

Planning Statement

Proposal: Erection of two dormer bungalows

Site: Land adj 2 Paddock Lane, Burbage

Date: July 2023

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1 INTRODUCTION

- 1.1 This planning statement is submitted in support of the application made to Hinckley and Bosworth Borough Council for full planning permission for the erection of two detached dormer bungalows with associated car parking, turning space, private amenity space and landscaping on land adjacent to No 2 Paddock Lane, Burbage LE10 2JD.
- 1.2 The following paragraphs of this statement will address the relevant planning history, development plan policy and national planning policy guidance pertinent to the determination of the application and set out the reasons why planning permission should be supported.

2 SITE AND SURROUNDING AREA

- 2.1 The application site relates to a plot of land set within the settlement boundary of Burbage. The land parcel is comprised of an existing residential plot (benefitting from an extant planning permission for one new dwelling to the rear of No 39 Coventry Road) together with three further parcels of former garden land previously associated with Nos. 37 – 33 Coventry Road.



- 2.2 The site is accessed from Paddock Lane, an existing private drive positioned between No. 39 and No. 41 Coventry Road. Properties along Paddock Lane consist of No. 2 Paddock Lane which is a detached bungalow with a detached garage; Nos. 4 and 6 Paddock Lane which are a pair of semi-detached bungalow/dormer bungalow with detached garages (the garages are provided in a separate block located to the front of no. 6); and, as already referenced above, there is a further residential plot for one new dwelling established on land adjacent to No 2 Paddock Lane and to the rear of 39 Coventry Road (see relevant planning history below).
- 2.3 Existing residential curtilages contain the site to three of its boundaries. Beyond the southern boundary is an open space, sports and recreational ground. Paddock Lane provides a pedestrian link from Coventry Road to the sports ground. The pedestrian link extends between the western boundary of the application site and No. 2 Paddock Lane.
- 2.4 The site is not within a designated Conservation Area nor does it relate to a listed building.
- 2.5 The site is located within a Flood Zone 1 on the Environment Agency's flood maps for planning.

3 RELEVANT PLANNING HISTORY

- 12/00952/FUL | Erection of one new dwelling | Land Adjacent 2 Paddock Lane | APPROVED

The above planning permission established consent for one new dwelling on part of the current application site.

Pre-commencement planning conditions 3 & 7 were successfully discharged on 6th September 2013 and development commenced with the excavation and pouring of foundations in December 2014. A copy of the Quadrant Approved Inspectors report and photograph are provided at appendix 1 of this statement.

The HBBC Building Control Initial Notice application for the detached dwelling is referenced 14/50812/INDOM.

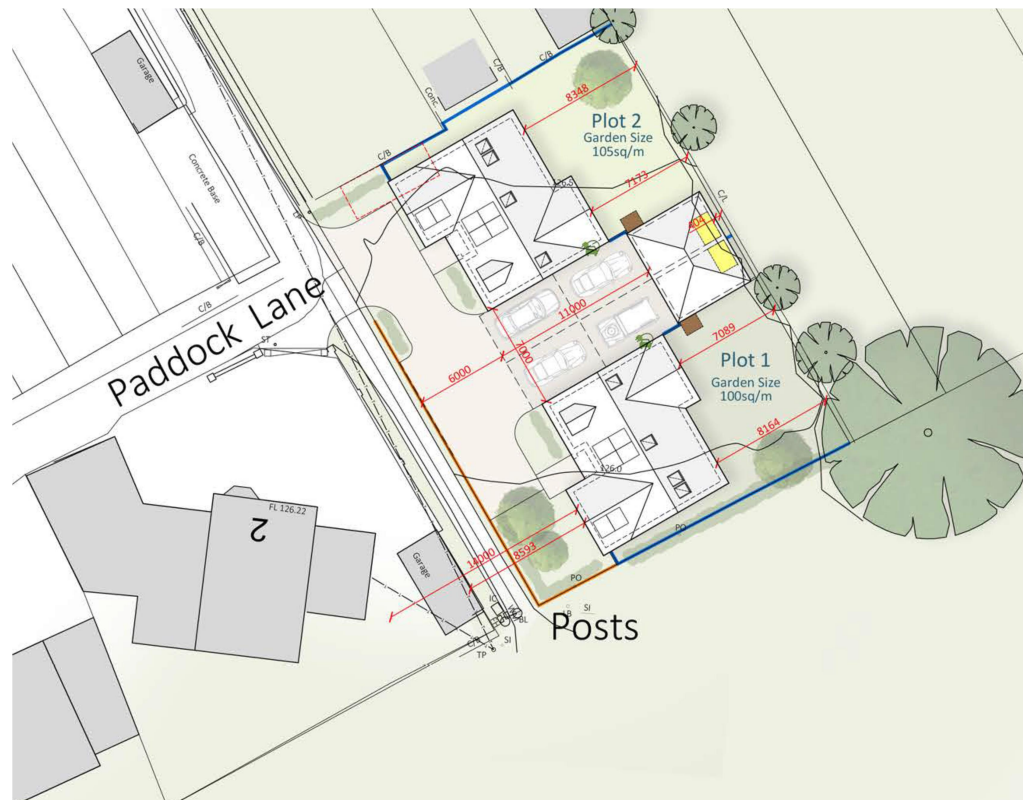
Material operations (as defined at Section 56(4) of the Town and Country Planning Act 1990) were undertaken to initiate the development prior to the expiration of three years from the date of the planning permission. The 2012 planning permission has been lawfully implemented and the planning permission remains extant.

4 DESCRIPTION OF THE PROPOSAL

- 4.1 The application is submitted in detail and proposes the construction of 2 detached dormer bungalows with associated parking, turning facilities, garage space, private residential amenity

space and landscaping.

- 4.2 The two new dormer bungalows are orientated to outwardly face Paddock Lane with side facing elevations presented to Coventry Road. New soft landscaping and vehicle turning space is provided to the property frontages. Two car parking spaces, single garage space (including secure cycle storage) and electric vehicle charging points are provided for each property and are positioned between the new dwellings. Private garden space is provided to the rear of each dwelling.



- 4.3 The new properties each provide a total of three bedrooms (one bedroom on the ground floor and two within the roof space). Ground floor living accommodation includes a modern open plan living, kitchen and dining space, utility, WC and study. The properties are designed as a complimentary pair with feature gables to the front and rear. There are traditional dormer windows proposed to the front elevation and sky lights to the rear. Plot 1 has a feature render finish to the front gable.



Plot 1



Plot 2

5 PLANNING POLICY CONTEXT

- 5.1 The development plan relevant to the determination of the proposal is the adopted Hinckley and Bosworth Core Strategy 2009, the Site Allocations and Development Management Policies DPD 2016 and the Burbage Neighbourhood Plan 2021. The NPPF is a material planning consideration.

Core strategy 2009

- 5.2 The adopted Hinckley and Bosworth Core Strategy provides the spatial vision for the Borough.

- Policy 4: Development in Burbage
- Policy 16: Housing Density, Mix and Design

Site Allocations and Development Management Policies DPD 2016

- 5.3
- Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM2: Delivering Renewable Energy and Low Carbon Development
 - Policy DM3: Infrastructure and Delivery
 - Policy DM6: Enhancement of Biodiversity and Geological Interest
 - Policy DM7: Preventing Pollution and Flooding
 - Policy DM10: Development and Design
 - Policy DM17: Highways and Transportation
 - Policy DM18: Vehicle Parking Standards

Burbage Neighbourhood Plan 2021

- 5.4
- Policy 1: Settlement Boundary
 - Policy 2: Design and Layout
 - Policy 4: Parking
 - Policy 10 : Landscape Character

Supplementary Planning Documents:

- 5.5
- The Good Design Guide SPD

Local Plan Review

5.6 Hinckley & Bosworth Borough Council are in the process of preparing a New Local Plan which will guide the type, amount and location of development in the Borough up to 2039. This will replace the existing planning framework comprising the Core Strategy (2009), Site Allocations and Development Management Policies DPD (2016), and the Hinckley Town Centre (2011) and Earl Shilton and Barwell (2014) Area Action Plans.

The Local Plan Review is still being prepared and is yet to be submitted for Examination. This document carries limited weight at this stage.

Other material planning considerations - National Planning Policy Framework (NPPF)

- 5.7 The NPPF identifies the purpose of the planning system is to contribute to the achievement of sustainable development. In achieving sustainable development 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). The three overarching objectives are economic, environmental and social.

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**). 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 clear 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.

When decision taking, **para 38** advises local planning authorities should approach decisions on proposed development in a positive and creative way. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Para 60 - 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 and that the needs of groups with specific housing requirements are addressed.

Para 69 – identifies that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built out relatively quickly. To promote the development of a good mix of sites local planning authorities should: (c) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes.

Para 119 - Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses. Para 120 (d) planning decisions should 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.

Para 124 - 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.

Para 125 – where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities and ensure that developments make optimal use of the potential of each site.

Para 130 - Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Para 134 – 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.

Para 111 of the Framework advises 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.

6 POLICY ASSESSMENT

6.1 The Key Issues are:

- Principle of development
- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact upon highway safety
- Flood risk and drainage
- Landscaping, ecology and biodiversity
- Planning balance

6.2 The Principle of Development

Paragraph 2 of the National Planning Policy Framework (NPPF) July 2021) states that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise and that the NPPF is a material consideration in determining applications. Paragraph 12 of the NPPF confirms that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision making.

6.3 Paragraph 11 of 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 state that development proposals that accord with the development plan should be approved unless other material considerations indicate otherwise.

- 6.4 The spatial distribution of growth across the Borough is set out in the adopted Core Strategy and this identifies housing allocations in a hierarchy of settlements. Burbage plays an important supporting role for Hinckley as the sub regional centre (Policy 4 of the Core Strategy).
- 6.5 The application site is located within the settlement boundary of Burbage as identified in both the SADMP and the 'made' Burbage Neighbourhood Plan. In accordance with Policy DM1 of the SADMP (supporting housing in sustainable locations) and Policy 1 of the Burbage Neighbourhood Plan (supporting new development within settlement boundaries), the principle of residential development on the application site meets with the spatial objectives of the development plan. As highlighted in this statement, there is already an extant planning permission established for one new dwelling on part of the application site.
- 6.6 Subject to other development control considerations relating to matters such as: design, residential amenity, highway safety, drainage and biodiversity, the principle of development is acceptable.
- 6.7 [Design and impact on the character of the area](#)
Policy DM10(c), (d) and (e) of the SADMP seeks to ensure that development complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features and the use and application of building materials respects the materials of existing, adjoining/neighbouring buildings and the area generally and incorporates a high standard of landscaping.
- Policy 2 of the Burbage Neighbourhood Plan requires residential development to respect its surroundings and, where appropriate, follow the existing pattern of development.
- The Council's Good Design Guide SPD sets out the process to be followed to ensure good quality design for new residential development. This includes appraising the context, creating appropriate urban structures through blocks, streets, enclosure, open space and landscaping, parking, amenity space and design detailing.
- 6.8 Paddock Lane is an established secondary tier (back land development) located to the rear of Coventry Road and the proposals provide a continuation of the existing development. The existing property at No 2 Paddock Lane is orientated at an angle at the head of the access drive. Like the existing property, the new dwellings have been purposefully orientated to address Paddock Lane, forming a cul de sac arrangement with the existing bungalow. This layout not only provides an active frontage to the access road, complementing the existing pattern of development, it also provides natural surveillance to the pedestrian footpath to the recreation ground, as well as, achieving (and in most instances exceeding) necessary residential amenity standards and

separation distances. The layout also allows opportunity for new soft landscaping to the rear gardens, site boundaries and frontage spaces.

- 6.9 The age, scale and architectural design of existing properties along Coventry Road are varied and include a range of detached, semi-detached and terraced properties of mainly two storeys, although there are examples of three and single storey developments interspersed between.



- 6.10 Paddock Lane is made up of detached and semi-detached bungalows and dormer bungalows.



In order to complement the existing properties along Paddock Lane and to respect the amenity standards of nearby properties, the development proposes a pair of detached dormer bungalows. The design approach includes features found within the area such as: feature gables, traditional

dormer windows, decorative brick corbels and brick cill and header detailing to windows and doors. The materials pallet includes facing brickwork, feature render, tiles to the roof and soldier brick courses.

- 6.11 The application pack includes a site comparison plan (265_PL-14) and a site section drawing (265_PL-13) to show how the height of the properties not only relate to the existing dwelling at No 2 Paddock Lane but also how their height is reduced when compared to the 2012 extant planning permission. The approved dwelling is shown in grey shading on the extract copies below.



- 6.12 It is considered the proposals complement the character of the surrounding area with regard to layout, scale, design, materials and architectural features in accordance with Policy DM10 of the SADMP, Policy 2 of the Burbage Neighbourhood Plan and the design principles set out in the Good Design Guide SPD.

6.13 Residential amenity

Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings and that the amenity of the future occupiers of proposed development would not be adversely affected by activities in the vicinity of the site.

The application pack includes a compliance plan to demonstrate how the various design standards and separation distances are achieved.

- The site is positioned within a residential area. The proposed type of development is compatible with existing land uses.
- The new dwellings are side facing to properties along Coventry Road. The SPD states back to side elevation separation distances between habitable windows should ideally not be less than 8m from the blank side of a single storey neighbouring property, rising to 14m for a two storey property and above. Plot 2 has one ground floor, side facing bathroom window (obscure glazed). The garden lengths of properties to Coventry Road are approximately 30m long. The back to side separation standard is significantly exceeded.
- The orientation and layout of the properties mean there are no concerns for facing back to back habitable windows.
- Plot 2 directly faces the head of Paddock Lane and there are no concerns for facing front windows. Plot 1 faces the side elevation of the detached garage of No 2 Paddock Lane and achieves over 8m separation between the habitable windows of the new property and the blank side elevation of the garage.
- The new properties each have an ample private amenity space. The SPD requires a garden depth of 7m and 80sqm of space for a three bedroom house. The proposal delivers garden depths of over 7m and rear garden areas of 105 sqm and 100 sqm respectively.
- The dormer design of the dwellings avoids concern for overlooking neighbouring gardens. The rear elevation of the dormer bungalows only includes one obscured window (serving a bathroom) at first floor level. The other rear windows are either at ground floor level or sky light windows.
- Whilst it is acknowledged that the new dwellings will increase traffic movements, it is not considered the proposed level of activity would be significant or unacceptable in amenity terms. It must be borne in mind that the application proposed a net gain of just one dwelling over established fall back position for one new property.

For the above reasons, the proposal would deliver a high quality living environment for future occupiers while ensuring a high quality living environment is maintained for existing neighbours. The proposal meets the objectives of Policy DM10 of the adopted SADMP and Good Design Guide SPD in respect of residential amenity.

6.13 [Highway Safety](#)

Para 111 of the Framework indicates 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.

Policy DM17 of the adopted SADMP supports development that would seek to maximise the use of sustainable transport modes to access services and facilities, be located where the need to travel can be minimised and would not result in any significant adverse impacts on highway safety. Policy DM18 requires new development to provide an appropriate level of parking provision.

- Planning permission is already secured for one new dwelling and the current proposals therefore only propose a net increase of one additional property. The application is supported by a transport note. The scheme is not considered to result in any significant adverse impacts on the highway network and would provide satisfactory access to the site.
- The site is sustainably located within the existing urban boundary of Burbage where new development is supported in the adopted spatial hierarchy.
- The proposal delivers on plot parking of two spaces plus garage space and secure cycle storage for each property. Electric vehicle charging points are also proposed.
- With regard to refuse collection, the existing properties currently present their bins to Coventry Road on collection days. This is a well established arrangement.
- There is an existing fire hydrant immediately adjacent to the development site which is there to serve Paddock Lane in the event of a fire emergency.

The proposed scheme is considered to be acceptable and in accordance with Policies DM17 and DM18 of the adopted SADMP.

6.14 [Landscaping, ecology and biodiversity](#)

Policy DM6 of the adopted SADMP seeks to conserve and enhance features of nature conservation value and retain, buffer or manage favourably such features.

The site is an existing development plot with no on site ecological features. The proposals provide good opportunity for new on site landscaping to enhance the appearance of the site, its green infrastructure and biodiversity value. It is submitted that the final details of the landscaping and biodiversity enhancement measures can be secured by planning condition.

6.15 Drainage

Policy DM7 of the adopted SADMP seeks to prevent development from resulting in adverse impacts on flooding by ensuring that development does not create or exacerbate flooding by being located away from areas of flood risk unless adequate mitigation is provided in accordance with National Policy.

The site is located within a Flood Zone 1 on the Environment Agency's Flood Risk Maps for planning with a low probability of flooding. The site area is also below 1 Hectare.

The details of a surface water drainage strategy incorporating SUDS can be secured by appropriate planning condition.

There are no flood risk or drainage reasons to prevent the development.

6.16 5 year housing land supply position

The NPPF does not alter the statutory status of the development plan as the starting point for decision making. Paragraph 11 of the Framework highlights that where a development plan is out of date planning permission should be granted unless adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or Specific policies in the Framework indicate development should be restricted. The starting point for the determination of this application therefore, is the weight to be given to the adopted development plan.

The relevant development plan documents in the context of this application consist of the adopted Core Strategy (2009), and the adopted Site Allocations and Development Management Policies Development Plan Document (2016) (SADMP).

Following two planning inquiries held in November/December 2022 (Land at Sketchley Lane, Burbage APP/K2420/W/3301735) and February 2023 (Land east of The Common, Barwell APP/K2420/W/22/3295558) the Council agreed through a statement of common ground a revised position on its 5yr housing land supply. The current figure is 4.76yr supply as of 31 March 2022.

The housing policies are considered to be out-of-date and paragraph 11(d) of the NPPF is triggered. Planning permission should therefore be granted unless any adverse impacts which would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. This is a material planning consideration to weigh in the context of the statutory requirement to determine applications and appeals in accordance with the Development Plan unless material considerations indicate otherwise.

6.17 Planning Balance

The Council acknowledges that it cannot demonstrate a deliverable 5 year housing land supply and that the tilted balance and presumption in favour of sustainable development at para 11 is engaged. It is submitted that the application meets the economic, social and environmental objectives of sustainable development by:

- contributing to boosting the supply of housing where there is an identified shortfall in deliverable supply;
- assisting in the delivery of housing in the most sustainable of locations in accordance with the adopted spatial hierarchy and 'made' Burbage Neighbourhood Plan;
- makes a more efficient and effective use of land in an existing residential use in an urban environment;
- small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built out relatively quickly (para 69 NPPF);
- will provide economic benefits through the period of construction and from the income of additional new property owners to the area;
- will deliver a high quality development designed to complement and reflect the pattern and appearance of development in the locality with reference to scale, mass, layout, density, amenity, design, materials and architectural features in accordance with the objectives of the adopted development plan, Good Design SPD and environmental objectives of sustainable development;
- the development can be delivered in accordance with requisite separation distances, amenity space standards and existing access arrangements; and, at a density in keeping with the prevailing character of the surrounding area;
- the development can be delivered without causing any adverse impacts on highway safety, ecology, landscaping, drainage and flood risk.

The proposal represents sustainable development and there are no significant or demonstrable adverse impacts that would outweigh the clear benefits of delivering the site for housing when assessed against the development plan and policies in the Framework taken as a whole. The presumption in favour of sustainable development applies and the proposal can be supported

7 OVERALL CONCLUSIONS

The proposal balances the three strands of sustainable development, meets with the objectives of the development plan and there are no adverse impacts to significantly and demonstrably outweigh the benefits. The presumption in favour of sustainable development applies and planning permission can therefore be supported without delay.

APPENDIX 1

Site Inspection Report



PROJECT 14-08159

Land Adjacent to 2 Paddock Lane, Burbage, LE10 2JD

Erection of detached dwelling

Generated on 3/7/2023

Site Inspection Report

Project reference	14-08159
Your reference	
Inspection number	1
Inspection date	22/12/2014
Project description	Erection of detached dwelling
Site	Land Adjacent to 2 Paddock Lane, Burbage, LE10 2JD
Inspector	Tim Snaith
Assisted by	
Client	
Site contact	
Inspection carried out with	

Required actions

Actions	Insp. No.
Current inspection	
No required actions	
From previous inspections	
No required actions	

Inspection notes

Item	Comments
1	Legacy approximately 3m of foundations have been excavated to create commencement of the works for planning purposes. This is Paul Collis own development. Inspection fee to be sent when all foundations have been excavated.

This inspection report is restricted to requirements covered by Building Regulations current at that time. It does not constitute evidence that the Building Regulations have been satisfied. It remains the responsibility of the person carrying out the work to ensure that the work complies with the Building Regulations.

