

PLANNING STATEMENT

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GHMPLANNING

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1.0 Introduction

- 1.1 This Planning Statement has been prepared on behalf of David Granger Architectural Design Ltd. in support of the outline planning application for the erection of a dwelling and associated works.
- 1.2 This statement should be read in conjunction with the accompanying documents which include:
- Plans and drawings.
 - Application forms.
- 1.3 This statement describes the application site, the locality and proposal, comments on the relevant Development Plan and national policy framework and provides the information required for the Local Planning Authority to fully assess the proposal.

2.0 Site and Surroundings

- 2.1 The application site is located on the eastern side of Eskdale Road and comprises a parcel of land to the rear of 35 Langdale Road and to the side of 68 Eskdale Road.
- 2.2 The area is largely residential and Eskdale Road accommodates two-storey semi-detached dwellings of render with some brick plinths. The road is characterized by a similar front building line on properties with parking often to the front of properties. Langdale Road is characterized by similar properties and layout.
- 2.3 35 Langdale Road abuts the site to the north. It is a two-storey rendered semi-detached dwelling that fronts onto that highway. The side elevation has a hipped roof and is adjacent to Eskdale Road. A hedge runs along the boundary on Eskdale Road.
- 2.4 68 Eskdale Road is a similar property and fronts onto that highway. There are secondary openings on the side elevation.
- 2.5 The application site comprises land that formerly formed part of the rear garden of 35 Langdale Road.

3.0 Relevant Planning History

- 3.1 04/00529/OUT Erection of a single dwelling – Refused.
- 3.2 13/00333/OUT Erection of bungalow (outline – all matters reserved) – Refused on the following grounds:

In the opinion of the Local Planning Authority, the development of this former garden would result in an incongruous form of development which would be uncharacteristic of the two storey, semi-detached dwellings street layout and would be harmful to the wider street scene and character of the area. The

proposal is therefore contrary to the intensions of paragraph 53 of the NPPF criteria a and b of Policy BE1 of the Hinckley and Bosworth Local Plan and the adopted Supplementary Planning Guidance: New Residential Development.



3.3 16/00174/FUL Subdivision of plot and erection of dwelling – Refused on the following grounds:

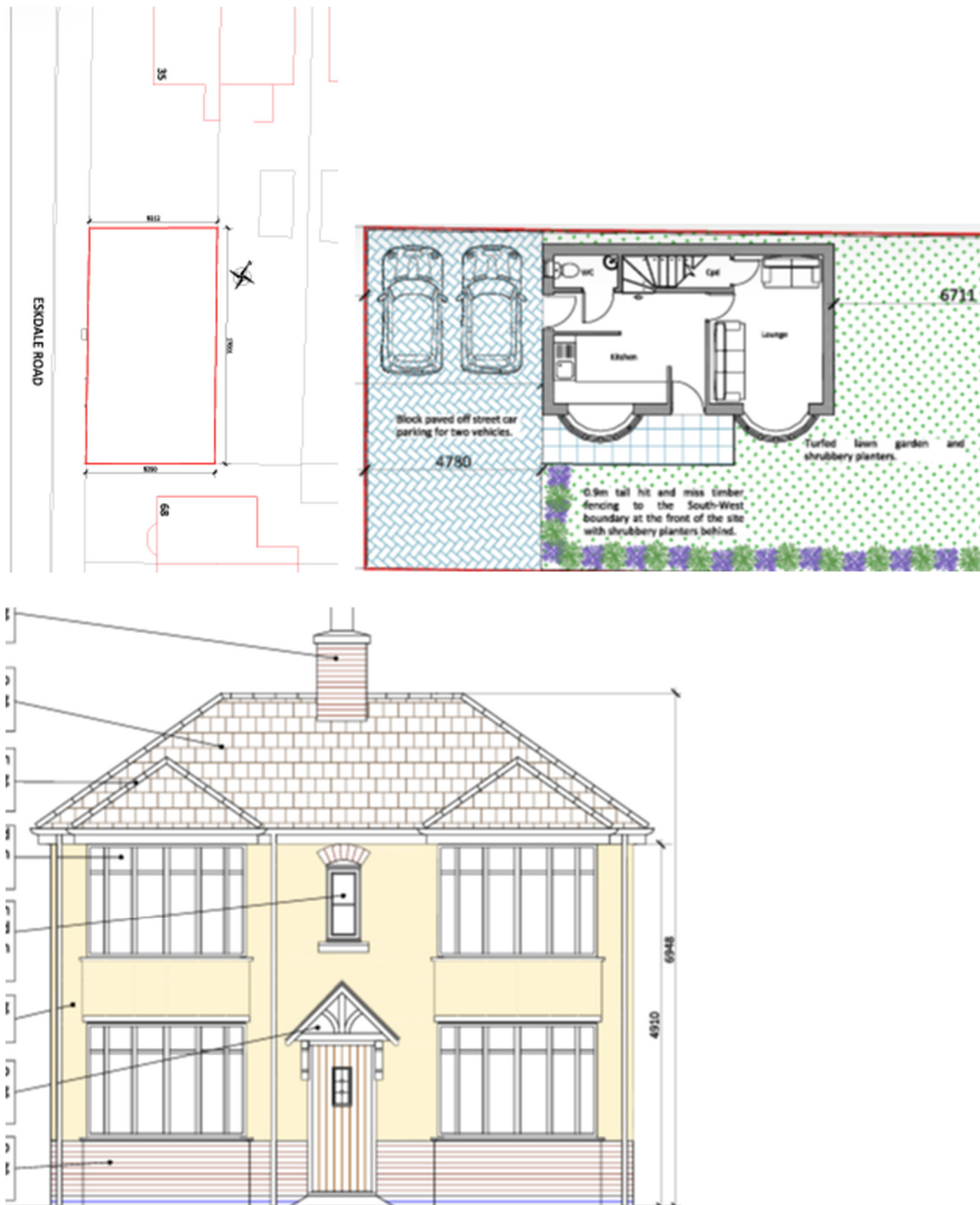
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By virtue of the proposed layout, scale and design the scheme would result in an uncharacteristic, incongruous and cramped development that would not be well integrated, would neither complement nor enhance the character of the surrounding area and would result in a loss of openness to the immediate setting and wider street scene. The proposal would harm the built environment contrary to the environmental role identified in paragraph 7 of the NPPF and fail to provide a sustainable development. The proposal would therefore be contrary to saved Policy BE1 (criteria and b) of the adopted Hinckley and Bosworth Local Plan (2001), Policies DM1 and DM10 (criterion c) of the emerging Site Allocations and Development Management Policies Development Plan Document, adopted Supplementary Planning Guidance on New Residential Development and the overarching design and sustainability principles of the National Planning Policy Framework (2012).

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By virtue of the siting, proximity and scale of the proposed dwelling, the scheme would result in severe adverse overbearing and overshadowing impacts on the gardens of neighbouring properties to the detriment of their residential amenity.

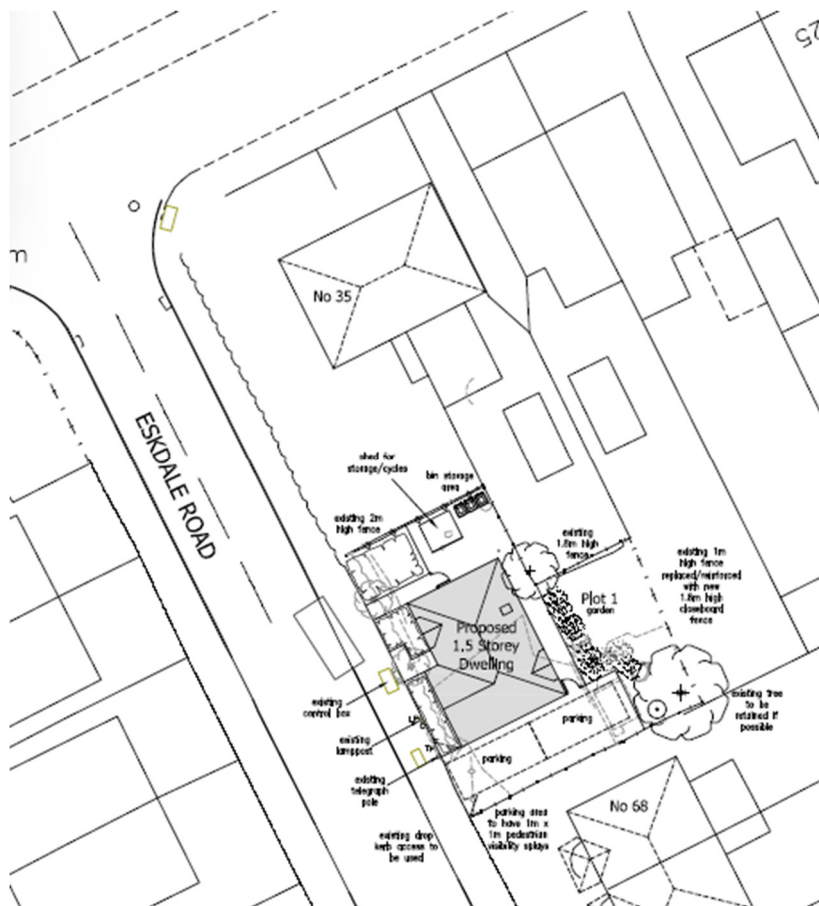
The scheme would therefore be contrary to saved Policy BE1 (criterion (i) of the adopted Hinckley and Bosworth Local Plan (2001), Policy DM10 (criterion a) of the emerging Site Allocations and Development Management Policies Development Plan Document, Supplementary Planning Guidance on New Residential Development and paragraph 17 of the National Planning Policy Framework (2012).



4.0 Proposed Development

- 4.1 The proposal comprises an outline application with all matters reserved. Indicative plans illustrate a dwelling on the site comprising a building fronting onto Eskdale Road with access to the southern boundary leading to two tandem parking spaces. Landscaping would be provided to the front and northern side of the dwelling. A private garden would be to the rear of the property. Cycle and

bin storage would be provided. The proposed dwelling would be of render, brick and tile to match the prevailing character of neighbouring dwellings.



5.0 Planning Policy

- 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 other material considerations indicate otherwise.
- 5.2 The Development Plan for this area comprises the Core Strategy DPD, the Site Allocations and Development Management Policies DPD and the Supplementary Planning Document The Good Design Guide.

- 5.3 Relevant policies include from the Core Strategy Policy 1 Development in Hinckley and Policy 19 Green Space and Play Provision.
- 5.4 Relevant policies from the Site Allocations and Development Management Policies include Policy DM1 Presumption in Favour of Sustainable Development, Policy DM3 Infrastructure and Delivery, Policy DM10 Development and Design, Policy DM17 Highways and Transportation and Policy DM18 Vehicle Parking Standards.
- 5.5 Other relevant documents include Open Space and Recreation Study (2016), The Good Design Guide (2020) and the National Design Guide.
- 5.6 At the heart of the NPPF is a presumption in favour of sustainable development. There are 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. These are an economic objective, a social objective, and an environmental objective. The economic objective seeks to ensure sufficient land of the right types is available in the right places at the right time to support growth. The social objective seeks to support strong, vibrant, and healthy communities by ensuring a sufficient number and range of homes can be provided to meet the needs of the present and future generations and by fostering a well-designed and safe built environment. The environmental objective seeks to contribute to protecting and enhancing our natural, built, and historic environment, including making effective use of land.
- 5.7 So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development. For decision-taking this means approving development proposals that accord with an up-to-date development plan without delay or 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 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 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.
- 5.8 At paragraph 48 of the NPPF it states planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.
- 5.9 Section 12 seeks to achieve well-designed places. It states the creation of high-quality buildings is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development and creates better places in which to live. Planning decisions should ensure that developments will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate and

effective landscaping, are sympathetic to local character and history, including the surrounding built environment and landscape setting and establish or maintain a strong sense of place using streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit. It also states permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. This section seeks to secure a high standard of amenity for occupiers of neighbouring properties.

- 5.10 The National Planning Policy Framework makes clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve. The National Design Guide illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice. It forms part of the Government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools. As well as helping to inform development proposals and their assessment by local planning authorities, it supports Section 12 of the National Planning Policy Framework.

6.0 Planning Assessment and Justification

- 6.1 The proposal comprises the erection of a dwelling. The application site is located within the settlement boundary of Hinckley where there is a presumption in favour of residential development provided by the Development Plan. Policy DM1 sets out a presumption in favour of sustainable development; this is supported by the NPPF which sets out states sustainable development as having three interacting dimensions, social, economic and environmental.
- 6.2 The site is located within a sustainable urban location within existing residential development and within a reasonable distance of services and facilities. The proposal would provide a limited contribution to the social role of sustainable development by providing an additional dwelling towards the supply for the Borough. The construction and sale of the development and its future ongoing occupation would also provide a limited contribution to the local economy.
- 6.3 The site has been subject to planning applications historically to erect a dwelling. Although these were refused, the refusals were not on the grounds of the principle of development. It is considered there is support in principle for a dwelling at this location under the current Development Plan and NPPF.
- 6.4 The Council cannot currently demonstrate a five-year housing land supply. Prior to the updated NPPF (December 2024) the housing target was 433 houses per year and the Council could demonstrate a five-year housing land supply of five and a half years. However, from 12 December this target has increased by 50% to now be 649 houses per year. The Council can no longer demonstrate a five-year housing land supply. On this basis, the tilted balance applies under paragraph 11d of the NPPF as set out below:

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 strong 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, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

- 6.5 The proposal has been designed to address the previous reasons for refusal, which were in part on visual grounds. The application for the erection of a bungalow on the site was refused on design grounds, introducing a single storey dwelling in an area of established two-storey dwellings and thereby resulting in harm to the street scene and character of the area. The application for the two-storey dwelling was refused partly on the grounds that by virtue of the proposed layout, scale and design the scheme would result in an uncharacteristic, incongruous and cramped development that would not be well integrated, would neither complement nor enhance the character of the surrounding area and would result in a loss of openness to the immediate setting and wider street scene.
- 6.6 A key difference between this application and the historic applications is that the site area has been enlarged. Previously, the site was restricted to a parcel of land directly to the rear of 35 Langdale Road. The current application has expanded the site by projecting to the rear of 33 Langdale Road through the use of part of the garden serving that property.
- 6.7 This enlargement of the site achieves several enhancements compared to previous schemes. The first is that the overall site area is significantly larger than the site areas for the two refused schemes. This addresses the cramped form of development and potential over-development of the site through a substantial reduction in the building to open space ratio. The additional land also provides a more secluded, private rear garden to serve the proposed dwelling whilst also retaining sufficient private rear garden space for 33 and 35 Langdale Road.
- 6.8 The additional land area also allows for an improved layout with parking, bin storage, cycle storage and ancillary domestic storage to be located to the north of the dwelling.
- 6.9 The proposed dwelling would have accommodation over two floors with the indicative street scene above illustrating large open spaces to both sides of the proposed dwelling. Furthermore, by incorporating lower eaves and ridge heights the dwelling would respond to the prevailing character and appearance

of the street scene but would also not be overly dominant in the street scene. The dwelling would be read as a two-storey building, in keeping with the established character of the street and wider locality.

- 6.10 The proposed dwelling, the design of which is shown indicatively on the submitted plans, would respond to the character and appearance of the locality through the two-storey bay windows, the pitched roof and the mix of brick and render. All these elements are found in the neighbouring buildings.
- 6.11 Overall, it is considered that based on the indicative plans, a dwelling of this size and scale could be integrated into the site and street scene without harm to the character or appearance of the site, street scene or locality.
- 6.12 The more recent planning application was refused partly on the grounds that the scale, siting and proximity of the proposed dwelling would have been harmful through overbearing impact and overshadowing impact to neighbouring gardens. That dwelling would have been sited adjacent to the rear boundary, the whole rear elevation abutting that part of the rear garden serving 33 Langdale Road.
- 6.13 The impact of this is understood and accepted and led to the formulation of the current proposal. By incorporating the additional parcel of land to the rear, the proposed dwelling would only marginally overlap with the rear part of the retained garden serving 35 Langdale Road. The majority of the proposed rear elevation would be adjacent to the private rear garden to serve the proposed dwelling and the marginal overlap would not result in an undue level of overbearing impact or overshadowing to the dwelling or garden of 35 Langdale Road.
- 6.14 The proposed dwelling would be set apart from gardens further to the east and this separation distance would ensure there would be no undue overbearing impact or overshadowing to these neighbouring gardens.
- 6.15 The proposed dwelling would be set well away from the neighbouring dwellings of 35 Langdale Road and 68 Eskdale Road to ensure no undue overbearing impact or overshadowing.
- 6.16 It is therefore considered that the proposed dwelling would address the residential amenity reason for refusing the previous application.
- 6.17 As the proposal is in outline the detailed design and layout of the proposed dwelling has not been submitted. However, the internal layout could be designed to prevent any undue overlooking or loss of privacy from side or rear facing first floor windows.
- 6.18 In terms of highway safety, the proposal is similar to the previous scheme in terms of access, parking and impact on highway safety. Under the last application, the Council concluded that “The proposed dwelling would be provided with adequate access from Eskdale Road and the proposed two off-street vehicle parking spaces would be adequate to serve the proposed

dwelling....the provision of one new dwelling would not result in any significant increase in traffic flows or adverse impacts on highway or pedestrian safety". It is not considered there are grounds for a different view to be taken based on the current proposal.

- 6.19 Separate reports covering biodiversity and BNG are submitted with the application.

7.0 Conclusion

- 7.1 It is considered that the proposed dwelling is acceptable in principle and would address the previous residential and visual amenity grounds for refusal. The proposal is also considered satisfactory in terms of highway safety. It is respectively requested that permission be granted for the proposed dwelling.