

Delegated Report

Planning Ref: 25/01118/REM

Applicant: Mrs Ladkin-Berry

Ward: Barwell



**Hinckley & Bosworth
Borough Council**

Site: 14 Chesterfield Way, Barwell

Proposal: Approval of reserved matters (appearance and landscaping) of outline planning permission 22/00788/OUT for the erection of 3 new dwellings

1. Recommendations

- 1.1. **Approval of Reserved Matters** subject to:
- Planning conditions outlined at the end of this report.

2. Planning Application Description

- 2.1. This planning application seeks full planning permission for the Reserved Matters (Appearance, and Landscaping) of outline planning application 22/00788/OUT,
- 2.2. The development proposal is for the provision 3 dwellings within the settlement boundary of Barwell. The dwellings consist of three detached bungalows, located off Chesterfield Way. Access to the site is off Chesterfield Way to the side of number 14 and would involve the removal of the existing garage serving this property. Details of the access have been approved under the outline application.

3. Description of the Site and the Surrounding Area

- 3.1. The application site relates to an area of land to the rear of the garden of number 14 Chesterfield Way, which is a dormer bungalow. The site currently consists of bramble scrub with a few trees located on the perimeter of the site. The site borders the rear gardens of neighbouring residential properties along Chesterfield Way, Hinckley Road and Belle Vue Road. The site is separated from these properties by boundary trees and fencing. The site is within the settlement boundary for Barwell. There are a mix of single storey and two storey properties in the general area of the site.

4. Relevant Planning History

4.1 22/00788/OUT

- Erection of 3 new dwellings with details of means of access, layout and scale.
- Planning permission
- 25.11.2022

4.2 21/00290/OUT

- Residential development for four dwellings (Outline – access and scale)

- Refused
- Appeal dismissed
- 29.07.2021

4.3 **20/00919/OUT**

- Residential development for five dwellings (Outline – access and scale)
- Refused
- Appeal dismissed
- 16.03.2021

5. Publicity

5.1 The application has been publicised by sending out letters to local residents.

5.2 Three neighbour letters from two separate address raising objections have been received. The objections relate to the following matters:

- Previous appeals have confirmed that the development would harm the appearance of the area.
- The access to the site is a concern.
- Surface water concerns raised.
- Vegetation at the site should be retained.
- Neighbouring amenity should not be impacted.
- Roof heights should not exceed 5m.
- The approved 22/00788/OUT confirmed that the following must be approved:
 - Appearance of the development including proposed materials and finishes
 - Landscaping of the site including hard boundary treatments, hedgehog highways and details of boundary planting
 - Layout of the site with regard to EV charging, building and open spaces are provided and the relationship of these buildings and spaces outside the development

6. Consultation

6.1 Barwell Parish Council: No comments received.

7. Policy

7.1 Earl Shilton and Barwell Area Action Plan (ESBAAP) (2014)

- Policy 22: Development and Design

7.2 Core Strategy (2009):

- Policy 3: Development in Barwell
- Policy 19: Green Space and Play Provision

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

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM3: Infrastructure and Delivery
- Policy DM7: Preventing Pollution and Flooding
- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.4 National Planning Policies and Guidance:

- National Planning Policy Framework (NPPF) (2024)
- Planning Practice Guidance (PPG)
- National Design Guide

7.5 Other Relevant Guidance:

- Good Design Guide (2020)

8. Appraisal

8.1. The principle of the development for 3 dwellings has been established via the previously approved outline planning permission (22/00788/OUT) which approved the access, layout and scale of the development.

8.2. Therefore, the key issues in respect of this application are therefore:

- Appearance
- Landscaping

Design and Impact upon the Character of the Area in respect of Appearance and Landscaping

8.3 Policy DM10 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.

8.4 Policy 22 of the ESBAAP outlines that development will be permitted amongst other factors if there is no detriment to the character or appearance of the host building or the surrounding area, the siting and density respects the character and layout of the area. The design needs to respect the scale, proportions and height of the neighbouring structures and overall street scene.

8.5 The Good Design Guide SPD outlines principles of good design, which includes the use of high-quality materials, boundary treatments, and overall detailing.

- 8.6 The following sections will address the final reserved matters of appearance and landscaping in relation to this scheme.

Appearance

- 8.7 The following four plans have been submitted, alongside a 'Character Statement', confirming the external appearance of the three detached bungalows:

- Elevations, Floor Plan, Plot 1, Drawing No. 101
- Elevations, Floor Plan, Plot 2, Drawing No. 102
- Elevations, Floor Plan, Plot 3, Drawing No. 103
- Section, Street Elevation, Plot 1 & 2, Drawing No.104

- 8.8 Plots 1 and 2 are of the same overall design, with a mirrored appearance when viewing the site from the street scene. Plot 3 has a slightly altered appearance in that the kitchen window is located on the side elevation as opposed to the front elevation, to ensure there are no overlooking issues between plots.

- 8.9 Plots 1 and 2 measure 5m in height to the ridge, with plot 3 measuring 4.9m. The style of the bungalows is synonymous with the existing bungalows on Chesterfield Way with their appearance. The design includes a pitched roof with an abutting pitch providing a minor dogleg form, predominantly consisting of brick with a small, rendered element surrounding the main entrance door to each property. Additional ecological enhancements have been included on each property including swift boxes and bee bricks.

- 8.10 It is confirmed that the final details of materials used will be secured via planning condition, to be discharged prior to construction, to ensure that the development retains a high-quality overall design. It is noted that within the Good Design Guide, the materials used should be suitable to the wider context, and care should be given to the colour and size of bricks, roof tiles, mortar colour, lintels, sills and heads.

- 8.11 The built development, alongside the landscaping, which is assessed in the following section of this report is considered to be of an appropriate design and would be acceptable in terms of its visual impacts on the character of the area. The development is therefore in accordance with Policy DM10 of the SADMP.

Landscaping

- 8.12 Within the approved decision for 22/00788/OUT it is confirmed within condition 2 (b) that the landscaping of the site including treatment of private and public space to enhance the site's amenity through hard boundary treatments, including hedgehog highways and soft measures and details of boundary plating to reinforce the existing landscaping at the site edges. Details of the electric vehicle (EV) charging points is also required within condition 2 (c).

- 8.13 Within the provided drawing, "Site plan Drawing No. 100b", it is confirmed that the site access is proposed to consist of tarmac which is synonymous with the existing hardstanding at the dormer bungalow of No. 14 Chesterfield Way. Within the site it is proposed that grey tegula block paving is used as the main material for the hardstanding for the internal road layout and driveways. This is considered to be of a reasonable quality and would ensure the site has a high degree of visual amenity.
- 8.14 The Good Design Guide confirms that fencing as a form of boundary treatment can be cost effective, and consideration is required to the potential negative impacts on the wider street scene, particularly where this would entirely block through views and create dead frontages.
- 8.15 The internal boundary treatments for each plot consists of 1.8m high close boarded timber fencing, providing the sectioning of the site for properties, allowing secure and private garden amenity space. The fencing would be appropriate in its locations as shown on the above-mentioned site plan and would not create any issues of visual amenity nor impact on neighbouring amenity owing to its design, material and height. Each fence in line with condition 2 (b) of the approved 22/00788/OUT has included the required hedgehog highways, which consist of a 13cm x 13cm hole at the bottom of the fence, and is clearly denoted on the site plan. The location of the hedgehog highways is considered appropriate for the movement of the species.
- 8.16 The site includes a degree of landscaping, including the inclusion of wildflower turf following the curve of the access road to plot 1. It is noted that the existing mature trees to the boundary of the site are proposed to be retained alongside sufficient new tree and native hedgerow planting to enhance the existing landscaping on the site. Grassed lawns to the front and the rear of the properties are also provided alongside ornamental grassy shrubs to the front of each plot is included, which further enhances the site in terms of its landscaping value.
- 8.17 Within the site plan relevant EV charging points are shown adjacent to the off-street parking provision attributed to each plot, which is confirmed to satisfy the requirements of condition 2 (c).
- 8.18 Overall the landscaping proposed within this application is considered to be of an appropriate quality and would ensure that the character and appearance of the development is delivered to a high standard, as such the proposal is considered in accordance with Policy DM10 of the adopted SADMP.

Other Matters

- 8.19 Should permission be granted, the development shall still be subject to all 11 planning conditions that were attached to the allowed appeal decision of outline planning application 22/00788/OUT.

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 granted, subject to the imposition of appropriate conditions.

11 Recommendation

- 11.1 **Approve Reserved Matters** subject to:

- Planning conditions outlined at the end of this report.

11.2 Conditions and Reasons

1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details received by the Local Planning Authority as follows:
 - Site Location Plan, Drawing No. 00
 - Site Plan, Drawing No. 100B
 - Elevations, Floor Plan, Plot 1, Drawing No. 101
 - Elevations, Floor Plan, Plot 2, Drawing No. 102

- Elevations, Floor Plan, Plot 3, Drawing No. 103
- Section, Street Elevation, Plot 1 & 2, Drawing No.104

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

2. No part of the development hereby permitted shall be occupied until such time as the landscaping, including the hardstanding, tree and hedgerow planting, shown on "Site Plan, Drawing No. 100B" has been completed. Any trees or plants which within 5 years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar species, and shall be maintained for a period of 5 years from completion.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. No development above groundworks (slab level) shall begin until samples and details of the materials used on the external elements of the bungalows and hardstanding have been submitted to, and approved in writing by the Local Planning Authority (LPA), and the scheme shall be subsequently implemented in accordance with the approved details before the development is complete.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

a. **Notes to Applicant:**

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.