

From: public.access@hinckley-bosworth.gov.uk
Sent: 26 November 2024 14:52
To: Planning Application Comments
Subject: Consultee Comments for Planning Application 24/00322/FUL

Consultee comments

Dear Sir/Madam,

A consultee has commented on a Planning Application. A summary of the comments is provided below.

Comments were submitted at 26/11/2024 2:52 PM from Mr Jason Stephenson (sheepparish@gmail.com) on behalf of Sheepy Parish Council.

Application Summary

Reference:	24/00322/FUL
Address:	The White House Bosworth Road Wellsborough Nuneaton Leicestershire CV13 6PB
Proposal:	Erection of single storey self-build/custom-build dwelling (Resubmission of 23/00923/FUL).
Case Officer:	Sullivan Archer

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Comments Details

Sheepy Parish Council – consultation response: 24/00322/FUL (Re-consultation) 24/00322/FUL (Re-consultation) – 5 November 2024
The White House Bosworth Road Wellsborough
Erection of single storey self-build/custom-build dwelling (Resubmission 23/00923/FUL).

OBJECT
Please note, this response is based on documents available on HBBC Planning Portal as at 25th November 2024. Sheepy Parish Council kindly request that it is notified and consulted on any later changes to this application so as to ensure full compliance with the Sheepy Parish Neighbourhood Plan made May 2022. Having reviewed the above application Erection of single storey self-build/custom-build dwelling (Resubmission 23/00923/FUL). Sheepy Parish Council is not supportive of this application (OBJECTS) as it continues not to be compliant with the Sheepy Parish Neighbourhood Plan ‘made’ May 2022 notably policies S1 (Countryside), S8 (Design) and S10 (Housing Development). An explanation for these non-compliances is given below. It must be noted that all policies in the plan should be considered collectively when determining any planning application. Planning officers (and the Planning Committee) are reminded that the made Neighbourhood Plan is less than five (5) years old and through a democratic and fully consultative process, Sheepy Neighbourhood Plan establishes a series of legally-binding policies. Through their implementation, the Parish has met (exceeded) its current housing requirement over the plan period (to 2036). There

Comments:

would therefore be an adverse impact of allowing further development that is in conflict with the Neighbourhood Plan and its policies and any approval of such would outweigh the benefits (Para 14, NPPF).

Sheepy Parish Council would also like to draw attention to the continued misleading and inaccurate information contained in the planning application and supporting documentation (Design and Access Statement). The location of the site is within Sheepy Parish, not Market Bosworth and any reference to the policies of the Market Bosworth Neighbourhood Plan are not relevant, as was clearly pointed out in the Parish Council's previously submitted representations and the Borough Council's Planning Officer Report referring to this and the relevant policies in the Sheepy Parish Neighbourhood Development Plan. The legally-binding policies of the Sheepy Neighbourhood Plan therefore apply to this application and any suggestion otherwise is misrepresentation. It should also be recognised that this plan forms part of the development plan for the area. Additionally, reference to case law in Scotland (Sinclair- Lockhart's Trustees v Central Land Board (1950)) is not relevant to Planning Law in England and thereby irrelevant to this application.

The application site lies in The Countryside (i.e. land outside Settlement Boundaries as defined on the Sheepy Parish Neighbourhood Plan Policies Map) where only a limited range of development may be considered sustainable. This includes dwellings in accordance with Neighbourhood Plan Policy S10 (the description of the development as Self-build has no bearing on this). Policy S10 goes on to state:

Outside the Sheepy Magna and Sibson Settlement Boundaries, permission for housing development will be limited to:

- A. Land allocated for residential development at Hornsey Rise Memorial Home in accordance with Policy S13;
- B. Rural worker accommodation in accordance with Site Allocations and Development Management Policies DPD Policy DM5;
- C. Replacement dwellings in accordance with Site Allocations and Development Management Policies DPD Policy DM14;
- D. The re-use and/or adaptation of redundant rural buildings in accordance with Site Allocations and Development Management Policies DPD Policy DM15;
- E. Other circumstances as set out in NPPF paragraph 80; and
- F. Exception site affordable housing in accordance with Policy S12.

The proposed development does not meet criteria A-D and F. As far as criterion E is concerned, the application is also not compliant with NPPF paragraph 80E - The design of exceptional quality

In relation to this, whilst it is true that the merits of exceptional design are open to subjective interpretation, Sheepy Parish Council still considers that this proposal is not 'truly outstanding' nor would it 'significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area'. Indeed, the development continues to fail to respond to its surroundings, providing an unsuitable design that is insensitive to the local setting. It is noted that, following the recommendation of the Planning Committee, Design:Midlands was consulted, and their assessment panel made a series of recommendations. Sheepy Parish Council consider that the re-submitted Design and Access Statement does not properly address these recommendations and demonstrate the application is compliant with NPPF Paragraph 80E. The Parish Council do note that changes have been made to the design following the previous submission and consultation with Design:Midlands. However, it appears that Design: Midlands have not been consulted further on these revised plans and therefore given the opportunity to comment on the current plans. A more significant concern is that Design:Midlands own Terms of Reference require that where there is a made Neighbourhood Development Plan, the policies within this plan should be considered by the review panel and consideration given to inviting a representative from the Parish Council to the panel. No approach was made. This despite the fact, as indicated the Sheepy Neighbourhood Plan policies are directly relevant and, importantly, the plan also includes a design guide that aims to promote good design across the parish.

A further concern is that the relocation of the proposed dwelling is closer to the existing White House. This will lead to an overbearing impact on this property and obscure the current views from the White House.

The proposed dwelling is adjacent to the intersection of public rights of way (PRoW) and Sheepy Parish Council believes open countryside views from these public rights of way will be impacted. This was also identified in the report from Design:Midlands and they made a recommendation for “additional site analysis including landscape analysis, character, identifying receptors, views to the site including PRoWs - how best to place a new house within the landscape”. It appears that this analysis has not been carried out and therefore the Parish Council's objection on this matter remains.

With regards to a new access onto Bosworth Road, Sheepy Parish Council would again like to re-iterate its concern. These concerns are informed by a series of historic road traffic incidents resulting in six fatalities within the vicinity of the application site. It is also noted further that the planting of a spinney at the access to the site off Bosworth Road, has the potential to obscure the entrance and increase the level of danger. Justification for the planting as means of achieving “significant biodiversity net gain” is also not provided and evidenced, given that the proposal includes plans to remove a significant number of mature and established trees.

In summary Sheepy Parish Council considers the proposed development not to be compliant with national and local policy, including the legally-binding policies in the made Sheepy Parish Neighbourhood Plan. Planning decisions should avoid the development of isolated homes in the countryside and through its Neighbourhood Plan, Sheepy Parish has met (exceeded) its housing requirement (allocated sites) for the Parish. There would therefore be an adverse impact of allowing further development that is in conflict with the plan and its policies, and any approval of such would significantly outweigh the benefits (Paragraph 14, NPPF). Therefore, the presumption of favour of sustainable development, as cited by the applicant, does not apply. In addition, the proposed development is not genuinely outstanding, nor of exceptional design, and it does not reflect the highest standards in architecture or significantly enhance the characteristics of the surrounding area.

Therefore, taking national and local planning policies into account, and regarding all relevant material considerations, planning permission should be refused.
END

Kind regards