

PLANNING STATEMENT

Proposal: Erection of one new dwelling

Site: The Lilacs, No. 1 Nailstone Road, Barton in the Beans, CV13 OPU.

Date: April 2024

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INTRODUCTION

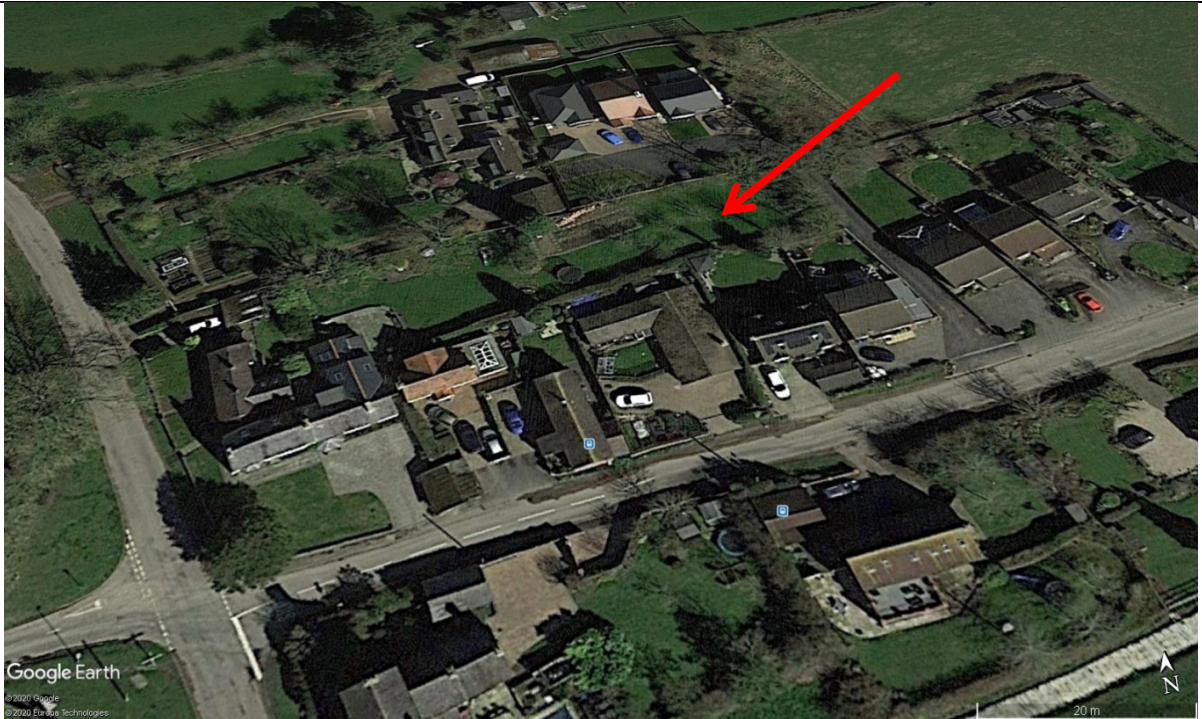
- 1.1 This planning statement is submitted in support of the application made to Hinckley and Bosworth Borough Council for full planning permission for the erection of one new dwelling at The Lilacs, No. 1 Nailstone Road, Barton in the Beans, CV13 0PU. The application is made on behalf of Mr Alex Salter.
- 1.2 The following paragraphs of this statement will address the relevant 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 DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 2.1 The application site relates to an oblong shaped piece of land currently forming part of the residential curtilage of the property known as The Lilacs, No. 1 Nailstone Road. The land is situated to the north of Nailstone Road and to the east of The Lilacs as shown as land edged red on the extract copy of the site location plan below.



- 2.2 The plot of land is located within the defined settlement boundary of Barton in the Beans and forms an infill plot of land surrounded by existing residential properties. The age, architectural style and character of surrounding properties vary significantly and include a mix of single storey, two storey and some three storey developments. An aerial image of the site is provided below.



- 2.3 The site is not located within a Conservation Area nor does it relate to a listed building or non designated heritage asset. The nearest listed buildings are situated at Yew Tree House (Grade II), Manor Farmhouse (Grade II) and Grange Farmhouse (Grade II) which are situated within Barton in the Beans.
- 2.4 The site is located within a Flood Zone 1 on the Environment Agency's flood maps for planning.
- 2.5 There are some TPO trees on the site and these have been identified on the submitted tree survey.

3 RELEVANT PLANNING HISTORY

- **21/00104/FUL** | Residential dwelling with associated works (resubmission of 20/00551/FUL) | GRANTED
- **20/00551/FUL** | Residential Dwelling with associated car parking on land to the rear of 1 Nailstone Road accessed via Barton Court | GRANTED
- Proposed second floor and single storey rear extension | Ref. No: 13/00540/HOU | GRANTED
- Certificate of existing lawful use for garden land ancillary to The Lilacs | Ref. No: 15/00380/CLUE | Status: Certificate of Lawful Existing Use
- Two storey rear extension | Ref. No: 19/00548/HOU | GRANTED
- Two storey rear extension & re-location of rear common boundary between 1 Nailstone Road and 2 Odstone Road | Ref. No: 19/01200/FUL | GRANTED
- Single storey side extension | Ref. No: 20/00113/HOU | GRANTED

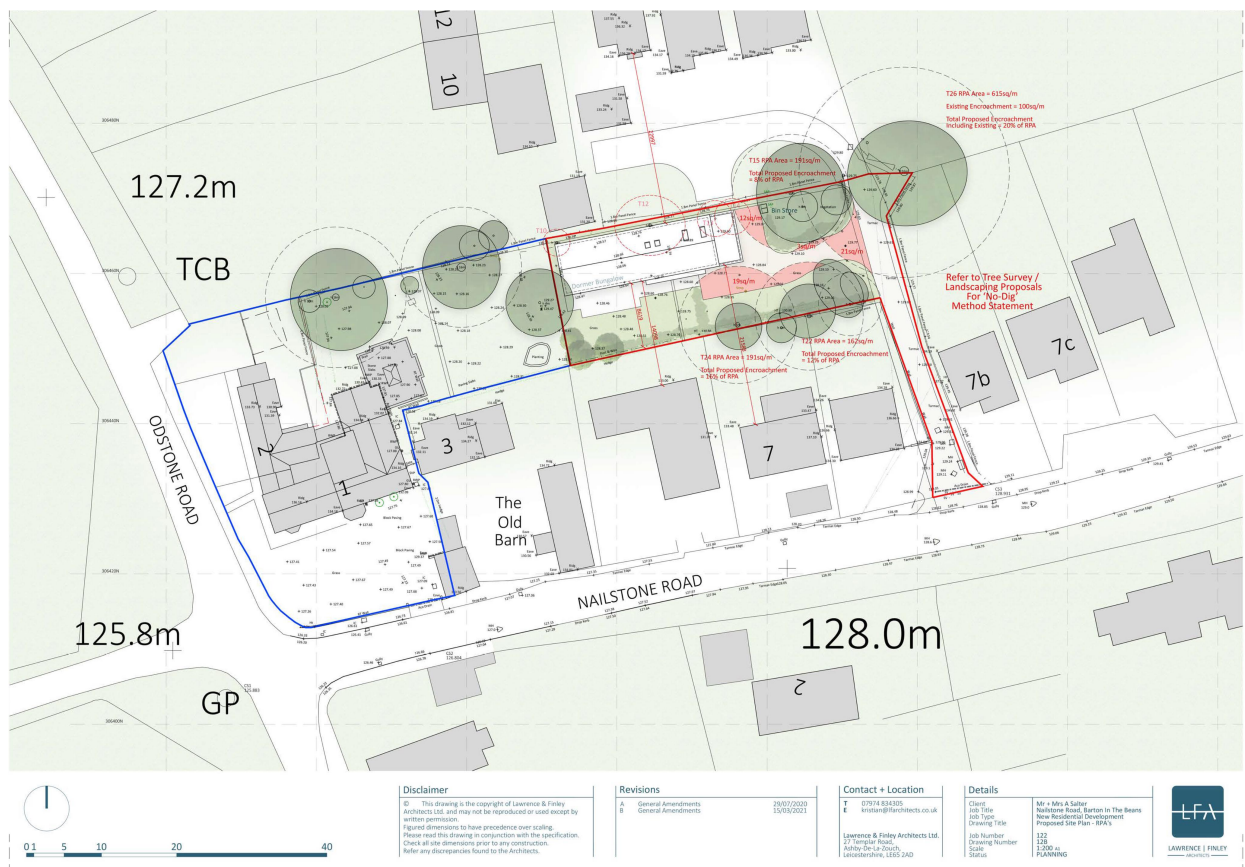
4 DESCRIPTION OF THE PROPOSAL

4.1 The application proposes the erection of a new residential property. This application is a resubmission of previously approved planning permission 21/00104/FUL for the erection of one dwelling and associated works.



4.2 The dwelling has an oblong layout and adopts an agricultural design. The property provides an open plan, modern living space with two bedrooms and an integral garage at ground floor level and one additional bedroom is provided within the roof space. The proposed palette of materials includes timber cladding, slate defect roof tiles, aluminium windows and doors, a wood effect garage door.

4.3 The new dwelling is positioned along the northern boundary of the site and is orientated side facing to the road. The private garden space for the new property is located to the south of the property with direct access to the main family living space. The existing landscaped boundary shared with existing properties along Nailstone Road is to be retained. An extract copy of the proposed site plan is provided below:



4.2 Access to the site is taken from Barton Court. There is ample space within the site to provide car parking and turning space for vehicles.

5 THE DEVELOPMENT PLAN AND OTHER MATERIAL CONSIDERATIONS

5.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 an application for planning permission should be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan currently comprises the adopted Hinckley and Bosworth Core Strategy and the Site Allocations and Development Management Policies DPD. The NPPF is a key material planning consideration in the determination of the application.

5.2 Core Strategy (2009)

- Policy 13 – relates to the rural hamlets. The policy supports new housing development within the defined settlement boundaries that provides for a mix of housing types and tenures. Barton in the Beans is a rural hamlet and the application site is located within the defined settlement boundary.

The Hinckley and Bosworth Site Allocations and Development Management Policies DPD (SADMP)(2016)

- DM1 – Presumption in favour of sustainable development
- DM10 – Development and Design
- DM17 – Highways and Transportation
- DM18 – Vehicle parking standards

National Planning Policy Framework (NPPF)(2023)

5.3 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.

5.4 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.

- 5.5 When decision taking, para 38 advises local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- 5.6 *Delivering a sufficient supply of homes*
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, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 5.7 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.
- 5.8 With regard to promoting sustainable development in the rural areas, paragraph 79 of the NPPF advises housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services.

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
 - Landscaping, ecology and biodiversity
 - Planning balance

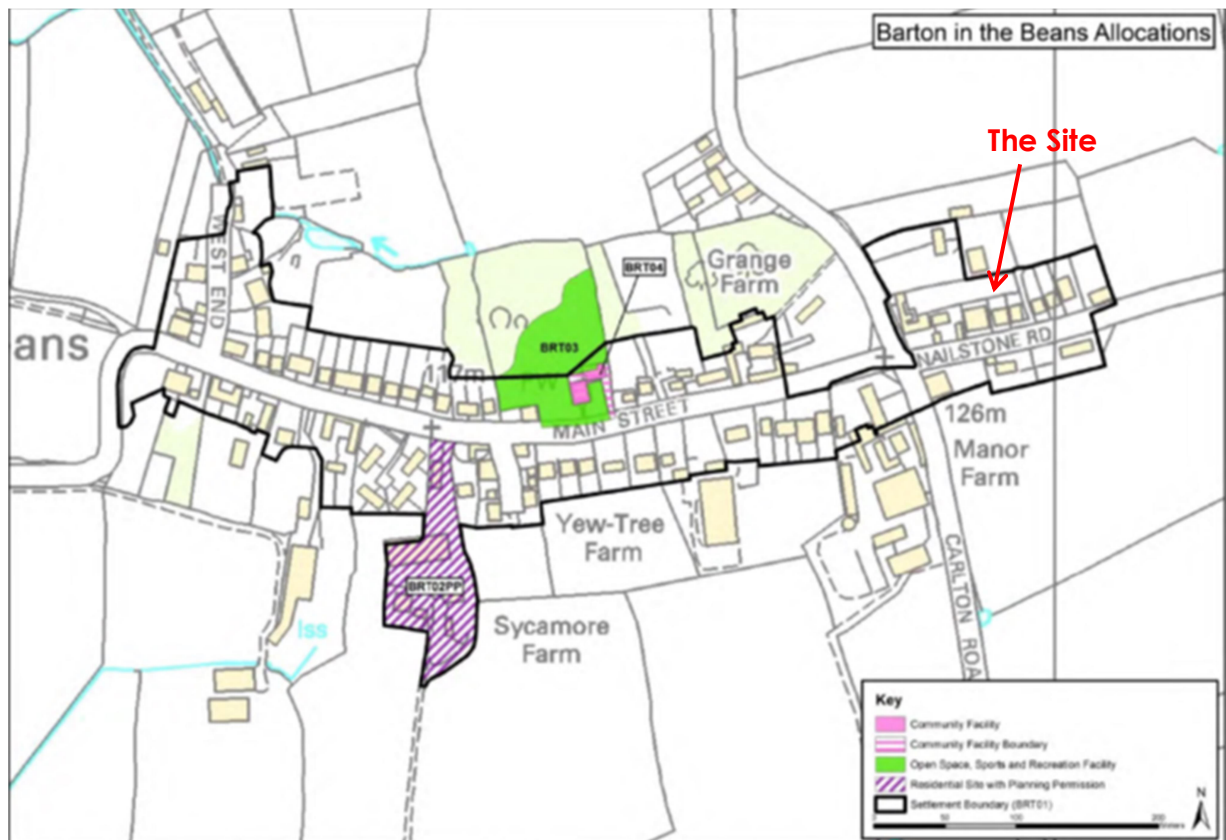
Principle of development

- 6.2 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. Core Strategy Policy 13 relates to the rural hamlets. The adopted development plan policy supports new housing development that is located within the defined settlement boundaries of these settlements.

6.5 Barton in the Beans is identified as a rural hamlet at Core Strategy Policy 13 and the application site is positioned within the defined settlement boundary as shown on the adopted SADMP proposals map. The principle of developing the site for housing complies with the adopted spatial hierarchy and SADMP and is therefore acceptable.



6.3 Planning permission has previously been secured for the erection of one new dwelling under planning references 21/00104/FUL and 20/00551/FUL. The current application is a resubmission of that previously approved under 21/00104/FUL.

6.4 Design and character

SADMP policy DM10 seeks to ensure development complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.

- 6.5 The site is an infill plot of land with existing residential properties beyond each of its boundaries and with direct access onto an existing access road; it is considered the position and layout of the property is well related to the grain of existing development in the area.
- 6.6 As identified at section 2 above, the design of existing surrounding development varies significantly in terms of age, architectural style, character and scale. There are a number of rural properties of a traditional farm house design, including a converted former agricultural barn, situated along Nailstone Road. Alongside the traditional rural properties are examples of much later developments including the recently completed Barton Court. The scale of existing development is similarly varied and includes single, two and three storey properties. This variety in scale and design provides ample opportunity for a number of design approaches for the proposed new dwelling. In this case, in order to complement the rural setting, the architectural design approach is that of a simple modern agricultural building finished in a timber clad material. The height and scale of the new dwelling has purposefully been kept low to aid the property's integration between existing buildings and retained landscaping. It is submitted the architectural design and choice of materials complement both the rural setting and variety of surrounding development in accordance with the objectives of SADMP policy DM10.
- 6.7 This is a resubmission of a previously approved scheme. The Council previously concluded that the proposal is in keeping with the character and appearance of this semi-rural area and therefore considered to accord with Policy DM10 of the SADMP and the overarching design principles within the SPD.

Residential amenity

- 6.8 Policy DM10 of the SADMP seeks to ensure that development proposals do not harm the amenity of neighbouring residential properties. This is supported by the Good Design Guide SPD.
- 6.9 The site is an infill plot of land, which is already in residential use as part of the curtilage of The Lilacs and which is situated within an established group of residential properties. The use of the site for residential purposes is therefore compatible with existing surrounding land uses.
- 6.10 The property is positioned between an existing bungalow at No. 5 Nailstone Road and an existing detached garage relating to No 10 Odstone Road. The height and scale of the new building has been designed to integrate between the scale of surrounding development and this is demonstrated on the submitted elevation site section plans. The height and scale of the property prevents any concerns for overshadowing of the neighbouring properties.
- 6.11 The first floor fenestration for the new dwelling has been limited to four rear elevation roof light windows (facing the turning head within Barton Court) and a side facing gable window overlooking the access drive. The position of these windows ensures there are no first floor facing principal

windows and avoids concern for overlooking of private amenity spaces. The trees and well-established landscaped boundary shared with properties along Nailstone Road is to be retained and prevents any inter visibility between the ground floor windows. For these reasons, it is concluded that the application meets with the objectives of development plan policy DM10 of the SADMP in delivering suitable standards of private amenity for both existing and future occupiers.

- 6.12 The Council has previously concluded that the proposal accords with Policy DM10 of the SADMP and the overarching principles of development within the SPD in regard to impact upon residential amenity.

6.13 Highway safety

Policy DM17 of the SADMP seeks to ensure new development would not have an adverse impact upon highway safety.

- 6.14 Policy DM18 of the SADMP seeks to ensure parking provision appropriate to the type and location of the development.

- 6.15 Access to the site is taken from the existing roadway leading to Barton Court. There is ample space within the site to provide car parking and turning space for vehicles. There is no concern for highway safety arising from this development. LCC as the relevant highway authority has previously raised no objection on highway safety grounds.

- 6.16 It is considered that the proposed development would be in accordance with Policies DM17 and DM18 of the SADMP.

6.17 Trees and landscaping

A number of trees on the site are subject to a Tree Preservation Order and these are identified on the submitted tree constraints plan. The protected trees are mainly positioned on the southern site boundary shared with properties 7/7a Nailstone Road, together with one tree to the northern site boundary and one tree located on the edge of the application site boundary on the eastern side of the access road. Each of the protected trees is to be retained under this application. The submitted tree protection plan and impact assessment identifies that the construction of the new dwelling does not impact the root protection zones of these protected trees and the proposed new driveway will be of a no dig construction.

- 6.18 As identified on the submitted tree plan and assessment the application does necessitate the removal of some trees to the northern boundary of the application site. None of the trees for removal are protected and all but one of the trees is identified as either category C or U trees.

- 6.19 The TPO trees are to remain and would be adequately protected throughout the construction works. Although some trees are to be removed within the plot, additional trees and shrubs are proposed to further screen the dwelling from the rears of the properties on Nailstone Road.
- 6.20 The 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.
- 6.21 The site is located within the adopted development boundary of a rural settlement where new small scale development is supported. Planning permission has previously been supported for the scheme. The development would make a positive contribution to the delivery of housing land supply without causing conflict with the adopted spatial hierarchy. The design and location of the development complements the character of the area and residential amenity standards are delivered for future and existing occupiers. The proposal carefully considers existing landscape features in order to retain the existing protected trees on site. The development is considered to meet the three objectives of sustainable development: economic, social and environmental and there are no adverse impacts arising from this development that would outweigh the clear benefit of delivering the site for housing. The presumption in favour of sustainable development applies and this is a significant material planning consideration.

7 CONCLUSIONS

- 7.1 The principle of development is supported by the adopted spatial hierarchy in the Core Strategy. The proposal would respect the scale and character of the street scene, retain adequate private amenity for both existing and future occupiers and would not significantly adversely affect the amenities of the occupiers of neighbouring properties. There would be no adverse impact on highway safety or parking provision. The application is considered to be in accordance with Policy 13 of the Core Strategy and Policies DM1, DM10, DM17 and DM18 of the SADMP. The proposal meets with the objectives of the adopted development plan and in accordance with the presumption in favour of sustainable development planning permission should be supported without delay.