



Unit E14  
Langham Park Industrial Estate  
Lows Lane  
Stanton by Dale  
Ilkeston  
DE7 4RJ

Phone 0115 9324010  
E-mail: [info@paul-gaughan.co.uk](mailto:info@paul-gaughan.co.uk)  
Web: [www.paul-gaughan.co.uk](http://www.paul-gaughan.co.uk)

## **Design & Access Statement**

### **Proposal**

The erection of a dwelling

### **Location**

Land Adjacent to  
22 Elwell Avenue,  
Barwell, Leicester  
LE9 8FH

Our reference

PG/BB/2021/003/D&A

## **Introduction**

This Design & Access Statement is submitted in support of the erection of a detached dwelling to be constructed on land adjacent to 22 Elwell Avenue, Barwell, LE9 8FH.

The proposal makes use of a generous garden plot which will, if approved, allow for the creation of a detached windfall property for the market.

This Statement has been prepared in accordance with the requirements of the Town and Country Planning Act 1990 (as amended by the Planning and Compulsory Purchase Act 2004) and the provisions of the Town and Country Planning (General Development Procedure) (Amendment) 2010 and Town and Country Planning (Development Management Procedure) (Amendment) Order 2013.

In accordance with the National Planning Policy Guidance (NPPG), the level of detail presented in this statement is proportionate to the scale and complexity of the application. References were made to the relevant planning policies. These are predominantly the adopted and saved Local Plan policies as they take primacy in the determination of such an application where they are NPPF & NPPG compliant.

The site is in an established residential area within the settlement boundary of Barwell as defined in the adopted Hinckley and Bosworth Local Plan (2001) therefore the proposal is acceptable in principle.

## **Location & Landscape.**

The site is located at the junction of Elwell Avenue and Bradgate Road in the built settlement of Barwell. It sits to the west of the host dwelling fronting both public highways.

The local architecture is defined by two storey masonry dwellings with hipped roofs finished in a mixture of facing brickwork with render panels, along with slate tiled roofs. A number of these roofs have been replaced with a flat profile grey interlocking concrete roof tiles.

The land is flat with no mature trees or significant planting. There is a privet hedge that abuts the public highway, and it is intended to retain this hedge although a small section will need to be removed to facilitate the car parking provision.

The site is surrounded on both its sides (southern & eastern) by residential dwellings.

## **Movement Routes**

The whole of the site has an existing adopted highway frontage along with an informal driveway off Elwell Avenue suitable for a single motor vehicle.

It is intended to retain the existing driveway and to increase its width as well as providing two new car parking spaces in front of 22 Elwell Road and a new access off Bradgate Road for two cars.

Access and parking for vehicles will be provided in accordance with Hinckley & Bosworth Borough Council local plan policy T5 and the Leicestershire County Council Highways Design Guide.

In terms of the application site the following should be noted.

1. The site is located within a highly sustainable location with several shops, and ancillary services all within walking distance of the site.
2. The site is located within walking distance of several employment opportunities.
3. There are regular bus services to the localities including shopping provision in Hinckley both located within 500 metres of the site.



Aerial view of the site.

### Local Aspirations & Economics.

The site is a sustainable windfall site suitable for development. It is deliverable subject to planning consent being issued.

The site is located within a suburb of Barwell within a predominantly residential area.

The proposal will provide much needed local accommodation within the town of Barwell and the wider area of Hinckley & Bosworth Borough and assist in meeting local housing needs.

The proposal will create local employment opportunities during construction works as well as business opportunities for local suppliers and hire companies.

Providing fresh & well-designed dwellings will contribute positively to the visual appearance of the site and enhance the sites setting.

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The development will make best future sustainable use of the site which lies currently undeveloped.

The sustainable design of the new dwelling will result in cheap and efficient running costs for the future occupiers of the dwelling.

## **PLANNING POLICY**

### **National Planning Policy Framework.**

#### **2. Achieving sustainable development**

**Paragraph 8.** Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

**Paragraph 9.** These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

**Paragraph 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).

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

For decision-taking this means:

- 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 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.

### **Identifying land for homes**

**Paragraph 73.** Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, are essential for Small and Medium Enterprise housebuilders to deliver new homes, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:

b) seek opportunities, through policies and decisions, to support small sites to come forward for community-led development for housing and self-build and custom build housing;

### **Considering development proposals**

**Paragraph 115.** In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;

b) safe and suitable access to the site can be achieved for all users;

c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and

d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.

**Paragraph 116.** 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, following mitigation, would be severe, taking into account all reasonable future scenarios.

## **Chapter 11. Making effective use of land**

**Paragraph 124.** 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

**Paragraph 125** Planning policies and decisions should:

a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;

b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;

c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial

harm would be caused, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;

d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure); and

e) support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions – including mansard roofs – where the development would be consistent with the prevailing form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers. A condition of simultaneous development should not be imposed on an application for multiple upward extensions unless there is an exceptional justification.

**Paragraph 128.** Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to:

a) use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres, and would be compatible with other policies in this Framework; and

b) make more effective use of sites that provide community services such as schools and hospitals, provided this maintains or improves the quality of service provision and access to open space.

#### **Achieving appropriate densities.**

**Paragraph 129.** Planning policies and decisions should support development that makes efficient use of land, taking into account:

a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;

b) local market conditions and viability;

c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;

d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and

e) the importance of securing well-designed, attractive and healthy places.

#### **12. Achieving well-designed and beautiful places**

**Paragraph 131.** The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

**Paragraph 132.** Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers.

**Paragraph 133.** To provide maximum clarity about design expectations at an early stage, all local planning authorities should prepare design guides or codes consistent with the principles set out in the National Design Guide and National Model Design Code, and which reflect local character and design preferences. Design guides and codes provide a local framework for creating beautiful and distinctive places with a consistent and high quality standard of design. Their geographic coverage, level of detail and degree of prescription should be tailored to the circumstances and scale of change in each place, and should allow a suitable degree of variety.

**Paragraph 139.** Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

## **15. Conserving and enhancing the natural environment**

**Paragraph 187.** 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 and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;
- 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.

#### **Ground conditions and pollution.**

**Paragraph 196.** Planning policies and decisions should ensure that:

- a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);
- b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and
- c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.

**Paragraph 197.** Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

#### **General Note**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning 1990 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

**The Relevant Hinckley & Bosworth Borough Council Local Plan Policies to this proposal are listed below:**

Policy RES5: 'Residential Proposals on Unallocated Sites'  
Policy BE1: 'Design and Siting of Development'  
Policy T5: 'Highway Design and Vehicle Parking Standards'

#### **Special Design Policies and Guidance.**

Highways Design Guide.  
Supplementary Planning Guidance on New Residential Development.

On this basis the NPPF and Local Plan policy continues support developments that make efficient use of under-utilised land, including that which makes up part of a residential curtilage. The layout plan demonstrates how the dwelling will be positioned within the site and how the scheme can meet the policy criteria in terms of separation distances, amenity space and parking.

In accordance with the National Planning Policy Framework the development would assist the Local Planning Authority to:

*“deliver a choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities taking into account future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to,*



*families with children, older people, people with disabilities, service families and people wishing to build their own homes); identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand."*



**View of the application site from Elwell Avenue.**

#### **Affordable Housing & Tariff style contributions.**

On Friday 28th November 2014 Brandon Lewis announced a Ministerial Statement which confirmed:

*"Due to the disproportionate burden of developer contributions on small-scale developers, for sites of 10-units or less, and which have a maximum combined gross floor space of 1,000 square metres, affordable housing and tariff style contributions should not be sought. This will also apply to all residential annexes and extensions".*

And

*"We expect implementation of these measures to have a significant positive impact on housing numbers by unlocking small-scale development and boosting the attractiveness of brownfield sites. This will provide real incentive for small builders and to people looking to build their own home. They will increase house building and help reduce the cost of such housing."*

As the proposal falls within this threshold and represents the productive use vacant land, accordingly there are no contributions of this nature proposed as part of the application.



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## INVOLVEMENT

The application has not been subject to informal pre-application discussions with the Local Planning Authority.

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## EVALUATION

The development proposes 1 new dwelling.

The schedule of accommodation to be created is as follows;  
3 bed two storey house = 1

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## DESIGN

### Use

The new buildings will be used as domestic dwellings.

### Layout

The layout of the new dwelling has been produced considering the scale and size of other dwellings in the surrounding area. Consideration has also been given into protecting the amenity of the neighbouring dwellings and to provide an active domestic frontage to all highways that abuts the development.

### Scale

The site has a total area of 452.00 square metres.

The proposed dwelling will be two storeys in height. The application drawings annotate the eaves and ridge heights of the properties.

### **Landscaping**

The new dwelling will have turfed back garden and other landscaping required by any planning approval condition.

All proposed boundary treatments are annotated on the site block plan. Where the boundary treatments are not annotated then they will subject to approval either during the planning application process or as part of a planning condition should planning approval be forthcoming.

### **Appearance**

The proposed dwelling will be of traditional appearance with facing masonry brickwork and render walls and a tiled roof. All construction materials are annotated on the application drawings and will be agreed with the Local Planning Authority prior to commencement should planning approval be forthcoming.

### **Access and Movement**

In accordance with local and national planning policies the development will be accessible to all people, including disabled persons.

The site is within a sustainable residential location within walking distance of Barwell town centre and with good public transport links to nearby towns and cities.

Local bus stops with regular services are within walking distance of the property connecting to a wide range of shops, services, community services and employment opportunities.

The new dwelling will be designed to satisfy Part M of the Building Regulations which provide standards to meet the needs of disabled people.

### **Sustainability.**

The dwelling will be designed to meet the requirements of the latest Building Regulations to ensure that carbon emissions are of a minimum.

All the external materials, including windows and doors will have effective U values to minimize heat loss and to gain where possible the benefits of solar gain.

### **Topography**

The topography of the site will generally be retained. The design of the buildings has been designed to accord with the site topography & location.

### **Ecology**

No ecology especially protected trees will be affected by the proposal.