

DESIGN AND ACCESS STATEMENT FOR A CONVERSION AT LEA GRANGE FARM, ORTON ON THE HILL, TWYXCROSS CV9 3NP

This statement has been submitted by Andrew Large Surveyors Ltd on behalf of the applicant Mr Mike Hayward, and relates to the application for a conversion of an existing building at Lea Grange Farm, Twycross Lane, Orton on the Hill, Twycross, CV9 3NP. The site has already been subject to an approved permission (20/00537/FUL). This application is a resubmission of the same proposal.

1.0 SITE APPRAISAL

Physical Context

The subject building comprises of a steel portal framed agricultural building with lean-to. The building is on the south side of the farmstead at Lea Grange Farm, accessed via the main driveway from Twycross Lane. The lean-to comprises of prefabricated concrete walls clad with box profile sheeting. The main structure is clad with box profile sheeting and open on one side. The building, as existing, measures 352.12 sq.m. No alterations have been made since the previous application.

Planning history

Planning permission was granted for the conversion of the subject building to C3 use under the Class Q regulations (17/00842/CQGD0) and this consent remains extant till 24th October 2020.

Planning permission was granted for conversion under a full application (20/00537/FUL), however due to the covid 19 pandemic, sourcing materials and labour the applicant is looking to extend the implementation through a resubmission. This application is for exactly same the proposal.

2.0 Social Context

The proposal is for a conversion under a full application. The principle has already been established under the Class Q regulations. The subsequent conversion application was permitted.

3.0 Economic Context

The inhabitants of the dwelling will support facilities and services located within the surrounding area, thus contributing to their continued viability.

4.0 Planning Policy Context

National Planning Policy Framework

The following sections of the framework are applicable to this assessment:

Rural Housing

79. Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply: c) the development would re-use redundant or disused buildings and enhance its immediate setting;

The proposal allows for the re-use of a building which has already been assessed in terms of its suitability to become a residential dwelling.

Achieving well-designed places

127. 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;

The conversion will help the district meet its 5-year housing supply, while also supporting the local facilities.

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

The attached plans show that the conversion will be carried out to a high quality.

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);

The proposal is for a sympathetic conversion which ensures that the form and scale are kept as existing, and care has been taken to ensure that there is no necessary urbanization of the surrounding environment.

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;

The layout of the site has been designed in such a way as to guarantee safe access for both pedestrians and motor vehicles around the site, while also ensuring that emergency services can easily access the all premises.

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

The inhabitants of the property will support local services within the area.

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.

The proposed development is capable of providing private amenity space for the conversion. The inspectorate's comments on amenity have been noted and the amenity is restricted to that approved under the Class Q consent.

Hinckley and Bosworth Adopted Local Plan

Core Strategy DPD Adopted 2009

Policy 15: Affordable Housing

To support the provision of mixed, sustainable communities, a minimum of 2090 affordable homes will be provided in the borough from 2006 to 2026. At least 480 dwellings will contribute to this target in rural areas, including rural exception sites brought forward via Policy 17 Rural Needs. To achieve this target, the council will expect a proportion of affordable housing to be provided on eligible sites.

The starting point for the level and target for affordable housing in the Borough is as follows:

Affordable Housing on Site Target

Urban (Hinckley, Barwell, Earl Shilton and Burbage but not Sustainable Urban Extensions)

15 dwellings or more, or 0.5 ha or more

*20%**

Sustainable Urban Extensions – Barwell and Earl Shilton

15 dwellings or more, or 0.5 ha or more

*20%**

Rural areas (all sites not in the above categories)

4 dwellings or more, or 0.13 ha or more

*40%**

** These targets are based on the assumption of nil grant; in cases where grant is available additionality will be sought in line with Homes and Communities Agency guidance.*

The proposal is only for one conversion and therefore does not trigger the requirement for affordable housing.

Rural Housing

Rural Hamlets have limited, if any services and generally rely on Key Rural Centres or surrounding urban areas for schooling, employment and the provision of goods and services. The following settlements are classified as Rural Hamlets: • Orton on the Hill

Because of the limited services in these hamlets, development will be confined to infill housing development, local choice schemes and conversion of agricultural buildings to employment uses.

The building has already been deemed suitable for a conversion to a residential use under Class Q legislation and at the full application stage. This application merely seeks to renew the previous consent.

Site Allocations and Development Plan Documents DPD Adopted 2016

DM4 Safeguarding the Countryside and Settlement Separation

To protect its intrinsic value, beauty, open character and landscape character, the countryside will first and foremost be safeguarded from unsustainable development. Development in the countryside will be considered sustainable where:

- a) It is for outdoor sport or recreation purposes (including ancillary buildings) and it can be demonstrated that the proposed scheme cannot be provided within or adjacent to settlement boundaries; or*
- b) The proposal involves the change of use, re-use or extension of existing buildings which lead to the enhancement of the immediate setting; or*
- c) It significantly contributes to economic growth, job creation and/or diversification of rural businesses; or*
- d) It relates to the provision of stand-alone renewable energy developments in line with Policy DM2: Renewable Energy and Low Carbon Development; or*
- e) It relates to the provision of accommodation for a rural worker in line with Policy DM5 - Enabling Rural Worker Accommodation.*

and:

- i) It does not have a significant adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside; and*
- ii) It does not undermine the physical and perceived separation and open character between settlements; and*
- iii) It does not create or exacerbate ribbon development;*
- iv) If within a Green Wedge, it protects its role and function in line with Core Strategy Policies 6 and 9; and*
- v) If within the National Forest, it contributes to the delivery of the National Forest Strategy in line with Core Strategy Policy 21*

The proposal is for re-use of an existing building and as such is allowed under part b) within this policy. As it is for a conversion there will be no impact on the openness of the countryside, nor adverse effect on its visual appearance.

DM10 Development and Design

Developments will be permitted providing that the following requirements are met:

- a) 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, air quality (including odour), noise, vibration and visual intrusion;*
- b) The amenity of occupiers of the proposed development would not be adversely affected by activities in the vicinity of the site;*
- c) It complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features;*
- d) The use and application of building materials respects the materials of existing, adjoining/neighbouring buildings and the local area generally;*
- e) It incorporates a high standard of landscaping where this would add to the quality of the design and siting;*
- f) It maximises opportunities for the conservation of energy and resources through design, layout, orientation and construction in line with Core Strategy Policy 24;*
- g) Where parking is to be provided charging points for electric or low emission vehicles are included where feasible;*
- h) An appropriate Sustainable Drainage Scheme is submitted to and approved by the relevant Authority. Schemes should incorporate wildlife areas, ponds, swales and permeable paving where appropriate;*
- i) It maximises natural surveillance and incorporates the principles of Secured by Design and has considered the incorporation of fire safety measures.*

In exceptional circumstances where outstanding, innovative design is demonstrated (particularly where high levels of sustainability are an integral feature), applications will be considered favourably, even where this may result in some limited conflict with the above criteria.

The development will have no detrimental effect on neighbouring residents. As the development is for a conversion the use of materials has already been dictated in terms of ensuring that it remains sympathetic to the existing. The scale and form largely remain unaltered and where possible environmentally friendly construction practices will be incorporated.

DM14 Replacement Dwellings in the Rural Area

A proposal for the demolition and rebuild of an existing dwelling outside the settlement boundary will be supported where:

- a) It leads to an enhancement of the immediate setting and general character of the area; and*
- b) The new dwelling is proportionate to the size, scale, mass and footprint of the original dwelling and situated within the original curtilage; and*
- c) The proposed development accords with Policy DM10: Development and Design, DM11: Protecting and Enhancing the Historic Environment and DM12: Heritage Assets.*

Whilst submitted as an application for conversion of an existing barn, the proposals can be positively assessed against this policy. The conversion retains the same scale and footprint of the existing barn and with a reduced curtilage to that previously approved under a Class Q prior notification. The conversion design consolidates the agrarian character of the barn and accords with the aforementioned criteria.

DM15 Redundant Rural Buildings

Proposed development outside the settlement boundary for the reuse and/or adaptation of redundant or disused rural buildings will be supported where:

- a) The applicant demonstrates the building is no longer viable in its current use; and*
- b) The applicant has adequately demonstrated the building is in a structurally sound condition and is capable of conversion without significant rebuild or alteration; and*
- c) Any proposed extension(s) or alterations are proportionate to the size, scale, mass and footprint of the original building and situated within the original curtilage; and*
- d) The proposed development accords with Policy DM10: Development and Design and relevant design guidance, DM11: Protecting and Enhancing the Historic Environment and DM12: Heritage Assets.*

All development proposals for the re-use of redundant rural buildings should result in the enhancement of the immediate setting

The building has been assessed against the Class Q criteria, and therefore has already demonstrated its suitability for conversion. The barn was historically used for corn storage however is now outdated with no integrated drying facilities and stored corn suffering from damp and vermin.

The application benefits from a structural survey which demonstrates the building is in structurally sound condition and is capable of conversion without significant rebuild. No physical alterations have been made, nor has the condition deteriorated since the previous consent.

DM17 Highways and Transportation

Development proposals will be supported where they:

- a) Seek to make the best use of existing public transport services and, where appropriate, provide opportunities for improving and sustaining the viability of those services;*
- b) Seek to ensure that there is convenient and safe access for walking and cycling to services and facilities;*
- c) Demonstrate that there is not a significant adverse impact upon highway safety; and in the case of development that generates significant movement;*
- d) That the development is located where the need to travel will be minimised and the use of sustainable transport modes can be maximised;*
- e) Where it can be demonstrated that the residual cumulative impacts of development on the transport network are not severe.*

Where appropriate, improvements will be required to be undertaken to the highways and transportation network to limit any significant impacts arising from the development (taking into account cost effectiveness).

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 highways authority.

The proposed layout utilises an existing access off Orton Lane. There is adequate turning space for vehicles to enter and exit the site in a forward gear. There are good levels of visibility in both directions when exiting the site, which are in excess of the recommended minimum highway requirements. The subject building already benefits from an extant prior notification for conversion to dwelling.

DM18 Vehicle Parking Standards

All proposals for new development will be required to provide an appropriate level of parking provision justified by an assessment of the site location, type of housing, other modes of transport available (e.g. public transport and cycle provision) and appropriate design. Any development will be expected to provide disabled parking provision.

Developments within Hinckley Town Centre should demonstrate that they would not exacerbate existing problems in the vicinity with increased on-street parking.

The proposed dwelling would benefit from 3 spaces, in accordance with parking requirements dictated within the Leicestershire Highways Design Guide.

5.0 CONSULTATION

Not applicable

6.0 MATERIAL CONSIDERATIONS

6.1 Previous consent

The previous permission for the site is due to lapse, the pandemic and then shortage of materials and labours being the mains issue for the permission not being implemented. This application is for the exact same proposal as was previously approved.

The officers report for the previous application (20/00537/FUL) stated that:

'Conclusion and Planning Balance

10.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

10.2 The housing policies in the adopted Core Strategy and the adopted SADMP are now considered to be out of date as they focussed on delivery of a lower housing requirement than required by the up-to-date figure. Therefore, the 'tilted' balance in paragraph 11(d) of the Framework applies where the permission should be granted unless adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

10.3 The principle of the conversion of a rural building to a residential use is accepted under Policies DM4 and DM15 of the SADMP subject to criteria being met. It is considered that the principal of the proposed change of use is accepted.

10.4 The proposal would only contribute one dwelling to the housing stock in the Borough which has limited benefit, However, the proposal, whilst involving adaption and alterations to an existing building would not have a detrimental impact on the agricultural character of the area and so is in general accordance with Policies DM4 and DM10 of the SADMP, which has significant weight.

10.5 On balance it is considered that the proposal would not harm the character and appearance of the countryside and the proposal would not have a detrimental impact on the surrounding highway network. Therefore, the presumption in favour of sustainable development applies, and the scheme should be granted planning permission subject to conditions.'

The proposal was deemed to have no detrimental impacts when previously approved and this application is for exactly the same development. The tilted balance is still in effect due to the council being unable to demonstrate a 5 year housing supply – as discussed below.

6.2 Housing Supply

Hinckley and Bosworth Borough Council have been found to be unable to demonstrate their 5-year housing land supply when the previous application was approved. The most recent planning committee for the district highlights that this is still the case.

'Using the standard method as outlined by the Ministry of Housing, Communities & Local Government (MHCLG), the Council are able to demonstrate 4.89 years of deliverable housing as of 01 April 2022. In addition, both the adopted Core Strategy and the SADMP are over 5 years old, and Paragraph 33 of the NPPF states that policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary. Therefore, this report sets out the relevant adopted Core Strategy and SADMP policies and refers to the NPPF and notes any inconsistencies between them.

8.21 Given the above and the change in the housing figures required for the Borough, the 'tilted' balance in Paragraph 11(d) of the NPPF is triggered.

8.22 Paragraph 11 (d) of the NPPF requires planning permission to be granted 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.

Paragraph 11 footnote 7 of the National Planning Policy Framework denotes that where the policies most important for determination are considered out of date, which is the case when a local planning authority cannot demonstrate a five-year housing land supply, that permission should be granted unless any adverse impacts of doing so would significantly and

demonstrably outweigh the benefits. This is outlined in the inspectorate's report and reiterated in Hinckley and Bosworth DPD policy DM1, which further adds on to this statement that permission should be granted unless material considerations indicate otherwise.'

(Extract from committee report for Application Ref 22/00527/OUT 6TH June 2023)

7.0 DESIGN COMPONENT

Use

The site has already been deemed suitable for residential use.

Amount

The proposal is for one dwelling. The dwelling would have 5 bedrooms.

Layout

Please see the attached layout plan submitted.

Scale

As existing

Landscaping

See proposed site / block plan

Appearance

The dwelling will be constructed using the existing frame with timber boarding, box profile roof with roof lights, glazed sections, aluminium windows and door and glazed balcony rails.

8.0 ACCESS COMPONENT

Access arrangements have been shown on the submitted proposed site layout plan. Access to the site is designed to Leicestershire Highways Design Guide adopted standard.

Disabled access to the dwelling will be provided in accordance with Building Regulation requirements and the layout allows for emergency vehicles to be able to easily reach the new dwelling.

9.0 CONCLUSION

The proposal for a conversion at Lea Grange Farm has already been previously approved. This application is for the exact same proposal.

Signed.....

Andrew J Large MRICS FAAV

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