

Delegated Report

Planning Ref: 24/00387/FUL
Applicant: Mr Paul Morris
Ward: Hinckley DeMontfort



Hinckley & Bosworth
Borough Council

Site: 84 Leicester Road Hinckley Leicestershire

Proposal: Erection of four detached bungalows and associated works

1. Recommendations

- 1.1. **Refuse planning permission** subject to:
- Planning reasons outlined at the end of this report.

2. Planning Application Description

- 2.1. This planning application seeks full planning permission for the provision of four detached three-bedroom bungalows and associated works at the Land to the rear 84, 84A, and 86 Leicester Road, Hinckley. All plots utilise an existing vehicular access onto Leicester Road.
- 2.2. Plots 1 and 2 are 17.5m in width and have an overall footprint of 160sqm and 185sqm respectively. Both properties feature a hipped roof with a ridge height of 5.6m that includes gabled protrusions on the front and rear of the buildings. Whilst Plot 2 benefits from an attached single garage, Plot 1 features a detached garage with a hipped roof with a ridge height of 4.4m.
- 2.3. Plots 3 and 4 are bungalows that feature accommodation in their roof space and a dormer window on their rear elevations. Both properties are similar in size and scale, with an overall footprint of 120sqm and 135sqm respectively, but Plot 4 includes an attached single garage. Plots 3 and 4 both have a gable-ended pitched roof that has a ridge height of 6.2m, as well as a gable-fronted projection.
- 2.4. Although the plans indicatively suggest that all properties are constructed with a red brick finish, architectural brick banding detailing, and concrete roof tiles, the materials of the development have not been confirmed at this stage.
- 2.5. Following concerns raised by the Local Highway authority, the direct access from Plot 3 to Leicester Road has been removed from the proposals.

3. Description of the Site and the Surrounding Area

- 3.1. The 0.3ha application site comprises an undeveloped parcel of land to the rear of properties that front Leicester Road within an established residential area of Hinckley.

- 3.2. The residential area nearby is predominantly characterised by a variety of dwellings including detached bungalows, dormer bungalows, and large two-storey dwellings of a varying size, form, and appearance, that are primarily set within substantial plots arranged along the road frontage.
- 3.3. In particular, the existing dwellings, which are adjacent to the appeal site and front Leicester Road, are set within substantial plots and predominantly have long rear gardens with trees and vegetation on their boundaries. Overall, this gives the area a prevailing, spacious, formal, and verdant character, and appearance.
- 3.4. There are three trees (1 x Sycamore, 1 x Ash, and 1 x Oak) along the northwest boundary of the site that are protected by a Tree Preservation Order (08/00001/TPORD).
- 3.5. The site is currently accessed via an existing shared driveway to the side of 84 Leicester Road. Leicester Road is an adopted and classified 'B' Road (B4668) that is subject to a 30mph speed limit.

4. Relevant Planning History

4.1 23/00029/PP

- Erection of five dormer bungalows
- Appeal Dismissed
- 07.12.2023

4.2 22/00772/FUL

- Erection of five dormer bungalows
- Refused
- 20.02.2023

This application was refused for the following reasons:

1. The proposed development would not be reflective of the wider urban grain and would be an uncharacteristic dense development that would be significantly harmful to the character of the area. Having regard to the number of dwellings, the size and scale of the proposed dwellings, and the restricted nature of the proposed plots, it would result in the development appearance an uncharacteristic overdevelopment of the application site.
2. The Applicant has not agreed to provide the policy compliant requirements of S106 contribution. In the absence of a planning obligation securing funding for necessary infrastructure, the proposed development would have significant negative adverse impacts upon residents of the existing community and upon local infrastructure.

- 4.3 **22/00021/PP**
- Erection of six detached dwellings
 - Appeal Dismissed
 - 02.11.2022
- 4.4 **21/00981/FUL**
- Erection of six detached dwellings
 - Refused
 - 13.05.2022
- 4.5 **19/00009/PP**
- Erection of seven dwellings, garages, and associated drive (resubmission of application 17/00096/FUL)
 - Appeal Dismissed
 - 05.06.2019
- 4.6 **17/01297/FUL**
- Erection of seven dwellings, garages, and associated drive (resubmission of application 17/00096/FUL)
 - Refused
 - 07.09.2018
- 4.7 **17/01294/FUL**
- Erection of one detached dwelling
 - Refused
 - 07.09.2018
- 4.8 **17/00096/FUL**
- Erection of seven dwellings, garages and associated drive
 - Withdrawn
 - 25.04.2017
- 4.9 **14/00908/FUL**
- Demolition of a dwelling and erection of 2 dwellings with garages
 - Permitted
 - 19.01.2015
- 4.10 **13/00424/FUL**
- Erection of dwelling
 - Permitted
 - 05.03.2014
- 4.11 **11/00178/FUL**
- Demolition of existing detached garage and erection of single storey dwelling
 - Permitted
 - 28.04.2011

4.12 08/00780/FUL

- Demolition of two dwellings (No 84 and No 86 Leicester Road) and erection of ten dwellings with associated garages and access
- Refused
- 19.11.2008

4.13 07/01486/FUL

- Demolition of two dwellings (No 84 and No 86 Leicester Road) and erection of ten dwellings with associated garages and access
- Refused
- 12.03.2008

4.14 80/0457/4

- Election of a bungalow, rear 86/88 Leicester Road, Hinckley
- Refused
- 24.06.1980

5. Publicity

5.1 The application has been publicised by sending out letters to local residents. Four members of the public responded to the development.

5.2 One member of the public made comments in support of the development because it would improve the character of the site and the surrounding area. However, three members of the public have also objected to the development for the following reasons:

- Drainage and flooding concerns
- Harm to neighbouring residential amenity
 - Loss of light
 - Loss of privacy
 - Overlooking
- Poor maintenance of existing trees.

5.3 One of the members of the public noted that the boundary line as submitted is not in accordance with the detailed boundary within the Land Registry.

5.4 Another member of the public has requested that the roof pitch of the properties within the development should be limited to 22.5 degrees to protect neighbouring residential amenity.

5.5 No further responses have been received.

6. Consultation

6.1 There have been no objections from the following consultants:

- Hinckley & Bosworth Borough Council (HBBC)'s Drainage Officer (subject to conditions)
- HBBC's Environmental Services' Pollution Officer (subject to conditions)
- Local Highway Authority (LHA) (subject to conditions)

Drainage:

6.2 The Council's Drainage Officer recommended a pre-commencement planning condition should be utilised to secure surface water drainage details.

Highways:

6.3 The Local Highway Authority recommended that Plot 3 should be accessed via the existing shared private drive to avoid the likelihood of vehicles reversing in to, or out of, Leicester Road, and to reduce the number of access points along the road. This would then be consistent with the other previous planning applications on the site.

6.4 As a result, the Applicant submitted revised plans that removed the direct access to Plot 3 from Leicester Road on 20 May 2024.

Pollution:

6.5 The Council's Pollution Officer requested a planning condition that limits site preparation and construction hours to 07:30 to 18:00 between Mondays and Fridays, and 08:00 to 13:00 on Saturdays, and no working on Sundays and bank holidays.

6.6 Severn Trent Water Ltd. did not respond to the planning application. No further responses have been received.

7. Policy

7.1 Core Strategy (2009):

- Policy 1: Development in Hinckley

7.2 Site Allocations and Development Management Policies Development Plan Document (SADMP) (2016):

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.3 National Planning Policies and Guidance:

- National Planning Policy Framework (NPPF) (December 2023)
- Planning Practice Guidance (PPG)
- National Design Guide (2019)

7.4 Other Relevant Guidance:

- Good Design Guide (2020)
- Leicestershire Highway Design Guide (LHDG) (2022)
- Technical Housing Standards – Nationally Described Space Standards (2015)

8. Appraisal

8.1. The key issues in respect of this application are therefore:

- Principle of development
- Housing land supply
- Design and impact upon the character of the area
- Impact upon residential amenity
- Impact upon parking provision and highway safety
- Planning balance

Principle of Development

8.2 Paragraph 2 of the National Planning Policy Framework (NPPF) identifies that planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The NPPF is a material planning consideration in planning decisions.

8.3 The current Development Plan consists of the adopted Core Strategy and the adopted Site Allocations and Development Management Policies Development Plan Document (SADMP). In accordance with Paragraph 225 of the NPPF, due weight should be given to existing policies according to their degree of consistency with the NPPF.

8.4 The application site is within the identified settlement boundary of Hinckley. In addition, the application site benefits from planning permission for one bungalow to the northern corner of the site behind 86 Leicester Road via planning applications 11/00178/FUL and 13/00424/FUL.

8.5 Given the above, the proposal is considered to be acceptable in principle, subject to the assessment of all other material considerations. Other material considerations are set out within the next sections of the report.

Housing Land Supply

- 8.6 Using the standard method as outlined by the Ministry of Housing, Communities & Local Government (MHCLG), Hinckley and Bosworth Borough Council are able to demonstrate 5.6 years of deliverable housing on 29 July 2024.
- 8.7 However, due to the age of relevant housing policies within the adopted Core Strategy, the 'tilted' balance in Paragraph 11(d) of the NPPF is triggered in accordance with Footnote 8 and Paragraph 11 of the NPPF.
- 8.8 Paragraph 11(d)(ii) of the NPPF requires planning permission to be granted unless 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.
- 8.9 The development is for four residential properties, and therefore Policy 15 (Affordable Housing) and Policy 16 (Housing Density, Mix and Design) of the adopted Core Strategy are not applicable for this scheme.
- 8.10 Given the above, the provision of four residential dwellings is not considered to provide more than a limited benefit to the supply of housing within the Borough.

Design and Impact upon the Character of the Area

- 8.11 Paragraph 139 of the NPPF states that 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.
- 8.12 Policy DM10(c) of the SADMP states that developments will be permitted where they complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.13 The Good Design Guide states that where an existing plot is proposed to be subdivided to create additional development in 'backland' locations, this will require clear and convincing justification to its context. Some sites may be able to accommodate this type of development, whereas others will not.
- 8.14 There are nearby examples of houses set behind properties on back land sites, particularly to the north-north-east of the site. However, these tend to be single storey and low-key and therefore they are not considered to be a defining characteristic of the area.
- 8.15 The Applicant's main justification for the development is in relation to the size of the plots, and the scale and height of the proposed properties in comparison to the existing dwellings in the surrounding area, particularly those along Island Close.

- 8.16 However, the properties within the scheme have comparatively large footprints and are built close to the site boundaries. This can be seen by the fact that, although the proposal only consists of four dwellings, the total footprint of the scheme is 600sqm, which is only 35sqm less than the total footprint of the previously dismissed scheme for five dwellings.
- 8.17 The extent of this impact is also not accurately reflected within the Proposed Site Plan because the proposed properties on that plan are not in accordance with the Proposed Floor Plans. This discrepancy is between 20 to 30sqm for each plot.
- 8.18 Whilst Plots 1 and 3 (now Plot 2) have moved by 0.6m and 0.8m from the site boundaries, Plot 4 (now Plot 3) has not moved and is only 1.8m from the eastern shared site boundary. Given the discrepancy between the Proposed Site Plan and the Proposed Floor Plans, this is also likely to bring the properties closer to the boundaries of the site.
- 8.19 In addition, whilst the Proposed Site Plan claims that the proposal has increased its provision of private outdoor rear garden areas for each dwelling, there is a discrepancy between the Schedule of Plots Garden Area sizes and the garden area sizes depicted within the Proposed Site Plan. This discrepancy is up to 100sqm, for example with Plot 1. It is also noted that whilst the garden area for Plot 3 has increased, this has only been achieved through extending the red line boundary of the site rather than making positive amendments to the scheme.
- 8.20 By virtue of the proposed properties' footprints, limited spacing and proximity to site boundaries, the development is considered to appear cramped and at odds with the existing spacious pattern of development along Leicester Road and the immediate locality. The extent of this effect is exacerbated by the significant discrepancies between the submitted plans.
- 8.21 Whilst much of the site would be screened from direct views from Leicester Road by 84, 84A, and 86 Leicester Road, the gap for the access as well as the space to the side of 86 Leicester Road means that the development can be seen from the existing street scene and is likely to appear prominent from adjoining properties. Therefore, the density and layout of the proposed development is likely to make some of the proposed dwellings more visually prominent from the public highway. This is considered to accentuate the uncharacteristic nature of the back land development further and result in an uncharacteristically dense form of development that would harm the character and appearance of the area.
- 8.22 Furthermore, the submitted Tree Survey was produced on 02 February 2018. Given the age of this document, it is considered that its assessment is out of date. In addition, the Tree Survey does not reflect the current proposal and there is no indication that the current proposal is consistent with the Tree Survey's Tree Protection Plan.

- 8.23 Therefore, the Applicant has failed to demonstrate that the protected trees in this site will not be detrimentally affected by the proposal, and this is likely to cause a significant adverse effect on the character of the site and the surrounding area.
- 8.24 By virtue of these factors, the proposal is considered to unacceptably harm the character and appearance of the area. Therefore, the proposal is considered to be contrary to, and in conflict with, Policy DM10 of the SADMP.

Impact upon Residential Amenity

- 8.25 Policy DM10(a) and (b) of the SADMP states development will be permitted provided that it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting and noise and that the amenity of occupiers would not be adversely affected by activities within the vicinity of the site.
- 8.26 The Good Design Guide requires the way buildings to relate to each other, and their orientation and separation distances, to provide and protect acceptable levels of amenity.

Plot 1:

- 8.27 There are no residential properties to the southwest of the application site immediately adjacent to Plot 1. However, the rear of Plot 1 is approximately 23.9m southeast of 13 Island Close, and 28.6m southeast of 15 Island Close. These separation distances are considered to comply with the requirements of the Good Design Guide.
- 8.28 With this in mind, and due to the siting and scale of Plot 1 and these two neighbouring properties, the development is not considered to result in any significant harm to the residential amenity of the future occupiers of Plot 1, nor the occupiers of 13 or 15 Island Close.
- 8.29 It is also noted that there are two windows within the kitchen/ living area of Plot that face towards Plot 2 to the east and Plot 4 to the south respectively. Both Plot 2 and Plot 4 only feature a window to an en-suite on these respective elevations, which can be obscured via planning condition. Therefore, the Plot 1 is unlikely to result in significant harm to the residential amenity of neighbouring properties, nor the future occupiers of the scheme.

Plot 2:

- 8.30 In comparison to Plot 1, the rear of Plot 2 is approximately 27m southeast of 17 Island Close, and 25.1m south of 19 Island Close. These separation distances exceed the requirements of the Good Design Guide.

- 8.31 With this in mind, and due to the siting and scale of Plot 2, the development is not considered to result in any significant harm to the residential amenity of the future occupiers of Plot 2, nor the occupiers of 17 or 19 Island Close.
- 8.32 Plot 2 also features a secondary window to its kitchen/ living area on its north-eastern elevation that faces towards 94 Leicester Road. However, these two properties are separated by the residential garden of 88 Leicester Road by a distance of 24.4m, which exceeds the requirements of the Good Design Guide.
- 8.33 In light of the siting, scale, and massing of both properties and the existing vegetation in between the two sites, this is not considered to result in any significant harm to the residential amenity of Plot 2 or 94 Leicester Road.
- 8.34 However, the principal windows to the bedrooms on the front elevation of Plot 2 are 15m from the principal windows to the kitchen and dining room of Plot 3, and 16.2m from Plot 3's first-floor bedroom. This is less than the 21m separation distance required by the Good Design Guide. Given these substandard distances and the discrepancies within the Proposed Site Plan, the development is likely to result in overlooking and loss of privacy to each property, contrary to Policy DM10 of the SADMP and the Good Design Guide.

Plot 3:

- 8.35 The rear elevation of 88 Leicester Road is 16.7m to the south of Plot 3's principal window to its bedroom on its front elevation. Although the properties do not directly face each other this is considered to result in overlooking and loss of privacy between the two properties. Given the two-storey massing and location of 88 Leicester Road, this neighbouring property will be able to overlook the private outdoor amenity space of Plot 3 to the detriment of the future occupiers of the scheme.
- 8.36 However, the principal window to Plot 3's living room is 8.1m from the single storey blank side elevation of Plot 2's garage and therefore complies with the minimum separation distances required by the Good Design Guide.
- 8.37 Notwithstanding this, the principal window to Plot 3's Study/ Bedroom is also 5.6m from the blank side elevation of 86 Leicester Road's outbuilding. This is less than the separation distances within the Good Design Guide and is considered to have an overbearing impact on the residential amenity of the future occupants of Plot 3.

Plot 4:

- 8.38 There are no windows on the southern side elevation of Plot 4. Given the scale, massing and siting of the development, the proposal is not considered to result in any adverse impacts to the neighbouring residential amenity of 84 Leicester Road, nor the residential amenity of the future occupiers of the Plot.

- 8.39 The main bulk of Plot 4 is also 11.3m east of and set 3.1m to the northeast and to the rear of, 82 Leicester Road. Whilst Plot 4 faces towards this shared south-western site boundary, in light of the separation distances between the two properties and the Plot's scale, massing, and siting, the development is not considered to result in any significant adverse impacts to the residential amenity of 82 Leicester Road.
- 8.40 The principal window to the dining area of Plot 4 is 14m from the blank side elevation of Plot 3. This is in accordance with the minimum separation distances required by the Good Design Guide. Therefore, the design of Plot 4 is unlikely to result in any adverse impacts to the residential amenity of Plot 3 or the future occupants of Plot 4.
- 8.41 To support the residential amenity of future occupiers of the scheme, one of the aims of Section 4 (New Residential Development) within The Good Design Guide is to ensure that new residential development exceeds the internal space standards set by the Technical Housing Standards (THS) (2015) wherever possible.
- 8.42 It is considered that all four plots exceed the internal floor space requirements of the THS, but no details have been provided regarding the provision of in-built storage space. Nevertheless, given the size of the properties, it is considered that sufficient storage space can be provided within the properties in accordance with the THS.
- 8.43 To comply with the Good Design Guide, three-bedroom houses must also provide a minimum of 80sqm of private outdoor amenity space with a minimum length of 7m.
- 8.44 It is considered that all four bungalows provide sufficient private outdoor amenity space in accordance with the Good Design Guide.
- 8.45 By virtue of these factors, the development is considered to result in significant adverse impacts to the residential amenity of the future occupants of Plot 2 and Plot 3, and the existing amenity of the residents of 88 Leicester Road. Therefore, the proposal is considered to be contrary to, and in conflict with, Policy DM10 of the SADMP and the Good Design Guide.

Impact upon Parking Provision and Highway Safety

- 8.46 Policy DM17 of the SADMP states that development proposals need to demonstrate that there is not a significant adverse impact upon highway safety, and that the residual cumulative impacts of development on the transport network are not severe.
- 8.47 All proposals for new development and changes of use should reflect the highway design standards that are set out in the most up to date guidance adopted by the relevant highway authority (currently this is the Leicestershire Highway Design Guide (LHDG)).

- 8.48 Based on available records to the Local Highway Authority (LHA), there have been two Personal Injury Collisions (PICs) occur within 500m either side of the site access points within the last five years. Both were recorded as slight and occurred in 2020.
- 8.49 Nevertheless, the development is accessed via an existing point of access, which was first approved via planning permission 14/00908/FUL for the provision of 84 and 84A Leicester Road.
- 8.50 Following this, the Local Highway Authority advised approval for planning applications 17/01297/FUL, 21/00981/FUL, and 22/00772/FUL. It is noted that none of these schemes were refused on highways grounds.
- 8.51 The LHA welcomed the removal of the direct access to Plot 3 from Leicester Road within this scheme and recommended that the existing dropped kerb access onto Leicester Road for this redundant access are removed and reinstated as full height kerbs via planning condition.
- 8.52 In light of the above, the Local Highway Authority consider that the existing access is safe and suitable for the current scheme and that the perpetual maintenance of the vehicular and pedestrian visibility splays can continue to be secured via planning condition.
- 8.53 Policy DM18 of the SADMP requires developments to demonstrate an adequate level of off-street parking provision.
- 8.54 Overall, the LHA is satisfied that there is sufficient parking provision in respect of all plots. The LHA also considered that there is sufficient turning provision within the site to serve all the plots.
- 8.55 To summarise, it is considered that the scheme provides adequate off-street vehicle parking for the dwellings, and that the proposal does not create an unacceptable impact on highway safety or the road network. Therefore, the scheme is regarded as in accordance with Policies DM17 and DM18 of the SADMP, and the LHDG.

Planning Balance

- 8.56 Hinckley and Bosworth Borough Council are able to demonstrate 5.6 years of deliverable housing on 29 July 2024. However, due to the age of relevant housing policies within the adopted Core Strategy, the 'tilted' balance in Paragraph 11(d) of the NPPF is triggered in accordance with Footnote 8 and Paragraph 11 of the NPPF.
- 8.57 Paragraph 11(d)(ii) of the NPPF requires planning permission to be granted unless 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.

- 8.58 It is acknowledged that there are potential social benefits from the scheme such as providing housing for a range of occupants including families, and economic benefits associated with the construction of the dwelling and the future occupants' opportunity to act as new customers and employees for local businesses and services.
- 8.59 Nevertheless, these benefits when associated with four dwellings are modest and are not considered to maintain or enhance the local community. In addition, there are no planning benefits such as affordable housing or essential infrastructure provision as identified within Paragraph 12.13 of the SADMP.
- 8.60 By virtue of the proposed properties' large footprints, limited spacing and proximity to site boundaries, the development is considered to appear cramped and at odds with the existing spacious pattern of development along Leicester Road and the immediate locality. The extent of this effect is exacerbated by the significant discrepancies between the submitted plans.
- 8.61 In addition, the density and layout of the proposed development is likely to make some of the proposed dwellings more visually prominent from the public highway. This is considered to accentuate the uncharacteristic nature of the back land development further and result in an uncharacteristically dense form of development that would harm the character and appearance of the area.
- 8.62 The Applicant has also failed to demonstrate that the protected trees in this site won't be detrimentally affected by the proposal, and this is likely to cause a significant adverse effect on the character of the site and the surrounding area.
- 8.63 In light of the above, the development would result in significant and detrimental impacts to the character of the site and the surrounding area, which is contrary to, and in conflict with, Policy DM10 of the SAMDP and the Good Design Guide. This is considered to attract significant weight in the planning balance.
- 8.64 As a consequence of the development's design and layout, the proposal is considered to result in significant adverse impacts to the residential amenity of Plots 2 and 3, and 88 Leicester Road as a result of loss of privacy, overlooking, and overbearing impacts. Therefore, the proposal is considered to be contrary to, and in conflict with, Policy DM10 of the SADMP and the Good Design Guide. This is also considered to attract significant weight in the planning balance.
- 8.65 In conclusion, the adverse impacts of the development are considered to significantly and demonstrably outweigh the benefits of the scheme.

9. Equality Implications

- 9.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states: -
- (1) A public authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2 Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.
- 9.3 There are no known equality implications arising directly from this development.
- 9.4 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

10. Conclusion

- 10.1 Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission to be refused.

11. Recommendation

- 11.1 **Refuse planning permission** subject to:
- Planning reasons outlined at the end of this report.

11.2 Reasons

1. The proposal results in a cramped and uncharacteristically dense form of development in a back land location that is accentuated by the visual prominence of the scheme from the public highway. This is considered to result in significant harm to the character and appearance of the area, which is contrary to, and in conflict with, Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), and the Good Design Guide (2020).
2. The Applicant has failed to demonstrate that the protected trees on the application site won't be detrimentally affected by the proposal. This is likely to cause a significant adverse effect on the character of the site and the surrounding area, which is contrary to, and in conflict with, Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), and the Good Design Guide.

3. The development results in significant adverse impacts to the residential amenity of the future occupants of Plots 2 and 3, and the neighbouring residents of 88 Leicester Road as a result of loss of privacy, overlooking, and overbearing impacts. This contrary to, and in conflict with, Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), and the Good Design Guide (2020).

a. **Notes to Applicant:**

1. This application was assessed by the documents submitted by the Applicant that were received by the Local Planning Authority, as follows:
 - Application Form (submitted: 22.04.2024)
 - Drainage Strategy (submitted: 22.04.2024)
 - Planning Statement (submitted: 22.04.2024)
 - Proposed Site Plan, Floor Plans, and Elevations 1161-MP (submitted: 20.05.2024)
 - Tree Survey (submitted: 22.04.2024)