is medium but this only appears to affect the highway. The proposal is below the threshold for a Flood Risk Assessment.
- 6.41 The proposal has been designed to ensure it would not increase the risk of flooding elsewhere. The parking area will be formed in permeable materials and a drainage channel can be installed.
- 6.42 Conditions can be attached to any approval to ensure compliance with drainage legislation in respect of this development for both foul and surface water.

Planning Balance

- 6.43 The proposal is considered to accord with the Development Plan, and as such should be granted consent without delay (as outlined in Section 38(6) of the NPPF).
- 6.44 However, should it be considered necessary to undertake a planning balance as outlined in the NPPF paragraph 11, then this needs to occur with the 'tilted balance' engaged. The proposal will generate the provision of a new dwelling in a manner that can be assimilated onto the site without causing any loss of amenity or highway harm. The dwelling represents a high quality building that responds positively to its location. These benefits outweigh any potential harms recognised by the Council. In line with the NPPF, the identified harms need to significantly and demonstrably outweigh the benefits. This does not occur in this instance, and thus consent should still be granted.

7. CONCLUSION

- 7.1 The proposal is for the construction of a bungalow with associated hard and soft landscaping, including a revised parking layout. Minor alterations are also proposed to the existing dwelling at 11 Dane Hill to enable development.
- 7.2 The Site is in the Key Rural Centre of Ratby where the principle of residential development is acceptable and complies with the provisions and aspirations of the Development Plan.
- 7.3 The proposal optimises the use of this site by providing much needed housing in a sustainable area, which is a significant planning benefit.
- 7.4 A high quality design has been achieved which respects and responds appropriately to the local context.
- 7.5 The proposed development would not harm the visual or residential amenity of the surrounding occupiers. A high quality environment would be achieved for the future occupiers
- 7.6 The proposal would not harm highway safety and parking provision complies with local standards.
- 7.7 For the reasons outlined above, the proposal represents a sustainable form of development in accordance with the Development Plan and the National Planning Policy Framework.
- 7.8 Should the Council consider that there is any conflict with the Development Plan, then the application needs to be considered in light of the 'tilted balance' as set out in paragraph 11 of the NPPF. Any conceivable harm as a result of this proposal does not reach the significant and demonstrable level required in order to refuse planning permission. Consent should therefore still be granted for this proposal.



St Albans Office

King House
55 Victoria Street
St Albans
Hertfordshire
AL1 3ER