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FINAL COMMENTS OF APPELLANT

APPEAL REF APP/K2420/W/24/3344038

**Appeal on behalf of Mr C Whitehill of CW Property Lettings Ltd against the refusal of
planning permission by
Hinckley and Bosworth Borough Council for the erection of 2 dwellings at
10 Wolsey Drive, Ratby, Leicestershire**

Planning application ref 24/00118/FUL

1 Firstly the appellant wishes to point out that a copy of the LPA's questionnaire was never received by the appellant. This in itself would not be a problem but this means that the appellant has never had sight of the letter of objection referred to in the officer's delegated report and has therefore been unable to give a comprehensive response to this. The delegated report stated that the objection was on the grounds of loss of privacy and not being in keeping with the surrounding pattern of development and came from a neighbouring address. As both of these points have already been addressed in the appellant's statement and the LPA did not cite loss of residential amenity in the reason for refusal, the appellant does not wish to delay the appeal by requesting a copy of the original letter. Also it would appear that no further representations were made by any neighbours in respect of the appeal.

2. Most of the LPA's appeal statement was contained in the officer delegated report which the appellant had sight of before the appeal was submitted, and therefore the appellant considers that his initial appeal statement has covered the matters addressed in the LPA's statement and wishes only to respond or update the Inspector regarding a few matters.

3. Regarding the appearance of the site, since the first planning application was submitted in 2021 the garages have been demolished and the site is currently un-used. The vacant land has not been well maintained and has been subject to some fly-tipping. As a result the owner was recently served with a S215 Notice and the site has now been fenced to prevent further fly-tipping. Nevertheless, in its current state the site does not enhance the visual amenities of the area and has been the subject of neighbour complaints, (NB The appellant is not the owner of the site and is not responsible for its upkeep but has agreed to purchase the site subject to planning permission being granted.)

4. The LPA have indicated that their preference is for the site to be developed with a single bungalow as per the 2022 application. This application was submitted by the owner and it was his intention to live in this and therefore it was a bespoke design that suited his requirements. However this is no longer the case, and the appellant is proposing to develop the site to either sell or rent. The appellant does not consider that the approved bungalow is viable as a commercial development. The appellant and his architect had several discussions with the LPA to try and overcome their concerns but were unable to agree a scheme which the appellant considered to be viable.

5. With regard to the comments made by Philip Tenwick on behalf of Ratby Parish Council, the appellant's response is as follows:-

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- The approved bungalow had a larger footprint than the two proposed houses and the proposal cannot be considered over-development. It is pertinent that the LPA in their statement have confirmed that in their view the level of outdoor amenity space is sufficient.
- Two off-street parking spaces are to be provided for each dwelling. This is considered to be a satisfactory level of provision by the highway authority. There does not appear to be an on-street parking problem on Wolsey Drive even though some of the existing bungalows do not have off-street provision.
- The houses would not be out of character in an area which has a mix of houses and bungalows. The site lies immediately to the rear of 98 and 100 Stamford Street which are both 2 storey houses.
- Whilst it is true that Stamford Street is a no-through road without a proper turning head and that there is a significant level of on-street parking on parts of Stamford Street, Wolsey Drive can also be accessed from Markfield Road via Whittingham Drive where parking is less of an issue.
- The existing site has no visual amenity value and the development will enhance the character of the area.

Proposed Conditions

The appellant has no objections to the conditions proposed by the LPA